



# Amethod Public Schools

## Special Meeting of the AMPS Board of Directors

Published on September 19, 2025 at 3:03 PM PDT

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### Date and Time

Wednesday September 24, 2025 at 6:00 PM PDT

### Location

1450 Marina Way South, Richmond, CA 94804

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The Board of Directors (Board) and employees of Amethod Public Schools will be holding this meeting in person at **1450 Marina Way South, Richmond, CA 94804**.

Members of the public who wish to attend in person can join us in the Home Office's Board Room at 1450 Marina Way South, Richmond, CA 94804. Or members of the public may meet via the Zoom meeting platform at:

<https://us02web.zoom.us/j/83187954557>

We also offer two-way teleconference locations for the public to attend in our Oakland school sites:

Downtown Charter Academy- 2000 Dennison St, Oakland, CA 94606

Oakland Charter Academy- 4215 Foothill Blvd, Oakland, CA 94601

**Participating by Telephone:** 669-900-9128 Meeting ID: 831 8795 4557

**Public Comment:** Members of the public attending in person who wish to comment on an agenda item please fill out a speaker card and submit it to a staff member. Members of the public who are joining via teleconference, please use raise hand tool in the reactions tab located at the bottom of the zoom screen or press star (\*) nine if joining by telephone. The Board Chair will call on you. Please note that comments are limited to two minutes. The Board Chair may increase or decrease the time allowed for public comment, depending upon the topic and number of persons wishing to be heard.

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**Access to Board Materials:** A copy of the written materials which have been submitted to the Board of Directors with the agenda relating to open session items may be reviewed by any interested persons on the Amethod Public School’s website at [www.amethodschools.org](http://www.amethodschools.org) following the posting of the agenda. Amethod may distribute additional information and/or documents to the Board of Directors after the agenda is posted and at the meeting; these items and the full Board packet are available for inspection in the AMPS Board Room (located at [1450 Marina Way S, Richmond, CA 94804](http://1450 Marina Way S, Richmond, CA 94804)) and during the meeting. Any documents distributed to the Board of Directors during the meeting will be posted on the website Agenda following the 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) 436-0172. 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
<b>I. Opening Items</b>			<b>6:00 PM</b>
<b>A.</b> Call the Meeting to Order		Rodolfo Ornelas	1 m
<b>B.</b> Record Attendance		Sally Li	1 m
<b>C.</b> Announcements			1 m
<b>D.</b> Approval of the Agenda	Vote	Rodolfo Ornelas	1 m
<b>E.</b> Public Comments on Non-Agenda Items			2 m
Members of the public may comment here on non-agenda items that relate to one or more schools operated by Amethod Public Schools.			
<b>II. Consent</b>			<b>6:06 PM</b>
<b>A.</b> Approval of 08/28/2025 Regular Board Meeting Minutes	Approve Minutes	Rodolfo Ornelas	1 m
<b>III. Closed Session</b>			<b>6:07 PM</b>

	Purpose	Presenter	Time
<p><b>A. CONFERENCE WITH LEGAL COUNSEL— ANTICIPATED LITIGATION</b></p> <p>Significant exposure to litigation pursuant to Paragraph (2) or (3) of subdivision (d) of Section 54956.9 (five cases)</p>	Discuss		30 m
<b>IV. Business</b>			<b>6:37 PM</b>
<p><b>A. Review and Consideration of Approval of Revised Family Handbook</b></p> <p>Public comment</p>	Vote	Maria Arechiga	3 m
<p><b>B. Review and Consideration of Approval of Revised Employee Handbook</b></p> <p>Public comment</p>	Vote	Shameka Henderson	3 m
<p><b>C. Review and Consideration of Approval of Resolution of the Board of Directors of Amethod Public Schools Establishing Board Committees</b></p> <p>Public comment</p>	Vote	Rodolfo Ornelas	5 m
<p><b>D. Review and Consideration of Approval of Appointment of Treasurer of the Board</b></p> <p>Public comment</p>	Vote	Adrienne Barnes	3 m
<p><b>E. Review and Consideration of Approval of Appointment of Secretary of the Board</b></p> <p>Public comment</p>	Vote	Adrienne Barnes	3 m
<p><b>F. Review and Consideration of Approval of Richmond Charter Academy MOU</b></p> <p>Public comment</p>	Vote	Adrienne Barnes	3 m
<p><b>G. AB 1234 Ethics Training (including Brown Act)- Continued</b></p> <p>Public comment</p>	FYI	Kaela Haydu	60 m
<b>V. Closing Items</b>			<b>7:57 PM</b>
<p><b>A. Adjourn Meeting</b></p>	FYI	Rodolfo Ornelas	1 m

**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. **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., 1450 Marina Way South Second Floor, Richmond, CA 94804; telephone, (510) 436-0172 [sallyli@amethodschools.org](mailto:sallyli@amethodschools.org). **FOR MORE INFORMATION.** For more information concerning this agenda, please contact Amethod Public Schools Main Administration, 1450 Marina Way South Second Floor, Richmond, CA 94804; telephone, (510) 436-0172; Email: [sallyli@amethodschools.org](mailto:sallyli@amethodschools.org)

# Coversheet

## Approval of 08/28/2025 Regular Board Meeting Minutes

**Section:** II. Consent  
**Item:** A. Approval of 08/28/2025 Regular Board Meeting Minutes  
**Purpose:** Approve Minutes  
**Submitted by:**  
**Related Material:**  
Minutes for Regular Meeting of the AMPS Board of Directors on August 28, 2025

APPROVED



# Amethod Public Schools

## Minutes

### Regular Meeting of the AMPS Board of Directors

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#### Date and Time

Thursday August 28, 2025 at 6:00 PM

#### Location

1450 Marina Way South, Richmond, CA 94804

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The Board of Directors (Board) and employees of Amethod Public Schools will be holding this meeting in person at **1450 Marina Way South, Richmond, CA 94804**.

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**Directors Present**

D. Leung, L. Martinez, M. DiGiorgio, P. Hanley, R. Ornelas

**Directors Absent**

J. Lerma

**Guests Present**

A. Barnes, M. Arechiga, M. Busby, S. Li

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**I. Opening Items**

**A. Call the Meeting to Order**

R. Ornelas called a meeting of the board of directors of Amethod Public Schools to order on Thursday Aug 28, 2025 at 6:01 PM.

**B. Record Attendance**

**C. Announcements**

Board Chair Rodolfo gave a quick shoutout to the staff, thanking them for kicking off another school year. He recognized it's been busy and probably not easy, and showed appreciation for everyone's hard work.

**D.**

## Approval of the Agenda

R. Ornelas made a motion to move Business I item A. (Review and Consideration of Approval of Board Member Resolution- Peter Hanley) to come before the Consent Agenda and remove Business II item S. (Review and Consideration of Approval Downtown Charter Academy Material Revision) from the agenda.

L. Martinez seconded the motion.

The board **VOTED** to approve the motion.

### Roll Call

R. Ornelas Aye  
M. DiGiorgio Aye  
J. Lerma Absent  
P. Hanley Absent  
L. Martinez Aye  
D. Leung Aye

## E. Public Comments on Non-Agenda Items

No public comments.

## II. Business I

### A. Review and Consideration of Approval of Board Member Resolution- Peter Hanley

Board Chair Rodolfo presented a resolution regarding board member Peter's continued service. Due to strict attendance requirements outlined in the bylaws and Peter's recent personal challenges, the board is proposing this resolution to allow for his retention and continued participation on the board.

R. Ornelas made a motion to approve Board Member Resolution for Peter Hanley.

D. Leung seconded the motion.

The board **VOTED** to approve the motion.

### Roll Call

D. Leung Aye  
R. Ornelas Aye  
J. Lerma Absent  
L. Martinez Aye  
M. DiGiorgio Aye  
P. Hanley Absent

## III. Consent

### A. Approval of 07/18/2025 Board Retreat Meeting Minutes

D. Leung made a motion to approve all consent agenda items and to approve the minutes from AMPS Board Retreat on 07-18-25.

L. Martinez seconded the motion.



The board **VOTED** to approve the motion.

**Roll Call**

- P. Hanley Aye
- R. Ornelas Aye
- J. Lerma Absent
- M. DiGiorgio Aye
- D. Leung Aye
- L. Martinez Aye

**B. Approval of 07/18/2025 Regular Board Meeting Minutes**

D. Leung made a motion to approve the minutes from Regular Meeting of the AMPS Board of Directors on 07-18-25.

L. Martinez seconded the motion.

The board **VOTED** to approve the motion.

**Roll Call**

- L. Martinez Aye
- R. Ornelas Aye
- P. Hanley Aye
- M. DiGiorgio Aye
- D. Leung Aye
- J. Lerma Absent

**C. Approval of 07/18/2025 Board Retreat Meeting Minutes**

D. Leung made a motion to approve the minutes from AMPS Board Retreat on 07-18-25.

L. Martinez seconded the motion.

The board **VOTED** to approve the motion.

**Roll Call**

- D. Leung Aye
- L. Martinez Aye
- R. Ornelas Aye
- P. Hanley Aye
- M. DiGiorgio Aye
- J. Lerma Absent

**D. Approval of June Check Registers**

**E. Approval of July Check Registers**

**IV. Closed Session**

**A. CONFERENCE WITH LEGAL COUNSEL— ANTICIPATED LITIGATION**

The board returned from closed session at 7:09pm and there were no reportable actions.

**B.**

**PUBLIC EMPLOYEE APPOINTMENT (Gov. Code section 54957(b)(1).)**

**V. Business II**

**A. Review and Consideration of Approval of Employment Agreement for Director of Curriculum and Instruction**

Adrienne, CEO presents the at-will agreement for the Director of Curriculum and Instruction, noting that it is consistent with agreements provided to all directors. She clarifies that it includes the 2% COLA previously approved by the Board.

Vice Chair Margie asks who the Director of Curriculum and Instruction reports to.

Adrienne says the Director of Curriculum and Instruction reports indirectly to Elise Darwish, the consultant that is filling for the CAO role.

R. Ornelas made a motion to approve Employment Agreement for Director of Curriculum and Instruction pending addition of JD and work calendar.

M. DiGiorgio seconded the motion.

The board **VOTED** to approve the motion.

**Roll Call**

- J. Lerma Absent
- P. Hanley Aye
- R. Ornelas Aye
- L. Martinez Aye
- M. DiGiorgio Aye
- D. Leung Aye

**B. Finance Report**

Kimberly, Senior Director of Finance and Administration introduced the unaudited actuals report, which reviews revenue and expenditures since the second interim budget, along with any changes that have occurred. She then turned the presentation over to Jason and noted that individual votes for each school site will follow, along with time for board questions.

Jason Sitomer from Charter Impact reported on the unaudited actuals, emphasizing that significant financial cleanup took place over the past year to address long standing issues like revenue recognition errors, outdated accounts receivable, and depreciation that had not been recorded in prior years. For Benito Juarez Elementary, this cleanup resulted in a reported \$2.4 million deficit/loss in 2025-26, primarily driven by \$1.2 million in prior year revenue corrections, \$106,000 in late invoices from past fiscal years, and \$1.35 million in accumulated depreciation. He noted that without these one-time adjustments, the school would have had an operational surplus of about \$250,000. Despite the deficit/single year loss, BJE maintains a strong financial position, ending the year with a 30% fund balance, well above the state's 5% minimum. Jason added that similar issues will appear across

all school sites and clarified that depreciation is a non-cash, non-operational expense, which contributes to the reported deficit but not to actual spending.

Downtown Charter Academy ended the year with a modest \$10,000 surplus, with less extensive financial cleanup compared to other sites. The cleanup included \$240,000 in prior year revenue adjustments and \$23,000 in accounts payable from previous years. Since DCA has minimal capital assets, depreciation was only \$2,000. Altogether, these one time, non-operational adjustments totaled \$265,000, meaning that without them, the school would have shown a \$275,000 surplus. Despite the adjustments, DCA remains in a strong financial position, closing the year with an 82% fund balance.

John Henry High School experienced a reported \$600,000 deficit in 2025-26, largely due to one time financial cleanup items. These included \$850,000 in prior year revenue corrections, \$19,000 in accounts payable from previous years, and \$267,000 in depreciation from capital assets, totaling over \$1.1 million in non-operational adjustments. Without these cleanup items, the school would have ended the year with a surplus of over \$500,000. Despite the reported deficit, John Henry maintained a strong financial position with a 28% reserve balance, well above the state's 5% minimum requirement.

Oakland Charter Academy is projecting a \$242,000 deficit in 2025-26 due to \$290,000 in prior year revenue cleanup, \$19,000 in prior year accounts payable, and \$22,000 in depreciation expenses, totaling \$330,000 in non-operational adjustments. When these one time expenses are added back, the school would have actually had a surplus of nearly \$90,000.

Oakland Charter High School reported a \$1 million deficit in its 2025-26 unaudited actuals, mainly due to \$1.1 million in prior-year revenue cleanup and \$23,000 in prior year accounts payable. There was a significant adjustment between the second interim and the unaudited report, as nearly \$1.1 million in California Community Schools Partnership Program (CCSPP) revenue was removed as unspent, due to the grant money from all six schools being funneled through OCHS as the recipient. However, this revenue removal was offset by a placeholder for corresponding expenses that were never incurred, making the net effect neutral, hence the equal decrease in both revenue and expenses. The school also recorded over \$100,000 in depreciation. The total of all these non-operational cleanup expenses was \$2.37 million, but ignoring the CCSPP adjustments and focusing on \$1.24 million of cleanup and non-operational expenses, the school would have ended the year with a \$240,000 surplus.

For Richmond Charter Academy, the fund balance will end the year above the state's 5% minimum, improving from a negative balance of nearly \$70,000 at the start of the year. This improvement is largely due to a one time \$1.1 million intercompany payable cleanup. Other negative factors included \$270,000 in revenue cleanup, \$23,000 in prior year accounts payable, and \$480,000 in depreciation. Despite these, the one time cleanup

resulted in a net positive impact. Without this adjustment, the school would still have ended the year with a healthy \$156,000 surplus.

Board Chair Davis asked for updates on the financial cleanup and if most material items are cleaned up. He asked if the sum of all of the outstanding items will not amount to something that's material going forward.

Jason said they are working with Joyce Montgomery to finalize a few remaining balance sheet items that they didn't have time to complete during the last audit. However, the key material items are already accounted for, and they're confident that the unaudited interim report numbers will closely align with the final audit results.

Board Chair Davis inquires why these issues were not identified in past audits and if there are safeguards in place to ensure that future audits are clean.

Jason suggested that past financial errors likely stemmed from staff who lacked the necessary understanding of the complexities involved in charter finance.

Board member Peter expressed concern about the significant financial corrections since the second interim and asked for an explanation of the changes, structures, and safeguards that have been implemented to prevent similar issues from happening again in the future.

Jason explained that the large financial shifts previously seen were due to one-time funds like ESSER and learning recovery money, which have now been fully spent, so such swings won't happen again. He emphasized that the best safeguard is having knowledgeable financial staff and a competent team managing the finances to prevent future issues.

Adrienne added that a major improvement has been hiring staff trained in charter finance and partnering with a back-office provider, replacing the previous in-house team that lacked this expertise. She emphasized that these changes should prevent future issues and reassured that the large past errors are being addressed as one-time corrections.

Board member Peter asked if there will be an audit on December 15th.

Jason noted that the audit is scheduled to start in early October, which is normal and still allows for a timely completion. He emphasized their focus on finishing cleanup work to ensure everything is in order. He highlighted that the six schools ended fiscal year 2024 with a combined fund balance of nearly \$30 million, and the \$4 million write off represented only about 15% of those reserves. Despite the setback, he views the cleanup as a necessary, one time step that will put the schools on a stronger financial footing and maintain healthy reserves above minimum requirements.

Board member Davis noted that the unaudited actual report (UAR) shows the fund balance above the 5% threshold and asked if any adjustments are expected that might impact that balance.

Jason confirmed that no adjustments are expected and highlighted a 3.5% cushion in the fund balance, meaning it would take a significant \$200,000 change to risk dropping below the 5% threshold.

### C. Review and Consideration of Approval of Unaudited Actuals- Downtown Charter Academy

Adrienne, CEO explained that the unaudited actuals are presented in the detailed form before the board, which provides more information than the earlier finance presentation. Although submissions are now done online, this form is still used to clearly present the data.

Board member Davis asked if the individual submissions were consolidated into the main finance presentation shared earlier.

Jason responded that the data corresponds to the SACS coding line items, the state's standard chart of accounts, and all the numbers align with the previously presented figures. It's simply the format required for submission to the state.

P. Hanley made a motion to approve Unaudited Actuals for Downtown Charter Academy.

L. Martinez seconded the motion.

The board **VOTED** to approve the motion.

#### Roll Call

L. Martinez	Aye
P. Hanley	Aye
J. Lerma	Absent
M. DiGiorgio	Aye
R. Ornelas	Aye
D. Leung	Aye

### D. Review and Consideration of Approval of Unaudited Actuals- John Henry High School

Adrienne, CEO presents the electronic long version of the Unaudited Actuals for John Henry High School to the board.

P. Hanley made a motion to approve Unaudited Actuals for John Henry High School.

M. DiGiorgio seconded the motion.

The board **VOTED** to approve the motion.

#### Roll Call

L. Martinez	Aye
P. Hanley	Aye
R. Ornelas	Aye

**Roll Call**

M. DiGiorgio Aye  
D. Leung Aye  
J. Lerma Absent

**E. Review and Consideration of Approval of Unaudited Actuals- Oakland Charter Academy**

Adrienne, CEO presents the electronic long version of the Unaudited Actuals for Oakland Charter Academy to the board.

L. Martinez made a motion to approve of Unaudited Actuals for Oakland Charter Academy.

D. Leung seconded the motion.

The board **VOTED** to approve the motion.

**Roll Call**

J. Lerma Absent  
D. Leung Aye  
R. Ornelas Aye  
P. Hanley Aye  
M. DiGiorgio Aye  
L. Martinez Aye

**F. Review and Consideration of Approval of Unaudited Actuals- Oakland Charter High School**

Adrienne, CEO presents the electronic long version of the Unaudited Actuals for Oakland Charter High School to the board.

R. Ornelas made a motion to approve Unaudited Actuals for Oakland Charter High School.

P. Hanley seconded the motion.

The board **VOTED** to approve the motion.

**Roll Call**

R. Ornelas Aye  
M. DiGiorgio Aye  
D. Leung Aye  
P. Hanley Aye  
J. Lerma Absent  
L. Martinez Aye

**G. Review and Consideration of Approval Unaudited Actuals- Richmond Charter Elementary - Benito Juarez**

Adrienne, CEO presents the electronic long version of the Unaudited Actuals for Benito Juarez Elementary to the board.

M. DiGiorgio made a motion to approve Unaudited Actuals for Richmond Charter Elementary for Benito Juarez.

L. Martinez seconded the motion.  
The board **VOTED** to approve the motion.

**Roll Call**

P. Hanley Aye  
J. Lerma Absent  
R. Ornelas Aye  
D. Leung Aye  
M. DiGiorgio Aye  
L. Martinez Aye

**H. Review and Consideration of Approval of Unaudited Actuals- Richmond Charter Academy**

Adrienne, CEO presents the electronic long version of the Unaudited Actuals for Richmond Charter Academy to the board.

D. Leung made a motion to approve of Unaudited Actuals for Richmond Charter Academy.

L. Martinez seconded the motion.  
The board **VOTED** to approve the motion.

**Roll Call**

J. Lerma Absent  
M. DiGiorgio Aye  
R. Ornelas Aye  
P. Hanley Aye  
L. Martinez Aye  
D. Leung Aye

**I. Review and Consideration of Approval of Get Empowered MOU 2025-26 for Downtown Charter Academy**

Kimberly, Senior Director of Finance and Administration presents two MOUs from the vendor, Get Empowered, which provides After School Education and Safety (ASES) programming at DCA and OCA. Since their contracts exceed \$50,000, board approval is required. The ASES program offers expanded learning opportunities through after-school clubs like circus arts, yoga, and dance. Get Empowered is a familiar vendor with a history of supporting the schools, and the board is being asked to approve their contract for services in the 2025-26 school year.

Adrienne, CEO added that she signed an agreement worth about \$17,000, and combined with the current \$98,700 agreement, these services are also funded using Measure G1 funds.

Board member Liz asks will the program be 100% grant funded.

Kimberly says the program is 100% grant funded.

Board member Peter noted that while the vendor was used last year, this year’s program offerings seem to have expanded significantly. He expressed concern about the cost, pointing out that with a limited number of students at DCA, he wondered how the programs are selected, how many kids actually participate, and how many truly benefit. He questioned whether spending this amount on after school programming is justified, noting that this level of programming exceeds what he’s seen at other schools. He also asked if any evaluations had been conducted regarding student participation or feedback on the programs.

Mary, Senior Director of Student Services says Get Empowered conducts a survey at the end of the school year.

Adrienne acknowledged that while the list of programs is extensive, many are offered only on specific days. She noted that DCA has a high percentage of students participating in after school programs and prefers outsourcing extracurricular activities to vendors like Get Empowered. This model, funded by ASES grants, differs from other sites that handle more programming in-house and aims to benefit all students involved.

Board Chair Rodolfo points out one class offering on Monday, two on Tuesday, two on Wednesday, three on Thursday, four on Friday, which seems in line with usually when kids go after school.

R. Ornelas made a motion to approve Get Empowered MOU 2025-26 for Downtown Charter Academy.

D. Leung seconded the motion.

The board **VOTED** to approve the motion.

**Roll Call**

- M. DiGiorgio Aye
- R. Ornelas Aye
- D. Leung Aye
- L. Martinez Aye
- P. Hanley Aye
- J. Lerma Absent

**J. Review and Consideration of Approval of Get Empowered MOU 2025-26 for Oakland Charter Academy**

Kimberly, Senior Director of Finance and Administration presents that Get Empowered is also the vendor for programming at OCA. While OCA’s individual contract doesn’t exceed \$50,000, combined with other contracts it does, so the MOU is brought before the board for approval. At OCA, Get Empowered will offer two programs, Cooking Nutrition and Basketball offered Monday through Thursday. The total agreement for the 2025-26 school year is about \$28,900, fully funded by ASES.



D. Leung made a motion to approve Get Empowered MOU 2025-26 for Oakland Charter Academy.

L. Martinez seconded the motion.

The board **VOTED** to approve the motion.

**Roll Call**

- J. Lerma Absent
- R. Ornelas Aye
- D. Leung Aye
- M. DiGiorgio Aye
- L. Martinez Aye
- P. Hanley Aye

**K. Review and Consideration of Approval of Literacy/Dyslexia Screening Tool**

Maria, Chief of Staff recommended that the board approve the Dyslexia and Reading Difficulty Screener to comply with Education Code Section 53008, which mandates that starting in the 2025-26 school year, the board must approve a literacy screening tool for students in kindergarten through second grade.

Michelle, Director of Curriculum and Instruction explained that the California Department of Education provided four approved literacy screeners. After review, they recommend the board approve the MCLAP with DIBELS screener from Amplify. They chose Amplify because it aligns well with the six curricula currently in use, creating a smooth connection between the screener and existing instructional materials.

Board member Liz asks if there is already a plan implemented to access the students for the current school year.

Michelle stated that all schools must assess students in kindergarten through second grade starting in the 2025-26 school year, with specific timelines for notifying parents and offering an opt-out option. The academic team will develop a detailed rollout timeline for BJE. The supports are going to be tailored to the students' needs, and include evidence-based instruction and progress monitoring and further diagnosis.

Mary, Senior Director of Student Services explained that once the screening rollout begins, the next step is to integrate it into the MTSS process. The team will help identify Tier 2 interventions and small group instruction needs, with further steps planned after that initial phase.

R. Ornelas made a motion to approve Literacy/Dyslexia Screening Tool.

P. Hanley seconded the motion.

The board **VOTED** to approve the motion.

**Roll Call**

- R. Ornelas Aye
- M. DiGiorgio Aye

**Roll Call**

J. Lerma Absent  
D. Leung Aye  
L. Martinez Aye  
P. Hanley Aye

**L. Review and Consideration of Approval of 2024-25 Prop 28 Reporting- Oakland Charter High School**

Kimberly, Senior Director of Finance and Administration presents Oakland Charter High School's Prop 28 annual report for approval. This report details spending on arts and music programming funded by Proposition 28. Although no funds were spent last year, the report is required to show this. Schools still have time to use the funding, and future reports will outline how the money is spent. The board's approval is needed for this current report.

P. Hanley made a motion to approve 2024-25 Prop 28 Reporting for Oakland Charter High School.

R. Ornelas seconded the motion.

The board **VOTED** to approve the motion.

**Roll Call**

J. Lerma Absent  
R. Ornelas Aye  
M. DiGiorgio Aye  
P. Hanley Aye  
D. Leung Aye  
L. Martinez Aye

**M. Review and Consideration of Approval of Updated Stipends/ Salary Bands**

Adrienne, CEO provided an update on recent changes to the salary bands. For the home office, a new facilities position focused on maintenance was added, offering a higher rate of pay to reflect the nature of the work. Additionally, the CEO salary band was updated to reflect compensation comparability study. At the school sites, salary bands were adjusted to align with the higher of the two minimum wages in the cities where the organization operates, resulting in an increase to the lunch assistant and manager role starting pay. An administrative credential stipend was also added to encourage school site administrators to pursue their credentials. Lastly, the sports programs for high school and middle school were separated, recognizing that middle school sports require less time due to shorter seasons.

M. DiGiorgio made a motion to approve Updated Stipends/ Salary Bands.

L. Martinez seconded the motion.

The board **VOTED** to approve the motion.

**Roll Call**

M. DiGiorgio Aye  
D. Leung Aye

**Roll Call**

- P. Hanley Aye
- R. Ornelas Aye
- L. Martinez Aye
- J. Lerma Absent

**N. Review and Consideration of Approval of 2025-26 Celebration Speech Contract**

Mary, Senior Director of Student Services Mary presented the Celebration Speech Contract, which outlines services provided to IEP students by their contracted speech team. She emphasized how fortunate they've been to work with this provider, given the difficulty in finding qualified speech professionals. Currently, they have two SLPAs (Speech-Language Pathology Assistants) delivering services and one licensed Speech-Language Pathologist (SLP) who oversees the program and completes all evaluations. Mary clarified that in California, SLPAs are permitted to provide speech services as long as they are supervised by a licensed SLP.

R. Ornelas made a motion to approve 2025-26 Celebration Speech Contract.

L. Martinez seconded the motion.

The board **VOTED** to approve the motion.

**Roll Call**

- P. Hanley Aye
- M. DiGiorgio Aye
- L. Martinez Aye
- J. Lerma Absent
- R. Ornelas Aye
- D. Leung Aye

**O. Review and Consideration of Approval of Employee Benefit Plans**

Kimberly, Senior Director of Finance and Administration presented the renewal figures for staff benefits, noting that the organization currently spends about \$1.3 million on benefits. Working with their broker, Newfront, they initially received a renewal proposal that maintained existing vendors, including Sutter Health, Kaiser, and MetLife, which also covers vision and basic life plans. However, Newfront was able to negotiate a better offer by recommending a switch from MetLife to Guardian, resulting in a savings of \$126,000. The change is expected to have minimal impact on staff.

Patricia Moran from Newfront explained the renewal and negotiation process for employee benefits. Her team reached out to carriers, conducted a market check, and received quotes, though many were non-competitive. They successfully negotiated with Sutter and Kaiser and explored downgrade options to help reduce costs. As a result, they were able to lower the renewal increase from double digits to a single-digit percentage. Additionally, by switching from MetLife to Guardian, they secured cost savings, with Guardian offering comparable plans to the current ones.

Board member Peter expressed confusion about a slide showing benefit renewal figures. He pointed out a significant discrepancy: Sutter's rate appeared as 6.67% on one part of the slide and 31.72% on another, which he found unclear and inconsistent. He acknowledged there were savings involved but didn't understand how these percentages related to the overall numbers, calling the slide dramatically confusing.

Adrienne, CEO clarified that the slide presents three different scenarios for benefit costs. The black box shows the current cost for 2024-25, assuming no changes in employee demographics or numbers. The top scenario reflects what costs would look like if they renewed existing plans with no changes resulting in steep rate increases: 32% for Sutter and 11% for Kaiser, raising total costs from \$1.3 million to \$1.5 million. To avoid that jump, the team recommends the bottom scenario, which includes plan adjustments, reducing the increases to 6.7% for Sutter and 7.6% for Kaiser, keeping total costs to a more manageable \$1.38 million. AMPS will be absorbing the cost of the percentage change and the benefits are similar in comparison and there will be minimal impact on the employee.

D. Leung made a motion to approve Employee Benefit Plans.

R. Ornelas seconded the motion.

The board **VOTED** to approve the motion.

#### **Roll Call**

M. DiGiorgio Aye  
L. Martinez Aye  
P. Hanley Aye  
D. Leung Aye  
J. Lerma Absent  
R. Ornelas Aye

#### **P. Review and Consideration of Approval of Amplify Curriculum Quotes**

Michelle, Director of Curriculum and Instruction requested approval for an Amplify quote for BJE, as it exceeds the CEO's approval threshold. The quote, totaling \$116,353.79, covers science curriculum for TK through 5th grade, including science kits as well as teacher and student materials.

Board member Davis asked if there were other curriculums considered.

Michelle and Mary said the purchase is aligned with what other middle and elementary schools are using, maintaining consistency with Amplify. It's not a new curriculum adoption, but rather a reorder of materials from the curriculum adopted last year, essentially a restock of needed supplies, not a new program.

R. Ornelas made a motion to approve Amplify Curriculum Quotes.

L. Martinez seconded the motion.

The board **VOTED** to approve the motion.

**Roll Call**

P. Hanley Aye  
L. Martinez Aye  
D. Leung Aye  
M. DiGiorgio Aye  
R. Ornelas Aye  
J. Lerma Absent

**Q. Review and Consideration of Approval of Declaration of Need for Fully Qualified Educators (CL-500) for Richmond Charter Academy**

Sally, HR Coordinator is seeking board approval for a declaration of need for fully qualified teachers at Richmond Charter Academy, similar to past requests. Currently, one teacher has a clear credential but is finishing their CTET program. In the meantime, the board is asked to approve the CLAD certification (Cross-Cultural, Language, and Academic Development), which is required for teachers working with English language learners in California. Two new hires currently in the hiring process will also need this certification.

Board Chair Rodolfo asked for clarification, noting that the document mentions expecting 5 interns but questions why 3 CLAD certifications are being added.

Sally explained that the CLAD certifications are only for teachers who already hold a credential. Currently, there are 5 teachers on short-term staff permits who have either enrolled or are about to enroll in a teacher preparation internship program.

Board member Peter asks what efforts the HR department is doing to hire qualified teachers. Since they are requesting for an exemption.

Sally clarified that they're not requesting an exemption but rather an addition to teachers' current credentials. Some teachers were hired without the CLAD certification because it wasn't previously required. Now, these teachers must complete a 3-6 month program and pass the CTET exam to receive an EL authorization for teaching English language learners. She's asking the board to allow these teachers to have a temporary CLAD authorization while they complete the program and testing to obtain the proper certification.

Board Chair Rodolfo explained that it's common for out-of-state teachers not to have the CLAD or EL endorsement initially and to work under temporary authorization while completing the CTET requirement. He acknowledged understanding the situation but emphasized that the declaration confirms a diligent search was made to find a fully qualified teacher for the position.

Mary, Senior Director of Student Services described the organizations efforts to recruit teachers, including participating in job fairs and posting openings on platforms like LinkedIn and EdJoin. Many administrators also use their personal LinkedIn accounts to spread the word. They've relied on word of mouth and connections with community schools and teaching network partners to build pipelines. For example, they have an intern coming in for counseling to help develop these pathways. Mary emphasized the challenge of the teacher shortage in California, due in part to a difficult and costly credentialing process, and highlighted their goal of creating internal pathways to grow their own teachers from within.

M. DiGiorgio made a motion to approve Declaration Need for Fully Qualified Educators (CL-500) for Richmond Charter Academy.

L. Martinez seconded the motion.

The board **VOTED** to approve the motion.

**Roll Call**

M. DiGiorgio Aye  
L. Martinez Aye  
J. Lerma Absent  
D. Leung Aye  
P. Hanley Aye  
R. Ornelas Aye

**R. Review and Consideration of Approval of Declaration of Need for Fully Qualified Educators (CL-500) for Oakland Charter Academy**

Sally, HR Coordinator is seeking board approval for a declaration of need for fully qualified teachers at Oakland Charter Academy. The DON outlines adding the CLAD authorization for a credentialed teacher that will start next week and two other teachers that are in the hiring pipeline.

R. Ornelas made a motion to approve Declaration of Need for Fully Qualified Educators (CL-500) for Oakland Charter Academy.

D. Leung seconded the motion.

The board **VOTED** to approve the motion.

**Roll Call**

D. Leung Aye  
M. DiGiorgio Aye  
J. Lerma Absent  
L. Martinez Aye  
P. Hanley Aye  
R. Ornelas Aye

**S. Review and Consideration of Approval Downtown Charter Academy Material Revision**

Item was voted by the board to be removed from the agenda.

**T.**

### **Review and Consideration of Approval of SB740 Application for Downtown Charter Academy**

Kimberly, Senior Director of Finance and Administration shared that board approval is required in order to submit SB740 funding applications for all school sites. Each application packet includes a legal status questionnaire that must be signed by Ms. Barnes and the board chair. Each site has already budgeted for this funding, as has been done in previous years. SB740 provides up to 75% reimbursement of lease costs, with the actual award based on the lesser of two amounts: 75% of the lease or the prior year's ADA (Average Daily Attendance) multiplied by a state-set rate. Once P2 attendance data is certified, a true-up occurs, and adjustments may be made especially if the program is overextended, which can result in funding reductions. Kimberly emphasized that while the funding is already factored into site budgets, applications must be submitted annually, and the board will be updated throughout the fiscal year if any changes to award amounts occur.

R. Ornelas made a motion to approve SB740 Application for Downtown Charter Academy.

D. Leung seconded the motion.

The board **VOTED** to approve the motion.

#### **Roll Call**

R. Ornelas Aye  
D. Leung Aye  
M. DiGiorgio Aye  
P. Hanley Aye  
J. Lerma Absent  
L. Martinez Aye

### **U. Review and Consideration of Approval of SB740 Application for John Henry High School**

Kimberly, Senior Director of Finance and Administration presents SB740 Application for John Henry High School for board approval.

M. DiGiorgio made a motion to approve SB740 Application for John Henry High School.

D. Leung seconded the motion.

The board **VOTED** to approve the motion.

#### **Roll Call**

P. Hanley Aye  
J. Lerma Absent  
R. Ornelas Aye  
M. DiGiorgio Aye  
L. Martinez Aye  
D. Leung Aye

### **V. Review and Consideration of Approval of SB740 Application for Oakland Charter Academy**

Kimberly, Senior Director of Finance and Administration presents SB740 Application for Oakland Charter Academy for board approval.

L. Martinez made a motion to approve SB740 Application for Oakland Charter Academy.

M. DiGiorgio seconded the motion.

The board **VOTED** to approve the motion.

**Roll Call**

J. Lerma Absent

R. Ornelas Aye

L. Martinez Aye

D. Leung Aye

M. DiGiorgio Aye

P. Hanley Aye

**W. Review and Consideration of Approval of SB740 Application for Oakland Charter High School**

Kimberly, Senior Director of Finance and Administration presents SB740 Application for Oakland Charter High School for board approval.

R. Ornelas made a motion to approve SB740 Application for Oakland Charter High School.

L. Martinez seconded the motion.

The board **VOTED** to approve the motion.

**Roll Call**

J. Lerma Absent

M. DiGiorgio Aye

L. Martinez Aye

D. Leung Aye

P. Hanley Aye

R. Ornelas Aye

**X. Review and Consideration of Approval of SB740 Application for Richmond Charter Elementary- Benito Juarez**

Kimberly, Senior Director of Finance and Administration presents SB740 Application for Richmond Charter Elementary- Benito Juarez for board approval.

D. Leung made a motion to approve SB740 Application for Richmond Charter Elementary- Benito Juarez.

L. Martinez seconded the motion.

The board **VOTED** to approve the motion.

**Roll Call**

P. Hanley Aye

D. Leung Aye

L. Martinez Aye

R. Ornelas Aye

J. Lerma Absent



**Roll Call**

M. DiGiorgio Aye

**Y. Review and Consideration of Approval of SB740 Application for Richmond Charter Academy**

Kimberly, Senior Director of Finance and Administration presents SB740 Application for Richmond Charter Academy for board approval.

D. Leung made a motion to approve SB740 Application for Richmond Charter Academy.

L. Martinez seconded the motion.

The board **VOTED** to approve the motion.

**Roll Call**

L. Martinez Aye

J. Lerma Absent

P. Hanley Aye

D. Leung Aye

M. DiGiorgio Aye

R. Ornelas Aye

**Z. CEO Report**

Adrienne, CEO gave an update on recent key events and initiatives since the last board meeting, highlighting a busy and productive start to the school year. The organization held a leadership retreat in partnership with Lead Liberated, focusing on anti-racist leadership and team building. They also hosted the AMPS Summit, an all staff professional development event, which was fully organized and led in house. The school year officially started on August 12th, and OCHS received a recommendation for the state to hear its appeal. This year's theme centers on honoring past strengths while refreshing purpose and remaining relentless for students. Adrienne shared her personal Lead Liberated goal: to reduce urgency in decision making and ensure choices are made in the best interest of students. She acknowledged the home office and site teams for their efforts in making both the retreat and summit successful.

Adrienne noted that the start of the school year felt calmer compared to last year, marking the beginning of a positive new chapter. The main ongoing issue has been traffic in Richmond, which the team is actively addressing in collaboration with local schools and the city. Looking ahead, the final SBE hearing is expected on September 10th or 11th, and the next board meeting is scheduled for September 18th, the same day as FIA's Raise the Bar Awards, where DCA will be honored with a surprise award.

**AA.AB 1234 Ethics Training (including Brown Act)**

Kaela Haydu from YM&C introduced the session by explaining that the board would be completing a full ethics training, covering the Brown Act, conflict of interest, and public records. She noted that conflict of interest laws include several components and that this training is now required for charter school boards under AB 2158, which took effect in 2022. Previously, only city councils and traditional school districts were required to

complete ethics training under AB 1234. The training must be completed every two years. She emphasizes most boards are doing these annually, because it does include things that you want annually, such as the Brown Act and conflict of interest. Kaela continued the ethics training in detail.

Adrienne, CEO proposed a pause at 10:00pm given the time and many staff members staying at the school sites for the board meeting have work early in the morning the following day.

Kaela pauses her presentation and will resume Code 700 slides at the next board meeting.

## VI. Closing Items

### A. Adjourn Meeting

There being no further business to be transacted, and upon motion duly made, seconded and approved, the meeting was adjourned at 10:01 PM.

Respectfully Submitted,  
R. Ornelas

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**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. **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., 1450 Marina Way South Second Floor. Richmond, CA 94804; telephone, (510) 436-0172 [sallyli@amethodschools.org](mailto:sallyli@amethodschools.org). **FOR MORE INFORMATION.** For more information concerning this agenda, please contact Amethod Public Schools Main Administration, 1450 Marina Way South Second Floor. Richmond, CA 94804; telephone, (510) 436-0172; Email: [sallyli@amethodschools.org](mailto:sallyli@amethodschools.org)

# Coversheet

## Review and Consideration of Approval of Revised Family Handbook

**Section:** IV. Business  
**Item:** A. Review and Consideration of Approval of Revised Family Handbook  
**Purpose:** Vote  
**Submitted by:** Maria Arechiga  
**Related Material:** SY25-26 AMPS Family Handbook (updated\_09.2025)\_Redline.pdf  
SY25-26 AMPS Family Handbook (update\_2025.09).docx.pdf

### BACKGROUND:

Family Handbook revised, primarily due to changes in dress code.

### RECOMMENDATION:

Staff recommends the approval of the revised Family Handbook.

# AMPS



AMETHOD PUBLIC SCHOOLS

## Family Handbook 2025-2026

*Family Handbook (Rev. 09/2025)*

# Amethod Public School (AMPS) Campuses

[www.amethodschools.org](http://www.amethodschools.org)

## Oakland Charter Academy Middle School (OCA)

4215 Foothill Blvd. Oakland, CA. 94601  
(510) 532-6751 Fax (510) 532-6753

## Downtown Charter Academy Middle School (DCA)

2000 Dennison Street, Oakland CA 94606  
(510) 535-1580 Fax (510) 535-1597

## Richmond Charter Academy Middle School (RCA)

1450 Marina Way South Richmond, CA 94804  
(510) 235-2465 Fax (510) 235-2487

## Benito Juarez Elementary School (BJE)

1450 Marina Way South Richmond, CA 94804  
(510) 215-7009 Fax: (510) 215- 7016

## John Henry High School

1402 Marina Way South Richmond, CA 94804  
510-235-2439 Fax:510-235-2487

# AMPS: Who We Are



## OUR BEGINNING

**What Does "Amethod" mean?**  
**Amethod describes the value that not all communities or schools have the same need. We took the wording and created our unique name.**  
**There is a method unique to every campus, respectively.**



The Amethod Public Schools (AMPS) organization operates the oldest charter school in the East Bay Area, and one of the oldest in the state. The original "Jingletown" Charter School, later to be named Oakland Charter Academy, opened in 1994 as the 8<sup>th</sup> charter school established in California. Since then, Oakland Charter Academy has grown from a single middle school site to the present five schoolcampus, multi-city and multi-county charter school networksystem. The AMPS network has continued to deliver a

top-notch free public-school education that has produced a National Blue Ribbon Award school, a California -Distinguished School, and some of the highest performing middle and high school programs in the state and country.

Every Amethod Public School campus is characterized by a culture that is structured, supportive, and focused on academic work. The ethos of the AMPS community is rooted in offering a vibrant and rigorous school program that intends to prepare students for life beyond the TK-12 system. The staff and faculty strive to ensure that the policies, core values, objectives and goals are consistently reinforced throughout the year.

It is our organizational intent to make student achievement our highest priority; and through our different programs, we will offer the needed support for success. It is with the same consideration that we expect that families make the same commitment to their child and school to reach the goal of academic success. ~~Our staff is often available beyond the traditional school calendar and daily hours to assure student academic success, and we therefore ask families to also support the extra efforts of this school system by committing to a different type of public-school program.~~

### AMPS Mission Statement

Amethod Public Schools (AMPS) seeks to provide a rigorous college preparatory education and character development program that will prepare students from underserved communities to succeed in college and beyond.

### AMPS Vision

Amethod Public Schools foster students' motivation and belief in academic achievement and goals. We are a free and public charter school network that believes in the promise of hard-working students from all perspectives, backgrounds, and talents. We challenge every student to strive towards a purpose larger than themselves and challenge all families to expect more from their schools, themselves, and their children for a prospective future for the next generation.

## AMPS Core Values

The Core Values of the organization are those values we hold which form the foundation on which we perform work and conduct ourselves. Core values are not descriptions of the work we do or the strategies we employ to accomplish our mission. The values underlie our work, how we interact with each other, and which strategies we employ to fulfill our mission. The core values are the basic elements of how we go about our work. They are the practices we use (or should be using) every day in everything we do.

**Students First  
Perseverance  
Responsibility  
Adaptability  
Commitment to Distinction**

## Attendance Policy

### Absences Procedure

If a student will be absent, parents/guardians are responsible for calling the school before or on the day of the absence *before* the school day begins. Our sites use an automated system that will record your message before and after regular office hours, thus parents/guardians need to leave a message with the following information:

- Child Name
- Grade level
- Parent/Guardian name
- Date of Absence
- Reason for Absence
- Date of return
- Phone number where you can be reached

*Children between six and eighteen years of age must attend school. Parents will be held responsible; (Ed. Code 48293)*

When the student returns, the student must bring a proof of absence, such as a doctor's note, explaining the absence/s. Parents/guardians are encouraged to pick-up student's homework when they are absent from school any time before 4pm. Parents/guardians will be called in the morning to ask about their child's absence. Students who are absent may be required to attend [after school session](#)~~Ed Center after school~~ to make up missing work. Students with more than three (3) unexcused absences are considered truant.

### Sample of Non-Excused Absences

- Rain (weather)
- Being tired
- Vacations
- Lack of Transportation
- Child or Parents/guardians overslept
- No alarm clocks

### Schedule Appointments for After School Hours

Families are encouraged to schedule appointments or other commitments outlined within the Attendance Policy outside of school time. The best times are on Friday afternoons after 1:45 p.m., or days when school is not in session. In the rare case when a student has an appointment or commitment during school hours, it is expected that the student will come to school before the appointment and return to school after the appointment to finish the remainder of the school day.

### **Skipping Class**

Any student caught skipping class will receive an unexcused absence, which may lead to being truant. Consequences for skipping also include detention and may result in a recommendation to be involuntarily removed from the Charter School. Any student that leaves school without permission may forfeit a field trip and/ or activity participation.

### **Suspensions Are Considered Absences**

If students are absent from school due to suspension, these days will be treated as excused absences.

### **Dismissal**

Students are expected to stay in school until the very end of the school day. All students will be dismissed by their teachers at a time specific to their school site. Early pickups are disruptive to the learning environment. Our learning environment is extremely important to the success of each student, and we strongly discourage any disruption of a class by leaving early. Leaving early also disrupts the teacher from instruction as they will need to prepare a student's homework. Please make sure your child alerts their teachers in the morning if they need to leave early that school day.

### **Absences and Missed Work**

When a student is absent, the student must contact the teacher to get the homework assignments for that day. Homework assigned the day of a student's absence is expected to be turned in on the day the student returns unless the student has contacted their teacher prior to returning and the teacher has agreed that the student has an extra day to complete the assignment.

Since missing class affects academic achievement, repeated absences may be reflected in the student's grades. If a student is repeatedly late or absent, the director, teacher(s), student and parent or guardian will meet to address the issue per the truancy process below.

### **Tardiness**

Tardiness is disruptive to the learning process. It has a negative impact on the entire class, not just the child who is tardy. It is the policy of AMPS campuses to have students arrive to class on time.

Each student is expected to be in class each day, on time. A students who arrives after the morning bell is considered late and must adhere to the consequences listed below. If a students is tardy, they will receive a



Tardy Pass documenting the time of arrival.

### **Definitions**

- *“Tardy”*: Students shall be classified as tardy if the student arrives after the morning bell
- *“Unexcused Absence”*: A student shall have an unexcused absence if the student is absent or is tardy for more than thirty (30) minutes without a valid excuse.
- *“Truant”*: A student shall be classified as a truant if the student is absent from school without a valid excuse three (3) full days in one school year, or if the student is tardy or absent for more than any 30-minute period during the school day without a valid excuse on three (3) occasions in one school year, or any combination thereof. Any student who has once been reported as a truant and who is again absent from school without valid excuse one or more days, or tardy on one or more days, shall again be deemed a truant. Such students shall be reported to the Site Director or designee.
- *“Habitual Truant”*: This generally occurs when the student is absent from school without a valid excuse for five (5) full days in one school year or if the student is tardy or absent for more than any 30-minute period during the school day without a valid excuse on five (5) occasions in one school year, or any combination thereof.
- *“Chronic Truant”*: A student shall be classified as a chronic truant if the student is absent from school without a valid excuse for ten (10) percent or more of the school days in one school year, from the date of enrollment to the current date.

### **Excused Absences/Tardies for Classroom Based Attendance**

The following are excused tardies/absences:

Absence from school shall be excused only for health reasons, family emergencies and justifiable personal reasons, as required by law or permitted under this Attendance Policy.

A student’s absence shall be excused for the following reasons:

1. Personal illness, including an absence for the benefit of the pupil’s mental or behavioral health
2. Quarantine under the direction of a county or city health officer.
3. Medical, dental, optometric, or chiropractic appointments:
  - a. Students in grades 7-12, inclusive, may be excused from school for the purpose of obtaining confidential medical services without the consent of the student’s parent or guardian.

4. For the purpose of attending the funeral services or grieving the death of either a member of the pupil's immediate family, or of a person that is determined by the pupil's parent or guardian to be in such close association with the pupil as to be considered the pupil's immediate family, so long as the absence is not more than five (5) days per incident. "Immediate family" means the parent or guardian, brother or sister, grandparent, or any other relative living in the household of the pupil.
5. For any of the following reasons, if an immediate family member of the pupil, or a person that is determined by the pupil's parent or guardian to be in such close association with the pupil as to be considered the pupil's immediate family, has died:
  - a. To access services from a victim services organization or agency.
  - b. To access grief support services.
  - c. To participate in safety planning or to take other actions to increase the safety of the pupil or an immediate family member of the pupil, or a person that is determined by the pupil's parent or guardian to be in such close association with the pupil as to be considered the pupil's immediate family, including, but not limited to, temporary or permanent relocation.

Absences under this section shall not be excused for more than three (3) days per incident, unless extended on a case-by-case basis at the discretion of the school administrator. "Immediate family" means the parent or guardian, brother or sister, grandparent, or any other relative living in the household of the pupil.

6. Participation in religious instruction or exercises as follows:
  - a. The student shall be excused for this purpose on no more than four (4) school days per month.
7. For the purposes of jury duty in the manner provided for by law.
8. Due to the illness or medical appointment during school hours of a child of whom the student is the custodial parent, including absences to care for a sick child. (The school does not require a note from the doctor for this excuse).
9. To permit the student to spend time with an immediate family member who is an active duty member of the uniformed services, as defined in Education Code section 49701, and has been called to duty for, is on leave from, or has immediately returned from, deployment to a combat zone or combat support position. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the Charter School.
10. For the purpose of serving as a member of a precinct board for an election pursuant to Election Code section 12302.
11. Attendance at the student's naturalization ceremony to become a United States citizen.

12. Authorized parental leave for a pregnant or parenting student for up to eight (8) weeks, which may be extended if deemed medically necessary by the student's physician.
13. Due to the student's participation in military entrance processing.
14. Authorization at the discretion of the Site Director or designee, based on the facts of the student's circumstances, are deemed to constitute a valid excuse.
15. A student who holds a work permit to work for a period of not more than five (5) consecutive days in the entertainment or allied industries shall be excused from school during the period that the student is working in the entertainment or allied industry for a maximum of up to five (5) absences per school year subject to the requirements of Education Code section 48225.5.
16. In order to participate with a not-for-profit performing arts organization in a performance for a public-school student audience for a maximum of up to five (5) days per school year provided the student's parent or guardian provides a written note to the school authorities explaining the reason for the student's absence.
17. For the purpose of participating in a cultural ceremony or event. "Cultural" for these purposes means relating to the habits, practices, beliefs, and traditions of a certain group of people.
18. For the purpose of a middle or high school pupil engaging in a civic or political event as indicated below, provided that the pupil notifies the school ahead of the absence. A "civic or political event" includes, but is not limited to, voting, poll working, strikes, public commenting, candidate speeches, political or civic forums, and town halls.
  - a. A middle school or high school pupil who is absent pursuant to this provision is required to be excused for only one school day-long absence per school year.
  - b. A middle school or high school pupil who is absent pursuant to this provision may be permitted additional excused absences in the discretion of a school administrator.
19. For the following justifiable personal reasons for a maximum of five (5) school days per school year (unless otherwise indicated), upon advance written request by the student's parent or guardian and approval by the Executive Director or designee pursuant to uniform standards:
  - a. Appearance in court.
  - b. Observance of a holiday or ceremony of the pupil's religion.
  - c. Attendance at religious retreats (not to exceed one school day per semester).
  - d. Attendance at an employment conference.
  - e. Attendance at an educational conference on the legislative or judicial process offered by a

nonprofit organization.

A student who is absent due to an excused absence will be allowed to complete all assignments and tests missed during the excused absence that can be reasonably provided and will receive full credit upon satisfactory completion within a reasonable period of time. The teacher of the class from which a student is absent shall determine which tests and assignments are reasonably equivalent to, but not necessarily identical to, the tests and assignments that the student missed during the excused absence.

Note: All AMPS schools have an “everything earned” culture. Students who are truant may not be allowed to participate in school events, such as field trips and assemblies.

### Truancy

Under state law, a pupil who, without a valid excuse, is absent from school for three (3) full days in one school year or is tardy or absent for more than thirty (30) minutes during the school day on three (3) occasions in one school year, is considered truant. Once a student is designated a truant, state law requires schools, and courts to intervene to ensure that parents and pupils receive certain services to assist them in complying with attendance laws.

### **Student Attendance Review Team (“SART”)**

AMPS has implemented a Student Attendance Review Team (“SART”) process to address attendance and tardy issues. The SART panel is designed to meet with parents/guardians of children who have exceeded the allowable amount of unexcused absences. The purpose of the meeting is to discuss the child’s attendance record and to work on solutions, develop strategies, discuss appropriate mental health support and other supportive services for the student and student’s family, and develop a plan for the child’s regular participation in school drawing from community resources when necessary. The team shall include representatives of the school, including teachers and directors. The Chief Academic Officer or designee shall chair all SART panels.

#### Procedures for Excessive Absences/ Tardies

1. Each of the first two (2) unexcused absences or unexcused tardies over 30 minutes will result in a call home to the parent/guardian by the Site Director or designee. The student’s classroom teacher may also call home.
2. Each of the third (3rd) and fourth (4th) unexcused absences or unexcused tardies over thirty (30) minutes will result in a call home to the parent/guardian by the Executive Director or designee. In addition, the student’s classroom teacher may also call home and/or the Charter School may send the parent an e-mail notification. In addition, upon reaching three (3) unexcused absences or unexcused tardies over 30 minutes in a school year, the parent/guardian will receive “**Truancy Letter #1 – Truancy Classification Notice**” from the Charter School notifying the parent/guardian of the student’s “Truant” status. This letter must be signed by the parent/guardian and returned to the Charter School. This letter shall also be accompanied by a copy of this Attendance Policy. This letter, and all subsequent letter(s) sent home, shall be sent by Certified Mail, return receipt requested, or some other form of mail that can be tracked. This letter shall be re-sent after a fourth (4<sup>th</sup>) unexcused absence.
3. Upon reaching five (5) unexcused absences or unexcused tardies over 30 minutes, the

parent/guardian will receive **“Truancy Letter #2 – Habitual Truant Classification Notice and Conference Request,”** notifying the parent/guardian of the student’s “Habitual Truant” status and a parent/guardian conference will be scheduled to review the student’s records and develop an intervention plan/contract.

4. Upon reaching six (6) unexcused absences or unexcused tardies over 30 minutes, the parent/guardian will receive a **“Truancy Letter #3 – Referral to SART Meeting”** and the student will be referred to a Coordination of Services Team (COST) (and the SART).
5. If the conditions of the SART contract are not met, the student may incur additional administrative action up to and including disenrollment from the Charter School, consistent with the Involuntary Removal Process described below.
6. If a student is absent ten (10) or more consecutive school days without valid excuse and the student’s parent/guardian cannot be reached at the number or address provided in the registration packet and does not otherwise respond to the Charter School’s communication attempts, as set forth above, the student will be in violation of this Policy and the SART contract (if any) and may be subject to disenrollment in compliance with the Involuntary Removal Process described below. If the student is disenrolled after the Involuntary Removal Process has been followed, notification will be sent within thirty (30) days to the student’s last known school district of residence.
7. Any documentation received by the Charter School regarding a student’s enrollment and attendance at another public or private school (i.e., CALPADS report) shall be deemed evidence of a **voluntary** disenrollment and shall not trigger the Involuntary Removal Process below.
8. For all communications set forth in this process, the Charter School will use the contact information provided by the parent/guardian in the registration packet. It is the parent’s or guardian’s responsibility to update the Charter School with any new contact information.

### **Process for Students Who Are Not in Attendance at the Beginning of the School Year**

When a student is not in attendance on the first five (5) days of the school year, the Charter School will attempt to reach the student’s parent/guardian on a daily basis for each of the first five (5) days to determine whether the student has an excused absence, consistent with the process outlined in this policy. If the student has a basis for an excused absence, the student’s parent/guardian must notify the Charter School of the absence and provide documentation consistent with this policy. However, consistent with process below, students who are not in attendance by the sixth (6<sup>th</sup>) day of the school year due to an unexcused absence will be disenrolled from the Charter School roster after following the Involuntary Removal Process described below, as it will be assumed that the student has chosen another school option.

1. Students who are not in attendance on the first (1<sup>st</sup>) day of the school year will be contacted by phone to ensure their intent to enroll in the Charter School.

2. Students who have indicated their intent to enroll but have not attended by the third (3<sup>rd</sup>) day of the school year and do not have an excused absence will receive a letter indicating the student's risk of disenrollment.
3. Students who have indicated their intent to enroll but have not attended by the fifth (5<sup>th</sup>) day of the school year and do not have an excused absence will receive a phone call reiterating the content of the letter.
4. Students who are not in attendance by the sixth (6<sup>th</sup>) day of the school year and do not have an excused absence will receive an Involuntary Removal Notice and the CDE Enrollment Complaint Notice and Form. The Charter School will follow the Involuntary Removal Process described below, which includes an additional five (5) schooldays for the parent/guardian to respond to the Charter School and request a hearing before disenrollment.
5. The Charter School will use the contact information provided by the parent/guardian in the registration packet.
6. Within thirty (30) calendar days of disenrollment, the Charter School will send the student's last known school district of residence a letter notifying it of the student's failure to attend the Charter School.
7. Any documentation received by the Charter School regarding a student's enrollment and attendance at another public or private school (i.e., CALPADS report) shall be deemed evidence of a voluntary disenrollment and shall not trigger the Involuntary Removal Process below.

#### Involuntary Removal Process

No student shall be involuntarily removed by AMPS for any reason unless the parent or guardian of the student has been provided written notice of intent to remove the student no less than five (5) school days before the effective date of the action ("Involuntary Removal Notice"). The written notice shall be in the native language of the student or the student's parent or guardian or if the student is a foster child or youth or a homeless child or youth, the student's educational rights holder. The Involuntary Removal Notice shall include the charges against the pupil and an explanation of the pupil's basic rights including the right to request a hearing before the effective date of the action, and the CDE Enrollment Complaint Notice and Form.

The hearing shall be led by the Chief Academic Officer or designee = consistent with the Charter School's expulsion procedures. If the student's parent, guardian, or educational rights holder requests a hearing, the student shall remain enrolled and shall not be removed until Amethod Public Schools issues a final decision. As used herein, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions or expulsions pursuant to the AMPS suspension and expulsion policy.

Upon parent/guardian request for a hearing, AMPS will provide notice of hearing, through which the pupil has a fair opportunity to present testimony, evidence, and witnesses and confront and cross-examine adverse witnesses, and at which the pupil has the right to bring legal counsel or an advocate. The notice of hearing shall

be in the native language of the student or the student's parent or guardian or if the student is a foster child or youth or a homeless child or youth, the student's educational rights holder, and shall include a copy of the AMPS expulsion hearing process.

If the parent/guardian is nonresponsive to the Involuntary Removal Notice, the Student will be disenrolled as of the effective date set forth in the Involuntary Removal Notice. If the parent/guardian requests a hearing and does not attend on the date scheduled for the hearing the Student will be disenrolled effective the date of the hearing.

If as a result of the hearing the student is disenrolled, notice will be sent to the student's last known district of residence within thirty (30) calendar days.

A hearing decision not to disenroll the student does not prevent AMPS from making a similar recommendation in the future should a student's truancy continue or reoccur.

### Referral to County District Attorney

It is the Charter School's intent to identify and remove all barriers to the student's success, and the Charter School will explore every possible option to address student attendance issues with the family. If a child's attendance does not improve after a SART plan has been developed, or if the parents fail to attend a required SART meeting, the parents and the child may be referred by AMPS to the District Attorney's office for prosecution through the court system. Students 12 years of age and older may be referred to the juvenile court for adjudication. Families need to understand that excessive absences and tardies are counter to a child's well-being.

Please see the Attendance Policy for more information, it can be found on our website under the AMPS Family Handbook tab.

### Non-Discrimination

These policies will be enforced fairly, uniformly, and consistently without regard to the characteristics listed in Education Code section 220 (actual or perceived disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Penal Code section 422.55, including immigration status, pregnancy, or association with an individual who has any of the aforementioned characteristics).

### Reports

The CEO, or designee, shall gather and report to the Board the number of absences both excused and unexcused as well as students who are truant, and the steps taken to remedy the problem. The Attendance Policy is also posted on the AMPS' website under Public Reporting and Resources

### Arrival and Drop-offs; Dismissal and Pick-ups

#### School Hours

Class begins promptly at the designated start time. If your student is not in an after-school program such as

tutorial or detention, then they are not allowed on campus due to a lack of supervision and must be picked up by 4:00 pm. See specific bell schedules for designated start and end times.

Students must decide with their parents in advance to be dropped off and picked up at school at the appropriate time. Students who remain after school must always remain on campus and follow all school rules.

### Carpooling

To reduce traffic flow and parking issues, we highly recommend carpooling.

### Morning Drop-Off Procedures:

Please be at school at the designated start time. If, arriving after the start time, students must go to the main office, sign-in as tardy, and get a slip before going to their first period class.

- When dropping off your child at school, please make sure you have pulled up to the curb and that your student can safely exit the vehicle and go immediately into the school.
- Do not drop your student off in any area other than the designated drop-off area..
- AMPS provides free breakfast before school starts. Please drop your child off early if they wish to participate in this new program.

### Afternoon Pick-Up Procedures

Students are only allowed to stay after school for the following reasons:

- They are participating in After School Education and Safety (“ASES”) or a staff sponsored student activity (sports, clubs, student government, etc.).
- They have been assigned detention or the homework center.
- They are receiving tutoring from a staff member.

Students who choose to participate in after school activities, must regularly attend the programs. Students may not leave campus until the program ends, or they are released to their parents. Students who cannot abide by this and other school rules will be removed from their program.

If a student has after school tutoring or detention, they are required to stay for the full duration. A Parent/Guardian may not pick them up early unless there is an emergency, and the student must be signed out at the office in person.

### Early Sign-outs

Please do not take your child out of school earlier than the dismissal time. Only early dismissals for absences per the Attendance Policy (that cannot be scheduled for Fridays after [the school’s dismissal time 1:30](#)), will be excused. All other early pick-ups are considered unexcused.

We will evaluate the early dismissal log on a quarterly basis. If a child has excessive early dismissals, we will start the SART (Student Attendance Review TEAM) process per the Attendance Policy. Since missing class can



negatively impact academic achievement, repeated absences and excessive early pick-ups may be reflected in your student's grades and acquisition of new skills.

- In the rare event that a student needs an early dismissal, the following procedures must be followed, the student or parent/guardian must notify the school that an early dismissal is necessary or the student must call their parent/guardian using the office phone;
- The student will remain in class or the main office until a parent/guardian or emergency contact arrives to pick up the student;
- The authorized adult must come in to sign the student out – we will only release students to an adult over the age of 18 who is a parent/guardian or is listed on the emergency contact form; and
- The student must make up all missed work.

### School Visitor Policy

A notice setting forth visitor registration requirements will be posted at entry points stating hours during which registration is required, the registration location, and the penalties for violation of registration requirements.

In order to register, visitors shall, upon request, furnish the Executive Director or designee with the following information:

1. Their name, address and occupation
2. Their age, if less than 21
3. The purpose for entering school grounds
4. Proof of identity
5. Other information consistent with the provisions of law

Please see the Visitation and Volunteer Policy for more information on the AMPS . website under the AMPS Family Handbook tab.

### Visitor Code of Conduct

The site administration may refuse to register any outsider if the administration reasonably concludes that the outsider's presence or acts would disrupt the school, students, or employees; would result in damage to property; or would result in the distribution or use of a controlled substance. The Director or designee may revoke a visitor's registration if they have a reasonable basis for concluding that the visitor's presence on school grounds would interfere or is interfering with the peaceful conduct of school activities or would disrupt or is disrupting the school, students, or staff.

The Director or designee may request that a visitor who has failed to register, or whose registration privileges have been denied or revoked, promptly leave school grounds. When an outsider is directed to leave, the Director or designee shall inform the visitor that if they reenter the school within seven days the visitor will be guilty of a misdemeanor subject to a fine and/or imprisonment. (Penal Code 627.7)

### Appeal Procedure

The Site Director or designee may withdraw consent to be on campus for up to fourteen (14) days even if the visitor has a right to be on campus whenever there is reason to believe that the person has willfully disrupted or is likely to disrupt AMPS's orderly operation. Consent may be reinstated at the discretion of the Site Director prior to the expiration of the fourteen (14) calendar day timeline whenever the Site Director has reason to believe that the presence of the person will not constitute a substantial and material threat to the orderly operation of the School campus. The person from whom consent has been withdrawn may submit a written request for a hearing on the withdrawal within the two-week period. The written request shall state the address to which notice of hearing is to be sent. The CEO or designee shall grant such a hearing not later than seven (7) days from the date of receipt of the request and shall immediately mail a written notice of the time, place, and date of such hearing to such person.

For more information, please see the Visitation and Volunteer Policy, which can be found as a file attached to our website under the AMPS Family Handbook tab.

## Academic Program

The AMPS mission and values drive all aspects of the academic program including content standards, curriculum, teacher domains, instruction, and assessment. Every aspect of the AMPS culture supports high academic performance, instilling in students the academic and character qualities needed to succeed in school, college, and in life.

Our schools are data driven and as such, every AMPS site will have an assessment calendar and dates that will detail the assessment of all students to capture progress and regression in content areas throughout the year and is provided to parents/guardians and student]via progress reports, parent portals or emails. The intent is to restructure needed lessons, tutoring programs, re-teach models, and other programs to assure student progress towards goals.

### Classroom Expectations

1. Students are to come to class prepared with completed homework. While the school will provide supplies, a recommended additional list of supplies may be provided by your child's school.
2. Students are to demonstrate respect towards all individuals in the classroom by listening and tracking the speaker and refraining from talking when others are speaking.
3. Students are to stay on task throughout each class period and actively participate in all classroom activities.

4. Students are to ask questions when needing clarification.
5. Students will seek to help each teammate rather than criticize during intense moments of learning.

### **Grading**

Report cards are issued every nine (9) weeks. Parents/guardians may be required to come in for at least one (1) parent-teacher conference during the school year. Report card grades will reflect the effort and work students put forth in these areas. Please note that parents and guardians can access a student's record of attendance and grades at any time through the PowerSchool Portal. If you need assistance with login, please do not hesitate to contact the office.

### **Homework**

Homework is an essential part of the AMPS educational program. The purpose of homework is to reinforce skills taught in the classroom, to help students develop a deeper understanding of concepts, and to promote good study habits. Students must begin to develop a positive work ethic and habits as they prepare their path towards college, and homework is a large part of that preparation. Part of homework is study time for tests and quizzes that make up part of your child's grades. If your child is not submitting assigned homework, then expect this to be reflected in lower grades. Over school breaks, holiday and summer packets will be assigned, and a parent/guardian signature is required.

Homework will be assigned daily and on weekends. This means that families must help students with their homework in ways that include:

- Checking assigned homework
- Manage time with extracurricular activities
- Monitoring reading time and reading logs
- Monitor screen time (TV, cell phone, iPad, video games, etc.)
- Creating routines at home for students to complete their homework
- Provide a quiet, organized place to work

Family assistance is encouraged; however, the student must complete their homework independently in order to benefit from the additional practice. Please do not do your child's homework for them. Adult writing identified in a child's homework will be considered as incomplete.

Homework Methods:

- Follow teacher instructions for assignments
- Homework must be completed in full and in accordance with high standards for neatness, hard work and professional presentation, unless a student has accommodations under a Section 504 Plan or an Individualized Education Program ("IEP")
- All elementary students are provided with homework folders. Homework folders are designed to teach students essential organizational skills. All assigned homework must be completed and, in the folder,

- All homework must be neat, clean, and thorough
- If the homework is late, missing, incomplete, or of poor quality, or is not completed properly, students run the risk of receiving no credit. If the problem continues to exist, then the parent/guardian must attend a meeting with the classroom teacher and school administration
- Students with an IEP will work with AMPS special education staff accordingly for their modified plans for success.

### **Assessments**

At AMPS, students will have multiple and varied opportunities to demonstrate what they know and what they can do in all their classes. Since the school's mission is to prepare students for college and beyond, rigorous and comprehensive course examinations are an important part of student assessment. Major quarterly and final exams for high school students will be used to evaluate students' mastery of course material at the end of each quarter and semester. Additionally, individual grade levels have specific exam requirements. Information regarding assessments will be sent throughout the year via parent square.

### **Academic Support**

All students need extra help at times in order to be successful. We offer several types of academic support to our students. Teachers respond to our students' needs through their curriculum and instructional strategies.

Targeted academic support is also provided for students throughout the day and afterschool in a variety of ways including during the Individualized Learning Block, small group instruction, and English Language Arts ("ELA") and Math Intervention, office hours and afterschool tutoring support.

If you are not enrolled in ASES, homework assistance can be obtained by reaching out to your subject teachers. At AMPS we understand each student has independent needs, and we are here to help meet those needs.

Teachers and instructional aid staff are also available during school hours and after school to help those who require additional support. Students are explicitly taught and always encouraged to ask questions in class and arrange for tutorials to maximize their understanding.

### **Summer School**

One of the core concepts of our program is the belief in increased educational time needed in school and offered through an extended school day and school calendar. If necessary, some students will attend our summer program as a commitment to being an Amethod Public School student.

### **Supplies & Daily Checklist**

Teachers will provide a recommended supply list at the beginning of the year. It is recommended that students bring these supplies to school. If any student cannot provide them, then the school will provide them for the student.

Students should come to school every day with the following items:

- Backpack with black and blue pens, pencils, paper, eraser, pencil sharpener
- School binder
- Completed homework
- Class binders, textbooks, and any other required materials
- Proper uniform

Students are prohibited from bringing Sharpie or permanent markers on campus due to previous defacing of school property. Students who are caught with permanent markers on campus will have the markers confiscated and not returned along with the possibility of additional consequences.

### **Promotion & Retention Overview**

The AMPS school standards for progress are high and considerably more demanding than many of the local school districts and schools. The nature of the high stake's certainty of charter schools and the existing achievement gaps among racial and economic subgroups in public education, merit and justify the need for exceeding academic standards and programs. AMPS expects students to progress through each grade within one school year. To accomplish this, instruction will be made to accommodate the varying interests and needs of individual students and include strategies for addressing academic deficiencies when needed. Students shall progress through grade levels by demonstrating growth and mastery in learning and meeting grade-level standards of expected student achievement.

The following criteria will be reviewed in calculating retention of a student:

- Grade Point Average (Grades below the mark of C-/2 are considered as failing and will receive 0 credits).  
More than 2 semester grades below a C-/2 may constitute retention
- PE and language are included in grade calculations
- IEP, Section 504 Plan and other modifications and plans will be reviewed during the retention decision phase
- Multiple measures assessments (including Standardized Testing and Reporting Program and Interim assessments) \* these are not used to retain. May be reviewed in conjunction with other areas
- Attendance record (More than 20 unexcused absences may constitute a retention)
- Social Emotional learning & growth (Is their maturity level ready for the next grade)

### **Parent Notification**

When a student is identified as being at risk of retention, the Director or designee shall notify the student's

parent/guardian at the earliest time possible and convene a Student Support Team (“SST”) meeting to review the student’s lack of academic progress and offer interventions or accommodations to support the student. In preparation for this meeting, the Director or designee shall provide a copy of the student’s grades and provide a copy of the Promotion and Retention Policy to the parents.

## School Rules, Expectations, & Policies

Our school is structured to provide a safe and orderly educational experience for our students. A safe and organized setting provides a foundation for effective teaching and learning. Our approach to discipline is two-fold. We believe in practices that are both preventative and restorative.

School rules and policies will apply to ALL students. Rules may be added throughout the year at the discretion of the site administration as needed. Our school’s expectations are set high in order for all of our students to be successful.

## Behavior Policies

The following are sample situations that AMPS has zero tolerance for:

- Drug/alcohol possession
- Bullying (this includes Cyberbullying)
- Possessing Weapons
- Leaving campus without permission
- Gang paraphernalia or graffiti
- Fighting
- Not following schools’ rules & procedures

We believe that higher education is the surest path to future success for ALL families, and having high expectations of all students is an absolute necessity.

Drawing the best from every student takes immense effort from the teachers, families, administrators, and students; but the results are well worth it.

The AMPS Method: All is Earned Culture

Families and students need to be aware of the disguised and hidden messages of low expectations widespread in many institutions, including public schools that have a negative impact on inner city families and students of color.

Students will earn and lose the following as appropriate for behavior and work ethic: (A sample list)

1. Time in classrooms
2. Field trips

- 3. School Events
- 4. Extracurricular trips

### Bullying

There is zero tolerance for bullying. If a student bullies another student, the student will be warned with a referral, and the parents/guardians will receive a phone call and a written notice of the incident. If the student is caught in another bullying incident, then the student may be suspended. In order for the student to return to school, the parent must meet with the Site Director/Principal and develop a plan for the bullying to stop. Students can also self-report bullying using the school's self-reporting form for bullying (found in the Dean's office and each classroom). Please see the Suspension and Expulsion Policy and Procedures, the Uniform Complaint Policy and Procedures, and the Harassment, Discrimination, Intimidation and Bullying Policy which are available [www.amethodschools.org](http://www.amethodschools.org) to file a complaint of bullying.

### Cheating and Plagiarism

Cheating/Plagiarism is a serious offense. If a student copies another student's work/homework or if a student gives another student their work/homework, it is considered cheating. Unless a staff member has given the student permission to complete assignments with a teammate(s), all assignments must be completed independently. Please communicate with your teacher for help when in doubt. Plagiarism involves the stealing of someone else's ideas or words as one's own or the imitation of the language, ideas, and thoughts of another author (or person) and representation of them as one's original work, or the use of artificial intelligence<sup>1</sup> or chatbots without giving credit. Depending on grade level and the degree of the violation, acts of cheating/plagiarism will result in one of the following consequences: detention, community service, in school suspension, out of school suspension, or Saturday schools. .

### Classroom Disturbance

The value of "Respect" is of the utmost importance at AMPS, and therefore classroom disturbances will not be tolerated. Any behavior that disrupts the instructional process, distracts students and/or teachers from classroom activities and studies, and/or creates a dangerous or fearful situation for students and/or staff will result in consequences, such as detention. Consistent disruptions will be addressed every time in order to keep the class environment safe and conducive to all learning.

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- <sup>1</sup> *"Artificial Intelligence"*: Artificial Intelligence ("AI") is a computer, robot, or other programmed mechanical device having the humanlike capacity to perform operations and tasks analogous to learning and decision making in humans, or question answering. Examples of AI include the following:
    - *"Chatbot"*: a computer program in the form of a virtual e-mail correspondent that can reply to messages from computer users.
    - *"ChatGPT"*: ChatGPT is a generative AI chatbot. It is a natural language processing tool driven by AI technology that allows human-like conversations and much more with a chatbot. The language model can answer questions and assist with tasks, such as composing emails, essays, music, images, and code.

## Conduct Outside of School Hours

It is imperative that students recognize that they are representatives of their school at all times as they wear their school uniforms or logoed shirt. Therefore, any conduct outside of school hours or away from school which may cause a substantial disruption to the educational process or endanger the health, safety, or well-being of other students or staff members may result in a consequence by the school, including suspension or expulsion.

### Dress Code

This dress code shall be in effect on campus during school and at school sponsored activities except when modified by the site administrator for specific extracurricular activities or in special cases. ~~+~~This dress code is gender neutral. ~~Clothing may be of any fashion, style or design, as determined by the student and the student's parents/guardians.~~

*The following guidelines shall apply to all regular school activities:*

1. Appropriate shoes must be worn at all times, which include: ~~sandals with a heel strap~~, tennis shoes, shoes with laces, and slip on shoes. The following shoes are not permitted: high heel or platform shoes, shoes with grind plates, shoes with wheels, slippers, or flip-flop sandals. Black, ~~or white~~ or gray shoes only due to gang color associations and student safety. Colors for small logos are permitted.
2. Accessories: The following are not permitted: wallet chains, facial piercings, or spiked bracelets.
3. Hats, caps or other head coverings shall not be worn unless it is necessary for medical or religious reasons.
4. Clothes shall be sufficient to conceal undergarments at all times. See-through or fish-net fabrics, and skirts or shorts shorter than knee-thigh are prohibited. No shirts may be worn that expose bare midriff.
5. Hair shall be clean and neatly groomed. Hair may not be sprayed by any coloring. Neatly groomed hair is essential to avoid specific gang associations by use of hair designs and/or color.
6. Coaches and teachers may impose more stringent dress requirements to accommodate the special needs of certain sports and/or classes.
7. No clothing, jewelry, accessories, or hairstyles which are, or include, a picture, writing, or insignia which is: (1) gang related; (2) presents a safety hazard to the wearer or others; (3) advertises or symbolizes any type of alcohol, drugs, tobacco, or gambling; (4) includes weapons or acts which are illegal, violent, obscene, or hazardous to one's health; (5) sexually suggestive, crude, vulgar, profane; discriminatory, obscene, contain threats, libelous; or (6) offensive or degrading to students or staff on the basis of gender, cultural, religious or ethnic values.

### Dress Code Violations



If a Charter School staff member determines that a student's attire is inappropriate or disruptive to the educational environment as described here in, the following may occur:

1. The student may be asked to briefly leave class to change clothing to align with this dress code.
2. The Charter School may confiscate items that violate the dress code.
3. The Charter School may notify the student's parents/guardians of the dress code violation(s).
4. The Charter School may schedule a conference with the student's parents/guardians to discuss the dress code violation(s).

Students may not be disciplined, penalized academically, or removed from class as a consequence for wearing "inappropriate" attire.

For more information, please see the Dress Code Policy, it can be found as a file attached to our website under the AMPS Family Handbook tab.

### **Closed Campus**

Students are not allowed to leave campus under any circumstances once they have arrived on school grounds. All students must be signed out by a parent/guardian or an adult listed on the emergency card, (who must demonstrate a picture ID) filed at the school prior to leaving the campus at any other time other than the student's designated departure time.

### **Field Trips**

AMPS recognizes and supports the concept of connecting our students with the broader community, both locally and globally, by providing field trips, cultural and art experiences, community service opportunities, and environmental education to fulfill AMPS's mission and philosophy. These activities help to promote tolerance, understanding, and acceptance of others, and enrich the educational experiences of the students, as well as meet the Charter School's goal of creating passionate life-long learners.

The safety and security of our students is a primary priority when planning or participating in field trips or excursions. These activities will be carried out in an appropriate manner to maximize and ensure student safety and to minimize the Charter School's legal liability and financial cost.

### **Disciplinary Rules during a Field Trip or Excursion**

Students are under the jurisdiction of the Charter School Board at all times during the field trip or excursion and all AMPS policies continue to be enforced during field trips and excursions. Charter School disciplinary policies are to be adhered to at all times. (e.g. Horseplay, practical jokes, harassment, taunting, rough play, aggressive or violent behavior, profanity, viewing of pornographic material, and use of alcohol and/or controlled substances during the field trip or excursion are strictly prohibited.)

Except as otherwise required by law, a student may be excluded from the trip if their presence poses a safety or disciplinary risk.

For more information, please see the Field trip Policy, which can be found as a file attached to our website under the AMPS Family Handbook tab.

### **General Maintenance**

Students and staff are expected to make every effort to keep all school property and facilities neat and clean. By taking part in keeping their school clean, students will take more pride in their school. As a courtesy and respect for the school facility, and environment, students must not throw trash on the ground or leave trash on tables. All students, staff, and faculty are expected to, and will be required to, assist in helping keep our campuses clean.

### **Personal Belongings and Gadgets**

Students are not allowed to have the following items at school, and should they have personal gadgets, it is their responsibility to store them away through the school day.  
(The following is not a complete list)

- Gum
- Toys
- Nail Polish
- Chains
- Any illegal substance
- Sharpie or permanent markers
- Electronics of any kind
- Weapons or any toy weapons
- Video games or any other electronic toys

AMPS will not be held liable for any damage or loss of the above-mentioned items, including electronic items. Items brought to school will be confiscated. A parent/guardian must come to school and schedule an appointment with the Site Director to have confiscated items returned at the school leader's discretion.

### **Public Displays of Affection**

The inappropriate public display of affection at school is unprofessional. Students are expected to exercise self-control and respect for the reputation of others. Specifically, any public display of affection (PDA) and or/ inappropriate sexual physical contact, whether affectionate (i.e., hand holding, kissing) or aggressive (i.e., pushing, grabbing) are not in accordance with policies at AMPS and will result in disciplinary action.

### **Rude or Disrespectful Behavior**

Students are expected to operate with the utmost integrity at all times, and therefore discourteous or

inappropriate language and/or behavior or gestures toward a staff member or student will result in penalties ranging from detention to short-term suspension.

### **Saturday School**

Saturday school is assigned to students who do not finish their break packets, or students who receive three (3) or more referrals in one quarter. There will be one (1) Saturday school per quarter, and if your child is assigned Saturday School, they are required to attend.

### **School Disturbance**

Any act that may cause disruption of the school environment and/or threaten the safety or well-being of other students is strictly prohibited at all AMPS sites. Such activities may include, but are not limited to; gang-related activities, walk-outs, sit-downs, rioting, picketing, trespassing, inciting disturbances, threats to the school, pranks, etc. Penalties for such disturbances may range from lack of privileges to suspension.

## Technology Program

At AMPS, we hope to engage our students meaningfully with the use of Technology on campus. We will not only instruct students how to properly use computers, but also concepts around Digital Citizenship and safety.

### **Cell Phones**

Upon entry to the school campus, cell phones must be turned off (not on vibrate or silent) and put in their backpack, and/or kept out of plain sight. Students may also be required to leave the cell phone with a teacher or administrator in the morning and retrieve it at the end of the school day. It is the responsibility of the parent/guardian to hold their students accountable to the policies and procedures of cell phone use.

Cell phones will be confiscated if used or visible during school hours without staff permission and will only be returned to the parent/guardian at the end of the day.

Please see the Cellphone, Smartphones & Other Electronic Devices Policy, which can be found at [www.amethodschools.org](http://www.amethodschools.org)

### **Technology Contract**

Each student and family will be required to sign a technology contract before that student is allowed to use a school computer. Students must be responsible and only use the websites allowed by their teacher. If caught on a different/inappropriate site, the consequences outlined in the contract will be followed.

Students are responsible for loss or damage to AMPS computers. Please see the Annual Notification Guide for the Lost or Damaged Property notice for more information.

### **Overview of Internet Safety**

AMPS has an Internet safety policy which includes, but not limited to, the following:

- Access by minors to inappropriate matters on the Internet is prohibited
- Procedures have been established to ensure the safety and security of minors when using the Internet. To this end, training and information will be provided to children so that they will refrain from giving out personal details to unknown parties at all times.
- Constant supervision will be maintained to monitor the activities of vulnerable children and the type of information they may encounter through the internet.
- AMPS will employ the use of technology such as firewalls and filters to augment the effort to maintain the integrity of the technology and internet-based programs.

It is the policy of AMPS Schools to:

- Prevent user access and transmission of inappropriate material via the Internet utilizing technology resources
- Prevent unauthorized access and other unlawful online activity
- Prevent unauthorized online disclosure, use, or dissemination of personal identification information of minors, and
- Comply with the Children’s Internet Protection Act

The policy applies to all AMPS community members, including students, teachers, staff, and designated contractual or temporary staff.

#### Technology Protection Measures

AMPS shall filter all Internet traffic originating from any AMPS location to ensure it is appropriate for minors and in compliance with all local, state and federal mandates. The AMPS Home Office support shall maintain the necessary licensing annually to ensure all applicable categories of harmful Internet content is blocked and inaccessible by community members.

AMPS shall also provide for the day-to-day administration of this content filter, which includes, but is not limited to:

- Manual blocking and unblocking of sites based on requests with legitimate educational purpose
- Application of appropriate licensing information

- Selection/de-selection of website categories deemed appropriate or inappropriate by the AMPS leadership community
- Review and analysis of usage and filtering logs
- Communication with specific Directorship concerning data and reports generated through the content filtering system

Procedures for the disabling or otherwise modifying any technology protection measure shall be the responsibility of AMPS Technology Support.

### Monitoring and Supervision of Online Activities

It will be the responsibility of all members of AMPS staff responsible for allocating AMPS technology resources for student use to supervise and monitor appropriate usage of AMPS technology resources, especially Internet access, in accordance with the Children’s Internet Protection Act.

This includes, but is not limited to:

- Logging and reporting of AMPS technology resource usage, especially Internet access
- In-classroom monitoring of student use of technology resources
- Follow-up meetings with students and/or parents concerning student use of technology resources

For more information, please see the Student Use of Technology and Acceptable Use Agreement, which can be found at [www.amethodschools.org](http://www.amethodschools.org).

### Education of minors

School staff responsible for allocating AMPS technology resources for student use shall be responsible for providing instruction to students concerning appropriate online behavior when utilizing AMPS technology resources. Such instruction shall include review of specific inappropriate behavior, the consequences of such behavior, and an indication of how staff will assist students to be successful with the use of AMPS technology resources while avoiding inappropriate content.

### Education of staff

AMPS’ Support Office staff shall be responsible for training designated staff within individual schools to further train and support school staff on the appropriate use of AMPS technology resources. Said staff will provide guidance and training to other school staff concerning the appropriate use of AMPS technology resources.

## Student Health Programs

## Physical Education

Physical education is mandated by the California Department of Education and should be encouraged by parents and families to keep kids active and healthy. AMPS adheres to the state standards and acknowledges the importance of regular Moderate to Vigorous Physical Activity (MVPA).

If your child plays sports either in or out of school and sustains an injury, please make sure to alert the school office. We require a healthcare provider's note for prolonged absence from PE.

## Peanut Free and Strawberry Free Campus

In order to keep our campus safe for all students, we will have a peanut and strawberry free school. Therefore, students are not allowed to bring snacks on campus that contain peanuts or strawberries.

Therefore, if students are seen with snacks that contain peanuts or strawberries students will be told to secure the food and take it home and a peanut and strawberry free snack will be given.

## Healthy Food Campus

We are also a healthy food campus. We do not allow soda, junk food, cookies or candy on campus. Chips are allowed if they are vegetable based or whole grain. If junk food is seen, students will be told to secure the food and take it home. Please see the Universal Meals Notice in the Annual Notification Guide for more information about the option to have breakfast and lunch.

## Administration of Medicine

Any student requiring medication to be dispensed must complete an "Authorization to Administer Medication" form completed by the parent and the student's healthcare provider permitting the school to administer the medication and providing explicit instructions. No prescription medication will be dispensed to a student without this documentation present in their file. Any student who is or may be required to take, during the regular schoolday, prescription auto-injectable epinephrine ("EpiPen") or inhaled asthma medication prescribed or ordered for the student by an authorized health care provider may carry and self-administer prescription an EpiPen or inhaled asthma medication if the Authorization to Administer Medication have been provided to the Charter School. All other medications will be securely stored and administered by the Administrative Assistant in accordance ~~with each~~with the each student's completed form.

## Bathroom Policy

Students are encouraged to use the bathroom before school, during transition times between and during lunch and breaks. Students are expected to use the bathroom responsibly and clean up after themselves. Should the bathroom situation become an issue, the Site Directors may implement a self-monitoring class policy.

## Breakfast and Lunch Program

All AMPS schools will be providing a free lunch and breakfast to students. Please see the Annual Notification Guide for the Universal Meals notice.

Parents may pack students a healthy lunch or snack if the child is staying after school or if you wish to opt-out of the lunch program. Students do not have access to a refrigerator or microwave.

As a matter of safety and policy, Parents are not allowed to drop off lunches for students. Students must carry their lunch/snacks with them from the start of the school. All students are to eat in the assigned food court area. We will not allow students to call home during lunchtime for food arrangements. Additionally, students are not allowed to use food delivery services to obtain food. This includes but is not limited to Ubeats, Postmates, Doordash or Grubhub.

### Illness during School Hours

If a child becomes ill or injured during the school day and is not well enough to stay in class, the parent/guardian will be called to pick the child up. It is necessary to have updated emergency contact numbers on file in the school office in case the parent/guardian cannot be contacted.

### Vision and Hearing Screenings

The California State Department of Education mandates vision and hearing screening in schools. You will be notified when your child is scheduled to be screened for vision and hearing. This screening is a general assessment of your child's vision and hearing. It may indicate possible difficulties your child may have with vision or hearing; it will not provide a confirmed diagnosis. This screening is not a substitute for regular medical visits to your child's doctor and optometrist.

You will be notified of your child's screening results only if they do not pass the test. At that time, your child will receive a referral for further evaluation by a qualified medical professional. If you choose for your child to not have screening at this time, please submit a signed written request to your Director. Please see the opt out instructions in the Annual Notification Guide.

### Mandated Reporting

All AMPS staff must follow state policies on reporting child abuse. In California, all school workers must report abuse or neglect if they "have knowledge of or observe" instances of abuse or neglect, or if they "know or reasonably suspect" abuse or neglect have occurred.

All AMPS school personnel are mandated reporters of suspected abuse and/or neglect. Mandated reporters are required to report suspected child maltreatment immediately when they have "reasonable cause to believe that a child who is 17 years of age or younger and known to them in a professional or official capacity has been harmed or is in danger of being harmed – physically, sexually, or through neglect – and that a caregiver either committed the harm or should have taken steps to prevent the child from harm.

Please see the School Director if you have any questions or concerns.

# Miscellaneous Policies

## Freedom of Speech & Personal Expression

The Board of Directors of AMPS respects students' rights to express ideas and opinions, take stands, and support causes, whether controversial or not, through their speech, writing, printed materials, including the right of expression in official publications, and/or the wearing of buttons, badges and other insignia.

For more information about the Student's Freedom of Speech and Expression Policy, it can be found as a file attached to our website under the AMPS Family Handbook tab.

# Family Involvement Program

Amethod Public Schools believes in the importance of working together to make a positive impact on the academic and social growth of every child. Family involvement is not only welcome, but also critical to the success of the school. While this may be the case, parental involvement is not required for acceptance or continued enrollment to any of our schools. Please see the Parent and Family Engagement Policy for more information, it can be found on our website under the AMPS Family Handbook tab.

## Family Involvement Opportunities

AMPS family-school relationships are maintained through opportunities such as:

- FST - Family & Staff Team
- School Carnival
- Field Day
- School Beautification
- Communications
  
- Sports
- Youth Truth Surveys
- Committee Work and or affinity groups (Graduation, Family Staff Team (FST))
- Conferences with students, families, and teachers
- Workshops for students and families
- Community-wide events, celebrations and performances



Amethod Public School families are asked to:

- Reinforce the academic and behavioral standards at home
- Send their student scholar to school in the required uniform compliance with the Dress Code Policy
- Maintain constant respectful communication with teachers and administrators
- Establish a daily routine for students that sets them up for success
- Ensure that students are well-rested and receive healthy amounts of rest
- Provide positive reinforcement of student progress and success
- Discuss academics and student work among family members
- Help students with homework and independent reading
- Ensure that students complete all of their homework and read nightly
- Attend all required parent meetings such as pre-year Orientations and Open House Nights
- Provide support for summer sessions to avoid summer learning loss

### Forms & Applications

All families must fill out mandatory forms in the school registration packet. They include various forms such as permission slips and contact information.

### Changes of Address/Contact Information

Families must provide up-to-date contact information to the school and must notify the school of any changes in phone and/or address as soon as possible. This is essential in case of an emergency.

### Emergencies

Taking appropriate action whenever an emergency threatens the safety, health or welfare of a student at school or during school-sponsored activities is of utmost importance. The Chief Executive Officer, Charter School Director or designee shall require parents/guardians to provide emergency information in order to facilitate immediate contact with parents/guardians if an accident or illness occurs. The Charter School Director or designee will use their best judgment and consider the health, and well-being of the student in a given emergency situation. Parents/guardians will be contacted immediately when a serious accident, injury or other health related concern occurs.

In order to facilitate contact in case of an emergency or accident, parents/guardians shall furnish the Director or designee with the information specified below:

1. Home address and telephone number
2. Parent/guardian's business address and telephone number
3. Parent/guardian's cell phone number and email address, if applicable
4. Name, address, and telephone number of a relative or friend to whom the student may be released and who is authorized by the parent/guardian to care for the student in cases of emergency or when the parent/guardian cannot be reached

5. Local healthcare provider to call in case of emergency
6. Health Insurance provider; if applicable

### Scheduling Meetings

If the school requests a meeting with you and your child, we need to discuss something important with you. If you would like to schedule a meeting with a teacher or administration, please contact them directly. We document all meetings and appointments.

### Providing False Information

Students engaging in any act that entails providing false information to the school will be subject to immediate consequences. Such offenses include such acts as falsifying school records, forging signatures, making or providing false statements, bribery, using an unauthorized User ID or password, etc. Penalties for such infractions may range from detentions to suspensions.

### Telephone Use

Students are not permitted to use the school phone without AMPS' staff's explicit permission. Students will be allowed to use the front office phone in case of emergency at the discretion of the Director.

### Transportation

Amethod Public Schools DOES NOT provide transportation for students. Parents and/or guardians are responsible for providing their children with transportation to and from school. Students must be dropped off and picked up at assigned zones. Directors will attempt to assist students in utilizing transit programs. If a student with disabilities requires transportation, the IEP team will discuss it within an IEP team meeting.

AMPS site Faculty and staff will not be responsible for students beyond the regular and/or after school program hours. We may be required to call police or California Protective Services (CPS) or police if we cannot contact parents or guardians or through the student's emergency contacts after set hours.

### Voluntary Withdrawal

Amethod schools are schools of choice. As such, circumstances may arise in which a parent or guardian wishes to transfer their child to a different school. Families may withdraw students in person at the site by requesting a transcript beforehand to give school time to prepare it, and by returning any school materials.

Please find the Charter Complaint Notice form if you have a complaint regarding a disenrollment:

<https://www.cde.ca.gov/sp/ch/documents/rescscomplaints0323.pdf> **Health care coverage options and enrollment assistance** is available here: [www.coveredca.com](http://www.coveredca.com)

# Verification and Acknowledgement

I have read the student/parent handbook. I have read and understand that families and students must follow the school rules and all policies and procedures that are listed in this handbook. I am aware that I can ask questions and I can make an appointment with the school's Director to discuss any items described in the handbook in more detail as needed.

---

(Please sign, and submit this page to the appropriate school office)

SCHOOL / PARENT HANDBOOK 2025-2026

Student Name: Grade:

School Name:

Parent/guardian Name:

Phone Number:

Parent/guardian Email:

Mailing Address:

Parent/guardian Signature:

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Date: \_\_\_\_\_

# AMPS



AMETHOD PUBLIC SCHOOLS

## Family Handbook 2025-2026

*Family Handbook (Rev. 09/2025)*

# Amethod Public School (AMPS) Campuses

[www.amethodschools.org](http://www.amethodschools.org)

## Oakland Charter Academy Middle School (OCA)

4215 Foothill Blvd. Oakland, CA. 94601  
(510) 532-6751 Fax (510) 532-6753

## Downtown Charter Academy Middle School (DCA)

2000 Dennison Street, Oakland CA 94606  
(510) 535-1580 Fax (510) 535-1597

## Richmond Charter Academy Middle School (RCA)

1450 Marina Way South Richmond, CA 94804  
(510) 235-2465 Fax (510) 235-2487

## Benito Juarez Elementary School (BJE)

1450 Marina Way South Richmond, CA 94804  
(510) 215-7009 Fax: (510) 215- 7016

## John Henry High School

1402 Marina Way South Richmond, CA 94804  
510-235-2439 Fax:510-235-2487

# AMPS: Who We Are

## OUR BEGINNING



### **What Does "Amethod" mean?**

**Amethod describes the value that not all communities or schools have the same need. We took the wording and created our unique name.**

**There is a method unique to every campus, respectively.**



The Amethod Public Schools (AMPS) organization operates the oldest charter school in the East Bay Area, and one of the oldest in the state. The original "Jingletown" Charter School, later to be named Oakland Charter Academy, opened in 1994 as the 8<sup>th</sup> charter school established in California. Since then, Oakland Charter Academy has grown from a single middle school site to the present five school, multi-city and multi-county charter school network. The AMPS network has continued to deliver

a top-notch free public-school education that has produced a National Blue Ribbon Award school, a California Distinguished School, and some of the highest performing middle and high school programs in the state and country.

Every Amethod Public School campus is characterized by a culture that is structured, supportive, and focused on academic work. The ethos of the AMPS community is rooted in offering a vibrant and rigorous school program that intends to prepare students for life beyond the TK-12 system. The staff and faculty strive to ensure that the policies, core values, objectives and goals are consistently reinforced throughout the year.

It is our organizational intent to make student achievement our highest priority; and through our different programs, we will offer the needed support for success. It is with the same consideration that we expect that families make the same commitment to their child and school to reach the goal of academic success.

### AMPS Mission Statement

Amethod Public Schools (AMPS) seeks to provide a rigorous college preparatory education and character development program that will prepare students from underserved communities to succeed in college and beyond.

### AMPS Vision

Amethod Public Schools foster students' motivation and belief in academic achievement and goals. We are a free and public charter school network that believes in the promise of hard-working students from all perspectives, backgrounds, and talents. We challenge every student to strive towards a purpose larger than themselves and challenge all families to expect more from their schools, themselves, and their children for a prospective future for the next generation.

### AMPS Core Values

The Core Values of the organization are those values we hold which form the foundation on which we perform work and conduct ourselves. Core values are not descriptions of the work we do or the strategies we employ to accomplish our mission. The values underlie our work, how we interact with each other, and which strategies we employ to fulfill our mission. The core values are the basic elements of how we go about our work. They are the practices we use (or should be using) every day in everything we do.

**Students First  
Perseverance  
Responsibility  
Adaptability  
Commitment to Distinction**

## Attendance Policy

### Absences Procedure

If a student will be absent, parents/guardians are responsible for calling the school before or on the day of the absence *before* the school day begins. Our sites use an automated system that will record your message before and after regular office hours, thus parents/guardians need to leave a message with the following information:

- Child Name
- Grade level
- Parent/Guardian name
- Date of Absence
- Reason for Absence
- Date of return
- Phone number where you can be reached

*Children between six and eighteen years of age must attend school. Parents will be held responsible; (Ed. Code 48293)*

When the student returns, the student must bring a proof of absence, such as a doctor's note, explaining the absence/s. Parents/guardians are encouraged to pick-up student's homework when they are absent from school any time before 4pm. Parents/guardians will be called in the morning to ask about their child's absence. Students who are absent may be required to attend after school session to make up missing work. Students with more than three (3) unexcused absences are considered truant.

### Sample of Non-Excused Absences

- Rain (weather)
- Being tired
- Vacations
- Lack of Transportation
- Child or Parents/guardians overslept
- No alarm clocks

### Schedule Appointments for After School Hours

Families are encouraged to schedule appointments or other commitments outlined within the Attendance Policy outside of school time. The best times are on Friday afternoons after 1:45 p.m., or days when school is not in session. In the rare case when a student has an appointment or commitment during school hours, it is expected that the student will come to school before the appointment and return to school after the appointment to finish the remainder of the school day.

### Skipping Class

Any student caught skipping class will receive an unexcused absence, which may lead to being truant. Consequences for skipping also include detention and may result in a recommendation to be involuntarily removed from the Charter School. Any student that leaves school without permission may forfeit a field trip and/ or activity participation.

### Suspensions Are Considered Absences

If students are absent from school due to suspension, these days will be treated as excused absences.

### Dismissal

Students are expected to stay in school until the very end of the school day. All students will be dismissed by their teachers at a time specific to their school site. Early pickups are disruptive to the learning environment. Our learning environment is extremely important to the success of each student, and we strongly discourage any disruption of a class by leaving early. Leaving early also disrupts the teacher from instruction as they will need to prepare a student's homework. Please make sure your child alerts their teachers in the morning if they need to leave early that school day.

### Absences and Missed Work

When a student is absent, the student must contact the teacher to get the homework assignments for that day. Homework assigned the day of a student's absence is expected to be turned in on the day the student returns unless the student has contacted their teacher prior to returning and the teacher has agreed that the student has an extra day to complete the assignment.

Since missing class affects academic achievement, repeated absences may be reflected in the student's grades. If a student is repeatedly late or absent, the director, teacher(s), student and parent or guardian will meet to address the issue per the truancy process below.

### Tardiness

Tardiness is disruptive to the learning process. It has a negative impact on the entire class, not just the child who is tardy. It is the policy of AMPS campuses to have students arrive to class on time.

Each student is expected to be in class each day, on time. A students who arrives after the morning bell is considered late and must adhere to the consequences listed below. If a students is



tardy, they will receive a Tardy Pass documenting the time of arrival.

### Definitions

- "*Tardy*": Students shall be classified as tardy if the student arrives after the morning bell.
- "*Unexcused Absence*": A student shall have an unexcused absence if the student is absent or is tardy for more than thirty (30) minutes without a valid excuse.
- "*Truant*": A student shall be classified as a truant if the student is absent from school without a valid excuse three (3) full days in one school year, or if the student is tardy or absent for more than any 30-minute period during the school day without a valid excuse on three (3) occasions in one school year, or any combination thereof. Any student who has once been reported as a truant and who is again absent from school without valid excuse one or more days, or tardy on one or more days, shall again be deemed a truant. Such students shall be reported to the Site Director or designee.
- "*Habitual Truant*": This generally occurs when the student is absent from school without a valid excuse for five (5) full days in one school year or if the student is tardy or absent for more than any 30-minute period during the school day without a valid excuse on five (5) occasions in one school year, or any combination thereof.
- "*Chronic Truant*": A student shall be classified as a chronic truant if the student is absent from school without a valid excuse for ten (10) percent or more of the school days in one school year, from the date of enrollment to the current date.

### Excused Absences/Tardies for Classroom Based Attendance

The following are excused tardies/absences:

Absence from school shall be excused only for health reasons, family emergencies and justifiable personal reasons, as required by law or permitted under this Attendance Policy.

A student's absence shall be excused for the following reasons:

1. Personal illness, including an absence for the benefit of the pupil's mental or behavioral health
2. Quarantine under the direction of a county or city health officer.
3. Medical, dental, optometric, or chiropractic appointments:
  - a. Students in grades 7-12, inclusive, may be excused from school for the purpose of obtaining confidential medical services without the consent of the student's parent or guardian.

4. For the purpose of attending the funeral services or grieving the death of either a member of the pupil's immediate family, or of a person that is determined by the pupil's parent or guardian to be in such close association with the pupil as to be considered the pupil's immediate family, so long as the absence is not more than five (5) days per incident. "Immediate family" means the parent or guardian, brother or sister, grandparent, or any other relative living in the household of the pupil.
5. For any of the following reasons, if an immediate family member of the pupil, or a person that is determined by the pupil's parent or guardian to be in such close association with the pupil as to be considered the pupil's immediate family, has died:
  - a. To access services from a victim services organization or agency.
  - b. To access grief support services.
  - c. To participate in safety planning or to take other actions to increase the safety of the pupil or an immediate family member of the pupil, or a person that is determined by the pupil's parent or guardian to be in such close association with the pupil as to be considered the pupil's immediate family, including, but not limited to, temporary or permanent relocation.

Absences under this section shall not be excused for more than three (3) days per incident, unless extended on a case-by-case basis at the discretion of the school administrator. "Immediate family" means the parent or guardian, brother or sister, grandparent, or any other relative living in the household of the pupil.

6. Participation in religious instruction or exercises as follows:
  - a. The student shall be excused for this purpose on no more than four (4) school days per month.
7. For the purposes of jury duty in the manner provided for by law.
8. Due to the illness or medical appointment during school hours of a child of whom the student is the custodial parent, including absences to care for a sick child. (The school does not require a note from the doctor for this excuse).
9. To permit the student to spend time with an immediate family member who is an active duty member of the uniformed services, as defined in Education Code section 49701, and has been called to duty for, is on leave from, or has immediately returned from, deployment to a combat zone or combat support position. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the Charter School.
10. For the purpose of serving as a member of a precinct board for an election pursuant to Election Code section 12302.

11. Attendance at the student's naturalization ceremony to become a United States citizen.
12. Authorized parental leave for a pregnant or parenting student for up to eight (8) weeks, which may be extended if deemed medically necessary by the student's physician.
13. Due to the student's participation in military entrance processing.
14. Authorization at the discretion of the Site Director or designee, based on the facts of the student's circumstances, are deemed to constitute a valid excuse.
15. A student who holds a work permit to work for a period of not more than five (5) consecutive days in the entertainment or allied industries shall be excused from school during the period that the student is working in the entertainment or allied industry for a maximum of up to five (5) absences per school year subject to the requirements of Education Code section 48225.5.
16. In order to participate with a not-for-profit performing arts organization in a performance for a public-school student audience for a maximum of up to five (5) days per school year provided the student's parent or guardian provides a written note to the school authorities explaining the reason for the student's absence.
17. For the purpose of participating in a cultural ceremony or event. "Cultural" for these purposes means relating to the habits, practices, beliefs, and traditions of a certain group of people.
18. For the purpose of a middle or high school pupil engaging in a civic or political event as indicated below, provided that the pupil notifies the school ahead of the absence. A "civic or political event" includes, but is not limited to, voting, poll working, strikes, public commenting, candidate speeches, political or civic forums, and town halls.
  - a. A middle school or high school pupil who is absent pursuant to this provision is required to be excused for only one school day-long absence per school year.
  - b. A middle school or high school pupil who is absent pursuant to this provision may be permitted additional excused absences in the discretion of a school administrator.
19. For the following justifiable personal reasons for a maximum of five (5) school days per school year (unless otherwise indicated), upon advance written request by the student's parent or guardian and approval by the Executive Director or designee pursuant to uniform standards:
  - a. Appearance in court.
  - b. Observance of a holiday or ceremony of the pupil's religion.
  - c. Attendance at religious retreats (not to exceed one school day per semester).
  - d. Attendance at an employment conference.

- e. Attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization.

A student who is absent due to an excused absence will be allowed to complete all assignments and tests missed during the excused absence that can be reasonably provided and will receive full credit upon satisfactory completion within a reasonable period of time. The teacher of the class from which a student is absent shall determine which tests and assignments are reasonably equivalent to, but not necessarily identical to, the tests and assignments that the student missed during the excused absence.

Note: All AMPS schools have an "everything earned" culture. Students who are truant may not be allowed to participate in school events, such as field trips and assemblies.

### Truancy

Under state law, a pupil who, without a valid excuse, is absent from school for three (3) full days in one school year or is tardy or absent for more than thirty (30) minutes during the school day on three (3) occasions in one school year, is considered truant. Once a student is designated a truant, state law requires schools, and courts to intervene to ensure that parents and pupils receive certain services to assist them in complying with attendance laws.

### Student Attendance Review Team ("SART")

AMPS has implemented a Student Attendance Review Team ("SART") process to address attendance and tardy issues. The SART panel is designed to meet with parents/guardians of children who have exceeded the allowable amount of unexcused absences. The purpose of the meeting is to discuss the child's attendance record and to work on solutions, develop strategies, discuss appropriate mental health support and other supportive services for the student and student's family, and develop a plan for the child's regular participation in school drawing from community resources when necessary. The team shall include representatives of the school, including teachers and directors. The Chief Academic Officer or designee shall chair all SART panels.

### Procedures for Excessive Absences/ Tardies

1. Each of the first two (2) unexcused absences or unexcused tardies over 30 minutes will result in a call home to the parent/guardian by the Site Director or designee. The student's classroom teacher may also call home.
2. Each of the third (3rd) and fourth (4th) unexcused absences or unexcused tardies over thirty (30) minutes will result in a call home to the parent/guardian by the Executive Director or designee. In addition, the student's classroom teacher may also call home and/or the Charter School may send the parent an e-mail notification. In addition, upon reaching three (3) unexcused absences or unexcused tardies over 30 minutes in a school year, the parent/guardian will receive "Truancy Letter #1 – Truancy Classification Notice" from the Charter School notifying the parent/guardian of the student's "Truant" status. This letter must be signed by the parent/guardian and returned to the Charter School. This letter shall also be accompanied by a copy of this Attendance Policy. This letter, and all subsequent letter(s) sent home, shall be sent by Certified Mail, return receipt

requested, or some other form of mail that can be tracked. This letter shall be re-sent after a fourth (4<sup>th</sup>) unexcused absence.

3. Upon reaching five (5) unexcused absences or unexcused tardies over 30 minutes, the parent/guardian will receive "Truancy Letter #2 – Habitual Truant Classification Notice and Conference Request," notifying the parent/guardian of the student's "Habitual Truant" status and a parent/guardian conference will be scheduled to review the student's records and develop an intervention plan/contract.
4. Upon reaching six (6) unexcused absences or unexcused tardies over 30 minutes, the parent/guardian will receive a "Truancy Letter #3 – Referral to SART Meeting" and the student will be referred to a Coordination of Services Team (COST) (and the SART).
5. If the conditions of the SART contract are not met, the student may incur additional administrative action up to and including disenrollment from the Charter School, consistent with the Involuntary Removal Process described below.
6. If a student is absent ten (10) or more consecutive school days without valid excuse and the student's parent/guardian cannot be reached at the number or address provided in the registration packet and does not otherwise respond to the Charter School's communication attempts, as set forth above, the student will be in violation of this Policy and the SART contract (if any) and may be subject to disenrollment in compliance with the Involuntary Removal Process described below. If the student is disenrolled after the Involuntary Removal Process has been followed, notification will be sent within thirty (30) days to the student's last known school district of residence.
7. Any documentation received by the Charter School regarding a student's enrollment and attendance at another public or private school (i.e., CALPADS report) shall be deemed evidence of a voluntary disenrollment and shall not trigger the Involuntary Removal Process below.
8. For all communications set forth in this process, the Charter School will use the contact information provided by the parent/guardian in the registration packet. It is the parent's or guardian's responsibility to update the Charter School with any new contact information.

### Process for Students Who Are Not in Attendance at the Beginning of the School Year

When a student is not in attendance on the first five (5) days of the school year, the Charter School will attempt to reach the student's parent/guardian on a daily basis for each of the first five (5) days to determine whether the student has an excused absence, consistent with the process outlined in this policy. If the student has a basis for an excused absence, the student's parent/guardian must notify the Charter School of the absence and provide documentation consistent with this policy. However, consistent with process below, students who are not in attendance by the sixth (6<sup>th</sup>) day of the school year due to an unexcused absence will be disenrolled from the Charter School roster after following

the Involuntary Removal Process described below, as it will be assumed that the student has chosen another school option.

1. Students who are not in attendance on the first (1<sup>st</sup>) day of the school year will be contacted by phone to ensure their intent to enroll in the Charter School.
2. Students who have indicated their intent to enroll but have not attended by the third (3<sup>rd</sup>) day of the school year and do not have an excused absence will receive a letter indicating the student's risk of disenrollment.
3. Students who have indicated their intent to enroll but have not attended by the fifth (5<sup>th</sup>) day of the school year and do not have an excused absence will receive a phone call reiterating the content of the letter.
4. Students who are not in attendance by the sixth (6<sup>th</sup>) day of the school year and do not have an excused absence will receive an Involuntary Removal Notice and the CDE Enrollment Complaint Notice and Form. The Charter School will follow the Involuntary Removal Process described below, which includes an additional five (5) schooldays for the parent/guardian to respond to the Charter School and request a hearing before disenrollment.
5. The Charter School will use the contact information provided by the parent/guardian in the registration packet.
6. Within thirty (30) calendar days of disenrollment, the Charter School will send the student's last known school district of residence a letter notifying it of the student's failure to attend the Charter School.
7. Any documentation received by the Charter School regarding a student's enrollment and attendance at another public or private school (i.e., CALPADS report) shall be deemed evidence of a voluntary disenrollment and shall not trigger the Involuntary Removal Process below.

#### Involuntary Removal Process

No student shall be involuntarily removed by AMPS for any reason unless the parent or guardian of the student has been provided written notice of intent to remove the student no less than five (5) school days before the effective date of the action ("Involuntary Removal Notice"). The written notice shall be in the native language of the student or the student's parent or guardian or if the student is a foster child or youth or a homeless child or youth, the student's educational rights holder. The Involuntary Removal Notice shall include the charges against the pupil and an explanation of the pupil's basic rights including the right to request a hearing before the effective date of the action, and the CDE Enrollment Complaint Notice and Form.

The hearing shall be led by the Chief Academic Officer or designee = consistent with the Charter School's expulsion procedures. If the student's parent, guardian, or educational rights holder requests a hearing, the student shall remain enrolled and shall not be removed until Amethod Public Schools issues a final decision. As used herein, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions or expulsions pursuant to the AMPS suspension and expulsion policy.

Upon parent/guardian request for a hearing, AMPS will provide notice of hearing, through which the pupil has a fair opportunity to present testimony, evidence, and witnesses and confront and cross-examine adverse witnesses, and at which the pupil has the right to bring legal counsel or an advocate. The notice of hearing shall be in the native language of the student or the student's parent or guardian or if the student is a foster child or youth or a homeless child or youth, the student's educational rights holder, and shall include a copy of the AMPS expulsion hearing process.

If the parent/guardian is nonresponsive to the Involuntary Removal Notice, the Student will be disenrolled as of the effective date set forth in the Involuntary Removal Notice. If the parent/guardian requests a hearing and does not attend on the date scheduled for the hearing the Student will be disenrolled effective the date of the hearing.

If as a result of the hearing the student is disenrolled, notice will be sent to the student's last known district of residence within thirty (30) calendar days.

A hearing decision not to disenroll the student does not prevent AMPS from making a similar recommendation in the future should a student's truancy continue or reoccur.

#### Referral to County District Attorney

It is the Charter School's intent to identify and remove all barriers to the student's success, and the Charter School will explore every possible option to address student attendance issues with the family. If a child's attendance does not improve after a SART plan has been developed, or if the parents fail to attend a required SART meeting, the parents and the child may be referred by AMPS to the District Attorney's office for prosecution through the court system. Students 12 years of age and older may be referred to the juvenile court for adjudication. Families need to understand that excessive absences and tardies are counter to a child's well-being.

Please see the Attendance Policy for more information, it can be found on our website under the AMPS Family Handbook tab.

#### Non-Discrimination

These policies will be enforced fairly, uniformly, and consistently without regard to the characteristics listed in Education Code section 220 (actual or perceived disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Penal Code section 422.55, including immigration status, pregnancy, or association with an individual who has any of the aforementioned characteristics).

## Reports

The CEO, or designee, shall gather and report to the Board the number of absences both excused and unexcused as well as students who are truant, and the steps taken to remedy the problem. The Attendance Policy is also posted on the AMPS' website under Public Reporting and Resources

## Arrival and Drop-offs; Dismissal and Pick-ups

### School Hours

Class begins promptly at the designated start time. If your student is not in an after-school program such as tutorial or detention, then they are not allowed on campus due to a lack of supervision and must be picked up by 4:00 pm. See specific bell schedules for designated start and end times.

Students must decide with their parents in advance to be dropped off and picked up at school at the appropriate time. Students who remain after school must always remain on campus and follow all school rules.

### Carpooling

To reduce traffic flow and parking issues, we highly recommend carpooling.

### Morning Drop-Off Procedures:

Please be at school at the designated start time. If, arriving after the start time, students must go to the main office, sign-in as tardy, and get a slip before going to their first period class.

- When dropping off your child at school, please make sure you have pulled up to the curb and that your student can safely exit the vehicle and go immediately into the school.
- Do not drop your student off in any area other than the designated drop-off area..
- AMPS provides free breakfast before school starts. Please drop your child off early if they wish to participate in this new program.

### Afternoon Pick-Up Procedures

Students are only allowed to stay after school for the following reasons:

- They are participating in After School Education and Safety ("ASES") or a staff sponsored student activity (sports, clubs, student government, etc.).
- They have been assigned detention or the homework center.
- They are receiving tutoring from a staff member.

Students who choose to participate in after school activities, must regularly attend the programs. Students may not leave campus until the program ends, or they are released to their parents. Students who cannot abide by this and other school rules will be removed from their program.

If a student has after school tutoring or detention, they are required to stay for the full duration. A Parent/Guardian may not pick them up early unless there is an emergency, and the student must be



signed out at the office in person.

### Early Sign-outs

Please do not take your child out of school earlier than the dismissal time. Only early dismissals for absences per the Attendance Policy (that cannot be scheduled for Fridays after the school's dismissal time), will be excused. All other early pick-ups are considered unexcused.

We will evaluate the early dismissal log on a quarterly basis. If a child has excessive early dismissals, we will start the SART (Student Attendance Review TEAM) process per the Attendance Policy. Since missing class can negatively impact academic achievement, repeated absences and excessive early pick-ups may be reflected in your student's grades and acquisition of new skills.

- In the rare event that a student needs an early dismissal, the following procedures must be followed, the student or parent/guardian must notify the school that an early dismissal is necessary or the student must call their parent/guardian using the office phone;
- The student will remain in class or the main office until a parent/guardian or emergency contact arrives to pick up the student;
- The authorized adult must come in to sign the student out – we will only release students to an adult over the age of 18 who is a parent/guardian or is listed on the emergency contact form; and
- The student must make up all missed work.

### School Visitor Policy

A notice setting forth visitor registration requirements will be posted at entry points stating hours during which registration is required, the registration location, and the penalties for violation of registration requirements.

In order to register, visitors shall, upon request, furnish the Executive Director or designee with the following information:

1. Their name, address and occupation
2. Their age, if less than 21
3. The purpose for entering school grounds
4. Proof of identity
5. Other information consistent with the provisions of law

Please see the Visitation and Volunteer Policy for more information on the AMPS . website under the AMPS Family Handbook tab.

## Visitor Code of Conduct

The site administration may refuse to register any outsider if the administration reasonably concludes that the outsider's presence or acts would disrupt the school, students, or employees; would result in damage to property; or would result in the distribution or use of a controlled substance. The Director or designee may revoke a visitor's registration if they have a reasonable basis for concluding that the visitor's presence on school grounds would interfere or is interfering with the peaceful conduct of school activities or would disrupt or is disrupting the school, students, or staff.

The Director or designee may request that a visitor who has failed to register, or whose registration privileges have been denied or revoked, promptly leave school grounds. When an outsider is directed to leave, the Director or designee shall inform the visitor that if they reenter the school within seven days the visitor will be guilty of a misdemeanor subject to a fine and/or imprisonment. (Penal Code 627.7)

## Appeal Procedure

The Site Director or designee may withdraw consent to be on campus for up to fourteen (14) days even if the visitor has a right to be on campus whenever there is reason to believe that the person has willfully disrupted or is likely to disrupt AMPS's orderly operation. Consent may be reinstated at the discretion of the Site Director prior to the expiration of the fourteen (14) calendar day timeline whenever the Site Director has reason to believe that the presence of the person will not constitute a substantial and material threat to the orderly operation of the School campus. The person from whom consent has been withdrawn may submit a written request for a hearing on the withdrawal within the two-week period. The written request shall state the address to which notice of hearing is to be sent. The CEO or designee shall grant such a hearing not later than seven (7) days from the date of receipt of the request and shall immediately mail a written notice of the time, place, and date of such hearing to such person.

For more information, please see the Visitation and Volunteer Policy, which can be found as a file attached to our website under the AMPS Family Handbook tab.

# Academic Program

The AMPS mission and values drive all aspects of the academic program including content standards, curriculum, teacher domains, instruction, and assessment. Every aspect of the AMPS culture supports high academic performance, instilling in students the academic and character qualities needed to succeed in school, college, and in life.

Our schools are data driven and as such, every AMPS site will have an assessment calendar and dates that will detail the assessment of all students to capture progress and regression in content areas throughout the year and is provided to parents/guardians and student]via progress reports, parent portals or emails. The intent is to restructure needed lessons, tutoring programs, re-teach models, and other programs to assure student progress towards goals.

## Classroom Expectations

1. Students are to come to class prepared with completed homework. While the school will provide supplies, a recommended additional list of supplies may be provided by your child's school.
2. Students are to demonstrate respect towards all individuals in the classroom by listening and tracking the speaker and refraining from talking when others are speaking.
3. Students are to stay on task throughout each class period and actively participate in all classroom activities.
4. Students are to ask questions when needing clarification.
5. Students will seek to help each teammate rather than criticize during intense moments of learning.

## Grading

Report cards are issued every nine (9) weeks. Parents/guardians may be required to come in for at least one (1) parent-teacher conference during the school year. Report card grades will reflect the effort and work students put forth in these areas. Please note that parents and guardians can access a student's record of attendance and grades at any time through the PowerSchool Portal. If you need assistance with login, please do not hesitate to contact the office.

## Homework

Homework is an essential part of the AMPS educational program. The purpose of homework is to reinforce skills taught in the classroom, to help students develop a deeper understanding of concepts, and to promote good study habits. Students must begin to develop a positive work ethic and habits as they prepare their path towards college, and homework is a large part of that preparation. Part of homework is study time for tests and quizzes that make up part of your child's grades. If your child is not submitting assigned homework, then expect this to be reflected in lower grades. Over school breaks, holiday and summer packets will be assigned, and a parent/guardian signature is required.

Homework will be assigned daily and on weekends. This means that families must help students with their homework in ways that include:

- Checking assigned homework
- Manage time with extracurricular activities
- Monitoring reading time and reading logs
- Monitor screen time (TV, cell phone, iPad, video games, etc.)
- Creating routines at home for students to complete their homework
- Provide a quiet, organized place to work

Family assistance is encouraged; however, the student must complete their homework independently in order to benefit from the additional practice. Please do not do your child's homework for them. Adult writing identified in a child's homework will be considered as incomplete.

#### Homework Methods:

- Follow teacher instructions for assignments
- Homework must be completed in full and in accordance with high standards for neatness, hard work and professional presentation, unless a student has accommodations under a Section 504 Plan or an Individualized Education Program ("IEP")
- All elementary students are provided with homework folders. Homework folders are designed to teach students essential organizational skills. All assigned homework must be completed and, in the folder,
- All homework must be neat, clean, and thorough
- If the homework is late, missing, incomplete, or of poor quality, or is not completed properly, students run the risk of receiving no credit. If the problem continues to exist, then the parent/guardian must attend a meeting with the classroom teacher and school administration
- Students with an IEP will work with AMPS special education staff accordingly for their modified plans for success.

#### Assessments

At AMPS, students will have multiple and varied opportunities to demonstrate what they know and what they can do in all their classes. Since the school's mission is to prepare students for college and beyond, rigorous and comprehensive course examinations are an important part of student assessment. Major quarterly and final exams for high school students will be used to evaluate students' mastery of course material at the end of each quarter and semester. Additionally, individual grade levels have specific exam requirements. Information regarding assessments will be sent throughout the year via parent square.

#### Academic Support

All students need extra help at times in order to be successful. We offer several types of academic support to our students. Teachers respond to our students' needs through their curriculum and instructional strategies.

Targeted academic support is also provided for students throughout the day and afterschool in a variety of ways including during the Individualized Learning Block, small group instruction, and English Language Arts ("ELA") and Math Intervention, office hours and afterschool tutoring support.

If you are not enrolled in ASES, homework assistance can be obtained by reaching out to your subject teachers. At AMPS we understand each student has independent needs, and we are here to help meet those needs.

Teachers and instructional aid staff are also available during school hours and after school to help

those who require additional support. Students are explicitly taught and always encouraged to ask questions in class and arrange for tutorials to maximize their understanding.

### Summer School

One of the core concepts of our program is the belief in increased educational time needed in school and offered through an extended school day and school calendar. If necessary, some students will attend our summer program as a commitment to being an Amethod Public School student.

### Supplies & Daily Checklist

Teachers will provide a recommended supply list at the beginning of the year. It is recommended that students bring these supplies to school. If any student cannot provide them, then the school will provide them for the student.

Students should come to school every day with the following items:

- Backpack with black and blue pens, pencils, paper, eraser, pencil sharpener
- School binder
- Completed homework
- Class binders, textbooks, and any other required materials
- Proper uniform

Students are prohibited from bringing Sharpie or permanent markers on campus due to previous defacing of school property. Students who are caught with permanent markers on campus will have the markers confiscated and not returned along with the possibility of additional consequences.

### Promotion & Retention Overview

The AMPS school standards for progress are high and considerably more demanding than many of the local school districts and schools. The nature of the high stake's certainty of charter schools and the existing achievement gaps among racial and economic subgroups in public education, merit and justify the need for exceeding academic standards and programs. AMPS expects students to progress through each grade within one school year. To accomplish this, instruction will be made to accommodate the varying interests and needs of individual students and include strategies for addressing academic deficiencies when needed. Students shall progress through grade levels by demonstrating growth and mastery in learning and meeting grade-level standards of expected student achievement.

The following criteria will be reviewed in calculating retention of a student:

- Grade Point Average (Grades below the mark of C-/2 are considered as failing and will receive 0 credits). More than 2 semester grades below a C-/2 may constitute retention

- ❑ PE and language are included in grade calculations
- ❑ IEP, Section 504 Plan and other modifications and plans will be reviewed during the retention decision phase
- ❑ Multiple measures assessments (including Standardized Testing and Reporting Program and Interim assessments) \* these are not used to retain. May be reviewed in conjunction with other areas
- ❑ Attendance record (More than 20 unexcused absences may constitute a retention)
- ❑ Social Emotional learning & growth (Is their maturity level ready for the next grade)

### Parent Notification

When a student is identified as being at risk of retention, the Director or designee shall notify the student's parent/guardian at the earliest time possible and convene a Student Support Team ("SST") meeting to review the student's lack of academic progress and offer interventions or accommodations to support the student. In preparation for this meeting, the Director or designee shall provide a copy of the student's grades and provide a copy of the Promotion and Retention Policy to the parents.

## School Rules, Expectations, & Policies

Our school is structured to provide a safe and orderly educational experience for our students. A safe and organized setting provides a foundation for effective teaching and learning. Our approach to discipline is two-fold. We believe in practices that are both preventative and restorative.

School rules and policies will apply to ALL students. Rules may be added throughout the year at the discretion of the site administration as needed. Our school's expectations are set high in order for all of our students to be successful.

## Behavior Policies

The following are sample situations that AMPS has zero tolerance for:

- ❑ Drug/alcohol possession
- ❑ Bullying (this includes Cyberbullying)
- ❑ Possessing Weapons

We believe that higher education is the surest path to future success for ALL families, and having high expectations of all students is an absolute necessity.

Drawing the best from every student takes immense effort from the teachers, families, administrators, and students; but the results are well worth it. Page 19 of 33

- Leaving campus without permission
- Gang paraphernalia or graffiti
- Fighting
- Not following schools' rules & procedures

#### The AMPS Method: All is Earned Culture

Families and students need to be aware of the disguised and hidden messages of low expectations widespread in many institutions, including public schools that have a negative impact on inner city families and students of color.

Students will earn and lose the following as appropriate for behavior and work ethic: (A sample list)

1. Time in classrooms
2. Field trips
3. School Events
4. Extracurricular trips

#### Bullying

There is zero tolerance for bullying. If a student bullies another student, the student will be warned with a referral, and the parents/guardians will receive a phone call and a written notice of the incident. If the student is caught in another bullying incident, then the student may be suspended. In order for the student to return to school, the parent must meet with the Site Director/Principal and develop a plan for the bullying to stop. Students can also self-report bullying using the school's self-reporting form for bullying (found in the Dean's office and each classroom). Please see the Suspension and Expulsion Policy and Procedures, the Uniform Complaint Policy and Procedures, and the Harassment, Discrimination, Intimidation and Bullying Policy which are available [www.amethodschools.org](http://www.amethodschools.org) to file a complaint of bullying.

#### Cheating and Plagiarism

Cheating/Plagiarism is a serious offense. If a student copies another student's work/homework or if a student gives another student their work/homework, it is considered cheating. Unless a staff member has given the student permission to complete assignments with a teammate(s), all assignments must be completed independently. Please communicate with your teacher for help when in doubt. Plagiarism involves the stealing of someone else's ideas or words as one's own or the imitation of the language, ideas, and thoughts of another author (or person) and representation of

them as one's original work, or the use of artificial intelligence<sup>1</sup> or chatbots without giving credit. Depending on grade level and the degree of the violation, acts of cheating/plagiarism will result in one of the following consequences: detention, community service, in school suspension, out of school suspension, or Saturday schools. .

### Classroom Disturbance

The value of "Respect" is of the utmost importance at AMPS, and therefore classroom disturbances will not be tolerated. Any behavior that disrupts the instructional process, distracts students and/or teachers from classroom activities and studies, and/or creates a dangerous or fearful situation for students and/or staff will result in consequences, such as detention. Consistent disruptions will be addressed every time in order to keep the class environment safe and conducive to all learning.

### Conduct Outside of School Hours

It is imperative that students recognize that they are representatives of their school at all times as they wear their school uniforms or logoed shirt. Therefore, any conduct outside of school hours or away from school which may cause a substantial disruption to the educational process or endanger the health, safety, or well-being of other students or staff members may result in a consequence by the school, including suspension or expulsion.

### Dress Code

This dress code shall be in effect on campus during school and at school sponsored activities except when modified by the site administrator for specific extracurricular activities or in special cases. This dress code is gender neutral.

*The following guidelines shall apply to all regular school activities:*

1. Appropriate shoes must be worn at all times, which include: tennis shoes, shoes with laces, and slip on shoes. The following shoes are not permitted: high heel or platform shoes, shoes with grind plates, shoes with wheels, slippers, or flip-flop sandals. Black,white or gray shoes

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- <sup>1</sup>• *"Artificial Intelligence"*: Artificial Intelligence ("AI") is a computer, robot, or other programmed mechanical device having the humanlike capacity to perform operations and tasks analogous to learning and decision making in humans, or question answering. Examples of AI include the following:
    - o *"Chatbot"*: a computer program in the form of a virtual e-mail correspondent that can reply to messages from computer users.
    - o *"ChatGPT"*: ChatGPT is a generative AI chatbot. It is a natural language processing tool driven by AI technology that allows human-like conversations and much more with a chatbot. The language model can answer questions and assist with tasks, such as composing emails, essays, music, images, and code.



only due to gang color associations and student safety. Colors for small logos are permitted.

2. Accessories: The following are not permitted: wallet chains, facial piercings, or spiked bracelets.
3. Hats, caps or other head coverings shall not be worn unless it is necessary for medical or religious reasons.
4. Clothes shall be sufficient to conceal undergarments at all times. See-through or fish-net fabrics, and skirts or shorts shorter than knee-thigh are prohibited. No shirts may be worn that expose bare midriff.
5. Hair shall be clean and neatly groomed. Hair may not be sprayed by any coloring. Neatly groomed hair is essential to avoid specific gang associations by use of hair designs and/or color.
6. Coaches and teachers may impose more stringent dress requirements to accommodate the special needs of certain sports and/or classes.
7. No clothing, jewelry, accessories, or hairstyles which are, or include, a picture, writing, or insignia which is: (1) gang related; (2) presents a safety hazard to the wearer or others; (3) advertises or symbolizes any type of alcohol, drugs, tobacco, or gambling; (4) includes weapons or acts which are illegal, violent, obscene, or hazardous to one's health; (5) sexually suggestive, crude, vulgar, profane; discriminatory, obscene, contain threats, libelous; or (6) offensive or degrading to students or staff on the basis of gender, cultural, religious or ethnic values.

### Dress Code Violations

If a Charter School staff member determines that a student's attire is inappropriate or disruptive to the educational environment as described here in, the following may occur:

1. The student may be asked to briefly leave class to change clothing to align with this dress code.
2. The Charter School may confiscate items that violate the dress code.
3. The Charter School may notify the student's parents/guardians of the dress code violation(s).
4. The Charter School may schedule a conference with the student's parents/guardians to discuss the dress code violation(s).

Students may not be disciplined, penalized academically, or removed from class as a consequence for wearing "inappropriate" attire.

For more information, please see the Dress Code Policy, it can be found as a file attached to our website under the AMPS Family Handbook tab.

### Closed Campus

Students are not allowed to leave campus under any circumstances once they have arrived on school grounds. All students must be signed out by a parent/guardian or an adult listed on the emergency card, (who must demonstrate a picture ID) filed at the school prior to leaving the campus at any other time other than the student's designated departure time.

### Field Trips

AMPS recognizes and supports the concept of connecting our students with the broader community, both locally and globally, by providing field trips, cultural and art experiences, community service opportunities, and environmental education to fulfill AMPS's mission and philosophy. These activities help to promote tolerance, understanding, and acceptance of others, and enrich the educational experiences of the students, as well as meet the Charter School's goal of creating passionate life-long learners.

The safety and security of our students is a primary priority when planning or participating in field trips or excursions. These activities will be carried out in an appropriate manner to maximize and ensure student safety and to minimize the Charter School's legal liability and financial cost.

### Disciplinary Rules during a Field Trip or Excursion

Students are under the jurisdiction of the Charter School Board at all times during the field trip or excursion and all AMPS policies continue to be enforced during field trips and excursions. Charter School disciplinary policies are to be adhered to at all times. (e.g. Horseplay, practical jokes, harassment, taunting, rough play, aggressive or violent behavior, profanity, viewing of pornographic material, and use of alcohol and/or controlled substances during the field trip or excursion are strictly prohibited.)

Except as otherwise required by law, a student may be excluded from the trip if their presence poses a safety or disciplinary risk.

For more information, please see the Field trip Policy, which can be found as a file attached to our website under the AMPS Family Handbook tab.

### General Maintenance

Students and staff are expected to make every effort to keep all school property and facilities neat and clean. By taking part in keeping their school clean, students will take more pride in their school. As a courtesy and respect for the school facility, and environment, students must not throw trash on the ground or leave trash on tables. All students, staff, and faculty are expected to, and will be required to, assist in helping keep our campuses clean.

## Personal Belongings and Gadgets

Students are not allowed to have the following items at school, and should they have personal gadgets, it is their responsibility to store them away through the school day.  
(The following is not a complete list)

- Gum
- Toys
- Nail Polish
- Chains
- Any illegal substance
- Sharpie or permanent markers
- Electronics of any kind
- Weapons or any toy weapons
- Video games or any other electronic toys

AMPS will not be held liable for any damage or loss of the above-mentioned items, including electronic items. Items brought to school will be confiscated. A parent/guardian must come to school and schedule an appointment with the Site Director to have confiscated items returned at the school leader's discretion.

## Public Displays of Affection

The inappropriate public display of affection at school is unprofessional. Students are expected to exercise self-control and respect for the reputation of others. Specifically, any public display of affection (PDA) and or/ inappropriate sexual physical contact, whether affectionate (i.e., hand holding, kissing) or aggressive (i.e., pushing, grabbing) are not in accordance with policies at AMPS and will result in disciplinary action.

## Rude or Disrespectful Behavior

Students are expected to operate with the utmost integrity at all times, and therefore discourteous or inappropriate language and/or behavior or gestures toward a staff member or student will result in penalties ranging from detention to short-term suspension.

## Saturday School

Saturday school is assigned to students who do not finish their break packets, or students who receive three (3) or more referrals in one quarter. There will be one (1) Saturday school per quarter, and if your child is assigned Saturday School, they are required to attend.

## School Disturbance

Any act that may cause disruption of the school environment and/or threaten the safety or well-being of other students is strictly prohibited at all AMPS sites. Such activities may include, but are not limited to; gang-related activities, walk-outs, sit-downs, rioting, picketing, trespassing,

inciting disturbances, threats to the school, pranks, etc. Penalties for such disturbances may range from lack of privileges to suspension.

## Technology Program

At AMPS, we hope to engage our students meaningfully with the use of Technology on campus. We will not only instruct students how to properly use computers, but also concepts around Digital Citizenship and safety.

### Cell Phones

Upon entry to the school campus, cell phones must be turned off (not on vibrate or silent) and put in their backpack, and/or kept out of plain sight. Students may also be required to leave the cell phone with a teacher or administrator in the morning and retrieve it at the end of the school day. It is the responsibility of the parent/guardian to hold their students accountable to the policies and procedures of cell phone use.

Cell phones will be confiscated if used or visible during school hours without staff permission and will only be returned to the parent/guardian at the end of the day.

Please see the Cellphone, Smartphones & Other Electronic Devices Policy, which can be found at [www.amethodschools.org](http://www.amethodschools.org)

### Technology Contract

Each student and family will be required to sign a technology contract before that student is allowed to use a school computer. Students must be responsible and only use the websites allowed by their teacher. If caught on a different/inappropriate site, the consequences outlined in the contract will be followed.

Students are responsible for loss or damage to AMPS computers. Please see the Annual Notification Guide for the Lost or Damaged Property notice for more information.

### Overview of Internet Safety

AMPS has an Internet safety policy which includes, but not limited to, the

following:

- Access by minors to inappropriate matters on the Internet is prohibited
- Procedures have been established to ensure the safety and security of minors when using the Internet. To this end, training and information will be provided to children so that they

will refrain from giving out personal details to unknown parties at all times.

- Constant supervision will be maintained to monitor the activities of vulnerable children and the type of information they may encounter through the internet.
- AMPS will employ the use of technology such as firewalls and filters to augment the effort to maintain the integrity of the technology and internet-based programs.

It is the policy of AMPS Schools to:

- Prevent user access and transmission of inappropriate material via the Internet utilizing technology resources
- Prevent unauthorized access and other unlawful online activity
- Prevent unauthorized online disclosure, use, or dissemination of personal identification information of minors, and
- Comply with the Children's Internet Protection Act

The policy applies to all AMPS community members, including students, teachers, staff, and designated contractual or temporary staff.

### Technology Protection Measures

AMPS shall filter all Internet traffic originating from any AMPS location to ensure it is appropriate for minors and in compliance with all local, state and federal mandates. The AMPS Home Office support shall maintain the necessary licensing annually to ensure all applicable categories of harmful Internet content is blocked and inaccessible by community members.

AMPS shall also provide for the day-to-day administration of this content filter, which includes, but is not limited to:

- Manual blocking and unblocking of sites based on requests with legitimate educational purpose
- Application of appropriate licensing information
- Selection/de-selection of website categories deemed appropriate or inappropriate by the AMPS leadership community
- Review and analysis of usage and filtering logs
- Communication with specific Directorship concerning data and reports generated through the content filtering system

Procedures for the disabling or otherwise modifying any technology protection measure shall be the responsibility of AMPS Technology Support.

### Monitoring and Supervision of Online Activities

It will be the responsibility of all members of AMPS staff responsible for allocating AMPS technology resources for student use to supervise and monitor appropriate usage of AMPS technology resources, especially Internet access, in accordance with the Children's Internet Protection Act.

This includes, but is not limited to:

- ❑ Logging and reporting of AMPS technology resource usage, especially Internet access
- ❑ In-classroom monitoring of student use of technology resources
- ❑ Follow-up meetings with students and/or parents concerning student use of technology resources

For more information, please see the Student Use of Technology and Acceptable Use Agreement, which can be found at [www.amethodschools.org](http://www.amethodschools.org).

### Education of minors

School staff responsible for allocating AMPS technology resources for student use shall be responsible for providing instruction to students concerning appropriate online behavior when utilizing AMPS technology resources. Such instruction shall include review of specific inappropriate behavior, the consequences of such behavior, and an indication of how staff will assist students to be successful with the use of AMPS technology resources while avoiding inappropriate content.

### Education of staff

AMPS' Support Office staff shall be responsible for training designated staff within individual schools to further train and support school staff on the appropriate use of AMPS technology resources. Said staff will provide guidance and training to other school staff concerning the appropriate use of AMPS technology resources.

## Student Health Programs

### Physical Education

Physical education is mandated by the California Department of Education and should be encouraged by parents and families to keep kids active and healthy. AMPS adheres to the state standards and acknowledges the importance of regular Moderate to Vigorous Physical Activity (MVPA).

If your child plays sports either in or out of school and sustains an injury, please make sure to alert the school office. We require a healthcare provider's note for prolonged absence from PE.

### Peanut Free and Strawberry Free Campus

In order to keep our campus safe for all students, we will have a peanut and strawberry free school. Therefore, students are not allowed to bring snacks on campus that contain peanuts or strawberries.

Therefore, if students are seen with snacks that contain peanuts or strawberries students will be told to secure the food and take it home and a peanut and strawberry free snack will be given.

### Healthy Food Campus

We are also a healthy food campus. We do not allow soda, junk food, cookies or candy on campus. Chips are allowed if they are vegetable based or whole grain. If junk food is seen, students will be told to secure the food and take it home. Please see the Universal Meals Notice in the Annual Notification Guide for more information about the option to have breakfast and lunch.

### Administration of Medicine

Any student requiring medication to be dispensed must complete an "Authorization to Administer Medication" form completed by the parent and the student's healthcare provider permitting the school to administer the medication and providing explicit instructions. No prescription medication will be dispensed to a student without this documentation present in their file. Any student who is or may be required to take, during the regular schoolday, prescription auto-injectable epinephrine ("EpiPen") or inhaled asthma medication prescribed or ordered for the student by an authorized health care provider may carry and self-administer prescription an EpiPen or inhaled asthma medication if the Authorization to Administer Medication have been provided to the Charter School. All other medications will be securely stored and administered by the Administrative Assistant in accordance with each student's completed form.

### Bathroom Policy

Students are encouraged to use the bathroom before school, during transition times between and during lunch and breaks. Students are expected to use the bathroom responsibly and clean up after themselves. Should the bathroom situation become an issue, the Site Directors may implement a self-monitoring class policy.

### Breakfast and Lunch Program

All AMPS schools will be providing a free lunch and breakfast to students. Please see the Annual Notification Guide for the Universal Meals notice.

Parents may pack students a healthy lunch or snack if the child is staying after school or if you wish to opt-out of the lunch program. Students do not have access to a refrigerator or microwave.

As a matter of safety and policy, Parents are not allowed to drop off lunches for students. Students must carry their lunch/snacks with them from the start of the school. All students are to eat in the assigned food court area. We will not allow students to call home during lunchtime for food arrangements. Additionally, students are not allowed to use food delivery services to obtain food. This includes but is not limited to Ubereats, Postmates, Doordash or Grubhub.

### Illness during School Hours

If a child becomes ill or injured during the school day and is not well enough to stay in class, the parent/guardian will be called to pick the child up. It is necessary to have updated emergency contact numbers on file in the school office in case the parent/guardian cannot be contacted.

### Vision and Hearing Screenings

The California State Department of Education mandates vision and hearing screening in schools. You will be notified when your child is scheduled to be screened for vision and hearing. This screening is a general assessment of your child's vision and hearing. It may indicate possible difficulties your child may have with vision or hearing; it will not provide a confirmed diagnosis. This screening is not a substitute for regular medical visits to your child's doctor and optometrist.

You will be notified of your child's screening results only if they do not pass the test. At that time, your child will receive a referral for further evaluation by a qualified medical professional. If you choose for your child to not have screening at this time, please submit a signed written request to your Director. Please see the opt out instructions in the Annual Notification Guide.

### Mandated Reporting

All AMPS staff must follow state policies on reporting child abuse. In California, all school workers must report abuse or neglect if they "have knowledge of or observe" instances of abuse or neglect, or if they "know or reasonably suspect" abuse or neglect have occurred.

All AMPS school personnel are mandated reporters of suspected abuse and/or neglect. Mandated reporters are required to report suspected child maltreatment immediately when they have "reasonable cause to believe that a child who is 17 years of age or younger and known to them in a professional or official capacity has been harmed or is in danger of being harmed – physically, sexually, or through neglect – and that a caregiver either committed the harm or should have taken steps to prevent the child from harm.

Please see the School Director if you have any questions or concerns.



# Miscellaneous Policies

## Freedom of Speech & Personal Expression

The Board of Directors of AMPS respects students' rights to express ideas and opinions, take stands, and support causes, whether controversial or not, through their speech, writing, printed materials, including the right of expression in official publications, and/or the wearing of buttons, badges and other insignia.

For more information about the Student's Freedom of Speech and Expression Policy, it can be found as a file attached to our website under the AMPS Family Handbook tab.

# Family Involvement Program

Amethod Public Schools believes in the importance of working together to make a positive impact on the academic and social growth of every child. Family involvement is not only welcome, but also critical to the success of the school. While this may be the case, parental involvement is not required for acceptance or continued enrollment to any of our schools. Please see the Parent and Family Engagement Policy for more information, it can be found on our website under the AMPS Family Handbook tab.

## Family Involvement Opportunities

AMPS family-school relationships are maintained through opportunities such as:

- FST - Family & Staff Team
- School Carnival
- Field Day
- School Beautification
- Communications
- Sports
- Youth Truth Surveys
- Committee Work and or affinity groups (Graduation, Family Staff Team (FST))
- Conferences with students, families, and teachers
- Workshops for students and families
- Community-wide events, celebrations and performances

Amethod Public School families are asked to:

- Reinforce the academic and behavioral standards at home
- Send their student scholar to school in the required uniform compliance with the Dress Code Policy

- Maintain constant respectful communication with teachers and administrators
- Establish a daily routine for students that sets them up for success
- Ensure that students are well-rested and receive healthy amounts of rest
- Provide positive reinforcement of student progress and success
- Discuss academics and student work among family members
- Help students with homework and independent reading
- Ensure that students complete all of their homework and read nightly
- Attend all required parent meetings such as pre-year Orientations and Open House Nights
- Provide support for summer sessions to avoid summer learning loss

### Forms & Applications

All families must fill out mandatory forms in the school registration packet. They include various forms such as permission slips and contact information.

### Changes of Address/Contact Information

Families must provide up-to-date contact information to the school and must notify the school of any changes in phone and/or address as soon as possible. This is essential in case of an emergency.

### Emergencies

Taking appropriate action whenever an emergency threatens the safety, health or welfare of a student at school or during school-sponsored activities is of utmost importance. The Chief Executive Officer, Charter School Director or designee shall require parents/guardians to provide emergency information in order to facilitate immediate contact with parents/guardians if an accident or illness occurs. The Charter School Director or designee will use their best judgment and consider the health, and well-being of the student in a given emergency situation. Parents/guardians will be contacted immediately when a serious accident, injury or other health related concern occurs.

In order to facilitate contact in case of an emergency or accident, parents/guardians shall furnish the Director or designee with the information specified below:

1. Home address and telephone number
2. Parent/guardian's business address and telephone number
3. Parent/guardian's cell phone number and email address, if applicable
4. Name, address, and telephone number of a relative or friend to whom the student may be released and who is authorized by the parent/guardian to care for the student in cases of emergency or when the parent/guardian cannot be reached
5. Local healthcare provider to call in case of emergency
6. Health Insurance provider; if applicable

### Scheduling Meetings

If the school requests a meeting with you and your child, we need to discuss something important with you. If you would like to schedule a meeting with a teacher or administration, please contact them directly. We document all meetings and appointments.

### Providing False Information

Students engaging in any act that entails providing false information to the school will be subject to immediate consequences. Such offenses include such acts as falsifying school records, forging signatures, making or providing false statements, bribery, using an unauthorized User ID or password, etc. Penalties for such infractions may range from detentions to suspensions.

### Telephone Use

Students are not permitted to use the school phone without AMPS' staff's explicit permission. Students will be allowed to use the front office phone in case of emergency at the discretion of the Director.

### Transportation

Amethod Public Schools DOES NOT provide transportation for students. Parents and/or guardians are responsible for providing their children with transportation to and from school. Students must be dropped off and picked up at assigned zones. Directors will attempt to assist students in utilizing transit programs. If a student with disabilities requires transportation, the IEP team will discuss it within an IEP team meeting.

AMPS site Faculty and staff will not be responsible for students beyond the regular and/or after school program hours. We may be required to call police or California Protective Services (CPS) or police if we cannot contact parents or guardians or through the student's emergency contacts after set hours.

### Voluntary Withdrawal

Amethod schools are schools of choice. As such, circumstances may arise in which a parent or guardian wishes to transfer their child to a different school. Families may withdraw students in person at the site by requesting a transcript beforehand to give school time to prepare it, and by returning any school materials.

Please find the Charter Complaint Notice form if you have a complaint regarding a disenrollment:

<https://www.cde.ca.gov/sp/ch/documents/rescscomplaints0323.pdf> Health care coverage options and enrollment assistance is available here: [www.coveredca.com](http://www.coveredca.com)

# Verification and Acknowledgement

I have read the student/parent handbook. I have read and understand that families and students must follow the school rules and all policies and procedures that are listed in this handbook. I am aware that I can ask questions and I can make an appointment with the school's Director to discuss any items described in the handbook in more detail as needed.

---

(Please sign, and submit this page to the appropriate school office)

## SCHOOL / PARENT HANDBOOK 2025-2026

Student Name: Grade:

School Name:

Parent/guardian Name:

Phone Number:

Parent/guardian Email:

Mailing Address:

Parent/guardian Signature:

---

Date: \_\_\_\_\_

# Coversheet

## Review and Consideration of Approval of Revised Employee Handbook

**Section:** IV. Business  
**Item:** B. Review and Consideration of Approval of Revised Employee Handbook  
**Purpose:** Vote  
**Submitted by:** Shameka Henderson  
**Related Material:** AMPS - Employee Handbook - 2025-2026(9822550.5)\_clean.pdf  
AMPS - Employee Handbook - 2025-2026(9822550.5)\_redline.pdf

### BACKGROUND:

2025-26 Employee Handbook further updated after internal and legal review.

### RECOMMENDATION:

Staff recommends approval of the updated Employee Handbook

# AMPS



*HONOR HARD WORK*

## **AMETHOD PUBLIC SCHOOLS**

### ***EMPLOYEE HANDBOOK***

Approved September, 2025

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## INTRODUCTION TO HANDBOOK

This Handbook is designed to help employees get acquainted with Amethod Public Schools (“AMPS”). 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. With the exception of the statement of at-will status, this Handbook 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. If terms contained in a specific employment agreement conflict with the policies and procedures contained in this Handbook, the employee shall adhere to their employment agreement.

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.

AMPS 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 AMPS, and any such modification *must* be in writing, signed by the affected employee and approved by the Board of Directors in writing.

Failure to comply with this handbook may result in disciplinary action, up to and including termination.

## **GENERAL POLICIES**

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

#### *Covered Individuals*

This policy protects all employees of AMPS as well as interns, volunteers, and potential employees (applicants). All employees of AMPS 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 characteristic(s). Discrimination may include, but is not necessarily limited to, factoring an individual’s protected characteristic(s) 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 characteristic(s) resulting in an adverse employment action.

#### *Protected Characteristic(s)*

AMPS’ policy prohibits discrimination based on race (inclusive of traits associated with race, including but not limited to hair texture and protective hairstyles; protective hairstyles include, but are not limited to, such hairstyles as braids, locs, 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 (including HIV and AIDS), mental disability, medical condition (including cancer and genetic characteristics), genetic information, marital status (including registered domestic partnership status), sex and gender (which includes pregnancy, childbirth, breastfeeding, and related medical conditions), reproductive health decision making, gender identity and gender expression (including transgender individuals who are transitioning, have transitioned, or are perceived to be transitioning to the gender with which they identify), sex stereotype (including an assumption about a person’s appearance or behavior, gender roles, gender expression, or gender identity, or about an individual’s ability or inability to perform certain kinds of work based on a myth, social expectation, or generalization about the individual’s sex), age (forty (40) and over), 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 victims of 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 characteristic(s) 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. Discrimination is further prohibited not just on the basis of individual protected traits, but also on the basis of the intersectionality (or combination) of two or

more protected characteristics.

For purposes of this policy, discrimination on the basis of "national origin" also includes discrimination based upon any of the following: an individual's or individual's ancestors' actual or perceived physical, cultural or linguistic characteristics associated with a national origin group; marriage to or association with individuals of a national origin group; tribal affiliation; membership in or association with an organization identified with or seeking to promote the interests of a national origin group; attendance or participation in schools, churches, temples, mosques or other religious institutions generally used by persons of a national origin group; or a name that is associated with a national origin group. An employee's or applicant for employment's immigration status will not be considered for any employment purpose except as necessary to comply with federal, state or local law.

AMPS allows employees to self-identify their gender, name and/or pronoun, including gender-neutral pronouns. AMPS will use an employee's gender or legal name as indicated on a government-issued identification document, only as necessary to meet an obligation mandated by law. Otherwise, AMPS will identify the employee in accordance with the employee's current gender identity and preferred name to the extent permitted by law.

AMPS will not tolerate discrimination or harassment based upon these characteristic(s) or any other characteristic protected by applicable federal, state or local law.

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

Any applicant or employee who believes they require an accommodation in order to perform the essential functions of the job should contact a School representative with day-to-day personnel responsibilities and request such an accommodation. The individual with the disability should specify what accommodation they need to perform the job, or if unknown, which job duties the disability impairs. AMPS will then analyze the situation, engage in an interactive process with the individual, and respond to the individual's request.

Pregnancy and lactation accommodations may also be requested. Please refer to the Lactation and Pregnancy Disability Leave policies set forth herein for further information.

### *Scope of Policy*

AMPS is an equal employment opportunity employer and is committed to complying with all applicable laws providing equal employment opportunities. As such, AMPS 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.

### ***B. Religious Accommodation***

AMPS is committed to fostering a respectful, inclusive environment that values diversity, including the sincerely held religious beliefs and practices of all employees, and complies with all applicable federal and state laws concerning religious freedom and accommodation in the workplace.

### *Employee Rights*

Employees are entitled to reasonable accommodations for their sincerely held religious beliefs or practices, unless the accommodation would impose an undue hardship on school operations. Depending on the circumstances, religious accommodations may include, but are not limited to:

- Modifications to dress code or grooming standards (e.g., head coverings, religious garments, facial hair)
- Schedule adjustments for religious observances or holidays
- Prayer breaks or access to a quiet space for religious practices
- Exemptions from certain school activities or duties that conflict with religious beliefs, where feasible

### *Request Process*

Employees seeking a religious accommodation must submit a written request to the Human Resources (HR) Department and the designated School Administrator. The request should include:

- A description of the religious belief or practice
- The specific accommodation requested
- The anticipated duration of the accommodation, if applicable

Upon receiving the request, AMPS will engage in a good faith interactive process with the employee to determine a reasonable accommodation that does not pose an undue hardship on AMPS.

### *Confidentiality*

Requests for religious accommodations will be handled as confidentially as possible, and information will be shared only with those involved in processing and implementing the accommodation.

### *Scope of Policy*

AMPS is an equal employment opportunity employer and is committed to complying with all applicable laws providing equal employment opportunities. As such, AMPS 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.

## **C. Unlawful Harassment**

### *Covered Individuals*

This policy protects all employees of AMPS as well as interns, volunteers, independent contractors, and potential employees (applicants). All employees of AMPS 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. AMPS will take all reasonable steps to prevent or eliminate unlawful harassment by non-employees, including students, parents, contractors, vendors, and anyone else who has workplace contact with our employees.

### *Protected Characteristic(s)*

AMPS' policy prohibits harassment based on race (inclusive of traits associated with race, including but not limited to hair texture and protective hairstyles; protective hairstyles include, but are not limited to, such hairstyles as braids, locs, 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 (including HIV and AIDS), mental disability, medical condition (including cancer and genetic characteristics), genetic information, marital status (including registered domestic partnership status), sex and gender (which includes pregnancy, childbirth, breastfeeding, and related medical conditions), reproductive health decision making, gender identity and gender expression (including transgender individuals who are transitioning, have transitioned, or are perceived to be transitioning to the gender with which they identify), sex stereotype (including an assumption about a person's appearance or behavior, gender roles, gender expression, or gender identity, or about an individual's ability or inability to perform certain kinds of work based on a myth, social expectation, or generalization about the individual's sex), age (forty (40) and over), 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 victims of 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. Harassment is further prohibited not just on the basis of individual protected traits, but also on the basis of the intersectionality (or combination) of two or more protected characteristics.

For purposes of this policy, discrimination on the basis of "national origin" also includes harassment against an individual because that person holds or presents the California driver's license issued to those who cannot document their lawful presence in the United States and based on any of the following: an individual's or individual's ancestors' actual or perceived physical, cultural or linguistic characteristics associated with a national origin group; marriage to or association with individuals of a national origin group; tribal affiliation; membership in or association with an organization identified with or seeking to promote the interests of a national origin group; attendance or participation in schools, churches, temples, mosques or other religious institutions generally used by persons of a national origin group; or a name that is associated with a national origin group. All such harassment is prohibited.

### *Unlawful Harassment*

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

- a. **Verbal conduct** such as unwanted sexual advances including flirting, sexually suggestive innuendos, conversations regarding sexual activities, and sexual invitations or comments, racial slurs or epithets, sexist or misogynistic comments, ethnic insults or jokes, religious aspersions or mockery, disability insults or ridicule, homophobic epithets or slurs, transphobic comments or derision, derogatory comments regarding gender, gender identity or gender expression, disparaging remarks regarding military or veteran status, threats of deportation against applicants and employees and family members of applicants and employees, derogatory comments about immigration status or mockery of an accent of language or its speakers, negative remarks regarding marital status, pejorative or incendiary ethnophaulisms (i.e. racial or ethnic slurs), or any other belittling, negative or derogatory comments regarding any protected characteristic ("hostile work environment" harassment).
- b. Disrespectful or unprofessional conduct based on any of the protected characteristic(s) listed above ("hostile work environment" harassment).
- c. Comments or conduct that consistently target one gender, even if the content is not sexual ("hostile work environment" harassment).

- d. **Visual conduct** such as derogatory and/or sexually oriented posters, photography, cartoons, drawings, gestures, text messages, social media activity, instant messages, e-mails, letters, pictures, or gifts (“hostile work environment” harassment).
- e. **Physical conduct** such as assault, unwanted touching, blocking normal movement, or interfering with work because of any protected basis (“hostile work environment” harassment).
- f. 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).
- g. **Sexual harassment** consists of sexual advances, request for sexual favors and other verbal or physical conduct of a sexual nature, regardless of whether or not the conduct is motivated by sexual desire, when: (1) submission to the conduct is either made explicitly or implicitly a term or condition of an individual’s employment; (2) an employment decision is based upon an individual’s acceptance or rejection of that conduct; and/or (3) that conduct interferes with an individual’s work performance or creates an intimidating, hostile or offensive working environment. Sexually harassing conduct may include situations that began as reciprocal relationships but later ceased to be reciprocal.

### *Abusive Conduct Prevention*

AMPS does not condone and will not tolerate unlawful harassment or abusive conduct on the part of any employee (including supervisors and managers) or third party (including independent contractors or other persons with which the School does business). Examples of abusive conduct include repeated infliction of verbal abuse, such as the use of malicious, derogatory remarks, insults, and epithets, verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating, or the intentional sabotage or undermining of a person's work performance.

### *Scope of Policy*

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 AMPS’ 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.

### **Retaliation**

#### *Covered Individuals*

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

As used in this policy, “retaliation” means taking any adverse employment action against an employee because they engaged in protected activity pursuant to this policy. Protected activity may include, but is not limited to, opposing a practice or conduct the employee reasonably believes to be unlawful; reporting or assisting in reporting suspected violations of AMPS’ anti-discrimination, harassment, or retaliation policies; cooperating or participating in investigations or proceedings arising out of a violation of these policies; refusing to report to, or leaving, the workplace place during an emergency condition (as defined by law) because the employee reasonably believes that the workplace or worksite is unsafe; 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.

### ***Complaint Procedure—Discrimination, Unlawful Harassment, Retaliation***

#### Duty to Report

All employees who believe they have been subjected to, or witnessed, discrimination, unlawful harassment, and/or retaliation are strongly encouraged to promptly report the alleged violation(s) in accordance with the procedures set forth below. Supervisors and managers 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 AMPS 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 AMPS

Submit a complaint to your supervisor, Human Resources (hrsupport@amethodschools.org), any other supervisor within AMPS, or the Board of Directors. There is no requirement to report your complaint to any designated supervisor within AMPS. 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 all conduct of which they are made aware, which violates, or may violate, policies regarding discrimination, unlawful harassment, or retaliation to the CEO, Human Resources Department, 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.

#### Title IX Reporting

AMPS does not discriminate on the basis of sex in any of its education programs or activities. Title IX of the Education Amendments of 1972 prohibits the School from discriminating in such a manner. This prohibition extends to admission, employment, and all education programs and activities of the School. Some types of sexual harassment are also prohibited under Title IX. AMPS has designated the following individual as its Title IX Coordinator to receive complaints of sex discrimination, including sexual



harassment:

Maria Arechiga  
Title IX Coordinator  
1450 Marina Way South  
Richmond, CA 94804  
Email address: marechiga@amethodschools.org  
Phone number: 510-436-0172

Inquiries about the application of Title IX may be referred to the School's Title IX Coordinator or to the Assistant Secretary for Civil Rights at the U.S. Department of Education, or both.

### Contents of Complaint

All complaints submitted pursuant to this policy can be made 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. See **Appendix A** for the "Harassment/Discrimination/Retaliation Complaint Form."

### Response to Complaint (Investigation)

Upon notice of conduct requiring an investigation, AMPS will investigate the facts and circumstances of the alleged violation, as appropriate. AMPS will attempt to resolve the situation by promptly undertaking an effective, thorough, and objective investigation. AMPS' investigation methods may 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.

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

All employees are required to fully cooperate with AMPS' 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 confidentiality regarding the investigation. Failure to do so may result in disciplinary action, up to and including termination.

### Corrective Action

If AMPS determines that violations have occurred, AMPS 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 their conduct, depending on the circumstances. Due to privacy protections, APMS 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 assists in good faith in investigating such a complaint, even if the investigation produces insufficient evidence that there has been a violation. Please refer to AMPS' 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 Civil Rights Department (“CRD”) or the Equal Employment Opportunity Commission (“EEOC”). The CRD and the California Civil Rights Council (“CRC”) 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 CRD and EEOC offices can be found online or dialing 800-FREE-411.

### *Sexual Harassment Training Requirements*

All supervisors of staff will receive two (2) hours of sexual harassment prevention training within six (6) months of hire or their assumption of a supervisory position and every two (2) years thereafter. All other employees will receive one (1) hour of sexual harassment prevention training within (6) months of hire and every two (2) years thereafter. Such training will be in compliance with California law.

Employees who fail to complete this required training will be subject to disciplinary action, up to and including termination.

### ***D. Support Academic Futures and Education for Today’s Youth (“SAFETY”) Act***

AMPS complies with the Support Academic Futures and Educators for Today’s Youth (“SAFETY”) Act. Neither employees nor contractors will be required to disclose a student’s sexual orientation, gender identity or gender expression to any other person without the student’s consent.

Retaliation or adverse action against an employee on the following grounds is prohibited:

- refusing to disclose a student’s sexual orientation, gender identity or gender expression to any other person without the student’s consent;
- supporting students’ rights and opportunities in the educational system as required by law, free from unlawful discrimination and harassment,
- providing instruction to students consistent with current legal requirements.

Any employee engaging in retaliation prohibited by this section will be subject to discipline up to and including termination

### ***E. Whistleblower Policy***

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

All directors, officers, employees, and volunteers of the School have a responsibility to report any action or suspected action taken within the School that is illegal, unethical or violates any adopted policy of the School, or local rule or regulation. Anyone reporting a violation must act in good faith, without malice to the School or any individual at the School and have reasonable grounds for believing that the information shared in the report indicates that a violation has occurred. A person who makes a report does not have

to prove that a violation has occurred. However, any report which the reporter has made maliciously or any report which the reporter has good reason to believe is false will be viewed as a serious disciplinary offense. No one who in good faith reports a violation, or who, in good faith, cooperates in the investigation of a violation shall suffer harassment, retaliation, or adverse employment action. Further, no one who in good faith discloses, who may disclose, or who the School believes disclosed or may disclose, information regarding alleged violations to a person with authority over the employee or another employee who had responsibility for investigating, discovering or correcting the purported violation shall suffer harassment, retaliation, or adverse employment action.

AMPS prohibits retaliation against any employee because of the employee's refusal to participate in an activity that would result in a violation of a local, state or federal statute, or a violation or noncompliance with a local, state or federal rule or regulation, or for disclosing information to a government or law enforcement agency, where the employee has reasonable cause to believe that the information discloses a violation of a local, state or federal statute, or a violation or noncompliance with a local, state or federal rule or regulation. The School also prohibits any retaliation against an applicant or employee, and does not discriminate against any applicant or employee, based on that applicant or employee's "whistleblowing" activity against a former employer.

Employees with concerns about practices that are believed to be illegal or violate the School's policies are encouraged to report them to their supervisor or Human Resources. Employees who come forward with credible information on practices believed to be illegal or violations of School policy will be protected from retaliation.

Any employee who reasonably believes that they are a victim of retaliation may also call the State of California Attorney General "whistle-blower hotline" to report the retaliation: (800) 952-5225

#### ***F. 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 their at-will employment with AMPS or limit AMPS' right to transfer, demote, suspend, administer discipline, and change the terms and conditions of employment at its sole discretion. 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.

## **G. Eligibility for Employment**

### *Immigration Compliance*

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

In compliance with the Immigrant Worker Protection Act, the School shall not allow a federal immigration enforcement agent to enter any nonpublic areas of the School without a valid and signed judicial warrant, or voluntarily give consent to an agent to access, review or obtain employee records without a subpoena or judicial warrant. If a search of employee records is authorized by a valid subpoena or signed judicial warrant, the School will give employees notice of the inspection both before and after it has occurred as required by law.

### *Certification*

AMPS' 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 applicable 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 continue working at AMPS.

### *Tuberculosis Testing*

No person shall be employed by AMPS unless they provide 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 they are 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 provide the School with 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 within the previous four years, which shows they were 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. AMPS shall reimburse current employees for the cost, if any, of the tuberculosis risk assessment and the examination.

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

prior to conducting work with School students.

### *Criminal Background Checks*

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

### **H. Employment Classifications**

For purposes of salary administration and eligibility for overtime payments and employee benefits, AMPS 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.

An employee will not change from one status to any other status or classification simply because of the number of hours that the employee is scheduled to work or the length of time spent as an employee. Because all employees are hired for an unspecified duration, these classifications do not guarantee employment for any specific length of time. 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 cause or advance notice.

#### *Non-exempt Employees*

Non-exempt employees are entitled to overtime pay in accordance with federal and state law. 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 their supervisor or the CEO.

Employees who are classified as non-exempt must accurately record the time(s) they start and stop work each day, including arrivals, departures, and meal breaks.

When employees receive their paychecks, they should verify immediately that their working time was recorded accurately and that they were paid correctly for all hours worked.

Non-exempt employees are prohibited from working any time that is not authorized by their supervisors. This means non-exempt employees must not start work early, finish work late, work during a meal or rest break, or perform any other extra or overtime work unless directed to do so. Employees who have questions about when or how many hours they are expected to work should contact their supervisor or Human Resources.

It is a violation of AMPS' policy for anyone to instruct or encourage another employee to work "off the clock," to incorrectly report hours worked, or to alter another employee's time records. If any employee is directed or encouraged to incorrectly report hours worked, or to alter another employee's time records, they should report the incident immediately to a supervisor.

#### *Exempt Employees*

AMPS may 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.

Employees who are classified as exempt must record absences from work for reasons such as leaves of absence, sick leave, or vacation.

Exempt employees are paid on a salary basis. This means the employee regularly receives a predetermined amount of compensation each pay period, which cannot be reduced because of variations in the quality or quantity of the employee's work. In general, an exempt employee will receive their salary for any week in which the employee performs any work, regardless of the number of days or hours worked. However, the School may make a deduction from an exempt employee's pay as permitted by law, including in the following circumstances:

- a. When an exempt employee takes one or more full days off for personal reasons other than sickness or disability, the employee will not be paid for such day(s) of absence, but the employee may use available vacation to make up for the reduction in salary;
- b. When an exempt employee takes one or more full days off from work due to sickness or disability, the employee will not be paid for such day(s) of absence, but the employee may use available sick time to make up for the reduction in salary;
- c. When an exempt employee works only part of the week during their first and last week with AMPS, the employee will be paid only for the days actually worked; and
- d. When an exempt employee takes unpaid leave under the Family and Medical Leave Act or corresponding laws, AMPS will not pay for such days/hours of absence.

AMPS may require an exempt employee to use available vacation or sick time, as a replacement for salary, when the employee takes less than a full-day off from work.

An exempt employee's salary will not be reduced when the employee works part of a week and misses part of a week due to service as a juror, witness or in the military or for lack of work, though deductions may be made to offset amounts an employee receives as jury or witness fees, or for military pay, or any other reason protected by law.

It is School policy to comply with the salary basis requirements of the Fair Labor Standards Act (FLSA) and applicable state law. AMPS prohibits any deductions from pay that violate the FLSA or applicable state law.

If an exempt employee believes that an improper deduction has been made to their salary, the employee should immediately report this information to Human Resources or a supervisor. Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, the employee will be promptly reimbursed for any improper deduction made.

## ***I. Employment Status***

### ***Regular Full-time Employees***

Employees who work 30 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. Eligibility for each benefit is ultimately governed by the applicable policy, plan document, and/or applicable law.

### ***Regular Part-time Employees***

Employees who work fewer than 30 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 generally not eligible for benefits except as required by law. Eligibility for each benefit is ultimately governed by the applicable policy, plan document, and/or applicable 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 generally 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. The status of a temporary employee may change only if the employee is notified of the change in status, in writing, by Human Resources.

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

### **J. 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.

### **K. Work Location**

At the time an employee is hired, the employee is usually assigned to a work location. Some employees may be assigned to permanent remote work. However, even employees who are permanently remote do have an assigned work location that is their home base. Employees, including those assigned to a permanent location as well as those working remotely, are not permitted to complete their job duties outside of the state, or country, where they are assigned to work, without prior management authorization. AMPS reserves the right in its sole discretion to prohibit out-of-state work due to business necessity or for any other business reason. Work outside the state where an employee is hired to work has payroll tax, business license, benefit and legal compliance implications. Failure to receive advanced permission to work from another state, or country, may lead to disciplinary action, up to and including termination.

### **L. Open Door Policy**

At some time or another, you may have a suggestion, complaint, or question about AMPS, 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. (See Appendix B for the general “Internal Complaint Form” which can be used for this purpose).

### **M. Workplace Anti-Violence Policy**

AMPS 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, AMPS has adopted this

Zero Tolerance Policy regarding workplace violence to help maintain a secure workplace.

Acts or threats of physical violence, including intimidation, harassment, and/or coercion, which involve or affect AMPS, 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.

Employees must always ensure that all visitors have signed in the visitor log and are wearing appropriate visitor tags/badges. Suspicious persons or activities must be reported to Human Resources. Employees must secure their 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 School's facilities; and bringing weapons or firearms of any kind on School premises or while conducting School business.

#### *Weapons Prohibited in the Workplace*

AMPS strictly prohibits employees, or any person providing services to AMPS, visiting AMPS, or located on AMPS' premises from possessing weapons of any kind at the workplace. The workplace includes any property owned or leased by AMPS or occupied by groups of School employees or persons providing services to AMPS. Unless such prohibition is contrary to local law, this specifically includes School parking areas and School vehicles. Employees are not permitted to transport or store weapons in vehicles owned or leased by AMPS and used by the employee for work purposes, unless the employee is required to transport or store a weapon as part of the employee's duties, and they have written permission from AMPS' CEO. This policy prohibits the possession of concealed weapons as well as weapons carried openly, regardless of whether the person has a legal permit to carry a weapon.

The prohibition explicitly includes guns, rifles and firearms of any type, including those for which the holder has a legal permit. Other examples of prohibited weapons include, but are not limited to, knives, ammunition, bombs, bows and arrows, clubs, slingshot, black jack, metal knuckles and similar devices that by their design or intended use are capable of inflicting serious bodily injury or lethal force.

#### *Former Employees Prohibited on Premises*

Due to safety concerns, an employee who is no longer employed by AMPS may not enter the workplace or be on School premises at any time, absent a legal reason or permission from the School to do so. Therefore, no employee should hold doors open for former employees, or otherwise admit former employees into the workplace. Further, if an employee sees a former employee on School premises or is contacted by a former employee seeking access to AMPS' premises without a legal reason for doing so, the employee must immediately alert Human Resources, the CEO, or any other member of AMPS' management team.

If an employee who no longer is employed by AMPS would like to visit, that person must first contact the Human Resources Department and request written permission to visit. A visit can be scheduled only if advance written permission is obtained. If written permission is granted, the former employee must, upon



arrival to AMPS' premises on the scheduled date/time, report to the reception area, be greeted by the current employee s/he is visiting and be escorted at all times while on School premises.

### *Searches and Inspections*

An investigation into a report or threat of workplace violence may require, with or without notice, an inspection of an employee's work area and/or personal property located in the workplace, including without limitation a vehicle. As a condition of continued employment, all employees are expected to fully cooperate in any lawful inspection required as a result of a report or threat of workplace violence. Failure to cooperate with AMPS' investigation of a report or threat of workplace violence may result in disciplinary action, up to and including termination of employment.

### *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 AMPS' 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, they must immediately notify their 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.

If an employee becomes aware of an imminent act of violence, a threat of imminent violence, or actual violence, emergency assistance must be sought immediately. In such situations, the employee should contact the law enforcement authorities by dialing 911. Immediately after contacting the law enforcement authorities, the employee must report the incident to the Site Director.

Employees should immediately inform their supervisor or Site Director about any workplace security hazards. If these individuals are not available, the employee should immediately inform any other supervisor so that appropriate action can be taken.

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

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

In certain circumstances, AMPS 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, threats of violence, and harassment.

## **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 employees observe an error on their check, employees must report it immediately to Payroll support at [prsupport@amethodschools.org](mailto:prsupport@amethodschools.org).

Employees may also have deductions made to their paychecks when a wage overpayment occurs, to the extent permitted by law, through a mutually agreeable method, including through cash repayment or a deduction of the employee's payroll check, among other options. The School also reserves the right to exercise any and all other legal means to recover any additional amounts owed.

Every deduction from an employee's paycheck is explained on the check voucher. If an employee does not understand the deductions, they should ask the Payroll Team at [prsupport@amethodschools.org](mailto:prsupport@amethodschools.org) to explain them.

Employees may change the number of withholding allowances claimed for Federal Income Tax purposes at any time by updating their W-4 form in Paylocity.

All Federal, State, and Social Security taxes will be automatically deducted from paychecks. Federal Withholding Tax deduction is determined by the employee's W-4 form. The W-4 form should be completed upon hire and it is the employee's responsibility to report any changes in filing status to the Payroll Team at [prsupport@amethodschools.org](mailto:prsupport@amethodschools.org) and to update their W-4 form in Paylocity.

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

### **B. *Overtime Pay***

AMPS provides compensation for all overtime hours worked by non-exempt employees in accordance with state and federal law as follows:

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

When operating requirements or other needs cannot be met during regular working hours, nonexempt employees may be required to work overtime. Overtime pay is based on actual hours worked. 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. Failure to work scheduled overtime, or working overtime without prior authorization from management may result in disciplinary action, up to and including termination of employment. The School will never ask an employee to work off the clock. All non-exempt

employees are to be paid for all hours worked. If you are asked to work off the clock, or if you are asked by anyone not to record your time working accurately, you must notify Human Resources immediately.

### **C. *Expense Reimbursement***

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

#### Mileage

All employees who drive their personal vehicles in the course and scope of their employment must submit a request for mileage reimbursement. Employees will be reimbursed at the per mile rate established by the Internal Revenue Service. Employees may obtain the reimbursement form from the Finance or Human Resources departments, and must include the miles driven, the addresses of the origination and destination, and the date the mileage was incurred. Employees must attach all receipts and documentation, if any.

#### Cell Phones

Employees who are required to use their personal cell phone for work are eligible for reimbursement for business-related charges. The reimbursement is intended to reimburse employees for the portion of their cell phone charges attributable to work. To be eligible, the employee must be required to use their cell phone for work and have received the approval of their supervisor. If you believe you should be reimbursed for cell phone use or are entitled to an additional amount of reimbursement, please contact Human Resources.

#### Other Expenses

AMPS provides all necessary supplies and equipment for employees to perform their duties. Therefore, employees are not required to purchase any additional equipment or supplies in order to work for the School and should not incur any expense without prior approval from their supervisor. If, however, in the event any employee is required to incur any unexpected necessary and reasonable expenses in order to perform duties on behalf of AMPS, the employee must immediately report this expense issue to their supervisor and Human Resources. Employees will be required to submit documentation to support any request for expense reimbursement.

All reports of expense reimbursement issues will be reviewed, including a review of all of relevant expense related records and receipts. If, as a result of the review, it is determined that an employee has incurred reasonable and necessary expenses on behalf of AMPS, the School will reimburse the employee, in full, for all actual, reasonable, and necessary business-related expenses incurred. It is the responsibility of the employee to keep accurate records and receipts of any business-related expense and to provide such documentation to the School.

If any employee believes that the reimbursement amount provided by the School is insufficient to reimburse for all reasonable expenses necessarily incurred in the discharge of their duties on behalf of the School, the employee must immediately report this expense issue to the employee's supervisor and Human Resources. Employees will be required to submit documentation (e.g. a copy of an invoice/bill and an explanation of the business use) to support any request for additional reimbursement.

### **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. Excessive unexcused absenteeism and tardiness negatively affects AMPS' ability to implement its educational program and disrupts consistency in students' learning.

You are expected to notify your direct supervisor at least two (2) hours prior to the start of your scheduled time if you are going to be late. In the event of an unforeseen emergency where you are unable to do so, please notify them as soon as possible. If you are required to leave work early, you must also personally contact your supervisor or the Site Director and obtain their 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. Absent extenuating circumstances, you must call in on any day you are scheduled to work and will not report to work. You must get approval from your direct supervisor for any planned absences. Under certain circumstances, to the extent permitted by law, 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 (3) or more consecutive work days.

Employees also are expected to remain at work for their entire work schedule, except for meal and rest periods, when required to leave on authorized School business, or when otherwise permitted by AMPS. 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 unexcused absences or tardiness may result in disciplinary action up to and including termination from employment with AMPS to the extent authorized by law.

Absences protected by local, state and federal law, including paid sick time, do not count as a violation of the punctuality and attendance policy.

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 (3) consecutively scheduled workdays, AMPS will generally consider that you have abandoned your employment and 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 AMPS. An employee's attendance at such social and recreational activities is completely voluntary and at the employee's own risk and AMPS 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, and is not performing work-related tasks, such participation will not be compensated by AMPS.

#### ***F. Timekeeping Requirements***

It is AMPS' policy to pay its employees for all time worked. Accordingly, it is every nonexempt employee's responsibility to accurately record time worked, and to examine their paycheck and wage statement to ensure that they are being properly paid for all work time and that the paycheck and wage statement are accurate. If an employee believes they are not being properly paid for all of his or her work, the employee must immediately inform Human Resources.

Federal and state laws require the School to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties. To ensure compliance with all applicable laws, non-exempt employees must accurately record all hours worked using AMPS' 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 absolutely prohibited from doing the following:

- a. Recording inaccurate hours worked.
- b. Recording hours worked on behalf of another employee.
- c. Working "off the clock." This includes, but is not limited to, working before or after a shift without recording that time, choosing to arrive early for work and completing preliminary work activities before clocking in, clocking out and continuing to work to avoid triggering a meal period requirement, clocking out and continuing to work in general (e.g., finishing work after you have clocked out or working while waiting for a rideshare), or conducting School business on personal cell phones after hours. Employees are prohibited from using their personal cell phones to conduct School business.
- d. Failing to record all hours worked.
- e. 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 AMPS 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. on Monday and ends at midnight on Sunday. AMPS' 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. Meal and Rest Periods**

Any employee who misses a meal or rest period or who experiences a late, short, or interrupted meal The School prioritizes compliance with California's meal and rest period laws. All non-exempt employees are required to abide by these requirements. Further, all supervisors are responsible for facilitating compliance with these requirements. See Manager/Supervisor Guidelines for Wage and Hour Policies.

**Meal Periods** Meal periods are intended to ensure that employees are given adequate time for rest and nourishment, contributing to their well-being and productivity.

All non-exempt employees must take an uninterrupted unpaid meal period of at least 30 minutes for each work period in excess of 5 hours in accordance with this policy. Further, all non-exempt employees must take a second uninterrupted unpaid meal period of at least 30 minutes for each work period in excess of 10 hours in accordance with this policy.

Employees must begin their first unpaid meal period within five hours of starting work. For example, if the employee begins working at 7:00 a.m., then the employee must clock out to begin their meal period before 12:00 p.m. (noon). Further, employees must begin their second unpaid meal period (if applicable) within ten hours of starting work. For example, if the employee begins working at 7:00 a.m., then the

employee must clock out to begin their second meal period before 5:00 p.m.

An employee whose work period is 5 to 6 hours may waive, in writing, their right to a first meal period. Further, an employee may waive their 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 their 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 as well as waivers that may be used for a more limited time period.

Employees are eligible for the following number of meal periods:

Length of Work Period in Hours	# of Meal Periods	Explanation
0 to ≤ 5	0	An employee whose work period is less than 5 hours is not entitled to a meal period.
> 5 to ≤10	1	An employee whose work period is 5 hours or more up to and including 10 hours is eligible to take a 30-minute uninterrupted unpaid meal period, <i>unless the employee’s work period is 6 or fewer hours and voluntarily waives their first meal period.</i>
> 10	2	An employee whose work period is 10 hours or more is eligible to take a second uninterrupted unpaid 30-minute meal period, unless the employee’s work period is 12 or fewer hours, did not waive their first meal period, and voluntarily waives their second meal period.

Employees must take their meal periods according to the following schedule:

Which Meal Period	When
First Meal Period	An employee’s first unpaid meal period must begin within 5 hours of starting work for that work period (in other words, by the end of the fifth hour of work or 5 hours and 0 minutes on the clock). By way of example, if an employee clocks in at <b>8:00 a.m.</b> , then the employee must clock out and start their meal period before <b>1:00 p.m.</b>
Second Meal Period	An employee’s second unpaid meal period must begin within 10 hours of starting work for that work period (in other words, by the end of the tenth hour of work or 10 hours and 0 minutes on the clock). By way of example, if an employee clocks in at <b>8:00 a.m.</b> , then the employee must clock out and start their second meal period before <b>6:00 p.m.</b>

During meal periods, employees are absolutely prohibited from performing work of any kind or any amount. Employees are excused from all duties and are free to leave the premises. Employees must record the exact start and stop times of each meal period through the School’s timekeeping system so that the School may monitor time records for compliance. Employees may not join together required meal periods to take a longer break.

**Rest Periods** Rest periods are intended to allow employees to rest and refresh, contributing to a healthy and productive work environment. All non-exempt employees are authorized, permitted, and strongly encouraged to take a 10-minute paid rest period for every 4 hours worked or major fraction thereof. Ordinarily, this amounts to two 10-minute rest periods per 8-hour work period. Employees are excused from all duties and are free to leave the premises during their rest periods.

Employees are eligible for the following number of rest periods:

Length of Work Period in Hours	# of Rest periods	Explanation
0 to < 3.5	0	An employee whose work period is less than 3.5 hours is not entitled to a rest period.
≥ 3.5 to ≤ 6	1	An employee whose work period is 3.5 hours up to and including 6 hours is eligible to take one paid rest period.
> 6 to ≤ 10	2	A non-exempt employee whose work period is more than 6 hours up to and including 10 hours is eligible to take two paid rest periods.
> 10 to ≤ 14	3	A non-exempt employee whose work period is more than 10 hours up to and including 14 hours is eligible to take three paid rest periods.

Employees whose work period is more than 14 hours may be eligible for additional rest periods. Please contact Human Resources for more information.

Whenever practicable, non-exempt employees should take their rest periods near the middle of each 4-hour work period. Non-exempt employees may not accumulate rest periods or use rest periods as a basis for starting work late, leaving work early, or extending a meal period. Because rest periods are paid, non-exempt employees should not clock out for them.

**Daily Timekeeping Meal Period and Rest Period Reporting Form** Employees who miss a meal or rest period or who experience a late, short, or interrupted meal period—for any reason—must immediately report this issue to their supervisor and complete a Daily Timekeeping Meal Period and Rest Period Reporting Form. Employees must fill out all fields on the form, including providing a thorough explanation for the non-compliant meal or rest period and turn in this form to their supervisor on the same workday that they experienced the non-compliant meal or rest period. Supervisors are responsible for ensuring that Human Resources receives these forms no later than the end of the workday following the workday on which the reportable issue occurred by notifying Payroll at [prsupport@amethodschools.org](mailto:prsupport@amethodschools.org).

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 at the regular rate 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 attend a meeting that caused me to miss or take a late meal period), the employee is entitled to premium pay of one additional hour of pay at the regular rate of pay. Employees must report the reason for the non-compliant meal or rest period on the **Daily Timekeeping 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 Human Resources.

Supervisors are responsible for facilitating meal and rest periods in a fair and uniform manner. Supervisors may not pressure or coerce employees to take late, short, or interrupted meal and rest periods or to skip their meal and rest periods. Employees who feel pressured or coerced, must immediately report that to Human Resources.

### Discipline

Failure to comply with AMPS' 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 the expression of breast milk by employees who are breastfeeding when they return to work.

AMPS will provide a reasonable amount of break time to accommodate an employee desiring to express breast milk for the employee's infant child each time the employee has need to express milk. If possible, the lactation break time should run concurrently with scheduled meal and rest breaks already provided to the employee. If the lactation break time cannot run concurrently with meal and rest breaks already provided or additional time is needed, the lactation break time will be unpaid for non-exempt employees.

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, AMPS 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, AMPS may provide another cooling device suitable for storing milk, such as a School-provided cooler. To request the above, please contact Human Resources. AMPS will respond accordingly, generally within two business days.

If any employee believes that they have experienced retaliation or discrimination as a result of conduct protected by this policy, the employee may file a complaint with their 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](http://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. Professional Boundaries: Staff/Student Interaction Policy**

Amethod Public Schools (“AMPS” or “Charter School”) recognizes its responsibility to make and enforce all rules and regulations governing student and employee behavior to bring about the safest and most learning conducive environment possible.

The School expects its employees to maintain appropriate professional relationships with students and be sensitive to the appearance of impropriety in their conduct with students. Employees are encouraged to discuss issues with Human Resources or the Chief Academic Officer when unsure whether particular conduct may constitute a violation of the policy.

Employees must understand that even an appearance of inappropriate relationships or impropriety may adversely impact their effectiveness in the school environment. Therefore, employees must be diligent in maintaining the highest ethical standards when interacting with students both inside and outside the school environment and should practice the utmost professionalism with forming any social relationships with students and families outside the classroom.

While the use of appropriate touching is part of daily life and is important for student development, employees must ensure that they do not exceed appropriate behavior. If a child or employee specifically requests that they not be touched, then that request must be honored

#### *Definitions*

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

Grooming is defined as an act or series of acts by a sexual predator to gain physical and/or emotional control by gaining trust (of staff and/or family and a minor) and desensitizing the minor to various forms of touching and other intimate interaction.

#### *Corporal Punishment*

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

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

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

#### **A. Examples of PERMITTED actions (NOT corporal punishment)**

1. Stopping a student from fighting with another student;
2. Preventing a pupil from committing an act of vandalism;
3. Defending yourself from physical injury or assault by a student;
4. Forcing a pupil to give up a weapon or dangerous object;

5. Requiring an athletic team to participate in strenuous physical training activities designed to strengthen or condition team members or improve their coordination, agility, or physical skills;
6. Engaging in group calisthenics, team drills, or other physical education or voluntary recreational activities.

B. Examples of PROHIBITED actions (corporal punishment)

1. Hitting, shoving, pushing, or physically restraining a student as a means of control;
2. Making unruly students do push-ups, run laps, or perform other physical acts that cause pain or discomfort as a form of punishment;
3. Paddling, swatting slapping, grabbing, pinching, kicking, or otherwise causing physical pain.

*Acceptable and Unacceptable Staff/Student Behavior*

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

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

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

Staff must understand their own responsibility for ensuring that they do not cross the boundaries as written in this policy. Violations could subject the employee to discipline up to and including termination. Disagreeing with the wording or intent of the established boundaries will be considered irrelevant for disciplinary purposes. Thus, it is crucial that all employees learn this policy thoroughly and apply the lists of acceptable and unacceptable behaviors to their daily activities.

*Examples of Specific Behaviors*

The following examples are not an exhaustive list:

*Unacceptable Staff/Student Behaviors (Violations of this Policy)*

- A. Giving gifts to an individual student that are of a personal and intimate nature (including but not limited to giving photographs to a student; or items such as money, food, outings, electronics, etc.)
- B. Kissing of any kind.
- C. Any type of sexual contact
- D. 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).
- E. Any type of unnecessary physical contact with a student in a private situation or in an

unobserved location.

- F. Full frontal or rear hugs and lengthy embraces
- G. Touching buttocks, thighs, chest, stomach or genital area
- H. Sitting students on one's lap
- I. Wrestling with students or other staff member except in the context of a formal wrestling program
- J. Tickling or piggyback rides
- K. Intentionally being alone with a student away from the school
- L. Making or participating in sexually inappropriate comments
- M. Sexual jokes or jokes/comments with sexual double entendre
- N. Seeking emotional involvement with a student for your benefit
- O. Listening to or telling stories that are sexually oriented
- P. Discussing inappropriate personal troubles or intimate issues with a student in an attempt to gain their support and understanding
- Q. Becoming involved with a student so that a reasonable person may suspect inappropriate behavior
- R. Furnishing alcohol, tobacco products, vaping products, CBD products, marijuana, controlled substances, or drugs to a student or failing to report knowledge of a student's possession of such
- S. "Dating" or "going out with" a student
- T. Remarks about the physical attributes or development of anyone. This includes comments such as "Looking fine!" or "Check out that [body part]."
- U. Being alone in a room with a student at school with the door closed and/or windows blocked from view
- V. Taking photographs or videos of students for personal use or posting such photographs or videos online without School permission
- W. Leaving campus alone with a student for lunch
- X. Either partially or fully undressing in front of a student or asking a student to undress, with the intent to view/expose private body parts
- Y. Sharing a bed, mat, or sleeping bag with a student
- Z. Using profanity with or to a student
- AA. Being "friends" with a student on any personal or non-School social media website
- BB. Sending emails, text messages, social media responses, making phone calls, or sending notes or letters to students if the content is not about school activities. Communication via private social media accounts is not acceptable.
- CC. Communicating with students or parents/guardians in violation of the School's Social Media Policy
- DD. Excessive attention toward a particular student.
- EE. Being alone with a student in an unobserved location where no other students or employees are nearby (this may or may not be a separate room).
- FF. Involving students in non-educational or non-school related issues, including, but not limited to, the employee's employment issues

#### *Unacceptable Staff/Student Behaviors without Parent and Supervisor Permission*

These behaviors should only be exercised when a staff member has express written parent and supervisor permission in advance.

- A. Giving students a ride to/from school or school activities.
- B. Allowing students in your home for a preplanned and pre-communicated educational activity that must include the presence of another educator, parent, or other responsible adult.

#### *Acceptable and Recommended Staff/Student Behaviors*

- A. Getting parents' written consent for any after-school activity.
- B. Obtaining formal written pre-approval from the School and parents/guardians to take students off school property for activities such as field trips or competitions including parent's written permission and waiver form for any sponsored after-school activity whether on or off campus.
- C. Emails, text, phone and messages or letters to students must be very professional and pertaining to school activities or classes (Communication should be limited to school technology and in alignment with the School's Social Media Policy).
- D. Keeping the door wide open when alone with a student.
- E. Keeping reasonable and appropriate space between you and your students.
- F. Stopping and correcting students if they cross your own personal boundaries including, but not limited to, touching your legs, or buttocks, frontal hugs, kissing, or caressing.
- G. Keeping parents and administration informed when a significant issue develops about a student such as a change in demeanor or uncharacteristic behavior.
- H. Keeping after-class discussions with a student professional and brief.
- I. Recognizing the responsibility to stop unacceptable behavior of students or coworkers.
- J. Asking another staff member to be present if you will be alone with any type of special needs student.
- K. Giving students praise and recognition without touching them.
- L. Pats on the back, high fives and handshakes are acceptable.
- M. Keeping your professional conduct a high priority.

### *Boundaries Monitoring and Reporting*

Employees should follow the following guidelines:

- Immediately asking for advice from senior staff or administration if you find yourself in a difficult situation related to boundaries
- Involving your supervisor in discussion about boundaries situations that have the potential to become more severe (including but not limited to: grooming or other red flag behaviors observed in colleagues, written material that is disturbing, or a student's fixation on an adult)
- Making detailed notes about an incident that in your best judgement could evolve into a more serious situation later
- Asking another staff member to be present, or within close supervisory distance, when you must be alone with a student after regular school hours
- Asking yourself if any of your actions, which are contrary to these provisions, are worth sacrificing your job and career

When an employee becomes aware of another employee (or volunteer, guest, vendor) having crossed the Boundaries specified in this policy, or has a reasonable suspicion of misconduct, the employee must promptly report the suspicion to Human Resources or the Chief Academic Officer. 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.

When observant employees call attention to boundaries violation(s), the likelihood of harm to students is greatly reduced.

### *Investigating*

AMPS will promptly investigate any allegation of a violation of the Staff/Student Interaction Policy by a staff member, using such support staff or outside assistance as AMPS 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 within thirty-six (36) hours.

If the allegation is only a violation of the Staff/Student Interaction 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.

### *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 or the police 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.

Reasonable suspicion means that it is objectively reasonable for a person to entertain a suspicion, based upon facts that could cause a reasonable person in a like position, drawing, when appropriate, on the person's training and experience, to suspect child abuse or neglect. It does not require certainty that child abuse or neglect has occurred nor does it require a specific medical indication of child abuse or neglect.

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

AMPS will provide annual training on the mandated reporting requirements, using the online training module provided by the State Department of Social Services, to employees who are mandated reporters. Mandated reporter training will also be provided to employees hired during the course of the school year. This training will include information that failure to report an incident of known or reasonably suspected child abuse or neglect, as required by Penal Code section 11166, is a misdemeanor punishable by up to

six (6) months confinement in a county jail, or by a fine of one-thousand dollars (\$1,000), or by both that imprisonment and fine.

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

By acknowledging receipt of this Handbook, employees acknowledge they are child care custodians and are certifying that they have knowledge of California Penal Code section 11166 and will comply with its provisions. Failure to meet these obligations can result in a monetary fine and/or jail.

## **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. This policy encompasses any and all identifying or confidential information of all former and current students which is protected under the Family Educational Rights and Privacy Act.

It is important to AMPS 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.

AMPS devotes significant time, energy, and expense to develop and acquire its trade secrets and confidential information. As an employee of AMPS 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 AMPS. An employee shall not, directly or indirectly, disclose or use any of the foregoing information other than as authorized for the sole benefit of AMPS, either during the term of your employment or at any other time thereafter. Employees may not access confidential information except as required to perform their job duties. Confidential information shall not be disclosed except through normal channels and with prior authorization. Any and all trade secrets or confidential information shall be returned to AMPS during extended leaves of absence or upon termination of employment.

During your employment with AMPS, you will not be permitted nor required to breach any obligation to keep in confidence proprietary information, knowledge, or data acquired during your former employment. You must not disclose to the School any confidential or proprietary information or material belonging to former employers or others.

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

Nothing in this section is intended to prohibit or restrict employees from exercising their rights under the NLRA, which includes discussing their wages and working conditions.

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:*

1. *Insubordination* - refusing to perform a task or duty assigned or act in accordance with legitimate instructions and / or policies provided by an employee's supervisor, AMPS' policies, or proper authority.
2. *Inefficiency* - including deliberate restriction of output, carelessness or unnecessary waste of time or material, neglect of job, duties or responsibilities.
3. *Unauthorized soliciting*: collecting of contributions, distribution of literature, or written or printed material that is not directly related to AMPS 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 NLRA
4. Damaging, defacing, unauthorized removal, destruction or theft of another employee's property or of AMPS property.
5. Fighting or instigating a fight on AMPS premises.
6. Violations of the drug and alcohol policy.
7. Using or possessing firearms, weapons or explosives of any kind on AMPS premises.
8. Gambling on AMPS premises.
9. 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.
10. Recording the timesheets of another employee or permitting or arranging for another employee to record your timesheet.
11. Conducting personal business during business hours and/or unauthorized use of telephone lines for personal calls.
12. Excessive unexcused absenteeism or tardiness.
13. 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.
14. Engaging in sabotage or espionage (industrial or otherwise)
15. Violations of the discrimination, harassment and retaliation prevention policy.
16. Failure to report a job-related accident to the employee's manager or failure to take or follow prescribed tests, procedures or treatment.
17. Sleeping during work hours.
18. Release of confidential information without authorization.
19. Refusal to speak to supervisors or other employees.
20. Use of cameras or other recording devices on School premises except as expressly authorized by the School.
21. Intentionally supplying false information in order to obtain a leave of absence or other benefits from AMPS.
22. Poor attendance, including, but not limited to, habitual unexcused 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.
23. Unsatisfactory work performance.
24. Unprofessional conduct.
25. Failure to possess or maintain the credential/certificate required of the position.
26. Dishonesty.

27. Any other conduct detrimental to other employees or the School's interests or its efficient operations.

This statement of prohibited conduct does not alter AMPS' policy of at-will employment. AMPS 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. AMPS' policy as to references for employees who have left AMPS is to disclose only the dates of employment and the title of the last position held, except as otherwise required by law.



## **OPERATIONAL CONSIDERATIONS**

### **A. *Computer Usage and Privacy***

Every employee who is provided access to AMPS' Communications Systems is responsible for using the Communications Systems in accordance with this policy, and agrees to be bound by this policy by using AMPS' Communications Systems. Any questions about this policy should be addressed to Human Resources.

#### *Definitions*

AMPS' electronic communications systems ("Communications Systems") includes, but is not limited to, computers, laptops, e-mail, telephones, cellular phones, tablets, 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 AMPS. It has been provided by AMPS for the sole purpose of conducting School-related business as well as other business that is approved by the CEO of AMPS. All communications and information transmitted by, received from, or stored in these systems are School records and the property of AMPS.

Electronic communications are a means of business communication. AMPS requires all employees to conduct themselves in a professional manner. Employees 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 AMPS' Communications Systems and the users thereof against unauthorized or improper use of these systems, AMPS 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 their designee. AMPS also reserves the right periodically to monitor the use of its Communications Systems and to access employees' voice mail, Internet access, and e-mail for that purpose or any other business-related purpose upon authorization of the CEO or their 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.

#### *Confidentiality and Privileges*

Information stored on the Communications Systems is intended to be kept confidential within AMPS. AMPS has taken all reasonable steps to assure confidentiality and security of information related to AMPS's operations. Like other means of communication, however, it is not possible to guarantee complete security of electronic communications either within or outside AMPS, 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 employees 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*

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

1. Employees are strictly prohibited from using the Communications Systems to deliver a message that is harassing or offensive on the basis of any characteristic(s) protected by law as set forth in AMPS' policies against discrimination, harassment, and retaliation. Those policies apply to all aspects of employment, including the use of the Communications Systems.
2. Employees 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.
3. Employees are prohibited from using the Communications Systems to transmit, display, store, publish, or purposely receive any pornographic, obscene, or sexually explicit material.
4. Employees 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 AMPS.
5. Employees must not alter, copy, transmit, or remove School information, proprietary software, or other files without proper authorization from AMPS.
6. Employees 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 their designee. Anyone who receives an electronic communication for which they are 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 AMPS business. Incidental and occasional personal use of the Communications Systems is permitted, but such communications must not disrupt School business, and employees **do not have any expectation of personal privacy in any matters stored in, created, received, or sent over the Communications Systems.**

AMPS, as owner of the Communications Systems, 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 employee.

Although AMPS entrusts employees with the use of voice mail, e-mail, computer files, software, or similar School property, employees should keep in mind that these items 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. 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, employees 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 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. AMPS is not responsible for costs incurred when employees use School telephones or e-mail systems for personal matters.

Employees should not use personal devices or email accounts for School-related communications. Such communications should only take place using School-issued devices and via the employee's email account.

Employees should use voice mail and e-mail as cautiously as they would use any more permanent communication medium such as a memorandum or letter. E- mail messages:

1. May be saved and read by third parties.
2. May be retrieved even after "deletion."
3. May be accessed by authorized service personnel.
4. May be examined by management without notice.

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

AMPS reserves the right to use and disclose any electronic communication on its Communications Systems without the permission of or any prior notice to any employee, including disclosure to law enforcement officials.

Nothing in this section is intended to prohibit or restrict employees from exercising their rights under the NLRA, which includes discussing their wages and working conditions.

#### *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 employee who discovers misuse of the Internet access or any of AMPS' Communications Systems should immediately contact Human Resources or the CEO of AMPS. Any employee 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. AMPS 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, AMPS 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 AMPS; (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 AMPS; (6) interact with School students or parents/guardians of School students (regarding School-related business) on the Internet and on social media sites; or (7) create or use a School-affiliated social media account.

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, X (formerly known as Twitter), Pinterest, LinkedIn, TikTok, 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.

This policy is intended to supplement, not replace, AMPS’ 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.

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

### *Standards of Conduct*

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

1. 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.
2. Do not engage in any discriminatory, harassing, or retaliatory behavior in violation of School policy.
3. Respect copyright, fair use, and financial disclosure rules and regulations. Identify all copyrighted or borrowed material with proper citations and/or links.
4. Maintain the confidentiality of AMPS’ 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 AMPS.
5. Do not post confidential information (as defined in this Handbook) about AMPS, 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.
6. Do not “friend” students on employee’s social media accounts unless there is a familial relationship. An employee who friends students on employee’s social media account without a familial relationship must notify the CEO.
7. 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.
8. Be knowledgeable about and comply with AMPS’ background check procedures. Do not “research” job candidates on the Internet or social media websites without prior approval from Human Resources.

9. We encourage employees to be fair and courteous to fellow employees, students, parents, vendors, suppliers, or other people who work on behalf of AMPS. We also encourage employees 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, suppliers, or other people who work on behalf of AMPS, or that might constitute harassment or bullying.
10. We encourage employees to set their social media accounts to “private” settings to avoid students viewing private or personal social media activity.
11. Do not post any information or rumors that you know to be false about AMPS, fellow employees, students, parents, vendors, suppliers, people working on behalf of AMPS, or competitors.
12. Express only your personal opinions. Never represent yourself as a spokesperson for AMPS unless authorized to do so. If you publish social media content that may be related to your work or subjects associated with AMPS, make it clear that you are not speaking on behalf of AMPS and that your views do not represent those of AMPS, fellow employees, students, parents, vendors, suppliers, or other people working on behalf of AMPS. 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 AMPS.”
13. 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 and students’ parents or guardians regarding School-related matters on social media that is owned and operated by AMPS. 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 CEO/designee and IT Department, in addition to Human Resources and members of AMPS’ administration, are responsible for approving requests for School social media accounts, monitoring School social media accounts for inappropriate and unprofessional content, and maintaining the social media account information (including, but not limited to, username and password). AMPS has final approval over all content posted to School accounts and reserves the right to close School social media accounts at any time, with or without notice.

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

1. Request and obtain permission to create School social media from the CEO/designee.
2. Contact the CEO/designee to set up the social media. Provide the CEO/designee 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 CEO/designee 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.

Nothing in this policy is intended to prohibit you from discussing the terms and conditions of employment with your co-workers or engaging in concerted activities pursuant to the NLRA and other applicable laws.

### *Access*

Employees are reminded that AMPS' 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 AMPS. All communications and information transmitted by, received from, or stored in these systems are School records.

As a result, AMPS may, and does, monitor its employees' use of these electronic communication systems, including for social media activities, from time to time. AMPS may monitor such activities randomly, periodically, and/or in situations when there is reason to believe that someone associated with AMPS 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 AMPS' 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*

AMPS 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 AMPS, or may violate this policy, please contact Human Resources.

Social media is in a state of constant evolution, and AMPS 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**

AMPS 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 AMPS 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 AMPS.

### **E. Notice Posting**

AMPS 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 AMPS. 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 AMPS, all employees owe a duty of loyalty to AMPS 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 AMPS' 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 must immediately and fully disclose the relevant circumstances to his or her immediate supervisor, Human Resources or the CEO or designee, who will determine whether a potential or actual conflict exists. If an actual or potential conflict is determined to exist, AMPS may take whatever corrective action appears appropriate according to the circumstances. Failure to disclose facts of an actual or potential conflict of interest will 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 AMPS 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 a 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 vendor with which AMPS 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 AMPS. The receipt of occasional flowers, candy, or gifts worth less than \$100.00 from parents, students, 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 more than \$100.00 from students, parents, 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 and Fundraising funds or items that an employee may receive or raise from events, donors or donor websites i.e. (Donors Choose, etc.) for use by AMPS, its students or at a specific AMPS school site will be considered property of the School. Such donations will remain with the School to continue to benefit the intended student population.

### *Outside Activities*

AMPS recognizes the right of employees to engage in activities outside of their employment that are of a private nature and unrelated to AMPS' business. However, employees may not engage in any outside activity, including outside employment, which presents an actual or potential conflict of interest. For this reason, employees are expected to conduct their personal affairs in a manner that does not adversely affect the School or its own integrity, reputation, or credibility. Illegal or immoral off-duty conduct by an employee that adversely affects the School's legitimate business interests or the employee's ability to perform their work will not be tolerated.

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

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

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

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

#### **G. *Cameras and Video Surveillance***

For purposes of workplace safety and security and to prevent theft and other misconduct AMPS has installed video surveillance cameras in and around common work areas and public spaces. The surveillance does not include audio recording.

If there is any reported incident of theft, trespass, workplace violence, employee misconduct or any type of safety violation (hereafter collectively referred to as "security incidents"), AMPS will utilize its surveillance equipment as an investigatory tool. AMPS will also make use of its surveillance equipment to deter any future security incidents.

AMPS also reserves the right to actively monitor, through its surveillance cameras, any areas for safety reasons (to protect against equipment failure, breakage, or accident) or confidentiality reasons (to protect documents or other proprietary information).

Although the video surveillance described in this policy is intended to monitor for security incidents and other safety reasons at AMPS, it is possible that such surveillance may monitor activities not related to AMPS' business.

AMPS respects the privacy of its employees. Accordingly, surveillance is not conducted in any area where



an employee has a reasonable expectation of privacy and video cameras will be installed in AMPS' restrooms or in any lactation or changing areas.

The surveillance video cameras and any video footage from the surveillance are to be used solely for the purposes of this video surveillance policy. Any unauthorized use of these video cameras and/or videotapes is strictly forbidden and may result in discipline, up to and including termination of employment.

#### **H. Employer Property**

Lockers, computers, desks, bookshelves, and other employer-owned property are AMPS property and must be maintained according to AMPS rules and regulations. They must be kept clean and are to be used only for work-related purposes. AMPS reserves the right to inspect all AMPS 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 AMPS 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.

#### **I. Employee Property**

For security reasons, employees should not leave personal belongings of value in the workplace (i.e. desks, bookshelves, counter, etc.). Terminated employees must 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.

#### **J. Dress Code and Other Personal Standards**

AMPS employees serve as role models for the students and as representatives of AMPS. Consistent with these roles, all employees 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 unduly revealing, which contains profane, vulgar, offensive or obscene statements or images, or which may disrupt the orderly operation of AMPS 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 maintain professional standards of dress and grooming when not actively teaching physical education classes or coaching. Site Directors and the CEO may also amend these 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:*

1. Excessively tight clothing, including leggings and tights without proper coverage;
2. Clothing which promotes alcoholic beverages, tobacco, or the use of controlled substances by words or symbols;
3. Clothing with slurs, political statements, slogans, etc., other than AMPS' logo and or School motto (employees are not permitted to wear hats or clothing with writing or logos (other than clothing manufacturer and designer logos) unless issued by the School);
4. Shorts, skirts, or dresses that end more than 2 inches above the knee;
5. Exposed body areas usually concealed by clothing such as torso, chest, back, stomach, etc.;
6. Bright colored hair dye (unless as excused for school spirit functions or discussed with Site leaders);
7. Clothing which contains profanity, nudity, depicts violence, or is sexual in nature by words or symbols;
8. Open toed shoes, sandals, or flip flops;
9. Tube tops, tank tops, crop tops or spaghetti strap tops;
10. Undergarments worn as an outer garment or any see-through clothing that reveals an undergarment;
11. Hats, visors, sunglasses, sweatbands, and bandanas (may be worn outside but must be removed when inside the workplace);
12. Jeans (except as described in Friday Business Casual Dress Policy below).

AMPS does not discriminate against employees on the basis of race, which includes traits associated with race, including but not limited to hair texture and protective hairstyles; protective hairstyles include, but are not limited to, such hairstyles as braids, locs, and twists. Reasonable accommodations may be made where appropriate and as approved in writing by the supervisor for those employees who, because of a sincerely held religious belief, cultural heritage, or medical reason, request a waiver of a particular part of this policy. Reasonable accommodations due to a disability or for religious grooming or dress will be made unless such accommodation poses an undue hardship.

### *Piercings and Tattoos*

Body piercings (e.g., jewelry affixed to the nose, tongue, cheek, lip, or eyebrow) and tattoos are prohibited if they disrupt the orderly operation of AMPS. Tattoos which contain profane, vulgar, offensive, sexual or obscene statements or images are prohibited and must be covered at all times.

### *Friday 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 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:

1. 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.
2. Pants: Casual slacks and trousers and jeans without holes, frays, etc. are permitted. Pants worn below the waist or hip line are prohibited at all times.

### **N. Parking**

Employees may park their vehicles in any AMPS marked space, if space permits. If space is unavailable, employees must park in permissible public areas on the streets in the vicinity of AMPS property. AMPS

is not responsible for any loss or damage to employee vehicles or contents while parked on or off of AMPS property.

### **O. Solicitation and Distribution of Literature**

In order to maintain and promote efficient operations, discipline, and security, AMPS 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 their supervisor. These rules are:

1. No employee shall sell merchandise or solicit or promote support for any cause or organization during their 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 rest breaks.
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 their working time or during the working time of the employee(s) at whom such activity is directed. As used in this section, working areas excludes designated meal and break rooms.
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 their working area more than 10 minutes before they are scheduled to begin and must stop work and clock out from their work area no later than 10 minutes after their work scheduled for the day is completed, unless they are approved by their supervisor to do so. 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. Nothing in this section is intended to prohibit or restrict employees from exercising their rights under the NLRA, which includes discussing their wages and working conditions.

### **P. Health and Safety Policy**

AMPS is committed to providing and maintaining a healthy and safe work environment for all employees.

Employees are required to know and comply with AMPS' Safety Manual and to follow safe and healthy work practices at all times.

Employees are required to report immediately to AMPS' Site Director any potential health or safety hazards, and all injuries or accidents.

Employees shall not be prohibited from accessing their mobile device or other communication device for seeking emergency assistance, assessing the safety of the situation, or communicating with a person to confirm their safety during an emergency condition. An emergency condition means: (i) conditions of disaster or extreme peril to the safety of persons or property at the workplace or worksite caused by natural forces or a criminal act; or (ii) an order to evacuate a workplace, a worksite, a worker's home, or the school of a worker's child due to natural disaster or a criminal act.

In compliance with Proposition 65, the School will inform employees of any known exposure to a chemical known to cause cancer or reproductive toxicity.

In compliance with California law and to promote the concept of a safe workplace, AMPS maintains an Injury and Illness Prevention Program (IIPP). The IIPP is available for review by employees and/or employee representatives. Contact Human Resources if you wish to review the IIPP or if you have any questions concerning this policy.

## **Q. Communicable Diseases**

### Introduction

Employees must stay away from the office if they have symptoms of or have been diagnosed with a communicable illness in order to reduce the possibility that it will spread to others.

AMPS does not discriminate against any job applicant or employee based on the individual having a communicable illness or being associated with someone who does. AMPS will not retaliate against an applicant or employee for providing this information to AMPS.

### General Guidelines

Decisions involving persons who have or may have a communicable illness shall be based on current and well-informed medical judgments concerning the disease, as well as the following factors:

1. Whether the individual has been diagnosed with the illness;
2. Whether the individual has been exposed to an individual with the illness;
3. Whether the individual has symptoms that are similar to those associated with the illness;
4. Whether the individual has been exposed to an individual who has symptoms that are similar to those associated with the illness;
5. Whether the individual has traveled to locations or been exposed to others who have traveled to locations where there is a high population of individuals with the illness;
6. The risks of transmitting the illness to others;
7. The symptoms and any other special circumstances of each individual who has or may have the illness;
8. Any factor used by a government agency, including but not limited to, the United States Center for Disease Control (CDC), for the purpose of maintaining the safety and security of our citizens.

Other factors could be considered as well. Managers and supervisors are responsible for:

1. Consulting with Human Resources for guidance regarding employees who report symptoms and/or diagnosis of a communicable disease.
2. Preventing discrimination against any job applicant or employee based on the individual having a communicable disease.
3. Maintaining the privacy of all information about an employee's medical condition with anyone other than Human Resources or any government agency that requires reporting.

### Communicable Illness Defined

A communicable illness is a serious illness or disease that can be directly or indirectly transferred from an infected individual to another person, including, but not limited to measles, mumps, chickenpox, coronavirus, influenza (certain types including H1N1), viral Hepatitis-A (infectious Hepatitis), viral Hepatitis-B (serum Hepatitis), leprosy, SARS (Severe Acute Respiratory Syndrome), TB (Tuberculosis - infectious), plague, yellow fever, viral hemorrhagic fevers, meningitis, and encephalitis. The definition of communicable illness may be revised in accordance with information received from the CDC or other public health officials.

## Reporting Procedure

To help keep all employees safe, employees must follow these procedures. Employees must inform Human Resources if you are: (a) diagnosed with a communicable illness; or (b) if you believe you may have been exposed to a person so diagnosed; (c) if you have recently visited a location in which there has been a high population of individuals diagnosed with an illness; (d) you do not feel well or are exhibiting any symptoms associated with the illness in question. This information will be kept confidential to the extent reasonably possible. AMPS will not reveal any information other than as required to meet business necessities.

## Work Restrictions

For safety and security purposes, as well as to comply with all applicable law, AMPS reserves the right to request that any individual who has or may have a communicable illness, or who has had contact with anyone who has or may have a communicable illness, not enter the workplace or attend any work-related function outside the premises.

Certain employees who can complete job duties remotely may have the option to work from home, subject to the discretion and prior approval of AMPS. Additionally, leaves of absence, use of vacation or other arrangements may be an option. Depending on the circumstances, AMPS may offer other options.

## Duty to Maintain Privacy

AMPS will administer this policy in accordance with applicable laws and regulations, including but not limited to the Americans with Disabilities Act and its amendments, the Genetic Information Non-Discrimination Act, the Health Insurance Portability and Accountability Act of 1996, the Occupational Safety and Health Act, other related federal law, and state law related to the same or similar issues, including but not limited to mandatory paid sick and safe time laws. AMPS will treat any medical information obtained under this policy as confidential to the extent possible in accordance with applicable law. In the event any provision of this policy conflicts with applicable federal, state or local law, AMPS will follow the law. AMPS will strive to maintain any information about an employee's medical condition, or that of a family member, in the strictest of confidence and to see that this information is shared only on a "need to know" basis.

## **R. *Drug and Alcohol Abuse Policy***

It is the intent of AMPS to promote a safe, healthy, and productive work environment for all employees. 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 us in achieving our goal of a safe and productive drug-free workplace.

For purposes of this policy, "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), prescription drugs that impair the employee's ability to perform their job duties safely and effectively, as well as prescription drugs if they are not prescribed for the person using them and/or not being used as prescribed. While the use of marijuana has been legalized under California law for medicinal and recreational uses, it remains an illegal drug under federal law and its use as it impacts the workplace is prohibited by AMPS. "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.

Nothing in this policy is intended to prohibit the lawful use of marijuana while off-duty and away from the workplace. AMPS will not discriminate against any employee in the terms or conditions of employment for the lawful use of marijuana while off-duty and away from the workplace.

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

1. Use, possession, purchase, or offer for sale of drugs, drug paraphernalia or alcohol during working hours, including meal and break periods, or in the presence of pupils;
2. Use, possession, purchase, or offer for sale of drugs, drug paraphernalia, or alcohol on School property at any time;
3. Use, possession, purchase, or offer for sale of drugs, drug paraphernalia, or alcohol while attending a School function or event;
4. Storing alcohol (if unauthorized), drugs, or drug paraphernalia in a locker, desk, automobile, or other repository on AMPS' premises;
5. Refusing to submit to an inspection or testing when requested by AMPS;
6. Being under the influence of drugs, prescription medication that impairs cognitive or physical functions and/or alcohol during working hours, while on AMPS' premises and/or attending a School function or event;
7. Conviction under any criminal drug statute for a violation occurring in the workplace; or
8. 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 AMPS where alcohol is served or while entertaining actual or prospective donors to AMPS. However, employees must remember their obligation to conduct themselves appropriately at all times while at School-sponsored functions or while representing AMPS.

### *Searches*

AMPS 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*

To the extent permitted by law, AMPS may require a test by intoxicator, blood test, urinalysis, medical examination, or other drug/alcohol screening of those persons whom AMPS reasonably suspects of using, possessing, or being under the influence of a drug or alcohol. Such testing may be conducted if two or more employees or other adults 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 or student while on duty. Such testing will not include screening for nonpsychoactive cannabis metabolites.

Any refusal to submit to such testing will be considered a violation of this policy. 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. AMPS 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 of other employees was jeopardized. Periodic retesting may also be required following positive test results or after any violation of this policy or rehabilitation.

### *Violations*

Any violations of this policy may result in disciplinary action, up to and including termination, at AMPS' 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. In addition, employees have an obligation to notify the School of any criminal drug statute conviction for a violation occurring in the workplace no later than 5 days after the conviction. Failure to do so may result in discipline, up to and including termination.

### **S. Smoking**

AMPS sites are all non-smoking facilities. Smoking is prohibited on AMPS property and campuses. This includes, but is not limited to, nicotine and non-nicotine cigarettes including herbal cigarettes and marijuana, cigars, pipes as well as e-cigarettes and vaping. Employees who wish to smoke must limit their smoking to products that will not impair or impact their work performance during meal and rest periods off premises.

### **T. 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.

### **U. Safety and Incident Reporting**

AMPS is committed to providing a safe working environment and preventing accidents. The prevention of accidents is the responsibility of every School supervisor. It is also the duty of all employees to accept and promote the established safety regulations and procedures. Every effort will be made to provide adequate safety training. If an employee is ever in doubt about 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 AMPS to appropriately respond.

It is the policy of the School that accident prevention shall be considered of primary importance in all phases of operation and administration. AMPS's management is required to provide safe and healthy working conditions for all employees and to establish and require the use of safe practices at all times.

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

#### **V. *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. To the extent permitted by law, AMPS retains the right to transfer to an alternative position, suspend, or terminate such employees whose license is revoked or who fails to maintain personal automobile 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, they 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 AMPS 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 their 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 their supervisor and HR.

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



## EMPLOYEE LEAVES AND BENEFITS

### A. *Holidays*

AMPS calendar reflects any and all holidays observed by AMPS. School classes are not in session on holidays observed by AMPS. 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 AMPS:

1. New Year's Day
2. Martin Luther King Jr. Day
3. President's Day
4. Friday of Spring Break Week
5. Memorial Day
6. Juneteenth
7. Independence Day
8. Labor Day
9. Indigenous Peoples' Day
10. Veteran's Day
11. Thanksgiving Day
12. Friday after Thanksgiving
13. Christmas Eve
14. Christmas Day
15. New Year's Eve

To be eligible for holiday pay, an employee must be a non-exempt employee who works on average at least thirty (30) hours per workweek, and who would normally be scheduled to work on the day on which the holiday falls. Holiday pay will be based on each employee's work schedule; in other words, an employee who normally works 4 hours per day will receive 4 hours of holiday pay, and an employee who works 8 hours per day will receive 8 hours of holiday pay. Holiday hours do not count as hours worked for purposes of calculating overtime.

The School reserves the right to change this policy at any time, with or without notice.

### B. *Vacation Policy*

#### **10-month/10.5 month Employees:**

- Do not accrue vacation hours.

#### **11-month Employees:**

- Who have scheduled work days during the Thanksgiving/Winter/Spring/Summer breaks, such as ELOP days during such breaks, **accrue vacation hours at 3.33 hours per pay period up to 73.26 hours of vacation time per year** . Vacation accrues on an as-worked basis. Therefore, employees who only work 11 months will only accrue during those 11 months. Vacation will not accrue during any unpaid leave of absence. Vacation time can accrue up to a maximum cap of 1.5 times the annual accrual maximum, which is 109.89 hours of vacation time. Once the 109.89 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 109.89 hours, then vacation will begin to accrue again. No vacation time will be earned for the period in

which the employee's vacation time was at the maximum. 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.

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- Who are not scheduled to work during Thanksgiving/Winter/Spring/Summer breaks, **do not accrue vacation hours.**

### **12-month Employees:**

Some twelve (12) month employees accrue vacation according to position as follows:

- **Site Leaders (Principals and Deans):** Do not accrue vacation. They will have two (2) weeks of paid AMPS non-workdays in July.
- **School Site and Home Office regular full-time staff** (as defined in this Handbook): Begin to earn and accrue vacation starting on the first day of employment at a rate of **3.33 hours per pay period up to 80 hours of vacation time per year**. Vacation time can accrue up to a maximum cap of 1.5 times the annual accrual maximum, which is 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. No vacation time will be earned for the period in which the employee's vacation time was at the maximum. 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.

All employees must have supervisory approval before taking vacation, by submitting a request through Paylocity at least two weeks prior to the date(s) requested. Failure to submit this request 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 AMPS will attempt to accommodate vacation requests to the greatest extent possible, there is no guarantee that any given vacation request will be granted, and AMPS reserves the right to deny a vacation request based on operational needs of AMPS. AMPS 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.

For both exempt and non-exempt employees, vacation time may be taken in minimum increments of one hour. If an exempt employee absents themselves from work for part or all of a workday, they will be required to use accrued vacation to make up for the absence.

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.

### **Mandatory Cash-Out Policy**

To ensure continued accrual eligibility and to prevent loss of vacation accrual opportunities, AMPS will automatically and mandatorily cash out the equivalent of one week (40 hours) of accrued and unused vacation time when an eligible employee reaches the maximum cap. The cash-out will be paid at the employee's current straight rate of pay and will be included in the employee's regular paycheck or the next administratively feasible payroll cycle. The employee's vacation balance will be reduced by the number of hours paid out, allowing the employee to resume accruing vacation time, subject to the same accrual cap.

By way of example, a 12-month Home Office regular full-time staff member would be paid out one week's vacation upon accruing the maximum cap of 120 hours of vacation, at which point the balance would be reduced to 80 hours, and they would resume accruing vacation.

This cash-out is mandatory and automatic. Employees may not defer or decline the payout.

As with all of its policies and procedures, AMPS 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**

Paid sick leave is available to all School employees who work for the School for more than thirty (30) days within a year in California and/or who work at least two (2) hours within a week within the City of Oakland. AMPS employees will accrue hours per pay period worked as described below.

Sick time may be used in one (1) hour increments. Accrued sick leave carries over from year to year, subject to the maximum accrual outlined below. Sick leave is subject to an accrual cap of 160 hours. Once this cap is reached, no further sick leave will accrue until some is used. When sick leave is used, sick leave will begin to accrue again. There is no retroactive grant of sick leave for the period of time the accrued sick leave was at the cap.

- Full-Time Employees will accrue 4 hours of sick leave per pay period worked beginning on the first day of employment. For example, 10-Month Employees will accrue 80 hours of sick leave, 11-Month employees will accrue 88 hours of sick leave and 12-Month Employees will accrue 96 hours of sick leave per year with a cap of 160 hours.
- Part-Time Employees will accrue 2 hours of sick leave per pay period worked, beginning on the first day of employment. For Example, 10-Month Part-Time Employees will accrue 40 hours of sick leave, 11-Month Part-Time Employees will accrue 44 hours of sick leave and 12-Month Part-Time Employees will accrue 48 hours of sick leave per year with a cap of 160 hours.

Accrual for non-exempt employees will be calculated based on actual hours worked. Accrual of paid sick leave for eligible exempt employees will be calculated based on a 40-hour workweek or the employee's normal workweek if the employee normally works less than 40 hours. Paid sick leave accrues on an as-worked basis and does not accrue during any non-working time or unpaid leave of absence.

AMPS will not compensate an employee for unused paid sick days upon termination, resignation, retirement, or other separation from employment. However, if an employee separates from AMPS and is rehired by AMPS 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. Employees returning to AMPS more than 12 months after separation of employment will be treated as a new employee for purposes of paid sick leave.

Eligible employees may use their accrued paid sick leave to take paid time off for the diagnosis, care, or treatment of an existing health condition of (or preventative care for) the employee or the employee's family member.

For purposes of this policy, "family member" means a child, parent, spouse, registered domestic partner,

grandparent, grandchild, sibling of the employee, or a designated person. "Child" means a biological child, a foster child, an adopted child, a step-child, a child of a registered domestic partner, a legal ward, or a child of a person standing in loco parentis. "Parent" means a biological, foster, or adoptive parent, a step-parent, or a legal guardian of the employee or the employee's spouse or registered domestic partner. "Spouse" means a legal spouse, as defined by California law. "Designated person" means a person identified by the employee at the time the employee requests paid sick days. Only one individual may be a "designated person" per 12-month period.

Employees may also use their paid sick leave to take time off from work for reasons related to being a victim of certain crimes, including a Qualifying Act of Violence (as defined by applicable law), and for any other reason permitted by law. Sick leave will be paid at the regular rate of pay for nonexempt employees.

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 may be requested to discuss leave of absence options with Human Resources.

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

AMPS 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.

Certain counties in California have other paid sick leave ordinances or requirements that may apply to you. Contact Human Resources for more information regarding a local paid sick leave ordinance that may apply to you.

#### ***D. Unpaid Leave of Absence (Medical)***

On occasion, an employee may need a medical leave of absence that extends beyond limits under applicable state or federal mandatory leave laws. In addition, there may be circumstances when an employee needs a medical leave allowed under disability laws, but is not eligible to receive them. In these situations, a medical leave of absence without pay may be granted to accommodate employees with qualifying disabilities based upon a health care provider's written certification of a qualifying disability, unless such leave would cause an undue hardship to AMPS. Such disability leaves will be considered on a case-by-case basis, consistent with AMPS's obligations under federal and state disability laws. Employees should request any leave in writing as far in advance as possible. Approved absences of less than two weeks are not treated as medical leaves of absences but rather as excused absences without pay.

Employees will be required to use any accrued vacation and paid sick leave during any unpaid portion of this leave. 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, AMPS 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.

A medical leave begins on the first day your doctor certifies that you are unable to work. AMPS will require

medical documentation from your healthcare provider showing the date you became disabled and the anticipated date you will be able to return to work. An employee returning from a medical disability leave must generally present a doctor's certificate declaring fitness to return to work.

Upon return from medical leave, you will be offered the same position you held at the time your leave began, if available and/or as required by law. If your former position is not available, a comparable position will be offered. If neither the same nor a comparable position is available, your return to work will depend on job openings existing at the time of your scheduled return. AMPS will comply with any applicable reinstatement obligations under state or federal law.

Disability leaves under this section are unpaid. Employees on leave due to a medical condition or disability may be eligible to receive state disability compensation through State Disability Insurance (SDI) or Paid Family Leave (PFL). In both instances, employees must directly contact the California Employment Development Department (EDD).

#### ***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, AMPS 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 before taking an unpaid discretionary leave of absence. Unless otherwise required by law, AMPS 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. Reproductive Rights, Leave, and Accommodations Policy – California (For School Employees)***

Amethod is committed to supporting the health, safety, and well-being of all employees, including their reproductive health choices. In accordance with California law—including the Fair Employment and Housing Act (FEHA), the California Family Rights Act (CFRA), Pregnancy Disability Leave (PDL) law, and Education Code requirements—Amethod provides protections and accommodations related to reproductive health, pregnancy, childbirth, and related conditions.

This policy applies to all employees, including credentialed teachers, classified staff, administrators, substitutes, and part-time employees.

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#### ***Reproductive Health Privacy and Non-Discrimination***

All employees have the right to make personal decisions regarding reproductive health care, including but not limited to:

- Contraception

- Fertility treatments
- Abortion and post-abortion care
- Miscarriage and related conditions
- Family planning

Discrimination, retaliation, or harassment based on an employee's reproductive health decisions or status is strictly prohibited.

Eligible employees who suffer a reproductive loss may take up to five days of unpaid leave. To be eligible, an employee must have worked for the School for at least 30 days before the start of the leave. The employee need not take the five days consecutively, but the leave must be completed within three months after the reproductive loss event unless the employee is already on or chooses to go on any other leave provided under federal or state law either before or immediately after the reproductive loss event.

For purposes of this policy, a reproductive loss event is defined as:

- Failed adoption, which applies to an employee who would have been a parent of the adoptee;
- Failed surrogacy, including failed embryo transfer to the surrogate, which applies to an employee who would have been a parent of a child born;
- Miscarriage by an employee, by the employee's current spouse or domestic partner, or by another individual if the employee would have been a parent of a child born;
- Stillbirth resulting from an employee's pregnancy, the pregnancy of an employee's current spouse or domestic partner, or another individual, if the employee would have been a parent of a child born; and
- Unsuccessful assisted reproduction through artificial insemination or an embryo transfer, including gamete and embryo donation, which applies to an employee, the employee's current spouse or domestic partner, or another individual, if the employee would have been a parent of a child born.

If a reproductive loss event spans multiple days, it is considered to have occurred on the final day on which some part of the event took place. Employees may request leave for multiple reproductive loss events in a single year up to a maximum of 20 days of leave within a 12-month period. Employees may choose to use vacation or sick leave in conjunction with this leave.

The School will not retaliate against an employee for exercising the employee's right to leave under this Policy.

### **G. *Family and Medical Leave Act (FMLA) & California Family Rights Act (CFRA)***

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

#### ***Employee Eligibility Criteria***

To be eligible for FMLA/CFRA leave, the employee must have been employed by the School for a total of at least twelve (12) months (not necessarily consecutive) over the preceding seven years,<sup>1</sup> worked at least 1,250 hours during the twelve (12) month period immediately preceding commencement of the leave, and work at a location where the School has at least fifty (50) employees within seventy-five (75)

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<sup>1</sup> Unless the break in service was occasioned by the employee taking leave pursuant to USERRA.

miles, (the last requirement does not apply for purposes of CFRA where the School must only have at least five (5) employees but the employee must be employed within the State of California).

### *Events That May Entitle an Employee To FMLA/CFRA Leave*

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

1. To care for the employee's newborn child (and the birth of a child under FMLA only) or a child placed with the employee for adoption or foster care (i.e., baby bonding). Leaves for this purpose must conclude twelve (12) months after the birth, adoption, or placement. If both parents are employed by the School, they each will be entitled to a separate twelve (12) weeks of leave for this purpose, which cannot be loaned or otherwise assigned from one employee to the other.
2. Because of the employee's own serious health condition (including a serious health condition resulting from an on-the-job illness or injury) that makes the employee unable to perform any one or more of the essential functions of their job (For FMLA leave only, a serious health condition also includes a disability caused by pregnancy, childbirth, or related medical conditions, which runs concurrently with the School's separate pregnancy disability leave policy).
  - a. A "serious health condition" is an illness, injury (including, but not limited to, on-the-job injuries), impairment, or physical or mental condition of the employee or a child, parent, or spouse of the employee that involves either inpatient care or continuing treatment, including, but not limited to, treatment for substance abuse.
  - b. "Inpatient care" means a stay in a hospital, hospice, or residential health care facility, any subsequent treatment in connection with such inpatient care, or any period of incapacity. A person is considered an "inpatient" when a health care facility formally admits him/her to the facility with the expectation that he/she will remain at least overnight and occupy a bed, even if it later develops that such person can be discharged or transferred to another facility and does not actually remain overnight.
  - c. "Incapacity" means the inability to work, attend school, or perform other regular daily activities due to a serious health condition, its treatment, or the recovery that it requires.
  - d. "Continuing treatment" means ongoing medical treatment or supervision by a health care provider.
3. To care for a spouse, child, or parent<sup>2</sup> with a serious health condition. A qualifying family member also includes a registered domestic partner, parent-in-law, grandparent, grandchild, sibling, or designated person for CFRA purposes. "Designated person" refers to any individual related by blood or whose association with the employee is the equivalent to a family relationship (only one individual may be a "designated person" per 12-month period).
4. (FMLA Only) When an employee is providing care to a spouse, child, parent, or next of kin who is a covered Armed Forces service member with a serious injury or illness, the employee may take a maximum of twenty-six (26) weeks of additional FMLA leave in a single twelve (12) month period to provide said care. CFRA does not provide leave specific to caring for a service member.
5. For any "qualifying exigency" because the employee is the spouse, child, or parent of an individual on active military duty, or an individual notified of an impending call or order to active duty, in the Armed Forces. For CFRA purposes, this may also include a registered domestic partner.

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<sup>2</sup> For purposes of FMLA only, the term "parent" does not extend to parents-in-law. Further, for purposes of FMLA only, a child does not refer to a child who is over 18 years of age (unless they are incapable of self-care because of a medical or physical disability) nor does it include the child of a registered domestic partner unless the employee stands in loco parentis to the child.

### *Amount of FMLA/CFRA Leave Which May Be Taken*

FMLA/CFRA leave can be taken in one (1) or more periods, but may not exceed twelve (12) workweeks total for any purpose in any twelve (12) month period, as described below, for any one, or combination of the above-described situations. "Twelve workweeks" means the equivalent of twelve (12) of the employee's normally scheduled workweeks. For a full-time employee who works five (5) eight-hour days per week, "twelve workweeks" means sixty (60) working and/or paid eight (8) hour days.

In addition to the twelve (12) workweeks of FMLA/CFRA leave that may be taken, an employee who is the spouse, child, parent, or next of kin of a covered Armed Forces service member may also be entitled to a total of twenty-six (26) workweeks of FMLA leave during a twelve (12) month period to care for the servicemember.

The "twelve month period" in which twelve (12) weeks of FMLA and CFRA leave may be taken is the twelve (12) month period immediately preceding the commencement of any FMLA/CFRA leave.

If a holiday falls within a week taken as FMLA/CFRA leave, the week is nevertheless counted as a week of FMLA/CFRA leave. If, however, the School's business activity has temporarily ceased for some reason and employees are generally not expected to report for work for one or more weeks, such as the Winter Break, Spring Break, or Summer Vacation, the days the School's activities have ceased do not count against the employee's FMLA or CFRA leave entitlement. Similarly, if an employee uses FMLA/CFRA leave in increments of less than one (1) week, the fact that a holiday may occur within a week in which an employee partially takes leave does not count against the employee's leave entitlement unless the employee was otherwise scheduled and expected to work during the holiday.

### *Pay during FMLA/CFRA Leave*

An employee on FMLA/CFRA leave because of their own serious health condition must use all accrued paid sick leave at the beginning of any otherwise unpaid FMLA/CFRA leave period. If an employee is receiving a partial wage replacement benefit during the FMLA/CFRA leave (such as California's State Disability Insurance plan or Paid Family Leave program) or workers' compensation insurance plan), the School and the employee may agree to have School-provided paid leave, such as vacation or sick time, supplement the partial wage replacement benefit unless otherwise prohibited by law.

An employee on FMLA/CFRA leave in connection with the birth (including baby bonding), adoption or foster care of a child, or to care for a qualifying family member with a serious health condition may use any or all accrued sick leave at the beginning of any otherwise unpaid FMLA/CFRA leave.

If an employee has exhausted their sick leave, leave taken under FMLA/CFRA shall be unpaid leave.

The receipt of sick leave pay or State Disability Insurance benefits will not extend the length of the FMLA or CFRA leave.

You will be required to use any accrued vacation during unpaid family and medical leave unless you are eligible for and applying for Paid Family Leave benefits provided by the State of California.

### *Benefits*

Benefit accrual, such as vacation, paid sick leave, and holiday benefits, will be suspended during the approved leave period and will resume upon return to active employment (except that paid sick leave accrues during any period of unpaid FMLA or CFRA leave only until the end of the month in which unpaid leave began).



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

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

AMPS may recover the health benefit costs paid on behalf of an employee during their FMLA/CFRA leave if:

1. The employee fails to return from leave after the period of leave to which the employee is entitled has expired. An employee is deemed to have "failed to return from leave" if they works less than thirty (30) days after returning from FMLA/CFRA leave; and
2. The employee's failure to return from leave is for a reason other than the continuation, recurrence, or onset of a serious health condition that entitles the employee to FMLA/CFRA leave, or other circumstances beyond the control of the employee.

In circumstances where an employee is eligible for FMLA/CFRA leave but declines to have the leave designated as such, AMPS will not continue to pay the employer's portion of health insurance premiums during the period of leave, subject to the terms and conditions of the applicable health plan(s). In such cases, the employee may elect to continue health coverage at their own expense through COBRA, if eligible, in accordance with federal and state COBRA laws.

### *Seniority*

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

### *Medical Certifications*

An employee requesting FMLA/CFRA leave because of their own or a qualifying family member's serious health condition must provide medical certification from the appropriate health care provider on a form supplied by AMPS. Absent extenuating circumstances, failure to provide the required certification in a timely manner (within fifteen [15] days of the School's request for certification) may result in delay or denial of the leave request until such certification is provided.

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

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

Recertifications are required if leave is sought after expiration of the time estimated by the health care

provider. Failure to submit required recertifications can result in termination of the leave.

### *Procedures for Requesting and Scheduling FMLA/CFRA Leave*

An employee should request FMLA/CFRA leave by completing a Request for Leave form and submitting it to Human Resources at [hrrsupport@amethodschools.org](mailto:hrrsupport@amethodschools.org). An employee asking for a Request for Leave form will be given a copy of the School's then-current FMLA/CFRA leave policy.

Employees should provide not less than thirty (30) days' notice for foreseeable childbirth, placement, or any planned medical treatment for the employee or their qualifying family member. Failure to provide such notice may be grounds for denial of a leave request, except if the need for FMLA/CFRA leave was an emergency or was otherwise unforeseeable.

Where possible, employees must make a reasonable effort to schedule foreseeable planned medical treatments so as not to unduly disrupt the School's operations.

If FMLA/CFRA leave is taken because of the employee's own serious health condition or the serious health condition of the employee's qualifying family member, the leave may be taken intermittently or on a reduced leave schedule when medically necessary, as determined by the health care provider of the person with the serious health condition.

If FMLA/CFRA leave is taken because of the birth of the employee's child or the placement of a child with the employee for adoption or foster care, the minimum duration of leave is two (2) weeks, except that the School will grant a request for FMLA/CFRA leave for this purpose of at least one day but less than two (2) weeks' duration on any two (2) occasions.

If an employee needs intermittent leave or leave on a reduced leave schedule that is foreseeable based on planned medical treatment for the employee or a family member, the employee may be transferred temporarily to an available alternative position for which they are qualified that has equivalent pay and benefits and that better accommodates recurring periods of leave than the employee's regular position.

The School will respond to an FMLA/CFRA leave request no later than five (5) business days of receiving the request. If an FMLA/CFRA leave request is granted, the School will notify the employee in writing that the leave will be counted against the employee's FMLA/CFRA leave entitlement. This notice will explain the employee's obligations and the consequences of failing to satisfy them.

### *Return to Work*

Upon timely return at the expiration of the FMLA/CFRA leave period, an employee is entitled to the same or a comparable position with the same or similar duties and virtually identical pay, benefits, and other terms and conditions of employment unless the same position and any comparable position(s) have ceased to exist because of legitimate business reasons unrelated to the employee's FMLA/CFRA leave. In certain circumstances under FMLA leave only, "key" employees may not be eligible for reinstatement following a family and medical leave. AMPS will provide written notice to any "key" employee who is not eligible for reinstatement.

When a request for FMLA/CFRA leave is granted to an employee, the School will give the employee a written guarantee of reinstatement at the termination of the leave (with the limitations explained above).

Before an employee will be permitted to return from FMLA/CFRA leave taken because of their own serious health condition, the employee must obtain a certification from their health care provider that they are able to resume work.

If an employee can return to work with limitations, the School will evaluate those limitations and, if possible, will accommodate the employee as required by law. If accommodation cannot be made, the employee may be separated from the School, to the extent permitted by law.

If an employee does not return to work on the first workday following the expiration of an approved FMLA/CFRA leave, they will generally be deemed to have resigned from employment.

#### *Employment during Leave*

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

#### **H. Pregnancy Disability Leave**

Any employee who is disabled by pregnancy, childbirth, or a related medical condition is eligible for a Pregnancy Disability Leave of Absence. There is no length of service requirement.

For purposes of this policy, you are disabled when, in the opinion of your healthcare provider, you cannot work at all or are unable to perform any one or more of the essential functions of your job or to perform them without undue risk to yourself, the successful completion of your pregnancy, or to other persons as determined by a healthcare provider. This term also applies to certain pregnancy-related conditions, such as severe morning sickness or if you need to take time off for prenatal or postnatal care, bed rest, postpartum depression, and the loss or end of pregnancy (among other pregnancy-related conditions that are considered to be disabling).

#### *Reasonable Accommodation for Pregnancy-Related Disabilities*

Any employee who is affected by pregnancy may also be eligible for a temporary transfer or another accommodation. There is no length of service requirement. If you are pregnant or have a related medical condition, and because of pregnancy, and your health care provider has certified that it is medically advisable for you to temporarily transfer or to receive some other accommodation, AMPS will provide a temporary transfer to a less strenuous or hazardous position or duties or other accommodation to an employee affected by pregnancy if:

1. She requests a transfer or other accommodation; and
2. The request is based upon the certification of her health care provider as "medically advisable"; and
3. The transfer or other requested accommodation can be reasonably accommodated pursuant to applicable law.

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.

As part of this accommodation process, no additional position will be created and AMPS will not discharge another employee, transfer another employee with more seniority, or promote or transfer any employee who is not qualified to perform the new job.

#### *Advance Notice and Medical Certification*

To be approved for a pregnancy disability leave of absence, a temporary transfer or other reasonable accommodation, you must:

1. Provide 30 days' advance notice before the leave of absence, transfer or reasonable accommodation is to begin, if the need is foreseeable;
2. Provide as much notice as is practicable before the leave, transfer or reasonable accommodation when 30 days' notice is not foreseeable; and
3. Provide a signed medical certification from your healthcare provider that states that you are disabled due to pregnancy or that it is medically advisable for you to be temporarily transferred or to receive some other requested accommodation.
4. AMPS may require you to provide a new certification if you request an extension of time for your leave, transfer or other requested accommodation.

### *Duration*

AMPS will provide you with a Pregnancy Disability Leave of Absence for the duration of your pregnancy-related disability for up to four (4) months (or 17 1/3 weeks or 693 hours) per pregnancy. This leave may be taken intermittently or on a continuous basis, as certified by your healthcare provider. The four months of leave available to an employee due to her pregnancy related disability is defined as the number of days (and hours) the employee would normally work within four calendar months or 17.33 workweeks.

Any temporary transfer or other reasonable accommodation provided to an employee affected by pregnancy will not reduce the amount of Pregnancy Disability Leave time the employee has available to her unless the temporary transfer or other reasonable accommodation involves a reduced work schedule or intermittent absences from work.

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

### *Reinstatement*

If you and AMPS have agreed upon a definite date of return from your leave of absence or transfer, you will be reinstated on that date if you notify AMPS that you are able to return on that date. If the length of the leave of absence or transfer has not been established, or if it differs from the original agreement, you will be returned to work within two (2) business days, where feasible, after you notify AMPS of your readiness to return.

Before you will be allowed to return to work in your regular job following a leave of absence or transfer, you must provide Human Resources with a certification from your healthcare provider that you can perform safely all of the essential duties of your position, with or without reasonable accommodation. If you do not provide such a release prior to or upon reporting for work, you will be sent home until a release is provided. Any time you are not allowed to work due to not having provided the required release will be unpaid.

You will be returned to the same or a comparable position upon the conclusion of your leave of absence or transfer. If the same position is not available on your scheduled return date, AMPS will provide you with a comparable position on your scheduled return date or within 60 calendar days of that return date. However, you will not be entitled to any greater right to reinstatement than if you had not taken the leave. For example, you would have been laid off regardless of the leave, or you would not have been offered a comparable position, then the employee will not be entitled to reinstatement.

When a request for pregnancy disability leave is granted to an employee, the School will give the employee a written guarantee of reinstatement at the end of the leave (with the limitations explained above). If the employee can return with limitations, the School will evaluate those limitations, and if possible, will accommodate the employee as required by law. If the accommodation cannot be made, the employee will be medically separated from the School.

Failure to return to work at the conclusion of the leave of absence may result in termination of employment, unless you are taking additional leave provided by law or AMPS policy or AMPS has otherwise approved you to take additional time off.

### *Pay During Leave and Integration with Other Benefits*

Pregnancy Disability Leaves of Absence and accommodations that require you to work a reduced work schedule or to take time off from work intermittently are unpaid. You may elect to use accrued sick leave and/or accrued vacation benefits during the unpaid leave of absence, to the extent permitted by law. However, use of paid time off will not extend the available leave of absence time. Vacation and sick leave hours will not accrue during any unpaid portion of the leave of absence, and you will not receive pay for official holidays that are observed during your leave of absence except during those periods when you are substituting vacation or sick leave for unpaid leave.

Employees may apply for California State Disability insurance (“SDI”) benefits. SDI forms are available from AMPS or your healthcare provider. Any SDI for which you are eligible will be integrated with accrued vacation, sick leave, or other paid time off benefits so that you do not receive more than 100% of your regular pay.

### *Health Benefits*

AMPS will maintain an employee’s health insurance benefits during an employee’s Pregnancy Disability Leave for a period of up to four months, as defined above, on the same terms as they were provided prior to the leave time. You must continue to pay your share of applicable premiums (for yourself and any dependents) during the leave. If you take additional time off following a Pregnancy Disability Leave that qualifies as California Family Rights Act (“CFRA”) leave, AMPS will continue your health insurance benefits for up to a maximum of 12 work weeks in a 12-month period.

**EXAMPLE:** You take 17.33 workweeks off due to a pregnancy disability. Assuming you are eligible for FMLA and CFRA leave, your Pregnancy Disability Leave will also be concurrently covered by FMLA and your group health insurance coverage would continue for the entire 17.33 workweek period. If, after your pregnancy disability leave and FMLA Leave, has been completed, you wish to take 12 additional weeks off from work to bond with a new baby under CFRA, the School will continue your health insurance benefits for the 12 workweek period.

AMPS may recover premiums that it already paid on behalf of an employee if both of the following conditions are met:

1. The employee fails to return from leave after the designated leave period expires.
2. The employee’s failure to return from leave is for a reason other than the following:
  - a. The employee is taking a leave of absence under the CFRA.
  - b. There is a continuation, reoccurrence, or onset of a health condition that entitles the employee to pregnancy disability leave.
  - c. There is a non-pregnancy related medical condition requiring further leave.
  - d. Any other circumstances beyond the control of the employee.

### *Seniority*

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

## ***I. Military and Military Spousal Leave of Absence***

Both state and federal law provide employees with the right to take leave in order to serve in the military. At the federal level, military leave rights are governed by the Uniformed Services Employment and Reemployment Rights Act, commonly referred to as USERRA. This policy discusses military leave under USERRA. Further, if you are a spouse or registered domestic partner of a member of the military, you may be entitled to an unpaid leave during a period of military conflict. For information on military leave, contact Human Resources.

### ***Eligibility for Military Leave***

AMPS provides unpaid military leaves of absence to employees who serve in the uniformed services as required by USERRA and applicable state laws. The uniformed services include the Army, Navy, Marine Corps, Air Force, Coast Guard, Army National Guard, Air National Guard, Commissioned Corps of the Public Health Service and any other category of persons designated by the President of the United States in time of war or emergency.

Service consists of the performance of any of the following on a voluntary or involuntary basis: active duty, active duty for training, initial active duty, inactive duty training, full-time National Guard duty and absence from work for an examination to determine fitness for such duty. Total military leave time may not exceed five years during employment, except in special circumstances.

### ***Notice of Military Leave***

When an employee receives orders for any active military duty (including any call to active duty), the employee must advise their manager or Human Resources immediately of the pending absence, unless military necessity requires otherwise or if providing notification would be impossible or unreasonable. In such an event, the employee must advise their manager or Human Resources of the need for military leave as soon as possible after becoming aware of the need for the leave.

Accrued vacation time will be paid during military leave at your request. Employees on military leave may elect to continue their health plan coverage at their own expense for up to 24 months or during the period of service, whichever is shorter.

### ***Reinstatement from Military Leave***

AMPS will reinstate employees returning from military leave to their same position or one of comparable seniority, status, and pay if they have a certificate of satisfactory completion of service and apply within the timelines noted below, as required by law. For those employees serving less than 180 days in the National Guard, if they left a full-time position, the employee must apply for reemployment within forty (40) days of being released from active duty, and if they left part-time employment, the employee must apply for reemployment within five (5) days of being released from active duty.

An employee who was absent from work while fulfilling their covered service obligation under the USERRA or California law shall be credited, upon their return to the School, with the hours of service that would have been performed but for the period of absence from work due to or necessitated by USERRA-

covered service. Exceptions to this policy will occur wherever necessary to comply with applicable laws.

Employees who are absent from work 30 days or less or who are absent to take a fitness exam must report to work at the beginning of the first regularly scheduled work day falling 8 hours or more after the employee returns home. If the employee serves 31 to 180 days, they must apply for reemployment within 14 days after completing service. If the employee has served 181 days or more, they must apply for reemployment within 90 days after completing service.

As with other leaves of absence, failure to return to work or to reapply within applicable time limits may result in loss of reemployment rights. Temporary employees who were hired into a temporary position that had no reasonable expectation of continuing indefinitely may not be eligible for reinstatement following military leave and reinstatement may not be required for other employees in some circumstances. Full details regarding reinstatement are available from Human Resources.

In general, an employee returning from military leave will be reemployed in the position and seniority level that the employee would have attained had there been no military leave of absence. If necessary, AMPS will provide training to assist the employee in the transition back to the workforce.

An employee returning from military leave is entitled to any unused, accrued vacation benefits the employee had at the time the military leave began. Upon reinstatement, the employee will accrue vacation benefits at the rate they would have attained if no military leave had been taken. Time spent on military leave counts for purposes of determining "length of service." However, employees will not accrue vacation or sick leave or receive holiday pay during military leave. USERRA supersedes state laws that limit or condition its rights or benefits; however, it does not displace state laws that provide greater rights. Please contact Human Resources for further details.

Employees in California who serve in the military are entitled to the rights and protections set forth in the California Military and Veteran's Code. Among other things, the Code prohibits discrimination against members of the military or naval services of the state or the United States, and grants members of the National Guard or U.S. Reserve a temporary leave of absence while engaged in military duty ordered for purposes of military training, drills, encampment, naval cruises, and special exercises or like activities. This leave is not to exceed 17 calendar days annually.

#### *Family Military Leave California*

Employees who work more than twenty (20) hours per week and who are the spouses/registered domestic partners of certain military personnel may receive up to ten (10) days of unpaid leave during a qualified leave period. For purposes of this policy, a "qualified leave period" means the period during which the individual is on leave from deployment during a period of military conflict. An employee is eligible for leave under this policy if he or she:

1. Is the spouse/ registered domestic partner of a person who: (a) is a member of the Armed Forces of the United States who has been deployed during a period of military conflict to an area designated as a combat theater or combat zone by the President of the United States, or (b) is a member of the National Guard or of the Reserves who has been deployed during a period of military conflict;
2. Provides notice of their intention to take leave within two business days of receiving notice that their spouse will be on leave from deployment; and
3. Submits written documentation certifying that their spouse will be on leave from deployment during the time the leave is requested.
4. Military conflict means either a period of war declared by the United States Congress, or a period of deployment for which a member of a reserve component is ordered to active duty either by the Governor or the President of the United States.

5. Leave taken under this policy will not affect an employee's right to any other benefits. AMPS will not discriminate against, or tolerate discrimination against, any employee who requests and/or takes leave under this policy. For more information, please contact your supervisor or the Human Resources Department.

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 their vacation bank, if any. Exempt employees will receive their regular pay only if required by applicable law. Employees who need time off to participate in a qualifying event resulting from a family member's deployment to a foreign country may be eligible for Paid Family Leave benefits.

#### **J. 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 AMPS or the employee may request an excuse from jury/witness duty if, in AMPS' 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 their employment with AMPS, AMPS will provide time off with pay.

#### **K. Time-Off for Voting**

AMPS 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 AMPS 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 (2) 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 their mail (absentee) ballot to work, including mailing such absentee ballot from work.

#### **L. 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 they 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.

### **M. *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 a letter, which requests the employee's appearance at their child's school, to their 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.

### **N. *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, or , 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

### **O. *Leave for Victims of Qualifying Acts of Violence***

#### *Right to Time Off*

If you are the victim of a Qualifying Act of Violence, you are permitted to be absent from work to seek relief related to the QAV.

A QAV is defined as: domestic violence, sexual assault, stalking, or any act, conduct, or pattern of conduct that includes (i) bodily injury or death to another; (ii) brandishing, exhibiting, or drawing a firearm or other dangerous weapon; or (iii) a perceived or actual threat to use force against another to cause physical injury or death.

You will not be retaliated or discriminated against for participating in the legal process. Specifically, you will not be discriminated against in any manner for any of the following:

- taking time off to serve as required by law on an inquest jury or trial jury, so long as the employee gives reasonable advance notice to the employer;
- taking time off to appear in court to comply with a subpoena or other court order as a witness in any judicial proceeding; or
- taking time off to obtain or attempt to obtain a restraining order or other injunctive relief, to help ensure the health, safety, or welfare of the employee or their child where the employee is a victim of a QAV.

You will also not be discriminated or retaliated against because of your, or your family member's, status

as a victim of a QAV. "Family member" is defined to include: a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner (as those terms are defined under the CFRA); or a designated person, who does not need to be a blood relative, so long as their association with the employee is the equivalent of a family relationship. An employee may identify a "designated person" at the time they request leave, but the employer may limit an employee to one designated person per 12-month period.

If you are (or have a family member who is) a victim of a QAV, you may take time off from work for any of the following purposes related to that QAV:

- obtaining or attempting to obtain relief, such as a restraining order or other injunctive relief;
- seeking or obtaining medical attention for or to recover from injuries;
- seeking or obtaining services from a domestic violence shelter or similar victim services organization;
- seeking or obtaining psychological counseling or other mental health services;
- participating in safety planning;
- relocating or engaging in the process of securing a new residence, including temporary or permanent housing or enrolling children in a new school;
- providing care to a family member who is recovering from injuries;
- seeking or obtaining civil or criminal legal services;
- preparing for, participating in, or attending any civil, administrative, or criminal legal proceeding;
- or
- seeking, obtaining, or providing childcare or care to a care-dependent adult if necessary to ensure the safety of the child or dependent adult.

You are permitted to take leave for these purposes whether or not any person is arrested for, prosecuted for, or convicted of committing the crime.

There is a limit on total leave time taken under this policy. If the employee is the victim of the QAV, the total leave time is limited to 12 weeks. If the employee's family member is the victim of the QAV, the leave time taken to assist in relocation purposes is limited to 5 days and the total leave is limited to 10 days. However, the total leave time taken will not be fewer than 12 weeks if the victim is deceased as result of the QAV. This leave runs concurrently with any leave under the CFRA and the FMLA and does not provide an employee with a right to leave that exceeds that provided under the FMLA. Employees may use available vacation (if applicable) or accrued PSL. Otherwise, the time off is unpaid.

In general, employees are not required to provide documentation for time off under this policy. However, employees shall provide reasonable advance notice of their intent to take time off, unless advance notice is not feasible. If employees are unable to provide advance notice for time off under this policy, they can provide certification of their absence (such as a police report, court order, or health care provider certification, or other documentation that reasonably verifies that the crime or abuse occurred and your absence was for an authorized purpose) within a reasonable time period thereafter. If employees provide reasonable advance notice or provide documentation within a reasonable time period thereafter for an unscheduled absence, they will not be subject to any disciplinary action for time off under this policy.

#### *Right to Reasonable Accommodation for Victims of a QAV*

The School will provide reasonable accommodations to any employee who is (or who has a family member who is) a victim of a QAV unless it would pose an undue hardship. Employees have the right to ask the School for help or changes in their workplace to make sure they are safe at work. The School shall engage in a timely, good faith, and interactive process with the employee to determine effective reasonable accommodations. In determining whether the accommodation is reasonable, the employer

shall consider an exigent circumstance or danger facing the employee or their family member.

The School will work with its employees to see what changes can be made. Changes in the workplace may include, but are not limited to, 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.

#### *Prohibition on Retaliation and Discrimination*

The School is committed to ensuring employees are not treated differently or retaliated against because of any of the following:

- The employee is a victim, or has a family member who is a victim of a QAV.
- The employee asked for time off to get help.
- The employee asked the School for help or changes in the workplace to ensure safety at work.

#### *Right to File a Complaint*

If any employee believes that they have experienced retaliation or discrimination as a result of conduct protected by this policy, the employee may file a complaint with their supervisor and/or the Labor Commissioner's Office.

For more information, contact the Labor Commissioner's Office by phone at 213-897-6595 or visit a local office by finding the nearest one on its website: [www.dir.ca.gov/dlse/DistrictOffices.htm](http://www.dir.ca.gov/dlse/DistrictOffices.htm). The Labor Commissioner's Office provides an interpreter at no cost to the employee, if needed.

#### **P. School Appearance and Activities 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 activities of a child's school or child care. You may take no more than eight (8) 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.

If both parents or guardians of a child work for AMPS, only one parent – the first to provide notice – may take the time off, unless AMPS approves both parents taking time off simultaneously.

#### **Q. Adult Literacy Leave**

AMPS will make good faith efforts to provide reasonable accommodations for any employee who reveals a literacy problem and requests that AMPS assist them in enrolling in an adult literacy program, unless it would create an undue hardship for AMPS.

AMPS will also assist employees who wish to seek literacy education training by providing employees with the location of local literacy programs.

AMPS will take reasonable steps to safeguard the privacy of any employee who identifies themselves as an individual with a literacy problem. The employee can contact Human Resources.

While AMPS encourages employees to improve their literacy skills, AMPS will not reimburse employees for the costs incurred in attending a literacy program. AMPS also does not provide paid time off for participation in an adult literacy education. However, employees may utilize accrued vacation if they want compensation for this time off. If they do not have accrued vacation available, they will be permitted to take the time off without pay.

#### **R. Alcohol and Drug Rehabilitation Leave**

AMPS encourages employees with drug or alcohol abuse problems to seek needed counseling and treatment. Employees who are unable to find assistance may contact Human Resources to receive information about finding help. Any communications initiated by an employee and not as a result of a violation of this policy will be treated as confidentially as is possible.

AMPS will make good faith efforts to reasonably accommodate any employee who wishes to voluntarily enter and participate in an alcohol or drug rehabilitation program, provided that this reasonable accommodation will not impose an undue hardship for AMPS. Any such leave shall be unpaid except that, to the extent that employees have accrued vacation they must use it. You also may use accrued paid sick leave for the purpose of entering and participating in an alcohol or drug rehabilitation program. If you do not have accrued paid sick leave or vacation available, you will be permitted to take the time off without pay. Sick or vacation will not accrue while an employee is on Rehabilitation leave, nor will the employee receive holiday pay.

Requesting assistance for substance abuse does not relieve the employee of their responsibility to meet performance, safety and attendance expectations. Rehabilitation expenses will be paid by the employee unless coverage is provided under a health insurance policy.

#### **S. Civil Air Patrol Leave**

Pursuant to California law, AMPS 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 AMPS as much notice as possible of the intended dates upon which the leave would begin and end. AMPS will restore the employee to the position they 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, AMPS will provide up to five (5) business days of paid leave within a one-year period to an employee who donates bone marrow to another person. In addition, AMPS 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 AMPS with written verification of their status as an organ or bone marrow donor and the medical necessity for the donation. During such leave, AMPS 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 AMPS as much notice as possible of the intended dates upon which the leave would begin and end.

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

AMPS requires that bone marrow donors use up to five days of available accrued paid sick leave or vacation during the course of the leave. Organ donors must use up to ten days of available accrued PSL or vacation time during the course of the leave.

#### ***U. Bereavement Leave***

All employees who have worked for the School for at least thirty (30) days shall be eligible to take up to five (5) days of bereavement leave due to the death of a covered family member (spouse, child, parent, parent-in-law sibling, grandparent, grandchild, domestic partner, or parent-in-law). "Child" means a biological, adopted, or foster child, a stepchild, a legal ward, a child of a domestic partner, or a person to whom the employee stands in loco parentis. "Parent" means a biological, foster, or adoptive parent, a parent-in-law, a stepparent, a legal guardian, or other person who stood in loco parentis to the employee when the employee was a child. "Sibling" means a person related to another person by blood, adoption, or affinity through a common legal or biological parent. "Grandchild" means a child of the employee's child. "Grandparent" means a parent of the employee's parent.

Full-time employees are entitled to up to three (3) days of pay during bereavement leave, with the remaining two( 2) days unpaid. For all other employees, bereavement leave shall be unpaid unless an employee elects to use available accrued/unused paid leave such as vacation or paid sick leave. Bereavement leave must be utilized within three (3) months of the covered family member's date of death, but need not be consecutive. 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 both bereavement leave and scheduled days off. Upon request, an employee may be required to provide documentation of the death of a covered family member.

## **INSURANCE BENEFITS**

### **A. *Health Benefits***

AMPS 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:

1. Employees that work less than an average of 30 hours per workweek are not eligible for any Health Benefits.
2. 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.

AMPS 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. 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 AMPS 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 online enrollment must be submitted to the Human Resources Department as soon as possible. This enrollment 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*

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

### **B. Industrial Injury Leave (Workers' Compensation Insurance)**

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

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

To ensure employees receive any worker's compensation benefits to which they may be entitled, employees will need to:

1. Immediately report any work-related injury to the Human Resources Department at [hrsupport@amethodschools.org](mailto:hrsupport@amethodschools.org)
2. Seek medical treatment and follow-up care if required;
3. Complete a written Employee's Claim Form (DWC Form 1) and return it to the Human Resources Department at [hrsupport@amethodschools.org](mailto:hrsupport@amethodschools.org)
4. Provide the School with a certification from a health care provider regarding the need for workers' compensation disability leave as well as the employee's eventual ability to return to work from the leave.

It is the School's policy that when there is a job-related injury, the first priority is to ensure that the injured employee receives appropriate medical attention. AMPS, with the help of its insurance carrier, has selected medical centers to meet this need. Each medical center was selected for its ability to meet anticipated needs with high quality medical service and a location that is convenient to its operations. If an employee is injured on the job, they are to go or be taken to the approved medical center for treatment. If injuries are such that they require the use of emergency medical systems ("EMS") such as an ambulance, the choice by the EMS personnel for the most appropriate medical center or hospital for treatment will be recognized as an approved center.

All accidents and injuries must be reported to the Human Resources Department [hrsupport@amethodschools.org](mailto:hrsupport@amethodschools.org) and to the individual responsible for reporting to AMPS's insurance carrier. Failure by an employee to report a work-related injury by the end of their shift could result in loss of insurance coverage for the employee. An employee may choose to be treated by their personal physician at their own expense, but they are still required to go to AMPS's approved medical center for evaluation. All job-related injuries must be reported to the appropriate State Workers' Compensation Bureau and the insurance carrier.

When there is a job-related injury that results in lost time, the employee must have a medical release from AMPS's approved medical facility before returning to work.

Any time there is a job-related injury, AMPS's policy requires drug/alcohol testing along with any medical treatment provided to the employee.

Leave as a result of a workers' compensation injury (paid or unpaid) will run concurrently with FMLA/CFRA leave, if applicable, or any other leave permitted by state and federal law.

### ***Disability Insurance (Wage Supplement)***

AMPS contributes to the State of California to provide you with State Disability Insurance (“SDI”) pursuant to the California Unemployment Insurance Code. Contributions are made through a payroll deduction. SDI 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.

SDI 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.

### ***Paid Family Leave (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 or injured child, spouse, parent, registered domestic partner, siblings, grandparents, grandchildren, or parents-in-law or to bond with a new child (birth, foster care, adoption), or to participate in a qualifying event because of a family member’s (i.e. a spouse, registered domestic partner, parent or child) military deployment to a foreign country. The PFL program does not provide job protection or reinstatement rights. It 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

### ***Unemployment Compensation***

AMPS contributes each year to the California Unemployment Insurance Fund on behalf of its employees. Under certain circumstances, you may be eligible for unemployment insurance benefits.

### ***Social Security***

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



## **PERSONNEL EVALUATION AND RECORD KEEPING**

### **A. *Performance Evaluations***

AMPS 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 AMPS 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 AMPS 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 AMPS' right to transfer, demote, suspend, administer discipline, and change the terms and conditions of employment at its sole discretion. Failure by AMPS to evaluate the employee will not prevent AMPS from transferring, demoting, disciplining, or terminating an employee. Employment is at the mutual consent of the employee and AMPS. Accordingly, either the employee or AMPS can terminate the employment relationship at-will, at any time, with or without reason and with or without notice

### **B. *Personnel Files***

The information recorded in your personnel file is extremely important. It is your responsibility to make sure that the personal data in the file is accurate and up to date. Report any change of name ((whether by marriage or otherwise), email address, home address, and telephone number, whom to inform in case of an emergency, including names and home/cell and work telephone numbers and addresses, withholding tax information (your marital status and correct number of dependents), status of certifications/licenses/credentials, change of beneficiary on group life insurance, etc. to AMPS immediately.

Employees, former employees, or employee representatives may submit a request to inspect their personnel file in the presence of a representative of AMPS. All requests must be in writing. Current and former employees, or employee representatives, may also request inspection through the use of an AMPS-provided request form. Please contact Human Resources to schedule a convenient time. You may request copies from your file of all documents. AMPS may charge the requesting employee or employee representative for the actual cost of reproduction of personnel file documents. If you desire, you may add a written statement to your file explaining any disputed item.

Employees also may inspect their payroll records upon request, and may obtain a copy of these records at their own expense. AMPS will comply with all inspection requests as required by law.

Access to information in personnel files is restricted. Only authorized managers and management personnel will have access to your personnel file. However, AMPS will cooperate with-and provide access to your personnel file to-law enforcement officials or local, state or federal agencies in accordance with applicable law.

Health/medical records are not included in your personnel file. These records are confidential. AMPS will

safeguard them from disclosure and will divulge such information only: 1) as allowed by law; or 2) to the employee's personal physician upon written request or permission of the employee.

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

## **INTERNAL COMPLAINT REVIEW**

The purpose of the “Internal Complaint Review Policy” is to afford all employees of AMPS the opportunity to seek internal resolution of their work-related concerns. All employees have free access to the CEO or Board of Directors to express their work-related concerns. Form Appendix B may be used for Internal Complaints.

Specific complaints of unlawful harassment, discrimination, and retaliation are addressed under the School’s “Policy Prohibiting Unlawful Harassment, Discrimination, and Retaliation.” Depending on the type of complaint, it may also be brought under Title IX or the Uniform Complaint Procedure.

### **A. General Requirements**

#### *Confidentiality*

All complainants will be notified that information obtained from the complainants and thereafter gathered will be maintained in a manner as confidential as possible, but in some circumstances absolute confidentiality cannot be assured.

#### *Non-Retaliation*

All complainants will be advised that they will be protected against retaliation as a result of the filing of any complaints or participation in any complaint process.

#### *Resolution*

The Board (if a complaint is about the CEO) or the CEO or designee will investigate complaints appropriately under the circumstances and pursuant to the applicable procedures, and if necessary, take appropriate remedial measures to ensure effective resolution of any complaint.

## **AMENDMENT TO EMPLOYEE HANDBOOK**

This Employee Handbook contains the employment policies and practices of AMPS in effect at the time of publication.

AMPS reserves the right to amend, delete or otherwise modify this Handbook at any time provided that such modifications are in writing and duly approved by the employer.

Any written changes to the Handbook will be distributed to all employees. No oral statements can in any way alter the provisions of this Handbook.

## **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 acknowledge that I have received and read a copy of the AMPS Employee Handbook. I understand that the Handbook set forth the terms and conditions of my employment with AMPS as well as the duties, responsibilities and obligations of employment with AMPS. I understand that AMPS has provided me various alternative channels [including anonymous and confidential channels,] to raise concerns of violations of this handbook and School policies and encourages me to do so promptly so that AMPS may effectively address such situations, and I understand that nothing herein interferes with any right to report concerns, make lawful disclosures, or communicate with any governmental authority regarding potential violations of laws or regulations. I agree to abide by and be bound by the rules, policies and standards set forth in the Employee Handbook.

Unless specified otherwise in an agreement between me and AMPS, I agree that AMPS 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 AMPS. Unless specified otherwise in an agreement between me and AMPS, 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 AMPS and me, and approved in writing by AMPS' Board of Directors.

I understand that nothing in the Handbook is intended, nor should be construed, as a limitation of my right and AMPS' right to terminate the employment relationship at any time, with or without notice, and with or without cause, or AMPS' 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 AMPS' absolute right to transfer, demote, suspend, administer discipline, and change the terms and conditions of employment at its sole discretion. I understand that AMPS 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 AMPS' absolute right to transfer, demote, suspend, administer discipline, and change the terms and conditions of employment. I also understand and acknowledge that nothing about the policies and procedures set forth in this Handbook should be construed to interfere with any employee rights provided under state or federal law, including Section 7 of the National Labor Relations Act. The foregoing constitutes the entire terms of the agreement between me and AMPS regarding the duration and at-will nature of my employment and AMPS' absolute right to transfer, demote, suspend, administer discipline, and change the terms and conditions of employment at its sole discretion.

Employee Printed Name: \_\_\_\_\_

Employee Signature: \_\_\_\_\_

Date: \_\_\_\_\_ Site: \_\_\_\_\_

## APPENDIX A: HARASSMENT/DISCRIMINATION/RETALIATION COMPLAINT FORM

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

If you are an employee of AMPS, you may file this form with the CEO, Human Resources, any supervisor or the Board President.

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

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

Please note that the more detailed information you provide, the more likely it is that AMPS will be able to address your complaint to your satisfaction.

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

Your Name: \_\_\_\_\_ Today's Date: \_\_\_\_\_

Date of Alleged Incident(s):

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

List any witnesses that were present:

Where did the incident(s) occur?

Please describe the events or conduct that are the basis of your complaint by providing as much factual detail as possible (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 acknowledge that I have read and that I understand the above statements.

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

Signature of Complainant: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

School use only	
Received by:	Date:

**APPENDIX B: INTERNAL COMPLAINT FORM**

Your Name: \_\_\_\_\_ Today's 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 certify that the information I have provided in this complaint is true and correct and complete to the best of my knowledge and belief. I further understand providing false information in this regard could result in disciplinary action up to and including termination.

Signature of Complainant: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

To be completed by School:

Received by:

Date:



# AMPS



*HONOR HARD WORK*

## **AMETHOD PUBLIC SCHOOLS**

### ***EMPLOYEE HANDBOOK***

~~Revised August~~ Approved September, 2025

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## INTRODUCTION TO HANDBOOK

This Handbook is designed to help employees get acquainted with Amethod Public Schools (“AMPS”). 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. With the exception of the statement of at-will status, this Handbook# 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. If terms contained in a specific employment agreement conflict with the policies and procedures contained in this Handbook, the employee shall adhere to their employment agreement.

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.

AMPS 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 AMPS, and any such modification *must* be in writing, signed by the affected employee and ~~and~~ approved by the Board of Directors in writing.

Failure to comply with this handbook may result in disciplinary action, up to and including termination.

## **DIVERSITY AND INCLUSION**

We believe diverse perspectives lead to stronger ideas, striking innovation, and effective practices, accelerating our progress toward our mission. AMPS prioritizes building diverse teams that reflect the experiences of our employees to ensure everyone shapes our approach. Additionally, we cultivate an inclusive environment and culture of belonging for our employees—a critical step in our pursuit of equity.

AMPS welcomes and reveres the spectrum of human diversity, and stands against bigotry, racism, sexism, heteronormativity, and other biases that seek to undermine the dignity of all people. The barriers our employees face are deeply entrenched in our society. Therefore, we regularly examine the impact of our policies, processes, and procedures and refine them to build a more equitable workplace.

**How We Define Diversity:** A wide range of intersecting identities, including people with different perspectives, abilities, and lived experiences. At AMPS, we value and seek the perspectives of people with proximity to our employees' identities and lived experiences.

**How We Define Inclusion:** A continuous effort to create an environment that reveres the spectrum of human diversity, where all employees feel a sense of belonging. At AMPS, we stand against all forms of bigotry—including racism, sexism, heteronormativity, and other biases that undermine human dignity.

**How We Define Equity:** A state wherein we disrupt the ways of bigotry, historic injustice, and systemic oppression manifest in our systems. At AMPS, we work to tailor our approach to achieve equity.



## GENERAL POLICIES

### A. Equal Employment Opportunity (Discrimination)

#### *Covered Individuals*

This policy protects all employees of AMPS as well as interns, volunteers, and potential employees (applicants). All employees of AMPS 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 characteristic\(s\)](#). Discrimination may include, but is not necessarily limited to, factoring an individual's protected [category characteristic\(s\)](#) 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 characteristic\(s\)](#) resulting in an adverse employment action.

#### *Protected [Categories Characteristic\(s\)](#)*

AMPS' policy prohibits discrimination based on race ([inclusive of traits associated with race, including but not limited to hair texture and protective hairstyles; protective hairstyles include, but are not limited to, such hairstyles as braids, locs, and twists](#) ~~which includes historically associated traits, such as hair styles and protective hairstyles, 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 (including HIV and AIDS), mental disability, medical condition (including cancer and genetic characteristics), genetic information, marital status (including registered domestic partnership status), sex and gender (which includes ~~reproductive health decision making~~, pregnancy, childbirth, breastfeeding, and related medical conditions), [reproductive health decision making](#), gender identity and gender expression (including transgender individuals who are transitioning, have transitioned, or are perceived to be transitioning to the gender with which they identify), sex stereotype (including an assumption about a person's appearance or behavior, gender roles, gender expression, or gender identity, or about an individual's ability or inability to perform certain kinds of work based on a myth, social expectation, or generalization about the individual's sex), age (forty (40) and over), 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 [victims of 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 characteristic\(s\)](#) 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. [Discrimination is further prohibited not just on the basis of individual protected traits, but also on the basis of the intersectionality \(or combination\) of two or more protected characteristics.](#)

For purposes of this policy, discrimination on the basis of "national origin" also includes ~~discrimination against an individual because that person holds or presents the California driver's license issued to those who cannot document their lawful presence in the United States, as well as~~ discrimination based upon any of the following: an individual's or individual's ancestors' actual or perceived physical, cultural or linguistic characteristics associated with a national origin group; marriage to or association with individuals of a national origin group; tribal affiliation; membership in or association with an organization identified with or seeking to promote the interests of a national origin group; attendance or participation in schools, churches, temples, mosques or other religious institutions generally used by persons of a national origin group; or a name that is associated with a national origin group. An employee's or applicant for employment's immigration status will not be considered for any employment purpose except as necessary to comply with federal, state or local law.

AMPS allows employees to self-identify their gender, name and/or pronoun, including gender- neutral pronouns. AMPS will use an employee's gender or legal name as indicated on a government-issued identification document, only as necessary to meet an obligation mandated by law. Otherwise, AMPS will identify the employee in accordance with the employee's current gender identity and preferred name to the extent permitted by law.

AMPS will not tolerate discrimination or harassment based upon these characteristic(s) or any other characteristic protected by applicable federal, state or local law.

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

Any applicant or employee who [believes they](#) requires an accommodation in order to perform the essential functions of the job should contact a School representative with day-to-day personnel responsibilities and request such an accommodation. The individual with the disability should specify what accommodation ~~he or she~~ they needs to perform the job, or if unknown, [what which](#) job duties the disability impairs. AMPS will then ~~conduct an investigation~~ [analyze the situation, engage in an interactive process with the individual, and respond to the individual's request to identify the barriers that interfere with the equal opportunity of the applicant or employee to perform the job. AMPS will identify possible accommodations, if any, that will help eliminate the limitation. If the accommodation is reasonable and will not impose an undue hardship, the School will make the accommodation.](#)

[Pregnancy and lactation accommodations may also be requested. Please refer to the Lactation and Pregnancy Disability Leave policies set forth herein for further information.](#)

#### *Scope of Policy*

AMPS is an equal employment opportunity employer and is committed to complying with all applicable laws providing equal employment opportunities. As such, AMPS 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.

### B. Religious Accommodation

~~Amethod Public Schools~~AMPS is committed to fostering a respectful, inclusive environment that values diversity, including the sincerely held religious beliefs and practices of all employees, ~~and --As a public charter school, Amethod~~ complies with all applicable federal and state laws concerning religious freedom and accommodation in the workplace.

~~This policy is in accordance with:~~

- ~~• Title VII of the Civil Rights Act of 1964~~
- ~~• California Fair Employment and Housing Act (FEHA)~~
- ~~• California Education Code § 220~~
- ~~• Relevant guidance from the California Civil Rights Department (CRD)~~

~~Amethod is also mindful of its obligations under the First Amendment to maintain religious neutrality as a publicly funded educational institution.~~

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### Employee Rights

Employees are entitled to reasonable accommodations for their sincerely held religious beliefs or practices, unless the accommodation would impose an undue hardship on school operations. ~~Depending on the circumstances, r~~Religious accommodations may include, but are not limited to:

- Modifications to dress code or grooming standards (e.g., head coverings, religious garments, facial hair)
- Schedule adjustments for religious observances or holidays
- Prayer breaks or access to a quiet space for religious practices
- Exemptions from certain school activities or duties that conflict with religious beliefs, where feasible

### Request Process

Employees seeking a religious accommodation must submit a written request to the Human Resources (HR) Department and the designated School Administrator. The request should include:

- A description of the religious belief or practice
- The specific accommodation requested
- The anticipated duration of the accommodation, if applicable

Upon receiving the request, ~~AMPS the school~~ will engage in a good faith interactive process with the employee to determine a reasonable accommodation that does not ~~conflict-pose an undue hardship on with-AMPS~~the school's operations, educational mission, or legal obligations.

### Limitations

~~While the school will make every good faith efforts to accommodate religious practices, accommodations will generally not be granted if they:~~

- ~~Interfere with the safe and effective operation of the school~~
- ~~Compromise the religious neutrality required of public schools~~
- ~~Conflict with student safety, supervision, or the delivery of core educational services~~

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*Confidentiality*

Requests for religious accommodations will be handled as confidentially as possible, and information will be shared only with those involved in processing and implementing the accommodation.

*Scope of Policy*

AMPS is an equal employment opportunity employer and is committed to complying with all applicable laws providing equal employment opportunities. As such, AMPS 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.

**C. Unlawful Harassment**

*Covered Individuals*

This policy protects all employees of AMPS as well as interns, volunteers, independent contractors, and potential employees (applicants). All employees of AMPS 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. AMPS will take all reasonable steps to prevent or eliminate unlawful harassment by non-employees, including students, parents, contractors, vendors, and anyone else who has workplace contact with our employees.

*Protected ~~Categories~~Characteristic(s)*

AMPS' policy prohibits harassment based on race (inclusive of traits associated with race, including but not limited to hair texture and protective hairstyles; protective hairstyles include, but are not limited to, such hairstyles as braids, locs, and twists~~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 (including HIV and AIDS), mental disability, medical condition (including cancer and genetic characteristics), genetic information, marital status (including registered domestic partnership status), sex and gender (which includes reproductive health decision making, pregnancy, childbirth, breastfeeding, and related medical conditions), reproductive health decision making, gender identity and gender expression (including transgender individuals who are transitioning, have transitioned, or are perceived to be transitioning to the gender with which they identify), sex stereotype (including an assumption about a person's appearance or behavior, gender roles, gender expression, or gender identity, or about an

individual's ability or inability to perform certain kinds of work based on a myth, social expectation, or generalization about the individual's sex), age (forty (40) and over), 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 [victims of 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. [Harassment is further prohibited not just on the basis of individual protected traits, but also on the basis of the intersectionality \(or combination\) of two or more protected characteristics.](#)

For purposes of this policy, discrimination on the basis of "national origin" also includes harassment against an individual because that person holds or presents the California driver's license issued to those who cannot document their lawful presence in the United States and based on any of the following: an individual's or individual's ancestors' actual or perceived physical, cultural or linguistic characteristics associated with a national origin group; marriage to or association with individuals of a national origin group; tribal affiliation; membership in or association with an organization identified with or seeking to promote the interests of a national origin group; attendance or participation in schools, churches, temples, mosques or other religious institutions generally used by persons of a national origin group; or a name that is associated with a national origin group. All such harassment is prohibited.

#### *Unlawful Harassment*

Prohibited unlawful harassment may include, but is not necessarily limited to, the following behavior pertaining to **any of the above protected [categories characteristic\(s\)](#):**

- a. **Verbal conduct** such as [unwanted sexual advances including flirting, sexually suggestive innuendos, conversations regarding sexual activities, and sexual invitations or comments, racial slurs or epithets, sexist or misogynistic comments, ethnic insults or jokes, religious aspersions or mockery, disability insults or ridicule, homophobic epithets or slurs, transphobic comments or derision, derogatory comments regarding gender, gender identity or gender expression, disparaging remarks regarding military or veteran status, threats of deportation against applicants and employees and family members of applicants and employees, derogatory comments about immigration status or mockery of an accent of language or its speakers, negative remarks regarding marital status, pejorative or incendiary ethnophaulisms \(i.e. racial or ethnic slurs\), or any other belittling, negative or derogatory comments regarding any protected characteristic](#) ~~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).
- b. Disrespectful or unprofessional conduct based on any of the protected [categories characteristic\(s\)](#) listed above ("hostile work environment" harassment).
- c. Comments or conduct that consistently target one gender, even if the content is not sexual ("hostile work environment" harassment).
- d. **Visual conduct** such as derogatory and/or sexually oriented posters, photography, cartoons, drawings, gestures, text messages, social media [activity](#), instant messages, e-mails, letters, pictures, or gifts ("hostile work environment" harassment).
- e. **Physical conduct** such as assault, unwanted touching, blocking normal movement, or interfering with work because of any protected basis ("hostile work environment" harassment).
- f. 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).
- g. **Sexual harassment** consists of sexual advances, request for sexual favors and other verbal

or physical conduct of a sexual nature, regardless of whether or not the conduct is motivated by sexual desire, when: (1) submission to the conduct is either made explicitly or implicitly a term or condition of an individual's employment; (2) an employment decision is based upon an individual's acceptance or rejection of that conduct; and/or (3) that conduct interferes with an individual's work performance or creates an intimidating, hostile or offensive working environment. [Sexually harassing conduct may include situations that began as reciprocal relationships but later ceased to be reciprocal.](#)

#### *Abusive Conduct Prevention*

AMPS does not condone and will not tolerate unlawful harassment or abusive conduct on the part of any employee (including supervisors and managers) or third party (including independent contractors or other persons with which the School does business). Examples of abusive conduct include repeated infliction of verbal abuse, such as the use of malicious, derogatory remarks, insults, and epithets, verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating, or the intentional sabotage or undermining of a person's work performance.

#### *Scope of Policy*

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 AMPS' 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.

#### **Retaliation**

##### *Covered Individuals*

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

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 limited to, opposing a practice or conduct the employee reasonably believes to be unlawful; reporting or assisting in reporting suspected violations of AMPS' anti-discrimination, harassment, or retaliation policies; cooperating or participating in investigations or proceedings arising out of a violation of these policies; [refusing to report to, or leaving, the workplace place during an emergency condition \(as defined by law\) because the employee reasonably believes that the workplace or worksite is unsafe](#); 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.

**Complaint Procedure—Discrimination, Unlawful Harassment, Retaliation**

Duty to Report

All employees who believe they have been subjected to, or witnessed, discrimination, unlawful harassment, and/or retaliation are strongly encouraged to promptly report the alleged violation(s) in accordance with the procedures set forth below. Supervisors and managers who believe they have witnessed or have knowledge of discrimination, unlawful harassment, and/or retaliation are required to immediately report ~~any complaints of unlawful harassment, discrimination, or retaliation~~ the alleged violation(s) in accordance with the procedures set forth below. Immediate reporting allows AMPS 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 AMPS

Submit a complaint to your supervisor, Human Resources (hrsupport@amethodschools.org), any other supervisor within AMPS, or the Board of Directors. There is no requirement to report your complaint to any designated supervisor within AMPS. 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 all conduct of which they are made aware, which violates, or may violate, policies regarding discrimination, unlawful harassment, or retaliation to the CEO, Human Resources ~~Manager~~ Department, 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.

Title IX Reporting

AMPS does not discriminate on the basis of sex in any of its education programs or activities. Title IX of the Education Amendments of 1972 prohibits the School from discriminating in such a manner. This prohibition extends to admission, employment, and all education programs and activities of the School. Some types of sexual harassment are also prohibited under Title IX. AMPS has designated the following individual as its Title IX Coordinator to receive complaints of sex discrimination, including sexual harassment:

insert name of Title IX coordinator | Maria Arechiga  
Title IX Coordinator  
insert office address | 1450 Marina Way South  
insert city, state, and zip code | Richmond, CA 94804  
Email address: insert email address | marechiga@amethodschools.org  
Phone number: insert phone number | 510-436-0172

Inquiries about the application of Title IX may be referred to the School's Title IX Coordinator or to the Assistant Secretary for Civil Rights at the U.S. Department of Education, or both.

#### Contents of Complaint

All complaints submitted pursuant to this policy can be ~~done~~made 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. ~~However, employees may be required to disclose their identity to AMPS in order for the School to sufficiently investigate the complaint.~~ See **Appendix A** for the "Harassment/Discrimination/Retaliation Complaint Form." ~~See Appendix B for the general "Internal Complaint Form."~~

#### Response to Complaint (Investigation)

Upon notice of conduct requiring an investigation, AMPS will investigate the facts and circumstances of the alleged violation, as appropriate. AMPS 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.~~ AMPS' investigation methods ~~will~~may 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.

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

All employees are required to fully cooperate with AMPS' 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 confidentiality regarding the investigation. Failure to do so may result in disciplinary action, up to and including termination.

#### Corrective Action

~~If AMPS determines that violations have occurred, AMPS 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 their conduct, depending on the circumstances. Due to privacy protections, APMS is not able to fully disclose its entire decision regarding corrective action to the complainant.~~

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

#### No Retaliation

There will be no retaliation against any employee who brings a complaint in good faith or who ~~honestly~~honestly assists in good faith 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 AMPS' 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 Civil Rights Department ("CRD") or the Equal Employment Opportunity Commission ("EEOC"). The ~~DFEH-CRD~~ and the California ~~Fair Employment and Housing~~ Civil Rights Council ("~~FEHCCRC~~") 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 CRD and EEOC offices can be found online or dialing 800-FREE-411.

*Sexual Harassment Training Requirements*

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

Employees who fail to complete this required training will be subject to disciplinary action, up to and including termination.

**D. Support Academic Futures and Education for Today's Youth ("SAFETY") Act**

AMPS complies with the Support Academic Futures and Educators for Today's Youth ("SAFETY") Act. Neither employees nor contractors will be required to disclose a student's sexual orientation, gender identity or gender expression to any other person without the student's consent.

Retaliation or adverse action against an employee on the following grounds is prohibited:

- refusing to disclose a student's sexual orientation, gender identity or gender expression to any other person without the student's consent;
- supporting students' rights and opportunities in the educational system as required by law, free from unlawful discrimination and harassment,
- providing instruction to students consistent with current legal requirements.

Any employee engaging in retaliation prohibited by this section will be subject to discipline up to and including termination

**D.E. Whistleblower Policy**

AMPS requires its directors, officers, employees, and volunteers to observe high standards of ethics in the conduct of their duties and responsibilities within the School. As representatives of the School, such

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

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

[AMPS prohibits retaliation against any employee because of the employee's refusal to participate in an activity that would result in a violation of a local, state or federal statute, or a violation or noncompliance with a local, state or federal rule or regulation, or for disclosing information to a government or law enforcement agency, where the employee has reasonable cause to believe that the information discloses a violation of a local, state or federal statute, or a violation or noncompliance with a local, state or federal rule or regulation. The School also prohibits any retaliation against an applicant or employee, and does not discriminate against any applicant or employee, based on that applicant or employee's "whistleblowing" activity against a former employer.](#)

[Employees with concerns about practices that are believed to be illegal or violate the School's policies are encouraged to report them to their supervisor or Human Resources. Employees who come forward with credible information on practices believed to be illegal or violations of School policy will be protected from retaliation.](#)

[Any employee who reasonably believes that they are a victim of retaliation may also call the State of California Attorney General "whistle-blower hotline" to report the retaliation: \(800\) 952-5225](#)

#### **E.F. 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~~ their at-will employment with AMPS or limit AMPS' right to transfer, demote, suspend, administer discipline, and change the terms and conditions of employment at its sole discretion. 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.

### **F.G. Eligibility for Employment**

#### *Immigration Compliance*

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

~~The School shall not discharge an employee or in any manner discriminate, retaliate, or take any adverse action (e.g., threatening to report the suspected citizenship or immigration status of an employee or a member of the employee's family) against any employee or applicant for employment because the employee or applicant exercised a right protected under applicable law. Further, the School shall not discriminate against any individual because he or she they holds or presents a driver's license issued per Vehicle Code § 12801.9 to persons who have not established their federally authorized presence in the United States. Finally, i~~In compliance with the Immigrant Worker Protection Act, the School shall not allow a federal immigration enforcement agent to enter any nonpublic areas of the School without a [valid and signed](#) judicial warrant, or voluntarily give consent to an agent to access, review or obtain employee records without a subpoena or judicial warrant. If a search of employee records is authorized by a valid subpoena or [signed](#) judicial warrant, the School will give employees notice of the inspection both before and after it has occurred as required by law.

#### *Certification*

AMPS' 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 [applicable](#) 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 ~~or~~ continue working at AMPS.

#### *Tuberculosis Testing*

No person shall be employed by AMPS unless ~~he or she~~ they 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~~ they are 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 provide the School with 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 within the previous four years, that ~~which~~ shows ~~he or she~~ wasthey were 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. AMPS shall reimburse current employees for the cost, if any, of the tuberculosis risk assessment and the examination.

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

#### *Criminal Background Checks*

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

#### **G.H. Employment Classifications**

For purposes of salary administration and eligibility for overtime payments and employee benefits, AMPS 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.

An employee will not change from one status to any other status or classification simply because of the number of hours that the employee is scheduled to work or the length of time spent as an employee. Because all employees are hired for an unspecified duration, these classifications do not guarantee employment for any specific length of time. 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 cause or advance notice.

#### *Non-exempt Employees*

Non-exempt employees are entitled to overtime pay in accordance with federal and state law. 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~~ their supervisor or the CEO.

Employees who are classified as non-exempt must accurately record the time(s) they start and stop work each day, including arrivals, departures, and meal breaks.

When employees receive their paychecks, they should verify immediately that their working time was recorded accurately and that they were paid correctly for all hours worked.

Non-exempt employees are prohibited from working any time that is not authorized by their supervisors. This means non-exempt employees must not start work early, finish work late, work during a meal [or rest](#) break, or perform any other extra or overtime work unless directed to do so. Employees who have questions about when or how many hours they are expected to work should contact their supervisor or Human Resources.

It is a violation of AMPS' policy for anyone to instruct or encourage another employee to work "off the clock," to incorrectly report hours worked, or to alter another employee's time records. If any employee is directed or encouraged to incorrectly report hours worked, or to alter another employee's time records, they should report the incident immediately to a supervisor.

#### *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.

Employees who are classified as exempt must record absences from work for reasons such as leaves of absence, sick leave, or vacation.

Exempt employees are paid on a salary basis. This means the employee regularly receives a predetermined amount of compensation each pay period, which cannot be reduced because of variations in the quality or quantity of the employee's work. In general, an exempt employee will receive their salary for any week in which the employee performs any work, regardless of the number of days or hours worked. However, the School may make a deduction from an exempt employee's pay as permitted by law, including in the following circumstances:

- a. When an exempt employee takes one or more full days off for personal reasons other than sickness or disability, the employee will not be paid for such day(s) of absence, but the employee may use available vacation to make up for the reduction in salary;
- b. When an exempt employee takes one or more full days off from work due to sickness or disability, the employee will not be paid for such day(s) of absence, but the employee may use available sick time to make up for the reduction in salary;
- c. When an exempt employee works only part of the week during their first and last week with AMPS, the employee will be paid only for the days actually worked; and
- d. When an exempt employee takes unpaid leave under the Family and Medical Leave Act or corresponding laws, AMPS will not pay for such days/hours of absence.

AMPS may require an exempt employee to use available vacation or sick time, as a replacement for salary, when the employee takes less than a full-day off from work.

An exempt employee's salary will not be reduced when the employee works part of a week and misses part of a week due to service as a juror, witness or in the military or for lack of work, though deductions may be made to offset amounts an employee receives as jury or witness fees, or for military pay, [or any other reason protected by law](#).

It is School policy to comply with the salary basis requirements of the Fair Labor Standards Act (FLSA) and applicable state law. AMPS prohibits any deductions from pay that violate the FLSA or applicable state law.

If an exempt employee believes that an improper deduction has been made to their salary, the employee should immediately report this information to Human Resources or a supervisor. Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, the employee will be promptly reimbursed for any improper deduction made.

### **H.I. Employment Status**

#### *Regular Full-time Employees*

Employees who work 30 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. [Eligibility for each benefit is ultimately governed by the applicable policy, plan document, and/or applicable law.](#)

#### *Regular Part-time Employees*

Employees who work fewer than 30 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 [generally](#) not eligible for benefits except as required by law. [Eligibility for each benefit is ultimately governed by the applicable policy, plan document, and/or applicable 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 [generally](#) 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. [The status of a temporary employee may change only if the employee is notified of the change in status, in writing, by Human Resources.](#)

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

### **H.J. 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.

### **H.K. Work Location**

At the time an employee is hired, the employee is usually assigned to a work location. Some employees may be assigned to permanent remote work. However, even employees who are permanently remote do have an [assigned work](#) location that is their home base. Employees, including those assigned to a permanent location as well as those working remotely, are not permitted to complete their job duties outside of the state, or country, where they are assigned to work, without prior management authorization. AMPS reserves the right in its sole discretion to prohibit out-of-state work due to business necessity or for any other business reason. Work outside the state where an employee is hired to work has payroll tax, business license, benefit and legal compliance implications. Failure to receive advanced permission

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to work from another state, or country, may lead to disciplinary action, up to and including termination.

#### **K.L. Open Door Policy**

At some time or another, you may have a suggestion, complaint, or question about AMPS, 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. [\(See Appendix B for the general "Internal Complaint Form" which can be used for this purpose\).](#)

#### **L.M. Workplace Anti-Violence Policy**

AMPS 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, AMPS has adopted this Zero Tolerance Policy regarding workplace violence to help maintain a secure workplace.

Acts or threats of physical violence, including intimidation, harassment, and/or coercion, ~~that~~[which](#) involve or affect AMPS, 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.

Employees must always ensure that all visitors have signed in the visitor log and are wearing appropriate visitor tags/badges. Suspicious persons or activities must be reported to Human Resources. Employees must secure their 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 School's facilities; and bringing weapons or firearms of any kind on School premises or while conducting School business.

#### ***Weapons Prohibited in the Workplace***

AMPS strictly prohibits employees, or any person providing services to AMPS, visiting AMPS, or located on AMPS' premises from possessing weapons of any kind at the workplace. The workplace includes any property owned or leased by AMPS or occupied by groups of School employees or persons providing services to AMPS. Unless such prohibition is contrary to local law, this specifically includes School parking areas and School vehicles. Employees are not permitted to transport or store weapons in vehicles owned or leased by AMPS and used by the employee for work purposes, unless the employee is required to transport or store a weapon as part of the employee's duties, and ~~s/he has~~[they have](#) written permission from AMPS' CEO. This policy prohibits the possession of concealed weapons as well as weapons carried openly, regardless of whether the person has a legal permit to carry a weapon.

The prohibition explicitly includes guns, rifles and firearms of any type, including those for which the holder has a legal permit. Other examples of prohibited weapons include, but are not limited to, knives, ammunition, bombs, bows and arrows, clubs, slingshot, black jack, metal knuckles and similar devices that by their design or intended use are capable of inflicting serious bodily injury or lethal force.

#### *Former Employees Prohibited on Premises*

Due to safety concerns, an employee who is no longer employed by AMPS may not enter the workplace or be on School premises at any time, absent a legal reason or permission from the School to do so. Therefore, no employee should hold doors open for former employees, or otherwise admit former employees into the workplace. Further, if an employee sees a former employee on School premises or is contacted by a former employee seeking access to AMPS' premises without a legal reason for doing so, the employee must immediately alert Human Resources, the CEO, or any other member of AMPS' management team.

If an employee who no longer is employed by AMPS would like to visit, that person must first contact the Human Resources Department and request written permission to visit. A visit can be scheduled only if advance written permission is obtained. If written permission is granted, the former employee must, upon arrival to AMPS' premises on the scheduled date/time, report to the reception area, be greeted by the current employee s/he is visiting and be escorted at all times while on School premises.

#### *Searches and Inspections*

An investigation into a report or threat of workplace violence may require, with or without notice, an inspection of an employee's work area and/or personal property located in the workplace, including without limitation a vehicle. As a condition of continued employment, all employees are expected to fully cooperate in any lawful inspection required as a result of a report or threat of workplace violence. Failure to cooperate with AMPS' investigation of a report or threat of workplace violence may result in disciplinary action, up to and including termination of employment.

#### *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 AMPS' 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](#) they must immediately notify [his or her](#) their 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.

[If an employee becomes aware of an imminent act of violence, a threat of imminent violence, or actual violence, emergency assistance must be sought immediately. In such situations, the employee should contact the law enforcement authorities by dialing 911. Immediately after contacting the law enforcement authorities, the employee must report the incident to the Site Director.](#)

[Employees should immediately inform their supervisor or Site Director about any workplace security hazards. If these individuals are not available, the employee should immediately inform any other supervisor so that appropriate action can be taken.](#)

All reports of workplace violence will be taken seriously and will be investigated promptly and thoroughly.



In appropriate circumstances, AMPS will inform the reporting individual of the results of the investigation. To the extent feasible, AMPS will maintain the confidentiality of the reporting employee. However, AMPS may need to disclose information in appropriate circumstances (for example, in order to protect individual safety). AMPS will not tolerate retaliation against any employee who in good faith reports workplace violence.

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

In certain circumstances, AMPS 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, [and harassment](#).

## 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 employees observe an error on their check, employees must report it immediately to Payroll support at [prsupport@amethodschools.org](mailto:prsupport@amethodschools.org).

Employees may also have deductions made to their paychecks when a wage overpayment occurs, to the extent permitted by law. ~~The School may require the employee to reimburse an overpayment~~ through a mutually agreeable method, including through cash repayment or a deduction of the employee's payroll check, among other options. ~~An employee who is separated from employment before full repayment of the overpayment amount shall have any remaining amounts withheld from their final check.~~ The School also reserves the right to exercise any and all other legal means to recover any additional amounts owed. ~~The School shall provide employees with advance written notice of the deduction prior to the pay period where it will go into effect.~~

Every deduction from an employee's paycheck is explained on the check voucher. If an employee does not understand the deductions, ~~he or she~~they should ask the Payroll Team at [prsupport@amethodschools.org](mailto:prsupport@amethodschools.org) to explain them.

Employees may change the number of withholding allowances claimed for Federal Income Tax purposes at any time by updating their W-4 form in Paylocity.

All Federal, State, and Social Security taxes will be automatically deducted from paychecks. Federal Withholding Tax deduction is determined by the employee's W-4 form. The W-4 form should be completed upon hire and it is the employee's responsibility to report any changes in filing status to the Payroll Team at [prsupport@amethodschools.org](mailto:prsupport@amethodschools.org) and to update their W-4 form in Paylocity.

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

### B. *Overtime Pay*

AMPS provides compensation for all overtime hours worked by non-exempt employees in accordance with state and federal law as follows:

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

When operating requirements or other needs cannot be met during regular working hours, nonexempt employees may be required to work overtime. Overtime pay is based on actual hours worked. 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. Failure to work scheduled overtime, or working overtime without prior authorization from management may result in disciplinary action, up to and including termination of employment. The School will never ask an employee to work off the clock. All non-exempt employees are to be paid for all hours worked. If you are asked to work off the clock, or if you are asked by anyone not to record your time working accurately, you must notify Human Resources immediately.

### **C. Expense Reimbursement**

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

#### Mileage

All employees who drive their personal vehicles in the course and scope of their employment must submit a request for mileage reimbursement. Employees will be reimbursed at the per mile rate established by the Internal Revenue Service. Employees may obtain the reimbursement form from the Finance or Human Resources departments, and must include the miles driven, the addresses of the origination and destination, and the date the mileage was incurred. Employees must attach all receipts and documentation, if any.

#### Cell Phones

Employees who are required to use their personal cell phone for work are eligible for reimbursement for business-related charges. The reimbursement is intended to reimburse employees for the portion of their cell phone charges attributable to work. To be eligible, the employee must be required to use their cell phone for work and have received the approval of their supervisor. If you believe you should be reimbursed for cell phone use or are entitled to an additional amount of reimbursement, please contact Human Resources.

#### Other Expenses

AMPS provides all necessary supplies and equipment for employees to perform their duties. Therefore, employees are not required to purchase any additional equipment or supplies in order to work for the School and should not incur any expense without prior approval from their supervisor. If, however, in the event any employee is required to incur any unexpected necessary and reasonable expenses in order to perform duties on behalf of AMPS, the employee must immediately report this expense issue to their supervisor and Human Resources. Employees will be required to submit documentation to support any request for expense reimbursement.

All reports of expense reimbursement issues will be reviewed, including a review of all of relevant expense related records and receipts. If, as a result of the review, it is determined that an employee has incurred reasonable and necessary expenses on behalf of AMPS, the School will reimburse the employee, in full, for all actual, reasonable, and necessary business-related expenses incurred. It is the responsibility of the employee to keep accurate records and receipts of any business-related expense and to provide such documentation to the School.

If any employee believes that the reimbursement amount provided by the School is insufficient to reimburse for all reasonable expenses necessarily incurred in the discharge of their duties on behalf of the School, the employee must immediately report this expense issue to the employee's supervisor and Human Resources. Employees will be required to submit documentation (e.g. a copy of an invoice/bill

[and an explanation of the business use\) to support any request for additional reimbursement.](#)

#### **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. ~~Excessive unexcused Absenteeism~~ tardiness negatively affects AMPS' ability to implement its educational program and disrupts consistency in students' learning.

You are expected to notify your direct supervisor at least two (2) hours prior to the start of your scheduled time ~~if you are going to be late~~. In the event of an unforeseen emergency where you are unable to do so, please notify them as soon as possible. ~~Because voicemail 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 and/or text message, but you must attempt to reach the appropriate parties by phone call first.~~ If you are required to leave work early, you must also personally contact your supervisor or the Site Director and obtain their 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. ~~Absent extenuating circumstances, you must call in on any day you are scheduled to work and will not report to work.~~ You must get approval from your direct supervisor for any planned absences. Under certain circumstances, ~~to the extent permitted by law~~, 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 (3) or more consecutive work days.

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 AMPS. 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.

Absences protected by local, state and federal law, including paid sick time, do not count as a violation of the punctuality and attendance policy.

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 (3) consecutively scheduled workdays, AMPS will ~~generally~~ consider that you have abandoned your employment and your employment ~~will and have voluntarily resigned~~ ~~be terminated~~.

#### **E. School Social Activities**

Employees may attend school-sponsored events not required by their job duties on a voluntary basis unless otherwise directed by AMPS. An employee's attendance at such social and recreational activities is completely voluntary and at the employee's own risk and AMPS 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, ~~and is not performing work-related tasks~~, such participation will not be compensated by AMPS.

#### **F. Timekeeping Requirements**

It is AMPS' policy to pay its employees for all time worked. Accordingly, it is every nonexempt employee's responsibility to accurately record time worked, and to examine ~~his or her~~ ~~their~~ paycheck and wage

statement to ensure that ~~he or she is~~ they are being properly paid for all work time and that the paycheck and wage statement are accurate. If an employee believes ~~he or she is~~ they are not being properly paid for all of his or her work, the employee must immediately inform Human Resources.

Federal and state laws require the School to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties. To ensure compliance with all applicable laws, non-exempt employees must accurately record all hours worked using AMPS' 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 absolutely prohibited from doing the following:

- a. Recording inaccurate hours worked.
- b. Recording hours worked on behalf of another employee.
- c. Working "off the clock." This includes, but is not limited to, working before or after a shift without recording that time, choosing to arrive early for work and completing preliminary work activities before clocking in, clocking out and continuing to work to avoid triggering a meal period requirement, clocking out and continuing to work in general (e.g., finishing work after you have clocked out or working while waiting for a rideshare), or ~~or~~ conducting School business on personal cell phones after hours. Employees are prohibited from using their personal cell phones to conduct School business.
- d. Failing to record all hours worked.
- e. 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 AMPS 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 on Monday~~ and ends at midnight on Sunday. AMPS' 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~~ Rest and Meal Breaks and Rest Periods**

~~Nonexempt employees working at least five (5) hours are provided with a thirty (30) minute meal period, to be taken approximately in the middle of the workday but by no later than the end of the 5th hour of work. An employee may waive this meal period if the day's work will be completed in no more than six (6) hours, provided the employee and AMPS mutually consent to the waiver in writing.~~

~~Nonexempt employees are also provided with a ten (10) minute rest period for every four (4) hours worked which should be scheduled towards the middle of the four (4) hour work period as practicable. Employees are prohibited from combining meal and rest period time.~~

~~An employee's supervisor must be aware of and approve scheduled meal and rest periods. Employees must immediately inform their supervisor if they are prevented from taking their meal and/or rest periods. Employees are expected to observe assigned working hours and the time allowed for meal and rest periods.~~

Any employee who misses a meal or rest period or who experiences a late, short, or interrupted meal The School prioritizes compliance with California's meal and rest period laws. All non-exempt employees are required to abide by these requirements. Further, all supervisors are responsible for facilitating compliance with these requirements. See Manager/Supervisor Guidelines for Wage and Hour Policies.

**Meal Periods**Meal periods are intended to ensure that employees are given adequate time for rest and nourishment, contributing to their well-being and productivity.

All non-exempt employees must take an uninterrupted unpaid meal period of at least 30 minutes for each work period in excess of 5 hours in accordance with this policy. Further, all non-exempt employees must take a second uninterrupted unpaid meal period of at least 30 minutes for each work period in excess of 10 hours in accordance with this policy.

Employees must begin their first unpaid meal period within five hours of starting work. For example, if the employee begins working at 7:00 a.m., then the employee must clock out to begin their meal period before 12:00 p.m. (noon). Further, employees must begin their second unpaid meal period (if applicable) within ten hours of starting work. For example, if the employee begins working at 7:00 a.m., then the employee must clock out to begin their second meal period before 5:00 p.m.

An employee whose work period is 5 to 6 hours may waive, in writing, their right to a first meal period. Further, an employee may waive their 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 their 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 as well as waivers that may be used for a more limited time period.

Employees are eligible for the following number of meal periods:

<u>Length of Work Period in Hours</u>	<u># of Meal Periods</u>	<u>Explanation</u>
<u>0 to &lt; 5</u>	<u>0</u>	<u>An employee whose work period is less than 5 hours is not entitled to a meal period.</u>
<u>&gt; 5 to &lt;= 10</u>	<u>1</u>	<u>An employee whose work period is 5 hours or more up to and including 10 hours is eligible to take a 30-minute uninterrupted unpaid meal period, unless the employee's work period is 6 or fewer hours and voluntarily waives their first meal period.</u>
<u>&gt; 10</u>	<u>2</u>	<u>An employee whose work period is 10 hours or more is eligible to take a second uninterrupted unpaid 30-minute meal period, unless the employee's work period is 12 or fewer hours, did not waive their first meal period, and voluntarily waives their second meal period.</u>

Employees must take their meal periods according to the following schedule:

<u>Which Meal Period</u>	<u>When</u>
First Meal Period	<u>An employee's first unpaid meal period must begin within 5 hours of starting work for that work period (in other words, by the end of the fifth hour of work or 5 hours and 0 minutes on the clock). By way of example, if an employee clocks in at 8:00 a.m., then the employee must clock out and start their meal period before 1:00 p.m.</u>
Second Meal Period	<u>An employee's second unpaid meal period must begin within 10 hours of starting work for that work period (in other words, by the end of the tenth hour of work or 10 hours and 0 minutes on the clock). By way of example, if an employee clocks in at 8:00 a.m., then the employee must clock out and start their second meal period before 6:00 p.m.</u>

During meal periods, employees are absolutely prohibited from performing work of any kind or any amount. Employees are excused from all duties and are free to leave the premises. Employees must record the exact start and stop times of each meal period through the School's timekeeping system so that the School may monitor time records for compliance. Employees may not join together required meal periods to take a longer break.

Rest Periods Rest periods are intended to allow employees to rest and refresh, contributing to a healthy and productive work environment. All non-exempt employees are authorized, permitted, and strongly encouraged to take a 10-minute paid rest period for every 4 hours worked or major fraction thereof. Ordinarily, this amounts to two 10-minute rest periods per 8-hour work period. Employees are excused from all duties and are free to leave the premises during their rest periods.

Employees are eligible for the following number of rest periods:

<u>Length of Work Period in Hours</u>	<u># of Rest periods</u>	<u>Explanation</u>
<u>0 to &lt; 3.5</u>	<u>0</u>	<u>An employee whose work period is less than 3.5 hours is not entitled to a rest period.</u>
<u>&gt; 3.5 to &lt;= 6</u>	<u>1</u>	<u>An employee whose work period is 3.5 hours up to and including 6 hours is eligible to take one paid rest period.</u>
<u>&gt; 6 to &lt;= 10</u>	<u>2</u>	<u>A non-exempt employee whose work period is more than 6 hours up to and including 10 hours is eligible to take two paid rest periods.</u>
<u>&gt; 10 to &lt;= 14</u>	<u>3</u>	<u>A non-exempt employee whose work period is more than 10 hours up to and including 14 hours is eligible to take three paid rest periods.</u>

Employees whose work period is more than 14 hours may be eligible for additional rest periods. Please contact Human Resources for more information.

Whenever practicable, non-exempt employees should take their rest periods near the middle of each 4-hour work period. Non-exempt employees may not accumulate rest periods or use rest periods as a basis for starting work late, leaving work early, or extending a meal period. Because rest periods are paid, non-exempt employees should not clock out for them.

**Daily Timekeeping Meal Period and Rest Period Reporting Form** Employees who miss a meal or rest period or who experience a late, short, or interrupted meal period—for any reason—must immediately report this issue to their supervisor and complete a Daily Timekeeping Meal Period and Rest Period Reporting Form. Employees must fill out all fields on the form, including providing a thorough explanation for the non-compliant meal or rest period and turn in this form to their supervisor on the same workday that they experienced the non-compliant meal or rest period. Supervisors are responsible for ensuring that Human Resources receives these forms no later than the end of the workday following the workday on which the reportable issue occurred by notifying Payroll at [prsupport@amethodschools.org](mailto:prsupport@amethodschools.org).

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 at the regular rate 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 attend a meeting that caused me to miss or take a late meal period), the employee is entitled to premium pay of one additional hour of pay at the regular rate of pay. Employees must report the reason for the non-compliant meal or rest period on the **Daily Timekeeping 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 Human Resources.

Supervisors are responsible for facilitating meal and rest periods in a fair and uniform manner. Supervisors may not pressure or coerce employees to take late, short, or interrupted meal and rest periods or to skip their meal and rest periods. Employees who feel pressured or coerced, must immediately report that to Human Resources.

period—for any reason—must immediately report this issue to his or her supervisor and HR. Any supervisor who knows or should reasonably know that a meal or rest period was not provided in accordance with this Policy should notify Payroll at [prsupport@amethodschools.org](mailto:prsupport@amethodschools.org) to arrange for a premium to issue to the employee.

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 AMPS), 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 Human Resources.

#### Discipline

Failure to comply with AMPS’ 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.

AMPS will provide a reasonable amount of break time to accommodate an employee desiring to express breast milk for the employee's infant child each time the employee has need to express milk. If possible, the lactation break time should run concurrently with scheduled meal and rest breaks already provided to the employee. If the lactation break time cannot run concurrently with meal and rest breaks already provided or additional time is needed, the lactation break time will be unpaid for non-exempt employees.

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, AMPS 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, AMPS may provide another cooling device suitable for storing milk, such as a School-provided cooler. To request the above, please contact Human Resources. [AMPS will respond accordingly, generally within two business days.](#)

If any employee believes that ~~he or she has~~they have experienced retaliation or discrimination as a result of conduct protected by this policy, the employee may file a complaint with ~~his or her~~their 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](http://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. *Professional Boundaries: Staff/Student Interaction Policy*

Amethod Public Schools ("AMPS" or "Charter School") recognizes its responsibility to make and enforce all rules and regulations governing student and employee behavior to bring about the safest and most learning conducive environment possible.

The School expects its employees to maintain appropriate professional relationships with students and be sensitive to the appearance of impropriety in their conduct with students. Employees are encouraged to discuss issues with Human Resources or the Chief Academic Officer when unsure whether particular conduct may constitute a violation of the policy.

Employees must understand that even an appearance of inappropriate relationships or impropriety may adversely impact their effectiveness in the school environment. Therefore, employees must be diligent in maintaining the highest ethical standards when interacting with students both inside and outside the school environment and should practice the utmost professionalism with forming any social relationships with students and families outside the classroom.

While the use of appropriate touching is part of daily life and is important for student development, employees must ensure that they do not exceed appropriate behavior. If a child or employee specifically requests that they not be touched, then that request must be honored

#### Definitions

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

Grooming is defined as an act or series of acts by a sexual predator to gain physical and/or emotional control by gaining trust (of staff and/or family and a minor) and desensitizing the minor to various forms of touching and other intimate interaction.

#### *Corporal Punishment*

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

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

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

- A. Examples of PERMITTED actions (NOT corporal punishment)
1. Stopping a student from fighting with another student;
  2. Preventing a pupil from committing an act of vandalism;
  3. Defending yourself from physical injury or assault by a student;
  4. Forcing a pupil to give up a weapon or dangerous object;

5. Requiring an athletic team to participate in strenuous physical training activities designed to strengthen or condition team members or improve their coordination, agility, or physical skills;
6. Engaging in group calisthenics, team drills, or other physical education or voluntary recreational activities.

B. Examples of PROHIBITED actions (corporal punishment)

1. Hitting, shoving, pushing, or physically restraining a student as a means of control;
2. Making unruly students do push-ups, run laps, or perform other physical acts that cause pain or discomfort as a form of punishment;
3. Paddling, swatting slapping, grabbing, pinching, kicking, or otherwise causing physical pain.

*Acceptable and Unacceptable Staff/Student Behavior*

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

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

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

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

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

*Duty to Report Suspected Misconduct*

~~When any employee reasonably suspects or believes that another staff member may have crossed the boundaries specified in this policy, he or she must immediately report the matter to a school administrator. All reports shall be as confidential as possible under the circumstances. It is the duty of the administrator to investigate and thoroughly report the situation. Employees must also report to the administration any awareness or concern of student behavior that crosses boundaries or where a student appears to be at risk for sexual abuse.~~

*Examples of Specific Behaviors*

The following examples are not an exhaustive list:

*Unacceptable Staff/Student Behaviors (Violations of this Policy)*

- A. Giving gifts to an individual student that are of a personal and intimate nature (including but not limited to giving photographs to a student; or items such as money, food, outings, electronics, etc.);
- B. Kissing of any kind.
- C. Any type of sexual contact
- D. 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).
- E. Any type of unnecessary physical contact with a student in a private situation or in an unobserved location.
- F. Full frontal or rear hugs and lengthy embraces
- ~~F-G.~~ Touching buttocks, thighs, chest, stomach or genital area
- ~~G-H.~~ Sitting students on one's lap
- ~~H-I.~~ Wrestling with students or other staff member except in the context of a formal wrestling program
- ~~I-J.~~ Tickling or piggyback rides
- ~~J-K.~~ Intentionally being alone with a student away from the school.
- ~~K-L.~~ Making or participating in sexually inappropriate comments.
- ~~L-M.~~ Sexual jokes or jokes/comments with sexual double entendre.
- ~~M-N.~~ Seeking emotional involvement with a student for your benefit.
- ~~N-O.~~ Listening to or telling stories that are sexually oriented.
- ~~O-P.~~ Discussing inappropriate personal troubles or intimate issues with a student in an attempt to gain their support and understanding.
- ~~P-Q.~~ Becoming involved with a student so that a reasonable person may suspect inappropriate behavior.
- ~~Q-R.~~ Furnishing alcohol, tobacco products, vaping products, CBD products, marijuana, controlled substances, or drugs to a student or failing to report knowledge of a student's possession of such
- ~~R-S.~~ "Dating" or "going out with" a student
- ~~S-T.~~ Remarks about the physical attributes or development of anyone. This includes comments such as "Looking fine!" or "Check out that [body part]."
- ~~T-U.~~ Being alone in a room with a student at school with the door closed and/or windows blocked from view.
- ~~U-V.~~ Taking photographs or videos of students for personal use or posting such photographs or videos online without School permissiononline
- ~~V-W.~~ Leaving campus alone with a student for lunch
- ~~W-X.~~ Either partially or fully undressing in front of a student or asking a student to undress, with the intent to view/expose private body parts
- ~~X-Y.~~ Sharing a bed, mat, or sleeping bag with a student
- ~~Y-Z.~~ Using profanity with or to a student
- ~~Z-AA.~~ Being "friends" with a student on any personal or non-School social media website
- ~~AA-BB.~~ Sending emails, text messages, social media responses, making phone calls, or sending notes or letters to students if the content is not about school activities. Communication via private social media accounts is not acceptable.Engaging in inappropriate and/or unprofessional communications with students on School social media
- ~~BB-CC.~~ Communicating with students or parents/guardians in violation of the School's Social Media Policy

~~CC-DD.~~ Excessive attention toward a particular student.

~~DD-EE.~~ Being alone with a student in an unobserved location where no other students or employees are nearby (this may or may not be a separate room)~~Being alone in a room with a student at school with the door closed.~~

~~EE-FF.~~ Involving students in non-educational or non-school related issues, including, but not limited to, the employee's employment issues

#### *Unacceptable Staff/Student Behaviors without Parent and Supervisor Permission*

These behaviors should only be exercised when a staff member has express written parent and supervisor permission in advance.

- A. Giving students a ride to/from school or school activities.
- B. Allowing students in your home ~~without signed parent permission~~ for a preplanned and pre-communicated educational activity that must include the presence of another educator, parent, or other responsible adult.

#### *Cautionary Staff/Student Behaviors*

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

- ~~A. Sending emails, text messages or letters to students if the content is not about school activities.~~

#### *Acceptable and Recommended Staff/Student Behaviors*

- A. Getting parents' written consent for any after-school activity.
- B. Obtaining formal written pre-approval from the Charter School and parents/guardians to take students off school property for activities such as field trips or competitions including parent's written permission and waiver form for any sponsored after-school activity whether on or off campus.
- C. Emails, text, phone and ~~social media~~ messages or letters to students must be very professional and pertaining to school activities or classes (Communication should be limited to school technology and in alignment with the Charter School's Social Media Policy).
- D. Keeping the door wide open when alone with a student.
- E. Keeping reasonable and appropriate space between you and your students.
- F. Stopping and correcting students if they cross your own personal boundaries including, but not limited to, touching your legs, or buttocks, frontal hugs, kissing, or caressing.
- G. Keeping parents and administration informed when a significant issue develops about a student such as a change in demeanor or uncharacteristic behavior.
- H. Keeping after-class discussions with a student professional and brief.
- ~~I. Asking for advice from fellow staff or administrators such as Human Resources or the CEO if you find yourself in a difficult situation related to boundaries.~~
- ~~J. Involving your supervisor if conflict arises with the student.~~
- ~~K. Informing the Principal about situations that have the potential to become more severe.~~
- ~~L. Making detailed notes about an incident that could evolve into a more serious situation later.~~
- ~~M-I.~~ Recognizing the responsibility to stop unacceptable behavior of students or coworkers.
- ~~N-J.~~ Asking another staff member to be present if you will be alone with any type of special needs student.
- ~~O. Asking another staff member to be present when you must be alone with a student after regular school hours.~~

- ~~P-K. Giving students praise and recognition without touching them.~~
- ~~Q-L. Pats on the back, high fives and handshakes are acceptable.~~
- ~~R-M. Keeping your professional conduct a high priority.~~
- ~~S. Asking yourself if any of your actions that are contrary to this policy are worth you sacrificing your job, your career, and the reputation of the Charter 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.~~

#### Boundaries Monitoring and Reporting

Employees should follow the following guidelines:

- Immediately asking for advice from senior staff or administration if you find yourself in a difficult situation related to boundaries
- Involving your supervisor in discussion about boundaries situations that have the potential to become more severe (including but not limited to: grooming or other red flag behaviors observed in colleagues, written material that is disturbing, or a student's fixation on an adult)
- Making detailed notes about an incident that in your best judgement could evolve into a more serious situation later
- Asking another staff member to be present, or within close supervisory distance, when you must be alone with a student after regular school hours
- Asking yourself if any of your actions, which are contrary to these provisions, are worth sacrificing your job and career

#### Reporting Violations

When an employee becomes aware of another employee (or volunteer, guest, vendor) having crossed the Boundaries specified in this policy, or has a reasonable suspicion of misconduct, the employee 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 ~~Charter~~ 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.

When observant employees call attention to boundaries violation(s), the likelihood of harm to students is greatly reduced.

#### 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.~~

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

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

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

### *Investigating*

AMPS will promptly investigate any allegation of a violation of the Staff/Student Interaction Employee-Student Relations Policy by a staff member, using such support staff or outside assistance as AMPS 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 within thirty-six (36) hours.

If the allegation is only a violation of the Professional Boundaries-Staff/Student Interaction 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.

#### [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 or the police 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.](#)

[Reasonable suspicion means that it is objectively reasonable for a person to entertain a suspicion, based upon facts that could cause a reasonable person in a like position, drawing, when appropriate, on the person's training and experience, to suspect child abuse or neglect. It does not require certainty that child abuse or neglect has occurred nor does it require a specific medical indication of child abuse or neglect.](#)

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

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

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

[By acknowledging receipt of this Handbook, employees acknowledge they are child care custodians and are certifying that they have knowledge of California Penal Code section 11166 and will comply with its provisions. Failure to meet these obligations can result in a monetary fine and/or jail.](#)

#### **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. [This policy encompasses any and all identifying or confidential information of all former and current students which is protected under the Family Educational Rights and Privacy Act.](#)

It is important to AMPS 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.](#)

AMPS devotes significant time, energy, and expense to develop and acquire its trade secrets and confidential information. As an employee of AMPS 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 AMPS. An employee shall not, directly or indirectly, disclose or use any of the foregoing information other than as authorized for the sole benefit of AMPS, either during the term of your employment or at any other time thereafter. [Employees may not access confidential information except as required to perform their job duties.](#) Confidential information shall not be disclosed except through normal channels and with prior authorization. Any and all trade secrets or confidential information shall be returned to AMPS during extended leaves of absence or upon termination of employment.

[During your employment with AMPS, you will not be permitted nor required to breach any obligation to keep in confidence proprietary information, knowledge, or data acquired during your former employment. You must not disclose to the School any confidential or proprietary information or material belonging to former employers or others.](#)

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

[Nothing in this section is intended to prohibit or restrict employees from exercising their rights under the NLRA, which includes discussing their wages and working conditions.](#)

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:*

1. *Insubordination* - refusing to perform a task or duty assigned or act in accordance with [legitimate](#) instructions and / or policies provided by an employee's supervisor, AMPS' policies, or proper authority.
2. *Inefficiency* - including deliberate restriction of output, carelessness or unnecessary waste of

- time or material, neglect of job, duties or responsibilities.
3. *Unauthorized soliciting*: collecting of contributions, distribution of literature, or written or printed material that is not directly related to AMPS 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-NLRA](#)
  4. Damaging, defacing, unauthorized removal, destruction or theft of another employee's property or of AMPS property.
  5. Fighting or instigating a fight on AMPS premises.
  6. Violations of the drug and alcohol policy.
  7. Using or possessing firearms, weapons or explosives of any kind on AMPS premises.
  8. Gambling on AMPS premises.
  9. 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.
  10. Recording the timesheets of another employee or permitting or arranging for another employee to record your timesheet.
  11. Conducting personal business during business hours and/or unauthorized use of telephone lines for personal calls.
  12. Excessive [unexcused](#) absenteeism or tardiness. ~~excused or unexcused except to the extent permitted by law.~~
  13. 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.
  14. Engaging in sabotage or espionage (industrial or otherwise)
  15. Violations of the discrimination, harassment and retaliation prevention policy.
  16. Failure to report a job-related accident to the employee's manager or failure to take or follow prescribed tests, procedures or treatment.
  17. Sleeping during work hours.
  18. Release of confidential information without authorization.
  19. Refusal to speak to supervisors or other employees.
  20. ~~Unauthorized Use~~ of cameras or other recording devices on School premises [except as expressly authorized by the School](#).
  21. Intentionally supplying false information in order to obtain a leave of absence or other benefits from AMPS.
  22. Poor attendance, including, but not limited to, habitual [unexcused](#) 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.
  23. Unsatisfactory work performance.
  24. Unprofessional conduct.
  25. Failure to possess or maintain the credential/certificate required of the position.
  26. Dishonesty.
  27. Any other conduct detrimental to other employees or the School's interests or its efficient operations.

This statement of prohibited conduct does not alter AMPS' policy of at-will employment. AMPS 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. AMPS' policy as to

references for employees who have left AMPS is to disclose only the dates of employment and the title of the last position held, except as otherwise required by law. ~~If you authorize disclosure in writing, AMPS 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-employee~~ who is provided access to AMPS' Communications Systems is responsible for using the Communications Systems in accordance with this policy, and agrees to be bound by this policy by using AMPS' Communications Systems. Any questions about this policy should be addressed to Human Resources.

#### *Definitions*

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

Electronic communications are a means of business communication. AMPS requires all ~~users-employees~~ to conduct themselves in a professional manner. ~~Users-Employees~~ 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 AMPS' Communications Systems and the users thereof against unauthorized or improper use of these systems, AMPS 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~~their designee. AMPS also reserves the right periodically to monitor the use of its Communications Systems and to access ~~employee~~users' voice mail, Internet access, and e-mail for that purpose or any other business-related purpose upon authorization of the CEO or ~~their 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.

#### *Confidentiality and Privileges*

Information stored on the Communications Systems is intended to be kept confidential within AMPS. AMPS has taken all reasonable steps to assure confidentiality and security of information related to AMPS's operations. Like other means of communication, however, it is not possible to guarantee complete security of electronic communications either within or outside AMPS, 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-employees~~ 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-Employees~~ are prohibited from using the Communications Systems for any unauthorized or unlawful purpose, including, but not limited to, the following:

1. ~~Users-Employees 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(s) protected by law as set forth in AMPS' policies against discrimination, harassment, and retaliation. Those policies apply to all aspects of employment, including the use of the Communications Systems.
2. ~~Users-Employees~~ 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.
3. ~~Users-Employees~~ are prohibited from using the Communications Systems to transmit, display, store, publish, or purposely receive any pornographic, obscene, or sexually explicit material.
4. ~~Users-Employees~~ 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 AMPS.
5. ~~Users-Employees~~ must not alter, copy, transmit, or remove School information, proprietary software, or other files without proper authorization from AMPS.
6. ~~Users-Employees~~ 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~~ their designee. Anyone who receives an electronic communication for which ~~he or she is~~ they are 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 AMPS business. Incidental and occasional personal use of the Communications Systems is permitted, but such communications must not disrupt School business, and ~~users-employees~~ **do not have any expectation of personal privacy in any matters stored in, created, received, or sent over the Communications Systems.**

AMPS, 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/employee.~~

Although AMPS entrusts employees with the use of voice mail, e-mail, computer files, software, or similar School property, employees should keep in mind that these items ~~have been installed and maintained at great expense to AMPS 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. ~~Employees 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, employees 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. AMPS is not responsible for costs incurred when employees use School telephones or e-mail systems for personal matters.

Employees should not use personal devices or email accounts for School-related communications. Such communications should only take place using School-issued devices and via the employee's email account.

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

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

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

AMPS 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/employee~~, including disclosure to law enforcement officials.

[Nothing in this section is intended to prohibit or restrict employees from exercising their rights under the NLRA, which includes discussing their wages and working conditions.](#)

#### *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-employee~~ who discovers misuse of the Internet access or any of AMPS' Communications Systems should immediately contact Human Resources or the CEO of AMPS. Any ~~user-employee~~ 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. AMPS 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, AMPS 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 AMPS; (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 AMPS; ~~or~~ (6) interact with School students or parents/guardians of School students (regarding School-related business) on the Internet and on social media sites; or (7) create or use a School-affiliated social media account.

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, X (formerly known as Twitter), Pinterest, LinkedIn, TikTok, 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.

This policy is intended to supplement, not replace, AMPS' 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 Employees are required to comply with all School policies whenever your social media activities may involve or implicate AMPS in any way, including, but not limited to, the policies contained in this Handbook.

#### *Standards of Conduct*

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

1. 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.
2. Do not engage in any discriminatory, harassing, or retaliatory behavior in violation of School policy.
3. Respect copyright, fair use, and financial disclosure rules and regulations. Identify all copyrighted or borrowed material with proper citations and/or links.
4. Maintain the confidentiality of AMPS' 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 AMPS.
5. Do not post confidential information (as defined in this Handbook) about AMPS, 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.
- 5-6. Do not "friend" students on employee's social media accounts unless there is a familial relationship. An employee who friends students on employee's social media account without a familial relationship must notify the CEO.
- 6-7. 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.
- 7-8. Be knowledgeable about and comply with AMPS' background check procedures. Do

not "research" job candidates on the Internet or social media websites without prior approval from Human Resources.

9. We encourage you-employees to be fair and courteous to fellow employees, students, parents, vendors, ~~customers~~, suppliers, or other people who work on behalf of AMPS. We also encourage you-employees 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 AMPS, or that might constitute harassment or bullying.

~~8-10.~~ We encourage employees to set their social media accounts to "private" settings to avoid students viewing private or personal social media activity.

~~9-11.~~ Do not post any information or rumors that you know to be false about AMPS, fellow employees, students, parents, vendors, ~~customers~~, suppliers, people working on behalf of AMPS, or competitors.

~~10-12.~~ Express only your personal opinions. Never represent yourself as a spokesperson for AMPS unless authorized to do so. If you publish social media content that may be related to your work or subjects associated with AMPS, make it clear that you are not speaking on behalf of AMPS and that your views do not represent those of AMPS, fellow employees, students, parents, vendors, ~~customers~~, suppliers, or other people working on behalf of AMPS. 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 AMPS."

~~11-13.~~ 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 and students' parents or guardians regarding School-related matters on social media that is owned and operated by AMPS. 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 CEO/designee and IT Department, in addition to Human Resources and members of AMPS' administration, are responsible for approving requests for School social media accounts, monitoring School social media accounts for inappropriate and unprofessional content, and maintaining the social media account information (including, but not limited to, username and password). AMPS has final approval over all content posted to School accounts and reserves the right to close School social media accounts at any time, with or without notice.

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

1. Request and obtain permission to create School social media from the CEO/designee.
2. Contact the CEO/designee to set up the social media. Provide the CEO/designee 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 CEO/designee 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.

[Nothing in this policy is intended to prohibit you from discussing the terms and conditions of employment with your co-workers or engaging in concerted activities pursuant to the NLRA and other applicable laws.](#)



### *Access*

Employees are reminded that AMPS' 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 AMPS. All communications and information transmitted by, received from, or stored in these systems are School records.

As a result, AMPS may, and does, monitor its employees' use of these electronic communication systems, including for social media activities, from time to time. AMPS may monitor such activities randomly, periodically, and/or in situations when there is reason to believe that someone associated with AMPS 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 AMPS' 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*

AMPS 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 AMPS, or may violate this policy, please contact Human Resources.

Social media is in a state of constant evolution, and AMPS 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**

AMPS 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 AMPS 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 AMPS.

### **E. Notice Posting**

AMPS 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 AMPS. 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 AMPS, all employees owe a duty of loyalty to AMPS 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 AMPS' 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 must immediately and fully disclose the relevant circumstances to his or her immediate supervisor, Human Resources or the CEO or designee, who will determine whether a potential or actual conflict exists. If an actual or potential conflict is determined to exist, AMPS may take whatever corrective action appears appropriate according to the circumstances. Failure to disclose facts of an actual or potential conflict of interest will 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 AMPS 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 a 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 vendor with which AMPS 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 AMPS. The receipt of occasional flowers, candy, or gifts worth less than \$100.00 from parents, students, 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 more than \$100.00 from students, parents, 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 and Fundraising funds or items that an employee may receive or raise from events, donors or donor websites i.e. (Donors Choose, etc.) for use by AMPS, its students or at a specific AMPS school site will be considered property of the School. Such donations will remain with the School to continue to benefit the intended student population.

### *Outside Activities*

AMPS recognizes the right of employees to engage in activities outside of their employment that are of a private nature and unrelated to AMPS' business. However, employees may not engage in any outside activity, including outside employment, which presents an actual or potential conflict of interest. For this reason, employees are expected to conduct their personal affairs in a manner that does not adversely affect the School or its own integrity, reputation, or credibility. Illegal or immoral off-duty conduct by an employee that adversely affects the School's legitimate business interests or the employee's ability to perform ~~his or her~~their work will not be tolerated.

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

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

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

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

### **G. Cameras and Video Surveillance**

For purposes of workplace safety and security and to prevent theft and other misconduct AMPS has installed video surveillance cameras in and around common work areas and public spaces. ~~The surveillance does not include audio recording.~~

If there is any reported incident of theft, trespass, workplace violence, employee misconduct or any type of safety violation (hereafter collectively referred to as "security incidents"), AMPS will utilize its surveillance equipment as an investigatory tool. AMPS will also make use of its surveillance equipment to deter any future security incidents.

AMPS also reserves the right to actively monitor, through its surveillance cameras, any areas for safety reasons (to protect against equipment failure, breakage, or accident) or confidentiality reasons (to protect documents or other proprietary information).

Although the video surveillance described in this policy is intended to monitor for security incidents and other safety reasons at AMPS, it is possible that such surveillance may monitor activities not related to AMPS' business.

AMPS respects the privacy of its employees. Accordingly, surveillance is not conducted in any area where an employee has a reasonable expectation of privacy and video cameras will be installed in AMPS' restrooms or in any lactation or changing areas.

The surveillance video cameras and any video footage from the surveillance are to be used solely for the purposes of this video surveillance policy. Any unauthorized use of these video cameras and/or videotapes is strictly forbidden and may result in discipline, up to and including termination of employment.

#### **H. Employer Property**

Lockers, computers, desks, bookshelves, and other employer-owned property are AMPS property and must be maintained according to AMPS rules and regulations. They must be kept clean and are to be used only for work-related purposes. AMPS reserves the right to inspect all AMPS 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 AMPS 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.

#### **I. Employee Property**

For security reasons, employees should not leave personal belongings of value in the workplace (i.e. desks, bookshelves, counter, etc.). Terminated employees must 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.

#### **J. Dress Code and Other Personal Standards**

AMPS employees and volunteers serve as role models for the students and as representatives of AMPS. 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 AMPS 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 maintain professional standards of dress and grooming

when not actively teaching physical education classes or coaching. Site Directors and the CEO may also amend these 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:*

1. Excessively tight clothing, including leggings and tights without proper coverage;
2. Clothing which promotes alcoholic beverages, tobacco, or the use of controlled substances by words or symbols;
3. Clothing with slurs, political statements, slogans, etc., other than AMPS' logo and or School motto ([employees are not permitted to wear hats or clothing with writing or logos \(other than clothing manufacturer and designer logos\) unless issued by the School](#));
4. Shorts, skirts, or dresses that end more than 2 inches above the knee;
5. Exposed body areas usually concealed by clothing such as torso, chest, back, stomach, etc.;
6. Bright colored hair dye (unless as excused for school spirit functions or discussed with Site leaders);
7. Clothing which contains profanity, nudity, depicts violence, or is sexual in nature by words or symbols;
8. Open toed shoes, sandals, or flip flops;
9. Tube tops, tank tops, crop tops or spaghetti strap tops;
10. Undergarments worn as an outer garment or any see-through clothing that reveals an undergarment;
11. Hats, visors, sunglasses, sweatbands, and bandanas (may be worn outside but must be removed when inside the workplace);
12. Jeans (except as described in Friday Business Casual Dress Policy below).

AMPS does not discriminate against employees on the basis of race, which includes [traits associated with race, including but not limited to hair texture and protective hairstyles; protective hairstyles include, but are not limited to, such hairstyles as braids, locs, and twists](#)~~traits historically associated with race, including hair texture and protective hairstyles such as braids, locks and twists~~. Reasonable accommodations ~~shall may~~ 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. ~~Reasonable a~~Reasonable accommodations due to a disability or for religious grooming or dress will be made unless such accommodation poses an undue hardship.

#### *Piercings and Tattoos*

Body piercings (e.g., jewelry affixed to the nose, tongue, cheek, lip, or eyebrow) and tattoos are prohibited if they disrupt the orderly operation of AMPS. Tattoos which contain profane, vulgar, offensive, sexual or obscene statements or images are prohibited and must be covered at all times.

#### *Friday 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 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:

1. **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.

2. **Pants:** Casual slacks and trousers and jeans without holes, frays, ~~eteetc.~~ are permitted. Pants worn below the waist or hip line are prohibited at all times.

### **T.N. Parking**

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

### **U.O. Solicitation and Distribution of Literature**

In order to maintain and promote efficient operations, discipline, and security, AMPS 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~~their supervisor. These rules are:

1. No employee shall sell merchandise or solicit or promote support for any cause or organization during ~~his or her~~their 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 rest breaks.
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~~their working time or during the working time of the employee(s) at whom such activity is directed. As used in this section, working areas excludes designated meal and break rooms.
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~~their working area more than 10 minutes before they are scheduled to begin and must stop work and clock out from ~~his or her~~their work area no later than 10 minutes after their work scheduled for the day is completed, unless they are approved by their supervisor to do so. 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. Nothing in this section is intended to prohibit or restrict employees from exercising their rights under the NLRA, which includes discussing their wages and working conditions.

### **V.P. Health and Safety Policy**

AMPS is committed to providing and maintaining a healthy and safe work environment for all employees.

Employees are required to know and comply with AMPS' Safety Manual and to follow safe and healthy work practices at all times.

Employees are required to report immediately to AMPS' Site Director any potential health or safety hazards, and all injuries or accidents.

Employees shall not be prohibited from accessing their mobile device or other communication device for seeking emergency assistance, assessing the safety of the situation, or communicating with a person to

[confirm their safety during an emergency condition. An emergency condition means: \(i\) conditions of disaster or extreme peril to the safety of persons or property at the workplace or worksite caused by natural forces or a criminal act; or \(ii\) an order to evacuate a workplace, a worksite, a worker's home, or the school of a worker's child due to natural disaster or a criminal act.](#)

In compliance with Proposition 65, the School will inform employees of any known exposure to a chemical known to cause cancer or reproductive toxicity.

[In compliance with California law and to promote the concept of a safe workplace, AMPS maintains an Injury and Illness Prevention Program \(IIPP\). The IIPP is available for review by employees and/or employee representatives. Contact Human Resources if you wish to review the IIPP or if you have any questions concerning this policy.](#)

### **W.Q. Communicable Diseases**

#### Introduction

Employees must stay away from the office if they have symptoms of or have been diagnosed with a communicable illness in order to reduce the possibility that it will spread to others.

AMPS does not discriminate against any job applicant or employee based on the individual having a communicable illness or being associated with someone who does. AMPS will not retaliate against an applicant or employee for providing this information to AMPS.

#### General Guidelines

Decisions involving persons who have or may have a communicable illness shall be based on current and well-informed medical judgments concerning the disease, as well as the following factors:

1. Whether the individual has been diagnosed with the illness;
2. Whether the individual has been exposed to an individual with the illness;
3. Whether the individual has symptoms that are similar to those associated with the illness;
4. Whether the individual has been exposed to an individual who has symptoms that are similar to those associated with the illness;
5. Whether the individual has traveled to locations or been exposed to others who have traveled to locations where there is a high population of individuals with the illness;
6. The risks of transmitting the illness to others;
7. The symptoms and any other special circumstances of each individual who has or may have the illness;
8. Any factor used by a government agency, including but not limited to, the United States Center for Disease Control (CDC), for the purpose of maintaining the safety and security of our citizens.

Other factors could be considered as well. Managers and supervisors are responsible for:

1. Consulting with Human Resources for guidance regarding employees who report symptoms and/or diagnosis of a communicable disease.
2. Preventing discrimination against any job applicant or employee based on the individual having a communicable disease.
3. Maintaining the privacy of all information about an employee's medical condition with anyone other than Human Resources or any government agency that requires reporting.

### Communicable Illness Defined

A communicable illness is a serious illness or disease that can be directly or indirectly transferred from an infected individual to another person, including, but not limited to measles, mumps, chickenpox, coronavirus, influenza (certain types including H1N1), viral Hepatitis-A (infectious Hepatitis), viral Hepatitis-B (serum Hepatitis), leprosy, SARS (Severe Acute Respiratory Syndrome), TB (Tuberculosis - infectious), plague, yellow fever, viral hemorrhagic fevers, meningitis, and encephalitis. The definition of communicable illness may be revised in accordance with information received from the CDC or other public health officials.

### Reporting Procedure

To help keep all employees safe, employees must follow these procedures. Employees must inform Human Resources if you are: (a) diagnosed with a communicable illness; or (b) if you believe you may have been exposed to a person so diagnosed; (c) if you have recently visited a location in which there has been a high population of individuals diagnosed with an illness; (d) you do not feel well or are exhibiting any symptoms associated with the illness in question. This information will be kept confidential to the extent reasonably possible. AMPS will not reveal any information other than as required to meet business necessities.

### Work Restrictions

For safety and security purposes, as well as to comply with all applicable law, AMPS reserves the right to request that any individual who has or may have a communicable illness, or who has had contact with anyone who has or may have a communicable illness, not enter the workplace or attend any work-related function outside the premises.

Certain employees who can complete job duties remotely may have the option to work from home, subject to the discretion and prior approval of AMPS. Additionally, leaves of absence, use of vacation or other arrangements may be an option. Depending on the circumstances, AMPS may offer other options.

### Duty to Maintain Privacy

AMPS will administer this policy in accordance with applicable laws and regulations, including but not limited to the Americans with Disabilities Act and its amendments, the Genetic Information Non-Discrimination Act, the Health Insurance Portability and Accountability Act of 1996, the Occupational Safety and Health Act, other related federal law, and state law related to the same or similar issues, including but not limited to mandatory paid sick and safe time laws. AMPS will treat any medical information obtained under this policy as confidential to the extent possible in accordance with applicable law. In the event any provision of this policy conflicts with applicable federal, state or local law, AMPS will follow the law. AMPS will strive to maintain any information about an employee's medical condition, or that of a family member, in the strictest of confidence and to see that this information is shared only on a "need to know" basis.

### **X.R. Drug and Alcohol Abuse Policy**

It is the intent of AMPS 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 us in achieving our goal of a safe and productive drug-free workplace.



For purposes of this policy, “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), prescription drugs that impair the employee’s ability to perform their job duties safely and effectively, as well as prescription drugs if they are not prescribed for the person using them and/or not being used as prescribed. While the use of marijuana has been legalized under California law for medicinal and recreational uses, it remains an illegal drug under federal law and its use as it impacts the workplace is prohibited by AMPS. “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.

[Nothing in this policy is intended to prohibit the lawful use of marijuana while off-duty and away from the workplace. AMPS will not discriminate against any employee in the terms or conditions of employment for the lawful use of marijuana while off-duty and away from the workplace.](#)

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

1. Use, possession, purchase, or offer for sale of drugs, drug paraphernalia or alcohol during working hours, including meal and break periods, or in the presence of pupils;
2. Use, possession, purchase, or offer for sale of drugs, drug paraphernalia, or alcohol on School property at any time;
3. Use, possession, purchase, or offer for sale of drugs, drug paraphernalia, or alcohol while attending a School function or event;
4. Storing alcohol (if unauthorized), drugs, or drug paraphernalia in a locker, desk, automobile, or other repository on AMPS’ premises;
5. Refusing to submit to an inspection or testing when requested by AMPS;
6. Being under the influence of drugs, prescription medication that impairs cognitive or physical functions and/or alcohol during working hours, while on AMPS’ premises and/or attending a School function or event;
7. Conviction under any criminal drug statute for a violation occurring in the workplace; or
8. 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 AMPS where alcohol is served or while entertaining actual or prospective donors to AMPS. However, employees must remember their obligation to conduct themselves appropriately at all times while at School-sponsored functions or while representing AMPS.

#### *Searches*

AMPS 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*

[To the extent permitted by law,](#) AMPS may require a test by intoxilator, blood test, urinalysis, medical

examination, or other drug/alcohol screening of those persons whom AMPS reasonably suspects of using, possessing, or being under the influence of a drug or alcohol. Such testing ~~will~~ may be conducted if two or more employees or other adults 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 or student while on duty. Such testing will not include screening for nonpsychoactive cannabis metabolites.

Any refusal to submit to such testing will be considered a violation of this policy. 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. AMPS 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 of other employees was jeopardized. Periodic retesting may also be required following positive test results or after any violation of this policy or rehabilitation.

#### *Violations*

Any violations of this policy may result in disciplinary action, up to and including termination, at AMPS' 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. In addition, employees have an obligation to notify the School of any criminal drug statute conviction for a violation occurring in the workplace no later than 5 days after the conviction. Failure to do so may result in discipline, up to and including termination.

#### **Y.S. Smoking**

AMPS sites are all non-smoking facilities. Smoking is prohibited on AMPS property and campuses. This includes, but is not limited to, nicotine and non-nicotine cigarettes including herbal cigarettes and marijuana, cigars, pipes as well as e-cigarettes and vaping. Employees who wish to smoke must limit their smoking to products that will not impair or impact their work performance during meal and rest periods off premises.

#### **Z.T. 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.

### **AA.U. Safety and Incident Reporting**

AMPS is committed to providing a safe working environment and preventing accidents. The prevention of accidents is the responsibility of every School supervisor. It is also the duty of all employees to accept and promote the established safety regulations and procedures. Every effort will be made to provide adequate safety training. If an employee is ever in doubt about 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 AMPS to appropriately respond.

It is the policy of the School that accident prevention shall be considered of primary importance in all phases of operation and administration. AMPS's management is required to provide safe and healthy working conditions for all employees and to establish and require the use of safe practices at all times.

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

### **BB.V. 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. [To the extent permitted by law, AMPS retains the right to transfer to an alternative position, suspend, or terminate such employees whose license is revoked or who fails to maintain personal automobile 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/they](#) 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 AMPS 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/their](#) 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/their](#) supervisor and HR.

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

## EMPLOYEE LEAVES AND BENEFITS

### A. *Holidays*

AMPS calendar reflects any and all holidays observed by AMPS. School classes are not in session on holidays observed by AMPS. 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 AMPS:

1. New Year's Day
2. Martin Luther King Jr. Day
3. President's Day
4. Friday of Spring Break Week
5. Memorial Day
6. Juneteenth
7. Independence Day
8. Labor Day
9. Indigenous Peoples' Day
10. Veteran's Day
11. Thanksgiving Day
12. Friday after Thanksgiving
13. Christmas Eve
14. Christmas Day
15. New Year's Eve

To be eligible for holiday pay, an employee must ~~either~~ be a non-exempt employee who works on average at least thirty (30) hours per workweek, and who would normally be scheduled to work on the day on which the holiday falls. Holiday pay will be based on each employee's work schedule; in other words, an employee who normally works 4 hours per day will receive 4 hours of holiday pay, and an employee who works 8 hours per day will receive 8 hours of holiday pay. Holiday hours do not count as hours worked for purposes of calculating overtime.

[The School reserves the right to change this policy at any time, with or without notice.](#)

### B. *Vacation Policy*

#### **10-month/10.5 month Employees:**

- Do not accrue vacation hours.

#### **11-month Employees:**

- Who have scheduled work days during the ~~Insert Thanksgiving/Winter/Spring/Summer breaks~~ breaks, such as ELOP days during such breaks, accrue vacation hours at 3.33 hours per pay period up to 73.26 hours of vacation time per year. Vacation accrues on an as-worked basis. Therefore, employees who only work 11 months will only accrue during those 11 months. Vacation will not accrue during any unpaid leave of absence. Vacation time can accrue up to a maximum cap of 1.5 times the annual accrual maximum, which is 109.89 hours of vacation time. Once the 109.89 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 109.89 hours, then vacation will begin to accrue again. No vacation time will be earned for

the period in which the employee's vacation time was at the maximum. 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.

- 
- ~~Who~~ are not scheduled to work during insert Thanksgiving/Winter/Spring/Summer breaks, ~~do~~ not accrue vacation hours.
- 

**12-month Employees:**

Some twelve (12) month employees accrue vacation according to position as follows:

- **Site Leaders (Principals and Deans):** Do not accrue vacation. They will ~~receive~~ have two (2) weeks of paid AMPS non-workdays in July.
- **School Site and Home Office regular full-time staff** (as defined in this Handbook): Begin to earn and accrue vacation starting on the first day of employment at a rate of **3.33 hours per pay period up to 80 hours of vacation time per year**. Vacation time can accrue up to a maximum cap of 1.5 times the annual accrual maximum, which is 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. No vacation time will be earned for the period in which the employee's vacation time was at the maximum. 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.

All employees must have supervisory approval before taking vacation, by submitting a request through Paylocity at least two weeks prior to the date(s) requested. Failure to submit this request 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 AMPS will attempt to accommodate vacation requests to the greatest extent possible, there is no guarantee that any given vacation request will be granted, and AMPS reserves the right to deny a vacation request based on operational needs of AMPS. AMPS 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.

For both exempt and non-exempt employees, vacation time may be taken in minimum increments of one hour. If an exempt employee absents themselves from work for part or all of a workday, they will be required to use accrued vacation to make up for the absence.

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.

**Mandatory Cash-Out Policy**

To ensure continued accrual eligibility and to prevent loss of vacation accrual opportunities, AMPS will automatically and mandatorily cash out the equivalent of one week (40 hours) of accrued and unused vacation time when an eligible employee reaches the maximum cap. The cash-out will be paid at the employee's current straight rate of pay and will be included in the employee's regular paycheck or the next administratively feasible payroll cycle. The employee's vacation balance will be reduced by the number of hours paid out, allowing the employee to resume accruing vacation time, subject to the same

[accrual cap.](#)

[By way of example, a 12-month Home Office regular full-time staff member would be paid out one week's vacation upon accruing the maximum cap of 120 hours of vacation, at which point the balance would be reduced to 80 hours, and they would resume accruing vacation.](#)

[This cash-out is mandatory and automatic. Employees may not defer or decline the payout.](#)

As with all of its policies and procedures, AMPS 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**

Paid sick leave is available to all School employees who work for the School for more than thirty (30) days within a year [in California](#) and/or who work at least two (2) hours within a week within the City of Oakland. AMPS employees will accrue hours per pay period worked as described below. [Mid-year hires will receive a prorated allowance of Paid Sick Leave based on their start date, rounded to the nearest whole day.](#)

Sick time may be used in one (1) hour increments. Accrued sick leave carries over from year to year, [subject to the maximum accrual outlined below](#). Sick leave is subject to an accrual cap of 160 hours. Once this cap is reached, no further sick leave will accrue until some is used. When sick leave is used, sick leave will begin to accrue again. There is no retroactive grant of sick leave for the period of time the accrued sick leave was at the cap.

- Full-Time Employees will accrue 4 hours of sick leave per pay period worked [beginning on the first day of employment](#). For example, 10-Month Employees will accrue 80 hours of sick leave, 11-Month employees will accrue 88 hours of sick leave and 12-Month Employees will accrue 96 hours of sick leave per year with a cap of 160 hours.
- Part-Time Employees will accrue 2 hours of sick leave per pay period worked, [beginning on the first day of employment](#). For Example, 10-Month Part-Time Employees will accrue 40 hours of sick leave, 11-Month Part-Time Employees will accrue 44 hours of sick leave and 12-Month Part-Time Employees will accrue 48 hours of sick leave per year with a cap of 160 hours.

[Accrual for non-exempt employees will be calculated based on actual hours worked. Accrual of paid sick leave for eligible exempt employees will be calculated based on a 40-hour workweek or the employee's normal workweek if the employee normally works less than 40 hours. Paid sick leave accrues on an as-worked basis and does not accrue during any non-working time or unpaid leave of absence.](#)

AMPS will not compensate an employee for unused paid sick days upon termination, resignation, retirement, or other separation from employment. However, if an employee separates from AMPS and is rehired by AMPS 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. [Employees returning to AMPS more than 12 months after separation of employment will be treated as a new employee for purposes of paid sick leave.](#)

[Eligible employees may use their accrued paid sick leave to take paid time off for the diagnosis, care, or](#)

treatment of an existing health condition of (or preventative care for) the employee or the employee's family member.

For purposes of this policy, "family member" means a child, parent, spouse, registered domestic partner, grandparent, grandchild, sibling of the employee, or a designated person. "Child" means a biological child, a foster child, an adopted child, a step-child, a child of a registered domestic partner, a legal ward, or a child of a person standing in loco parentis. "Parent" means a biological, foster, or adoptive parent, a step-parent, or a legal guardian of the employee or the employee's spouse or registered domestic partner. "Spouse" means a legal spouse, as defined by California law. "Designated person" means a person identified by the employee at the time the employee requests paid sick days. Only one individual may be a "designated person" per 12-month period.

Employees may also use their paid sick leave to take time off from work for reasons related to being a victim of certain crimes, including a Qualifying Act of Violence (as defined by applicable law), and for any other reason permitted by law. Sick leave may be taken to receive preventive care (including annual physicals or flu shots) or to diagnose, treat, or care for an existing health condition. Employees may also use sick leave to assist a family member (i.e., 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 (i.e., one who is related to the employee by blood or whose association with the employee is the equivalent of a family relationship) who must receive preventative care or a diagnosis, treatment, or care for an existing health condition. Employees are limited to one (1) designated person per twelve (12) month period. There is a window of ten (10) work days for the employee to make this designation. Thereafter, the opportunity to make such a designation, including the opportunity to change such a designation previously made, shall be extended to the employee on an annual basis, with a window of ten (10) work days for the employee to make the designation. Employees may also take paid sick leave to receive medical care or other assistance to address instances of domestic violence, sexual assault, or stalking. Sick leave will be paid at the regular rate of pay for nonexempt employees.

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 family members 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.

AMPS 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. ~~e~~Employees out on sick leave for more than five (5) consecutive work days ~~will~~ may be required requested to discuss leave of absence options with Human Resources.

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

AMPS 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.

[Certain counties in California have other paid sick leave ordinances or requirements that may apply to you. Contact Human Resources for more information regarding a local paid sick leave ordinance that may apply to you.](#)

**D. Unpaid Leave of Absence (Medical)**

On occasion, an employee may need a medical leave of absence that extends beyond limits under [applicable any](#) state or federal mandatory leave laws. In addition, there may be circumstances when an employee needs a medical leave allowed under disability laws ~~-, but is not eligible to receive them and in accordance with this policy.~~ In these situations, a medical leave of absence [without pay](#) may be granted ~~to accommodate employees with qualifying disabilities for disabilities~~ based upon a health care provider's written certification of a qualifying disability, unless such leave would cause an undue hardship [to AMPS](#). Such disability leaves will be considered on a case-by-case basis, consistent with AMPS's obligations under federal and state disability laws. Employees should request any leave in writing as far in advance as possible. Approved absences of less than two weeks are not treated as medical leaves of absences but rather as excused absences without pay.

[Employees will be required to use any accrued vacation and paid sick leave during any unpaid portion of this leave.](#) 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, AMPS 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.

A medical leave begins on the first day your doctor certifies that you are unable to work. AMPS will require medical documentation from your healthcare provider showing the date you became disabled and the anticipated date you will be able to return to work. An employee returning from a medical disability leave must [generally](#) present a doctor's certificate declaring fitness to return to work.

Upon return from medical leave, you will be offered the same position you held at the time your leave began, if available and/or as required by law. If your former position is not available, a comparable position will be offered. If neither the same nor a comparable position is available, your return to work will depend on job openings existing at the time of your scheduled return. AMPS will comply with any [applicable](#) reinstatement obligations under state or federal law.

Disability leaves under this section are unpaid. Employees on leave due to a medical condition or disability may be eligible to receive state disability compensation through State Disability Insurance (SDI) or Paid Family Leave (PFL). In both instances, employees must directly contact the California Employment Development Department (EDD).

**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, AMPS 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 before taking an unpaid discretionary leave of absence. Unless otherwise required by law, AMPS 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. Reproductive Rights, Leave, and Accommodations Policy – California (For School Employees)**

Amethod is committed to supporting the health, safety, and well-being of all employees, including their reproductive health choices. In accordance with California law—including the Fair Employment and Housing Act (FEHA), the California Family Rights Act (CFRA), Pregnancy Disability Leave (PDL) law, and Education Code requirements—Amethod provides protections and accommodations related to reproductive health, pregnancy, childbirth, and related conditions.

This policy applies to all employees, including credentialed teachers, classified staff, administrators, substitutes, and part-time employees.

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*Reproductive Health Privacy and Non-Discrimination*

All employees have the right to make personal decisions regarding reproductive health care, including but not limited to:

- Contraception
- Fertility treatments
- Abortion and post-abortion care
- Miscarriage and related conditions
- Family planning

Discrimination, retaliation, or harassment based on an employee's reproductive health decisions or status is strictly prohibited.

Eligible employees who suffer a reproductive loss may take up to five days of unpaid leave. To be eligible, an employee must have worked for the School for at least 30 days before the start of the leave. The employee need not take the five days consecutively, but the leave must be completed within three months after the reproductive loss event unless the employee is already on or chooses to go on any other leave provided under federal or state law either before or immediately after the reproductive loss event.

For purposes of this policy, a reproductive loss event is defined as:

- Failed adoption, which applies to an employee who would have been a parent of the adoptee;
- Failed surrogacy, including failed embryo transfer to the surrogate, which applies to an employee who would have been a parent of a child born;
- Miscarriage by an employee, by the employee's current spouse or domestic partner, or by another individual if the employee would have been a parent of a child born;
- Stillbirth resulting from an employee's pregnancy, the pregnancy of an employee's current spouse or domestic partner, or another individual, if the employee would have been a parent of a child born; and
- Unsuccessful assisted reproduction through artificial insemination or an embryo transfer, including gamete and embryo donation, which applies to an employee, the employee's current spouse

[or domestic partner, or another individual, if the employee would have been a parent of a child born.](#)

[If a reproductive loss event spans multiple days, it is considered to have occurred on the final day on which some part of the event took place. Employees may request leave for multiple reproductive loss events in a single year up to a maximum of 20 days of leave within a 12-month period. Employees may choose to use vacation or sick leave in conjunction with this leave.](#)

[The School will not retaliate against an employee for exercising the employee's right to leave under this Policy.](#)

#### **G. Family and Medical Leave Act (FMLA) & California Family Rights Act (CFRA)**

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

##### *Employee Eligibility Criteria*

To be eligible for FMLA/CFRA leave, the employee must have been employed by the School for a total of at least twelve (12) months [\(not necessarily consecutive\) over the preceding seven years,<sup>1</sup>](#) worked at least 1,250 hours during the twelve (12) month period immediately preceding commencement of the leave, and work at a location where the School has at least fifty (50) employees within seventy-five (75) miles, [\(except the last requirement does not apply for purposes of CFRA where the School must only have at least five \(5\) employees but the employee must be employed within the State of California\).](#)

##### *Events That May Entitle an Employee To FMLA/CFRA Leave*

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

1. To care for the employee's newborn child [\(and the birth of a child under FMLA only\)](#) or a child placed with the employee for adoption or foster care [\(i.e., baby bonding\)](#). Leaves for this purpose must conclude twelve (12) months after the birth, adoption, or placement. If both parents are employed by the School, they each will be entitled to a separate twelve (12) weeks of leave for this purpose, which cannot be loaned or otherwise assigned from one employee to the other.
2. Because of the employee's own serious health condition (including a serious health condition resulting from an on-the-job illness or injury) that makes the employee unable to perform any one or more of the essential functions of [his or her](#) their job [\(For FMLA leave only, a serious health condition also includes a disability caused by pregnancy, childbirth, or related medical conditions, which runs concurrently with the School's separate pregnancy disability leave policy other than a disability caused by pregnancy, childbirth, or related medical conditions, which is covered by the School's separate pregnancy disability policy\)](#).
  - a. A "serious health condition" is an illness, injury (including, but not limited to, on-the-job injuries), impairment, or physical or mental condition of the employee or a child, parent, or spouse of the employee that involves either inpatient care or continuing treatment, including, but not limited to, treatment for substance abuse.
  - b. "Inpatient care" means a stay in a hospital, hospice, or residential health care facility, any subsequent treatment in connection with such inpatient care, or any period of incapacity. A person is considered an "inpatient" when a health care facility formally

<sup>1</sup> [Unless the break in service was occasioned by the employee taking leave pursuant to USERRA.](#)

- admits him/her to the facility with the expectation that he/she will remain at least overnight and occupy a bed, even if it later develops that such person can be discharged or transferred to another facility and does not actually remain overnight.
- c. "Incapacity" means the inability to work, attend school, or perform other regular daily activities due to a serious health condition, its treatment, or the recovery that it requires.
  - d. "Continuing treatment" means ongoing medical treatment or supervision by a health care provider.
3. To care for a spouse, ~~domestic partner~~, child, or parent<sup>2</sup> with a serious health condition. A qualifying family member ~~may~~ also includes a [registered domestic partner](#), parent-in-law, grandparent, grandchild, sibling, or designated person for CFRA purposes. "Designated person" refers to any individual related by blood or whose association with the employee is the equivalent to a family relationship ([only one individual may be a "designated person" per 12-month period](#)).
  4. [\(FMLA Only\)](#) When an employee is providing care to a spouse, ~~son, daughter~~child, parent, or next of kin who is a covered Armed Forces service member with a serious injury or illness, the employee may take a maximum of twenty-six (26) weeks of additional FMLA leave in a single twelve (12) month period to provide said care. CFRA does not provide leave specific to caring for a service member.
  5. For any "qualifying exigency" because the employee is the spouse, ~~son, daughter~~child, or parent of an individual on active military duty, or an individual notified of an impending call or order to active duty, in the Armed Forces. For CFRA purposes, this may also include a [registered](#) domestic partner.

#### *Amount of FMLA/CFRA Leave Which May Be Taken*

FMLA/CFRA leave can be taken in one (1) or more periods, but may not exceed twelve (12) workweeks total for any purpose in any twelve (12) month period, as described below, for any one, or combination of the above-described situations. "Twelve workweeks" means the equivalent of twelve (12) of the employee's normally scheduled workweeks. For a full-time employee who works five (5) eight-hour days per week, "twelve workweeks" means sixty (60) working and/or paid eight (8) hour days.

In addition to the twelve (12) workweeks of FMLA/CFRA leave that may be taken, an employee who is the spouse, ~~son, daughter~~child, parent, or next of kin of a covered Armed Forces service member may also be entitled to a total of twenty-six (26) workweeks of FMLA leave during a twelve (12) month period to care for the servicemember.

The "twelve month period" in which twelve (12) weeks of FMLA and CFRA leave may be taken is the twelve (12) month period immediately preceding the commencement of any FMLA/CFRA leave.

If a holiday falls within a week taken as FMLA/CFRA leave, the week is nevertheless counted as a week of FMLA/CFRA leave. If, however, the School's business activity has temporarily ceased for some reason and employees are generally not expected to report for work for one or more weeks, such as the Winter Break, Spring Break, or Summer Vacation, the days the School's activities have ceased do not count against the employee's FMLA or CFRA leave entitlement. Similarly, if an employee uses FMLA/CFRA leave in increments of less than one (1) week, the fact that a holiday may occur within a week in which an employee partially takes leave does not count against the employee's leave entitlement unless the employee was otherwise scheduled and expected to work during the holiday.

<sup>2</sup> [For purposes of FMLA only, the term "parent" does not extend to parents-in-law. Further, for purposes of FMLA only, a child does not refer to a child who is over 18 years of age \(unless they are incapable of self-care because of a medical or physical disability\) nor does it include the child of a registered domestic partner unless the employee stands in loco parentis to the child.](#)

#### *Pay during FMLA/CFRA Leave*

An employee on FMLA/CFRA leave because of [their/his/her](#) own serious health condition must use all accrued paid sick leave at the beginning of any otherwise unpaid FMLA/CFRA leave period. If an employee is receiving a partial wage replacement benefit during the FMLA/CFRA leave ([such as California's State Disability Insurance plan or Paid Family Leave program](#)) or [workers' compensation insurance plan](#)), the School and the employee may agree to have School-provided paid leave, such as vacation or sick time, supplement the partial wage replacement benefit unless otherwise prohibited by law.

An employee on FMLA/CFRA leave [in connection with the birth \(including baby bonding\), adoption or foster care of a child, for baby bonding](#) or to care for a qualifying family member with a serious health condition may use any or all accrued sick leave at the beginning of any otherwise unpaid FMLA/CFRA leave.

If an employee has exhausted [his/her/their](#) sick leave, leave taken under FMLA/CFRA shall be unpaid leave.

The receipt of sick leave pay or State Disability Insurance benefits will not extend the length of the FMLA or CFRA leave. ~~Sick pay accrues during any period of unpaid FMLA or CFRA leave only until the end of the month in which unpaid leave began.~~

[You will be required to use any accrued vacation during unpaid family and medical leave unless you are eligible for and applying for Paid Family Leave benefits provided by the State of California.](#)

#### *Health Benefits*

[Benefit accrual, such as vacation, paid sick leave, and holiday benefits, will be suspended during the approved leave period and will resume upon return to active employment \(except that paid sick leave accrues during any period of unpaid FMLA or CFRA leave only until the end of the month in which unpaid leave began\).](#)

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

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

AMPS may recover the health benefit costs paid on behalf of an employee during [his/her/their](#) FMLA/CFRA leave if:

1. The employee fails to return from leave after the period of leave to which the employee is entitled has expired. An employee is deemed to have "failed to return from leave" if [he/she/they](#) works less than thirty (30) days after returning from FMLA/CFRA leave; and
2. The employee's failure to return from leave is for a reason other than the continuation, recurrence, or onset of a serious health condition that entitles the employee to FMLA/CFRA leave, or other circumstances beyond the control of the employee.

In circumstances where an employee is eligible for FMLA/CFRA leave but declines to have the leave designated as such, AMPS will not continue to pay the employer's portion of health insurance premiums during the period of leave, subject to the terms and conditions of the applicable health plan(s). In such cases, the employee may elect to continue health coverage at their own expense through COBRA, if eligible, in accordance with federal and state COBRA laws.

#### *Seniority*

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

#### *Medical Certifications*

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

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

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

Recertifications are required if leave is sought after expiration of the time estimated by the health care provider. Failure to submit required recertifications can result in termination of the leave.

#### *Procedures for Requesting and Scheduling FMLA/CFRA Leave*

An employee should request FMLA/CFRA leave by completing a Request for Leave form and submitting it to Human Resources at [hrsupport@amethodschools.org](mailto:hrsupport@amethodschools.org). An employee asking for a Request for Leave form will be given a copy of the School's then-current FMLA/CFRA leave policy.

Employees should provide not less than thirty (30) days' notice for foreseeable childbirth, placement, or any planned medical treatment for the employee or ~~his/her/their~~ qualifying family member. Failure to provide such notice ~~is~~ may be grounds for denial of a leave request, except if the need for FMLA/CFRA leave was an emergency or was otherwise unforeseeable.

Where possible, employees must make a reasonable effort to schedule foreseeable planned medical treatments so as not to unduly disrupt the School's operations.

If FMLA/CFRA leave is taken because of the employee's own serious health condition or the serious health condition of the employee's qualifying family member, the leave may be taken intermittently or on a reduced leave schedule when medically necessary, as determined by the health care provider of the person with the serious health condition.

If FMLA/CFRA leave is taken because of the birth of the employee's child or the placement of a child with

the employee for adoption or foster care, the minimum duration of leave is two (2) weeks, except that the School will grant a request for FMLA/CFRA leave for this purpose of at least one day but less than two (2) weeks' duration on any two (2) occasions.

If an employee needs intermittent leave or leave on a reduced leave schedule that is foreseeable based on planned medical treatment for the employee or a family member, the employee may be transferred temporarily to an available alternative position for which ~~he or she is~~they are qualified that has equivalent pay and benefits and that better accommodates recurring periods of leave than the employee's regular position.

The School will respond to an FMLA/CFRA leave request no later than five (5) business days of receiving the request. If an FMLA/CFRA leave request is granted, the School will notify the employee in writing that the leave will be counted against the employee's FMLA/CFRA leave entitlement. This notice will explain the employee's obligations and the consequences of failing to satisfy them.

#### *Return to Work*

Upon timely return at the expiration of the FMLA/CFRA leave period, an employee is entitled to the same or a comparable position with the same or similar duties and virtually identical pay, benefits, and other terms and conditions of employment unless the same position and any comparable position(s) have ceased to exist because of legitimate business reasons unrelated to the employee's FMLA/CFRA leave. [In certain circumstances under FMLA leave only, "key" employees may not be eligible for reinstatement following a family and medical leave. AMPS will provide written notice to any "key" employee who is not eligible for reinstatement.](#)

When a request for FMLA/CFRA leave is granted to an employee, the School will give the employee a written guarantee of reinstatement at the termination of the leave (with the limitations explained above).

Before an employee will be permitted to return from FMLA/CFRA leave taken because of ~~his/her~~their own serious health condition, the employee must obtain a certification from ~~his/her~~their health care provider that ~~he/she is~~they are able to resume work.

If an employee can return to work with limitations, the School will evaluate those limitations and, if possible, will accommodate the employee as required by law. If accommodation cannot be made, the employee ~~will~~ ~~may~~ be ~~medically~~ separated from the School, [to the extent permitted by law.](#)

[If an employee does not return to work on the first workday following the expiration of an approved FMLA/CFRA leave, they will generally be deemed to have resigned from employment.](#)

#### *Employment during Leave*

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

#### **H. Pregnancy Disability Leave**

Any employee who is disabled by pregnancy, childbirth, or a related medical condition is eligible for a Pregnancy Disability Leave of Absence. There is no length of service requirement.

For purposes of this policy, you are disabled when, in the opinion of your healthcare provider, you cannot work at all or are unable to perform any one or more of the essential functions of your job or to perform them without undue risk to yourself, the successful completion of your pregnancy, or to other persons as determined by a healthcare provider. This term also applies to certain pregnancy-related conditions, such as severe morning sickness or if you need to take time off for prenatal or postnatal care, bed rest, postpartum depression, and the loss or end of pregnancy (among other pregnancy-related conditions that are considered to be disabling).

#### *Reasonable Accommodation for Pregnancy-Related Disabilities*

Any employee who is affected by pregnancy may also be eligible for a temporary transfer or another accommodation. There is no length of service requirement. ~~You are affected by pregnancy if~~ you are pregnant or have a related medical condition, and because of pregnancy, and your health care provider has certified that it is medically advisable for you to temporarily transfer or to receive some other accommodation.

AMPS will provide a temporary transfer to a less strenuous or hazardous position or duties or other accommodation to an employee affected by pregnancy if:

1. She requests a transfer or other accommodation; and
2. The request is based upon the certification of her health care provider as "medically advisable"; and
3. The transfer or other requested accommodation can be reasonably accommodated pursuant to applicable law.

[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.](#)

As part of this accommodation process, no additional position will be created and AMPS will not discharge another employee, transfer another employee with more seniority, or promote or transfer any employee who is not qualified to perform the new job.

#### *Advance Notice and Medical Certification*

To be approved for a pregnancy disability leave of absence, a temporary transfer or other reasonable accommodation, you must:

1. Provide 30 days' advance notice before the leave of absence, transfer or reasonable accommodation is to begin, if the need is foreseeable;
2. Provide as much notice as is practicable before the leave, transfer or reasonable accommodation when 30 days' notice is not foreseeable; and
3. Provide a signed medical certification from your healthcare provider that states that you are disabled due to pregnancy or that it is medically advisable for you to be temporarily transferred or to receive some other requested accommodation.
4. AMPS may require you to provide a new certification if you request an extension of time for your leave, transfer or other requested accommodation.

#### *Duration*

AMPS will provide you with a Pregnancy Disability Leave of Absence for the duration of your pregnancy-related disability for up to four (4) months [\(or 17 1/3 weeks or 693 hours\) per pregnancy](#). This leave may be taken intermittently or on a continuous basis, as certified by your healthcare provider. The four months of leave available to an employee due to her pregnancy related disability is defined as the number of days (and hours) the employee would normally work within four calendar months or 17.33 workweeks.

Any temporary transfer or other reasonable accommodation provided to an employee affected by pregnancy will not reduce the amount of Pregnancy Disability Leave time the employee has available to her unless the temporary transfer or other reasonable accommodation involves a reduced work schedule or intermittent absences from work.

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

#### *Reinstatement*

If you and AMPS have agreed upon a definite date of return from your leave of absence or transfer, you will be reinstated on that date if you notify AMPS that you are able to return on that date. If the length of the leave of absence or transfer has not been established, or if it differs from the original agreement, you will be returned to work within two (2) business days, where feasible, after you notify AMPS of your readiness to return.

Before you will be allowed to return to work in your regular job following a leave of absence or transfer, you must provide Human Resources with a certification from your healthcare provider that you can perform safely all of the essential duties of your position, with or without reasonable accommodation. If you do not provide such a release prior to or upon reporting for work, you will be sent home until a release is provided. Any time you are not allowed to work due to not having provided the required release will be unpaid.

You will be returned to the same or a comparable position upon the conclusion of your leave of absence or transfer. If the same position is not available on your scheduled return date, AMPS will provide you with a comparable position on your scheduled return date or within 60 calendar days of that return date. However, you will not be entitled to any greater right to reinstatement than if you had not taken the leave. For example, you would have been laid off regardless of the leave, or you would not have been offered a comparable position, then the employee will not be entitled to reinstatement.

When a request for pregnancy disability leave is granted to an employee, the School will give the employee a written guarantee of reinstatement at the end of the leave (with the limitations explained above). If the employee can return with limitations, the School will evaluate those limitations, and if possible, will accommodate the employee as required by law. If the accommodation cannot be made, the employee will be medically separated from the School.

Failure to return to work at the conclusion of the leave of absence may result in termination of employment, unless you are taking additional leave provided by law or AMPS policy or AMPS has otherwise approved you to take additional time off.

#### *Pay During Leave and Integration with Other Benefits*

Pregnancy Disability Leaves of Absence and accommodations that require you to work a reduced work schedule or to take time off from work intermittently are unpaid. You may elect to use accrued sick leave and/or accrued vacation benefits during the unpaid leave of absence, ~~as regulations allow to the extent permitted by law~~. However, use of paid time off will not extend the available leave of absence time. Vacation and sick leave hours will not accrue during any unpaid portion of the leave of absence, and you



will not receive pay for official holidays that are observed during your leave of absence except during those periods when you are substituting vacation or sick leave for unpaid leave.

Employees ~~should~~ may apply for California State Disability insurance ("SDI") benefits. SDI forms are available from AMPS or your healthcare provider. Any SDI for which you are eligible will be integrated with accrued vacation, sick leave, or other paid time off benefits so that you do not receive more than 100% of your regular pay.

#### *Health Benefits*

AMPS will maintain an employee's health insurance benefits during an employee's Pregnancy Disability Leave for a period of up to four months, as defined above, on the same terms as they were provided prior to the leave time. - [You must continue to pay your share of applicable premiums \(for yourself and any dependents\) during the leave](#) If you take additional time off following a Pregnancy Disability Leave that qualifies as California Family Rights Act ("CFRA") leave, AMPS will continue your health insurance benefits for up to a maximum of 12 work weeks in a 12-month period.

**EXAMPLE:** You take 17.33 workweeks off due to a pregnancy disability. Assuming you are eligible for FMLA and CFRA leave, your Pregnancy Disability Leave will also be concurrently covered by FMLA and your group health insurance coverage would continue for the entire 17.33 workweek period. If, after your pregnancy disability leave and FMLA Leave, has been completed, you wish to take 12 additional weeks off from work to bond with a new baby under CFRA, the School will continue your health insurance benefits for the 12 workweek period.

AMPS may recover premiums that it already paid on behalf of an employee if both of the following conditions are met:

1. The employee fails to return from leave after the designated leave period expires.
2. The employee's failure to return from leave is for a reason other than the following:
  - a. The employee is taking a leave of absence under the CFRA.
  - b. There is a continuation, reoccurrence, or onset of a health condition that entitles the employee to pregnancy disability leave.
  - c. There is a non-pregnancy related medical condition requiring further leave.
  - d. Any other circumstances beyond the control of the employee.

#### *Seniority*

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

#### **I. Military and Military Spousal Leave of Absence**

Both state and federal law provide employees with the right to take leave in order to serve in the military. At the federal level, military leave rights are governed by the Uniformed Services Employment and Reemployment Rights Act, commonly referred to as USERRA. This policy discusses military leave under USERRA. Further, if you are a spouse or registered domestic partner of a member of the military, you may be entitled to an unpaid leave during a period of military conflict. For information on military leave, contact Human Resources.

### *Eligibility for Military Leave*

AMPS provides unpaid military leaves of absence to employees who serve in the uniformed services as required by USERRA and applicable state laws. The uniformed services include the Army, Navy, Marine Corps, Air Force, Coast Guard, Army National Guard, Air National Guard, Commissioned Corps of the Public Health Service and any other category of persons designated by the President of the United States in time of war or emergency.

Service consists of the performance of any of the following on a voluntary or involuntary basis: active duty, active duty for training, initial active duty, inactive duty training, full-time National Guard duty and absence from work for an examination to determine fitness for such duty. Total military leave time may not exceed five years during employment, except in special circumstances.

### *Notice of Military Leave*

When an employee receives orders for any active military duty (including any call to active duty), the employee must advise ~~his or her~~their manager or Human Resources immediately of the pending absence, unless military necessity requires otherwise or if providing notification would be impossible or unreasonable. In such an event, the employee must advise ~~his/her~~their manager or Human Resources of the need for military leave as soon as possible after becoming aware of the need for the leave.

Accrued vacation time will be paid during military leave at your request. Employees on military leave may elect to continue their health plan coverage at their own expense for up to 24 months or during the period of service, whichever is shorter.

### *Reinstatement from Military Leave*

~~Except for employees serving in the National Guard,~~ AMPS will reinstate ~~those~~ employees returning from military leave to their same position or one of comparable seniority, status, and pay if they have a certificate of satisfactory completion of service and apply within the timelines noted below, as required by law. For those employees serving less than 180 days in the National Guard, if ~~he or she~~they left a full-time position, the employee must apply for reemployment within forty (40) days of being released from active duty, and if ~~he or she~~they left part-time employment, the employee must apply for reemployment within five (5) days of being released from active duty.

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

Employees who are absent from work 30 days or less or who are absent to take a fitness exam must report to work at the beginning of the first regularly scheduled work day falling 8 hours or more after the employee returns home. If the employee serves 31 to 180 days, ~~he or she~~they must apply for reemployment within 14 days after completing service. If the employee has served 181 days or more, ~~he or she~~they must apply for reemployment within 90 days after completing service.

As with other leaves of absence, failure to return to work or to reapply within applicable time limits may result in loss of reemployment rights. Temporary employees who were hired into a temporary position that had no reasonable expectation of continuing indefinitely may not be eligible for reinstatement following military leave and reinstatement may not be required for other employees in some circumstances. Full details regarding reinstatement are available from Human Resources.

In general, an employee returning from military leave will be reemployed in the position and seniority level that the employee would have attained had there been no military leave of absence. If necessary, AMPS will provide training to assist the employee in the transition back to the workforce.

An employee returning from military leave is entitled to any unused, accrued vacation benefits the employee had at the time the military leave began. Upon reinstatement, the employee will accrue vacation benefits at the rate ~~he or she~~ they would have attained if no military leave had been taken. [Time spent on military leave counts for purposes of determining "length of service." However, employees will not accrue vacation or sick leave or receive holiday pay during military leave.](#) USERRA supersedes state laws that limit or condition its rights or benefits; however, it does not displace state laws that provide greater rights. Please contact Human Resources for further details.

Employees in California who serve in the military are entitled to the rights and protections set forth in the California Military and Veteran's Code. Among other things, the Code prohibits discrimination against members of the military or naval services of the state or the United States, and grants members of the National Guard or U.S. Reserve a temporary leave of absence while engaged in military duty ordered for purposes of military training, drills, encampment, naval cruises, and special exercises or like activities. This leave is not to exceed 17 calendar days annually.

#### *Family Military Leave California*

Employees who work more than twenty (20) hours per week and who are the spouses/registered domestic partners of certain military personnel may receive up to ten (10) days of unpaid leave during a qualified leave period. For purposes of this policy, a "qualified leave period" means the period during which the individual is on leave from deployment during a period of military conflict. An employee is eligible for leave under this policy if he or she:

1. Is the spouse/ registered domestic partner of a person who: (a) is a member of the Armed Forces of the United States who has been deployed during a period of military conflict to an area designated as a combat theater or combat zone by the President of the United States, or (b) is a member of the National Guard or of the Reserves who has been deployed during a period of military conflict;
2. Provides notice of [his or her](#) their intention to take leave within two business days of receiving notice that [his or her](#) their spouse will be on leave from deployment; and
3. Submits written documentation certifying that their spouse will be on leave from deployment during the time the leave is requested.
4. Military conflict means either a period of war declared by the United States Congress, or a period of deployment for which a member of a reserve component is ordered to active duty either by the Governor or the President of the United States.
5. Leave taken under this policy will not affect an employee's right to any other benefits. AMPS will not discriminate against, or tolerate discrimination against, any employee who requests and/or takes leave under this policy. For more information, please contact your supervisor or the Human Resources Department.

[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 their vacation bank, if any. Exempt employees will receive their regular pay only if required by applicable law. Employees who need time off to participate in a qualifying event resulting from a family member's deployment to a foreign country may be eligible for Paid Family Leave benefits.](#)

#### **J. 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 AMPS or the employee may request an excuse from jury/witness duty if, in AMPS' 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/their](#) employment with AMPS, AMPS will provide time off with pay.

#### **K. Time-Off for Voting**

AMPS 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 AMPS 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 (2) 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/their](#) mail (absentee) ballot to work, including mailing such absentee ballot from work.

#### **L. 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/they](#) 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.

#### **M. 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 a letter, which requests the employee's appearance at their child's school, to [his or her/their](#) 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.

#### **N. 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, or , 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

#### **A.O. Leave for Victims of Qualifying Acts of Violence Crime and Abuse**

##### Right to Time Off

If you are the victim of a Qualifying Act of Violence, you are permitted to be absent from work to seek relief related to the QAV.

A QAV is defined as: domestic violence, sexual assault, stalking, or any act, conduct, or pattern of conduct that includes (i) bodily injury or death to another; (ii) brandishing, exhibiting, or drawing a firearm or other dangerous weapon; or (iii) a perceived or actual threat to use force against another to cause physical injury or death.

You will not be retaliated or discriminated against for participating in the legal process. Specifically, you will not be discriminated against in any manner for any of the following:

- taking time off to serve as required by law on an inquest jury or trial jury, so long as the employee gives reasonable advance notice to the employer;
- taking time off to appear in court to comply with a subpoena or other court order as a witness in any judicial proceeding; or
- taking time off to obtain or attempt to obtain a restraining order or other injunctive relief, to help ensure the health, safety, or welfare of the employee or their child where the employee is a victim of a QAV.

You will also not be discriminated or retaliated against because of your, or your family member's, status as a victim of a QAV. "Family member" is defined to include: a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner (as those terms are defined under the CFRA); or a designated person, who does not need to be a blood relative, so long as their association with the employee is the equivalent of a family relationship. An employee may identify a "designated person" at the time they request leave, but the employer may limit an employee to one designated person per 12-month period.

If you are (or have a family member who is) a victim of a QAV, you may take time off from work for any of the following purposes related to that QAV:

- obtaining or attempting to obtain relief, such as a restraining order or other injunctive relief;
- seeking or obtaining medical attention for or to recover from injuries;
- seeking or obtaining services from a domestic violence shelter or similar victim services organization;
- seeking or obtaining psychological counseling or other mental health services;

- [participating in safety planning;](#)
- [relocating or engaging in the process of securing a new residence, including temporary or permanent housing or enrolling children in a new school;](#)
- [providing care to a family member who is recovering from injuries;](#)
- [seeking or obtaining civil or criminal legal services;](#)
- [preparing for, participating in, or attending any civil, administrative, or criminal legal proceeding;](#)  
[or](#)
- [seeking, obtaining, or providing childcare or care to a care-dependent adult if necessary to ensure the safety of the child or dependent adult.](#)

[You are permitted to take leave for these purposes whether or not any person is arrested for, prosecuted for, or convicted of committing the crime.](#)

[There is a limit on total leave time taken under this policy. If the employee is the victim of the QAV, the total leave time is limited to 12 weeks. If the employee's family member is the victim of the QAV, the leave time taken to assist in relocation purposes is limited to 5 days and the total leave is limited to 10 days. However, the total leave time taken will not be fewer than 12 weeks if the victim is deceased as result of the QAV. This leave runs concurrently with any leave under the CFRA and the FMLA and does not provide an employee with a right to leave that exceeds that provided under the FMLA. Employees may use available vacation \(if applicable\) or accrued PSL. Otherwise, the time off is unpaid.](#)

[In general, employees are not required to provide documentation for time off under this policy. However, employees shall provide reasonable advance notice of their intent to take time off, unless advance notice is not feasible. If employees are unable to provide advance notice for time off under this policy, they can provide certification of their absence \(such as a police report, court order, or health care provider certification, or other documentation that reasonably verifies that the crime or abuse occurred and your absence was for an authorized purpose\) within a reasonable time period thereafter. If employees provide reasonable advance notice or provide documentation within a reasonable time period thereafter for an unscheduled absence, they will not be subject to any disciplinary action for time off under this policy.](#)

#### [\*Right to Reasonable Accommodation for Victims of a QAV\*](#)

[The School will provide reasonable accommodations to any employee who is \(or who has a family member who is\) a victim of a QAV unless it would pose an undue hardship. Employees have the right to ask the School for help or changes in their workplace to make sure they are safe at work. The School shall engage in a timely, good faith, and interactive process with the employee to determine effective reasonable accommodations. In determining whether the accommodation is reasonable, the employer shall consider an exigent circumstance or danger facing the employee or their family member.](#)

[The School will work with its employees to see what changes can be made. Changes in the workplace may include, but are not limited to, 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.](#)

#### [\*Prohibition on Retaliation and Discrimination\*](#)

[The School is committed to ensuring employees are not treated differently or retaliated against because of any of the following:](#)

- [The employee is a victim, or has a family member who is a victim of a QAV.](#)
- [The employee asked for time off to get help.](#)
- [The employee asked the School for help or changes in the workplace to ensure safety at work.](#)

#### Right to File a Complaint

[If any employee believes that they have experienced retaliation or discrimination as a result of conduct protected by this policy, the employee may file a complaint with their supervisor and/or the Labor Commissioner's Office.](#)

[For more information, contact the Labor Commissioner's Office by phone at 213-897-6595 or visit a local office by finding the nearest one on its website: \[www.dir.ca.gov/dlse/DistrictOffices.htm\]\(http://www.dir.ca.gov/dlse/DistrictOffices.htm\). The Labor Commissioner's Office provides an interpreter at no cost to the employee, if needed. AMPS will not discharge or in any manner discriminate or retaliate against an employee who is a victim of crime or abuse. For purposes of this policy, "victim of crime or abuse" refers to \(A\) a victim of stalking, domestic violence, or sexual assault; \(B\) a victim of a crime \(regardless of whether any person is arrested for, prosecuted for, or convicted of, committing the crime\) that caused physical injury or that caused mental injury and a threat of physical injury; and \(C\) a person whose immediate family member is deceased as the direct result of a crime.](#)

[AMPS will permit a victim of crime or abuse to take time off from work to obtain any relief, including, but not limited to, a temporary restraining order, restraining order, or other injunctive relief to help ensure the health, safety, or welfare of the victim or his or her child. Additionally, AMPS will permit a victim of crime or abuse to take time off work for the following purposes:](#)

[To seek medical attention for injuries related to the crime or abuse.](#)

[To obtain services from a domestic violence shelter, program, rape crisis center, or victim services organization or agency as a result of the crime or abuse.](#)

[To obtain psychological counseling or mental health services related to an experience of crime or abuse.](#)

[To participate in safety planning and take other actions to increase safety from future crime or abuse, including temporary or permanent relocation.](#)

[In order to take time off, the employee must provide reasonable advance notice unless doing so is not feasible. When an unscheduled absence occurs, AMPS will not take any action against the employee if the employee provides proof explaining the reason for his or her absence within a reasonable time.](#)

[Additionally, employees who have been victims of serious or violent felonies, or felonies relating to theft or embezzlement, may take time off work to attend judicial proceedings related to the crime. Employees also may take time off if an immediate family member has been a victim of such crimes and the employee needs to attend judicial proceedings related to the crime.](#)

[To request leave under this policy, an employee should provide AMPS with as much advance notice as practicable under the circumstances. If advance notice is not possible, the employee requesting leave under this policy should provide AMPS one \(1\) of the following certifications upon returning back to work:](#)

[A police report indicating that the employee was a victim of domestic violence, sexual assault, or stalking.](#)

[A court order protecting the employee from the perpetrator or other evidence from the court or prosecuting attorney that the employee appeared in court.](#)

[Documentation from a licensed medical professional, domestic violence or sexual assault counselor, licensed health care provider, or counselor showing that the employee's absence was due to treatment for injuries or abuse from domestic violence, sexual assault, or stalking.](#)

[Any other form of documentation that reasonably verifies that the crime or abuse occurred, including but not limited to, a written statement signed by the employee, or an individual acting on the employee's behalf, certifying that the absence is for a purpose authorized under the law.](#)

[Employees may choose to use paid sick leave that is otherwise available to the employee when taking time off under this policy.](#)

~~A victim of crime or abuse may also request a reasonable accommodation for his or her safety while at work. AMPS will then engage in a timely, good faith, interactive process with the employee to determine effective reasonable accommodations. AMPS will consider any exigent circumstance or danger facing the employee to determine whether an accommodation is reasonable. If the accommodation is reasonable and will not impose an undue hardship, the School will make the accommodation. Reasonable accommodations may include putting in locks, changing the employee's shift or phone number, transferring or reassigning the employee, helping the employee to document instances of crime or abuse, implementing a safety procedure or another adjustment to a job structure, workplace facility, or work requirement, or referral to a victim assistance organization. The School will maintain as confidential any verbal or written statement, police or court record, or other documentation provided to the School identifying an employee as a victim of crime or abuse. Such information will not be disclosed by the School except as required by state or federal law or as necessary to protect the employee's safety in the workplace.~~

#### **Q.P. School Appearance and Activities 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 activities of a child's school or child care. You may take no more than eight (8) 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 ~~AMPS 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.

If both parents or guardians of a child work for AMPS, only one parent – the first to provide notice – may take the time off, unless AMPS approves both parents taking time off simultaneously.

#### **P.Q. Adult Literacy Leave**

AMPS will make good faith efforts to provide reasonable accommodations for any employee who reveals a literacy problem and requests that AMPS assist ~~him-them~~ in enrolling in an adult literacy program, unless it would create an undue hardship for AMPS.

AMPS will also assist employees who wish to seek literacy education training by providing employees with the location of local literacy programs.

AMPS will take reasonable steps to safeguard the privacy of any employee who identifies ~~him or herself~~themselves as an individual with a literacy problem. The employee can contact Human Resources.

~~An employee who is performing satisfactorily will not be subject to termination of employment because they have disclosed literacy problems.~~

While AMPS encourages employees to improve their literacy skills, AMPS will not reimburse employees for the costs incurred in attending a literacy program. AMPS also does not provide paid time off for participation in an adult literacy education. However, employees may utilize accrued vacation if they want compensation for this time off. If they do not have accrued vacation available, they will be permitted to take the time off without pay.

#### **Q.R. Alcohol and Drug Rehabilitation Leave**

AMPS encourages employees with drug or alcohol abuse problems to seek needed counseling and



treatment. Employees who are unable to find assistance may contact Human Resources to receive information about finding help. Any communications initiated by an employee and not as a result of a violation of this policy will be treated as confidentially as is possible.

AMPS will [make good faith efforts to](#) reasonably accommodate any employee who wishes to voluntarily enter and participate in an alcohol or drug rehabilitation program, provided that this reasonable accommodation will not impose an undue hardship for AMPS. Any such leave shall be unpaid except that, to the extent that employees have accrued ~~sick or~~ vacation they must use it. [You also may use accrued paid sick leave for the purpose of entering and participating in an alcohol or drug rehabilitation program. If you do not have accrued paid sick leave or vacation available, you will be permitted to take the time off without pay.](#) Sick or vacation will not accrue while an employee is on Rehabilitation leave, nor will the employee receive holiday pay.

Requesting assistance for substance abuse does not relieve the employee of ~~his/her~~ their responsibility to meet performance, safety and attendance expectations. Rehabilitation expenses will be paid by the employee unless coverage is provided under a health insurance policy. ~~Satisfactory participation in and completion of a rehabilitation program approved by AMPS is a condition of continuing employment.~~

#### **R.S. Civil Air Patrol Leave**

Pursuant to California law, AMPS 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 AMPS as much notice as possible of the intended dates upon which the leave would begin and end. AMPS will restore the employee to the position ~~he or she~~ they 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.

#### **S.T. Leave for Bone Marrow and Organ Donors**

Pursuant to California law, AMPS will provide up to five (5) business days of paid leave within a one-year period to an employee who donates bone marrow to another person. In addition, AMPS 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 AMPS with written verification of ~~his or her~~ their status as an organ or bone marrow donor and the medical necessity for the donation. During such leave, AMPS 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 AMPS as much notice as possible of the intended dates upon which the leave would begin and end.

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

AMPS requires that bone marrow donors use up to five days of available accrued paid sick leave or vacation during the course of the leave. Organ donors must use up to ten days of available accrued PSL or vacation time during the course of the leave.

**T.U. Bereavement Leave**

All employees who have worked for the School for at least thirty (30) days shall be eligible to take up to five (5) days of bereavement leave due to the death of a covered family member (spouse, child, parent, parent-in-law sibling, grandparent, grandchild, domestic partner, or parent-in-law). Child" means a biological, adopted, or foster child, a stepchild, a legal ward, a child of a domestic partner, or a person to whom the employee stands in loco parentis. "Parent" means a biological, foster, or adoptive parent, a parent-in-law, a stepparent, a legal guardian, or other person who stood in loco parentis to the employee when the employee was a child. "Sibling" means a person related to another person by blood, adoption, or affinity through a common legal or biological parent. "Grandchild" means a child of the employee's child. "Grandparent" means a parent of the employee's parent.

Full-time employees are entitled to up to three (3) days of pay during bereavement leave, with the remaining two( 2) days unpaid. For all other employees, bereavement leave shall be unpaid unless an employee elects to use available accrued/unused paid leave such as vacation or paid sick leave. Bereavement leave must be utilized within three (3) months of the covered family member's date of death, but need not be consecutive. 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 both bereavement leave and scheduled days off. Upon request, an employee may be required to provide documentation of the death of a covered family member.

## **INSURANCE BENEFITS**

### **A. Health Benefits**

AMPS 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:

1. Employees that work less than an average of 30 hours per workweek are not eligible for any Health Benefits.
2. 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.

AMPS 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. 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 AMPS 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 online enrollment must be submitted to the Human Resources Department as soon as possible. This enrollment 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*

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

### **B. Industrial Injury Leave (Workers' Compensation Insurance)**

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

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

To ensure employees receive any worker's compensation benefits to which they may be entitled, employees will need to:

1. Immediately report any work-related injury to the Human Resources Department at [hrsupport@amethodschools.org](mailto:hrsupport@amethodschools.org)
2. Seek medical treatment and follow-up care if required;
3. Complete a written Employee's Claim Form (DWC Form 1) and return it to the Human Resources Department at [hrsupport@amethodschools.org](mailto:hrsupport@amethodschools.org)
4. Provide the School with a certification from a health care provider regarding the need for workers' compensation disability leave as well as the employee's eventual ability to return to work from the leave.

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

If an employee is injured on the job, ~~he/she is~~ they are to go or be taken to the approved medical center for treatment. If injuries are such that they require the use of emergency medical systems ("EMS") such as an ambulance, the choice by the EMS personnel for the most appropriate medical center or hospital for treatment will be recognized as an approved center.

All accidents and injuries must be reported to the Human Resources Department [hrsupport@amethodschools.org](mailto:hrsupport@amethodschools.org) and to the individual responsible for reporting to AMPS's insurance carrier. Failure by an employee to report a work-related injury by the end of ~~his/her~~ their shift could result in loss of insurance coverage for the employee. An employee may choose to be treated by ~~his/her~~ their personal physician at ~~his/her~~ their own expense, but ~~he/she is~~ they are still required to go to AMPS's approved medical center for evaluation. All job-related injuries must be reported to the appropriate State Workers' Compensation Bureau and the insurance carrier.

When there is a job-related injury that results in lost time, the employee must have a medical release from AMPS's approved medical facility before returning to work.

Any time there is a job-related injury, AMPS's policy requires drug/alcohol testing along with any medical treatment provided to the employee.

[Leave as a result of a workers' compensation injury \(paid or unpaid\) will run concurrently with FMLA/CFRA leave, if applicable, or any other leave permitted by state and federal law.](#)

### **Disability Insurance (Wage Supplement)**

AMPS contributes to the State of California to provide you with State Disability Insurance ("SDI") pursuant to the California Unemployment Insurance Code. Contributions are made through a payroll deduction. SDI 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.

SDI 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.

### **Paid Family Leave (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 or injured child, spouse, parent, registered domestic partner, siblings, grandparents, grandchildren, or parents-in-law or to bond with a new child (birth, foster care, adoption), or to participate in a qualifying event because of a family member's (i.e. a spouse, registered domestic partner, parent or child) military deployment to a foreign country. The PFL program does not provide job protection or reinstatement rights. It 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

### **Unemployment Compensation**

AMPS contributes each year to the California Unemployment Insurance Fund on behalf of its employees. Under certain circumstances, you may be eligible for unemployment insurance benefits.

### **Social Security**

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

## PERSONNEL EVALUATION AND RECORD KEEPING

### A. *Performance Evaluations*

AMPS 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 AMPS 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 AMPS 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 AMPS' right to transfer, demote, suspend, administer discipline, and change the terms and conditions of employment at its sole discretion. Failure by AMPS to evaluate the employee will not prevent AMPS from transferring, demoting, disciplining, or terminating an employee. Employment is at the mutual consent of the employee and AMPS. Accordingly, either the employee or AMPS can terminate the employment relationship at-will, at any time, with or without reason and with or without notice

### B. *Personnel Files*

The information recorded in your personnel file is extremely important. It is your responsibility to make sure that the personal data in the file is accurate and up to date. Report any change of [name \(whether by marriage or otherwise\), email address, home address, and telephone number, whom to inform in case of an emergency, including names and home/cell and work telephone numbers and addresses, withholding tax information \(your marital status and correct number of dependents\), status of certifications/licenses/credentials, change of beneficiary on group life insurance, address, phone number,](#) etc. to AMPS immediately.

Employees, former employees, or employee representatives may submit a request to inspect their personnel file in the presence of a representative of AMPS. All requests must be in writing. Current and former employees, or employee representatives, may also request inspection through the use of an AMPS-provided request form. Please contact Human Resources to schedule a convenient time. You may request copies from your file of all documents. AMPS may charge the requesting employee or employee representative for the actual cost of reproduction of personnel file documents. If you desire, you may add a written statement to your file explaining any disputed item.

Employees also may inspect their payroll records upon request, and may obtain a copy of these records at their own expense. AMPS will comply with all inspection requests as required by law.

Access to information in personnel files is restricted. Only authorized managers and management personnel will have access to your personnel file. However, AMPS will cooperate with-and provide access to your personnel file to-law enforcement officials or local, state or federal agencies in accordance with applicable law.

Health/medical records are not included in your personnel file. These records are confidential. AMPS will

safeguard them from disclosure and will divulge such information only: 1) as allowed by law; or 2) to the employee's personal physician upon written request or permission of the employee.

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

## INTERNAL COMPLAINT REVIEW

The purpose of the "Internal Complaint Review Policy" is to afford all employees of AMPS the opportunity to seek internal resolution of their work-related concerns. All employees have free access to the CEO or Board of Directors to express their work-related concerns. [Form Appendix B may be used for Internal Complaints.](#)

Specific complaints of unlawful harassment, discrimination, and retaliation are addressed under the School's "Policy Prohibiting Unlawful Harassment, Discrimination, and Retaliation." [Depending on the type of complaint, it may also be brought under Title IX or the Uniform Complaint Procedure.](#)

### **A. Internal Complaints**

#### *Complaints by Employees Against Employees*

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

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

1. The complainant will bring the matter to the attention of the Human Resources as soon as possible after attempts to resolve the complaint with the immediate supervisor have failed or if not appropriate; and
2. The complainant will reduce his or her complaint to writing, indicating all known and relevant facts. Human Resources or designee will then investigate the facts and provide a solution or explanation;
3. If the complaint is about the CEO, the complainant may file his or her complaint in a signed writing to Human Resources or the President of AMPS Board of Directors, who will then confer with the Board and may conduct a fact finding or authorize a third party investigator on behalf of the Board. The Board President or investigator will report his or her findings to the Board for review and action, if necessary.

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

### **B. Policy for Complaints Against Employees**

#### *Complaints by Third Parties Against Employees*

This section of the policy is for use when a non-employee raises a complaint or concern about an AMPS employee.

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

In processing the complaint, Human Resources, AMPS CEO (or designee) shall abide by the following



process:

- ~~1. Human Resources, AMPS CEO or designee shall use his or her best efforts to talk with the parties identified in the complaint and to ascertain the facts relating to the complaint.~~
- ~~2. In the event that Human Resource, AMPS CEO (or designee) finds that a complaint against an employee is valid, Human Resources, AMPS CEO (or designee) may take appropriate disciplinary action against the employee. As appropriate, Human Resources, AMPS CEO (or designee) may also simply counsel/reprimand employees as to their conduct without initiating formal disciplinary measures.~~
- ~~3. Human Resources's Resources', AMPS CEO's (or designee's) decision relating to the complaint shall be final unless it is appealed to the Board of Directors. The decision of the Board shall be final.~~

### **C.A. General Requirements**

#### *Confidentiality*

All complainants will be notified that information obtained from the complainants and thereafter gathered will be maintained in a manner as confidential as possible, but in some circumstances absolute confidentiality cannot be assured.

#### *Non-Retaliation*

All complainants will be advised that they will be protected against retaliation as a result of the filing of any complaints or participation in any complaint process.

#### *Resolution*

The Board (if a complaint is about the CEO) or the CEO or designee will investigate complaints appropriately under the circumstances and pursuant to the applicable procedures, and if necessary, take appropriate remedial measures to ensure effective resolution of any complaint.

## **AMENDMENT TO EMPLOYEE HANDBOOK**

This Employee Handbook contains the employment policies and practices of AMPS in effect at the time of publication.

AMPS reserves the right to amend, delete or otherwise modify this Handbook at any time provided that such modifications are in writing and duly approved by the employer.

Any written changes to the Handbook will be distributed to all employees. No oral statements can in any way alter the provisions of this Handbook.

## **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 acknowledge that I have received and read a copy of the AMPS Employee Handbook. I understand that the Handbook set forth the terms and conditions of my employment with AMPS as well as the duties, responsibilities and obligations of employment with AMPS. I understand that AMPS has provided me various alternative channels [including anonymous and confidential channels,] to raise concerns of violations of this handbook and School policies and encourages me to do so promptly so that AMPS may effectively address such situations, and I understand that nothing herein interferes with any right to report concerns, make lawful disclosures, or communicate with any governmental authority regarding potential violations of laws or regulations. I agree to abide by and be bound by the rules, policies and standards set forth in the Employee Handbook.

Unless specified otherwise in an agreement between me and AMPS, I agree that AMPS 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 AMPS. Unless specified otherwise in an agreement between me and AMPS, 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 AMPS and me, and approved in writing by AMPS' Board of Directors.

I understand that nothing in the Handbook is intended, nor should be construed, as a limitation of my right and AMPS' right to terminate the employment relationship at any time, with or without notice, and with or without cause, or AMPS' 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 AMPS' absolute right to transfer, demote, suspend, administer discipline, and change the terms and conditions of employment at its sole discretion. I understand that AMPS 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 AMPS' absolute right to transfer, demote, suspend, administer discipline, and change the terms and conditions of employment. I also understand and acknowledge that nothing about the policies and procedures set forth in this Handbook should be construed to interfere with any employee rights provided under state or federal law, including Section 7 of the National Labor Relations Act. The foregoing constitutes the entire terms of the agreement between me and AMPS regarding the duration and at-will nature of my employment and AMPS' absolute right to transfer, demote, suspend, administer discipline, and change the terms and conditions of employment at its sole discretion.

Employee Printed Name: \_\_\_\_\_

Employee Signature: \_\_\_\_\_

Date: \_\_\_\_\_ Site: \_\_\_\_\_

## APPENDIX A: HARASSMENT/DISCRIMINATION/RETALIATION COMPLAINT FORM

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

If you are an employee of AMPS, you may file this form with the CEO, Human Resources, any supervisor or the Board President.

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

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

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

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

Your Name: \_\_\_\_\_ Today's Date: \_\_\_\_\_

Date of Alleged Incident(s):

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

List any witnesses that were present:

Where did the incident(s) occur?

Please describe the events or conduct that are the basis of your complaint by providing as much factual detail as possible (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 acknowledge that I have read and that I understand the above statements. ~~I hereby authorize the School to disclose the information I have provided as it finds necessary in pursuing its investigation.~~

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

Signature of Complainant: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

School use only	
Received by: _____	Date: _____

**APPENDIX B: INTERNAL COMPLAINT FORM**

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

Signature of Complainant: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

To be completed by School:	
Received by: _____	Date: _____

## Coversheet

### Review and Consideration of Approval of Resolution of the Board of Directors of Amethod Public Schools Establishing Board Committees

**Section:** IV. Business  
**Item:** C. Review and Consideration of Approval of Resolution of the Board of Directors of Amethod Public Schools Establishing Board Committees  
**Purpose:** Vote  
**Submitted by:**  
**Related Material:** Board Resolution re Board Committees and Number of Directors (4897-9141-9746.v4).docx.pdf



**Resolution of the Board of Directors of Amethod Public Schools  
Establishing Board Committees**

**WHEREAS**, Article VIII of the Bylaws of Amethod Public Schools (“AMPS”) empowers the Board to establish committees of the Board by resolution;

**WHEREAS**, the Board finds it in the best interest of the organization to establish Executive, Financial Oversight, Academic Oversight, and Bylaws Review Committees to focus on key areas of responsibility

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of Amethod Public Schools hereby approves and implements the following actions:

**I. Establishment of Board Committees**

The Board hereby establishes the following committees of the Board, each of which will include at least two (2) Board Directors in accordance with Article VIII of the Bylaws:

- A. Executive Committee:** The Board hereby establishes an Executive Committee as a committee of the Board. The Executive Committee shall consist of the Board Chair, the Vice Chair, and such additional Board Director(s) as the Board may elect. The Executive Committee holds no independent decision-making authority and may only act on matters expressly delegated by the full Board of Directors. Any recommendations or actions of the Executive Committee are subject to final approval by the full Board. The Executive Committee’s primary role is to work in concert with the Board and the other committees to help develop the organization’s short-term and long-term strategic goals under the direction of the Board. The Executive Committee is further charged with annually reviewing the Chief Executive Officer’s performance and conditions of employment, including compensation, as specified in the Bylaws.
- B. Financial Oversight Committee:** The Board hereby establishes a Financial Oversight Committee as a committee of the Board. This committee is established to oversee the financial affairs of the organization. The Board Chair shall appoint the chair of the Financial Oversight Committee, and the Treasurer of the Board shall serve as a member of this committee. The Financial Oversight Committee shall follow the protocols and responsibilities of the Finance Committee as outlined in Article VIII of the Bylaws, including developing and reviewing fiscal procedures, budgets, and financial reports, subject to final approval by the Board.
- C. Academic Oversight Committee:** The Board hereby establishes an Academic Oversight Committee as a committee of the Board. This committee is established to advise and assist the Board in monitoring academic performance and student achievement across all AMPS schools. The Board Chair shall appoint the chair of the Academic Oversight Committee, and at least two (2) Board Directors will serve as





members of this committee. Committee members will report their findings to the full Board.

**D. Bylaws Review Committee:** The Board hereby establishes a Bylaws Review Committee as an ad hoc advisory committee of the Board. The Board Chair shall appoint the chair of the Bylaws Review Committee, and at least two (2) Board Directors will serve as members of this committee. This committee may also include other individuals appointed by the Board, consistent with Article VIII, Section 5 of the Bylaws. The committee’s purpose is to review AMPS’s current Bylaws and recommend any revisions or updates to the Board. This committee will be dissolved upon the completion of its assigned review or by further action of the Board.

*PASSED AND ADOPTED by the Board of Directors of Amethod Public Schools on September 24, 2025, by the following vote:*

- *AYES:* \_\_\_\_\_
- *NOES:* \_\_\_\_\_
- *ABSTAIN:* \_\_\_\_\_
- *ABSENT:* \_\_\_\_\_

# Coversheet

## Review and Consideration of Approval of Appointment of Treasurer of the Board

**Section:** IV. Business  
**Item:** D. Review and Consideration of Approval of Appointment of Treasurer of the Board  
**Purpose:** Vote  
**Submitted by:** Adrienne Barnes

**BACKGROUND:**

Position per AMPS Bylaws

**RECOMMENDATION:**

Staff recommends the board approving the appointment of a new Treasurer.

# Coversheet

## Review and Consideration of Approval of Appointment of Secretary of the Board

**Section:** IV. Business  
**Item:** E. Review and Consideration of Approval of Appointment of Secretary of the Board  
**Purpose:** Vote  
**Submitted by:** Adrienne Barnes

**BACKGROUND:**

Position per AMPS Bylaws

**RECOMMENDATION:**

Staff recommends the board approving the appointment of a new Secretary.

# Coversheet

## Review and Consideration of Approval of Richmond Charter Academy MOU

**Section:** IV. Business  
**Item:** F. Review and Consideration of Approval of Richmond Charter Academy MOU  
**Purpose:** Vote  
**Submitted by:** Adrienne Barnes  
**Related Material:** RCA MOU 9.10.25 (Clean).pdf  
RCA Schedule A 9.10.25 (Clean).pdf  
RCA MOU Schedule B 9.10.25.pdf

### BACKGROUND:

The MOU and appendices were approved by the Contra Costa County Board of Education on September 10, 2025.

### RECOMMENDATION:

Staff recommends approval of the MOU.



## **Memorandum of Understanding Template**

Between Contra Costa County Board of Education,  
County Superintendent of Schools/Office of Education,  
And Amethod Public Schools, for the benefit of  
Richmond Charter Academy

[Date of MOU]

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## **APPENDICES**

- Schedule A: Required Documentation
- Schedule B: Charter Specific Conditions



## MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (MOU) is made and entered into this [number day of the month, year] by, between and among the Contra Costa County Board of Education (hereinafter "County Board") Contra Costa County Superintendent of Schools/Office of Education (hereinafter "CCCOE"), and Amethod Public Schools (hereinafter referred to as "AMPS"). Hereinafter, the County Board, the CCCOE, and AMPS shall be collectively referred to as "the parties."

### 1. Purpose of Memorandum of Understanding

- 1.1. The State of California enacted The Charter Schools Act of 1992 authorizing the formation of charter schools with the intent that the schools improve student learning through a variety of means, including increased learning opportunities, innovative teaching methods, performance-based accountability, and expanded choice for parents within the public school system. The Act authorizes the County Board to grant charter petitions under specified circumstances.

The County Board has approved a charter renewal petition upon appeal (hereinafter "the Charter") for the operation of Richmond Charter Academy (hereinafter "Richmond Charter Academy" or the "Charter School"). Unless otherwise stated, for the purposes of this MOU, the terms RICHMOND CHARTER ACADEMY and AMPS may be used interchangeably, with the duties and responsibilities of Richmond Charter Academy and Amethod Public Schools being deemed to be the same under this MOU.

- 1.2. AMPS is a California nonprofit public benefit corporation, which manages and operates Richmond Charter Academy.  
AMPS is responsible for the Charter School's compliance with the terms of the Charter and with this MOU.
- 1.3. All parties agree that no single party to this MOU waives any of the rights, responsibilities and privileges established by the Charter School Act of 1992 that may change from time to time during the term of this MOU.
- 1.4. To the extent permitted by applicable law, the County Board has, by agreement with the County Superintendent, delegated its oversight obligations of Richmond Charter Academy, whether arising at law, by the terms of the Charter School's Charter (including all documents included in the appendices), by this MOU, or from any other source, to the CCCOE; and in connection with the said delegation, the CCCOE shall report periodically to the County Board. This obligation does not limit the oversight authority of the County Board as afforded by law. Additionally, the County Board may seek further documentation and information in those areas which have been delegated to CCCOE. Material revisions to any part of the petition (including the appendices) or MOU must be brought to the County Board of Education for approval.
- 1.5. The fundamental interest of the County Board and CCCOE is, on a continuing basis, to be assured that AMPS is (1) implementing the provisions of the charter as approved; (2) obeying all requirements of federal, state, and local law that apply to the Charter School; (3) operating prudently and soundly in all respects; and (4) providing a sound education for the Charter School's students.

- 1.6. The parties recognize that there are many matters related to the operation of the charter and the effective oversight of Richmond Charter Academy, which go beyond the provisions included in the Charter School's Charter or are in need of further clarification. The County Board and CCCOE also acknowledge that the operation of Richmond Charter Academy is to be solely carried out by AMPS. This MOU is intended to address those matters that have not been covered in the Charter and to provide guidance on the oversight policies and procedures of the County Board and CCCOE. Further, this MOU is intended to outline the parties' agreements governing their respective fiscal and administrative responsibilities and their legal relationships.

The parties recognize and agree that the Charter School shall not charge tuition, shall be nonsectarian, and shall be open to all students regardless of disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code, including immigration status, in any program or activity conducted by an educational institution that receives, or benefits from, state financial assistance, or enrolls pupils who receive state student financial aid.

## **2. Term of the Memorandum of Understanding**

- 2.1. This Memorandum of Understanding (MOU), provided it is fully executed by all parties, shall be in effect concurrent with the term of the approved Charter ("Term"). This MOU will automatically expire upon the expiration or revocation of the Charter or upon renewal of the Charter to a new term.
- 2.2. The MOU is subject to early termination only as set forth in this MOU or as otherwise permitted by law. Renewal of the Charter and this MOU shall be based, in part, on compliance with the terms set forth in this MOU, County Board policy, and applicable law.
- 2.3. Richmond Charter Academy shall promptly respond to all reasonable inquiries, including, but not limited to, inquiries regarding its financial records, from the County Board or CCCOE and shall consult with the County Board or CCCOE regarding any inquiries in accordance with the Education Code Section 47604.3.
- 2.4. This MOU between and among the County Board, CCCOE, and AMPS shall include Schedule A and if applicable Schedule B. Richmond Charter Academy agrees to provide any and all documents or records as described in Schedule A.
- 2.5. Any modification of this MOU must be made in accordance with Section 31: Amendment and Waiver.

## **3. Operation of Richmond Charter Academy**

- 3.1. Richmond Charter Academy is a public charter school that shall be operated pursuant to the Charter Schools Act, applicable County Board policy and state and federal law. The Charter was granted by the County Board on June 11, 2025.

- 3.2. Richmond Charter Academy is authorized to operate with grades six through eight. Richmond Charter Academy will serve an enrollment of approximately 330 students through the Term, as projected in the Charter.
- 3.3. The parties acknowledge that the provisions of the Charter and this MOU are not intended to conflict. However, in the event of a conflict between the law and terms of this MOU, the law shall prevail, and any such conflicting terms shall be severed from this MOU and nullified. To the extent that this MOU is inconsistent with any of the terms of the Charter, the terms of this MOU shall supersede the terms of the Charter, unless otherwise agreed in writing by the parties. The parties further agree to jointly make any modification to this MOU needed to comply with changes in state or federal laws following the execution of this MOU.

#### **4. Governance and Management**

- 4.1. Richmond Charter Academy will operate consistent with Education Code Section 47604(a). AMPS acknowledges, as is stated in Richmond Charter Academy's Charter, that it is a separate legal entity and neither the County Board nor the CCCOE are liable for the debts and obligations of AMPS or the Charter School as per Education Code Section 47604(d).
- 4.2. The parties further recognize that consistent with the Charter, AMPS and Richmond Charter Academy have obtained and maintain status as a nonprofit public benefit corporation as provided in Education Code Section 47604.
- 4.3. The County Board reserves the right to appoint a representative to the AMPS Board of Directors in accordance with Education Code Section 47604(c).
- 4.4. AMPS agrees that Richmond Charter Academy will comply at all times with laws which generally apply to public agencies and to comply with applicable federal or state laws (which may be amended from time to time), including but not limited to the following:
  - The Ralph M. Brown Act ("Brown Act") (Government Code, §§54950 et seq.);
  - The California Public Records Act (Government Code, §§7920.000 et seq.);
  - State conflict of interest laws applicable to charter schools operated by nonprofit corporations, including but not limited to the Political Reform Act (Government Code, §§81000 et seq.);
  - The Child Abuse and Neglect Reporting Act (Cal. Penal Code, §§11164 et seq.);
  - The Individuals with Disabilities Education Act ("IDEA") (20 U.S.C. §§1400 et seq.);
  - The Americans with Disabilities Act (42 U.S.C. §§12101 et seq.);
  - The U.S. Civil Rights Acts, including Title VII of the 1964 Civil Rights Act;
  - The California Fair Employment and Housing Act ("FEHA") (Government Code, §§12900 et seq.);
  - The Age Discrimination in Employment Act ("ADEA") (29 U.S.C. §§621 et seq.);
  - Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. §§794 et seq.);
  - Education Code Sections 200 and 220 (prohibiting discrimination);
  - The Uniform Complaint Procedure (5 CCR. §§4600 et seq.);
  - The Family Educational Rights and Privacy Act ("FERPA") (20 U.S.C. §§1232g et seq.);

- Local Control Funding Formula (California Assembly Bill 97, as codified); and
- All applicable state and federal laws and regulations concerning the improvement of student achievement.

## **5. Required Documentation**

- 5.1. AMPS shall provide CCCOE with the documents listed and described in Schedule A, attached and incorporated herein by reference, by the dates specified therein.
- 5.2. AMPS shall provide up-to-date versions of all Schedule A documents as specified in Schedule A.
- 5.3. In the event of a change in the documents specified here and in Schedule A, an updated version shall be submitted to CCCOE for review within fourteen (14) business days from the date the change is approved by the AMPS Board of Directors:
  - Articles of Incorporation
  - Bylaws
  - Conflict of Interest Code
  - Roster of AMPS Board of Directors
  - Schedule of Board of Directors meetings
  - Name and contact information for Richmond Charter Academy leader (principal, director, or head of school, etc.)
  - Name and contact information for Richmond Charter Academy primary financial contact (CFO, COO, accountant, or back-office financial services provider, etc.)
  - Organizational Chart including board governance
- 5.4. While the County Board has delegated the responsibility for obtaining and reviewing documentation from Richmond Charter Academy, the County Board continues to assert its right as authorizer to review documents required as a part of this MOU.

## **6. Public Information: Website Posting**

- 6.1. AMPS shall post on Richmond Charter Academy's website any legally required documents as well as the documents listed and described in Schedule A that have the words posted on the web listed in the column titled Method of Delivery and Access, attached and incorporated herein by reference, by the dates specified therein.
- 6.2. AMPS will promptly update the postings whenever the information changes, in no event later than ten (10) business days after the change.

## **7. Governing Board Activities**

- 7.1. The Board of Directors of AMPS shall conduct public meetings at such intervals as are necessary to ensure that the board is providing sufficient direction to AMPS and the Charter through implementation of effective policies and procedures. Board meetings of AMPS will be

conducted according to the requirements of the Ralph M. Brown Act (Government Code §§54950, et seq.) (the “Brown Act”).

- 7.2. AMPS ensures that all members of the Board of Directors of AMPS and administrative leadership deemed appropriate by AMPS have participated in training on the requirements of the Brown Act and the Political Reform Act each year by August 1<sup>st</sup> and or within ninety days of their appointment or hire date. Verification of the provision of such training shall be certified annually by completion of CCCOE’s Schedule A.
- 7.3. All agendas shall be posted in advance of the board meeting, and such posting shall be in conspicuous physical location/s, including all school sites and AMPS offices, and on Richmond Charter Academy’s website, in accordance with the Brown Act. All documents to be shared at the meeting will be attached to the on-line agenda or otherwise made available for public inspection before the meeting as required by the Brown Act.
- 7.4. Approved minutes of each Board of Directors meeting shall be posted within two (2) business days of approval, as specified in Schedule A.
- 7.5. AMPS board meeting agendas and minutes shall be maintained for public inspection at the designated office of AMPS during normal business hours and shall be made available promptly upon request in hard copy at all locations of Richmond Charter Academy.

## **8. Human Resources Management**

- 8.1. Richmond Charter Academy is deemed the exclusive employer of the employees of Richmond Charter Academy for the purposes of the Educational Employee Relations Act (EERA) under Government Code §§3540, et. seq. AMPS will have sole responsibility for employment, management, dismissal, and discipline of its employees.
- 8.2. Through the term of the charter, the Charter School shall ensure that all employees and contractors will comply with the criminal background check and fingerprinting requirements of Education Code Sections 44237 and 45125.1. Employees include, but are not limited to, those providing the following services: school and classroom janitorial, school site administrative, school site grounds and landscape maintenance, pupil transportation, and school site food related. The Charter School shall report all employment status changes for credentialed employees based on allegations of misconduct to the Commission on Teacher Credentialing (“CTC”) within 30 days pursuant to Education Code Section 44030.5.
- 8.3. School site volunteers shall also be required to comply with the criminal background check and fingerprinting as required by the Education Code and applicable law. AMPS shall maintain on file and have available for inspection during site visits, evidence that it has performed criminal background checks as required.
- 8.4. AMPS shall provide the CCCOE with proof that all of Richmond Charter Academy teachers hold the Commission on Teacher Credentialing certificate, permit, or other document required for

their certificated assignment.

AMPS will have documentation on file (for inspection upon request) of its teachers' credentials.

- 8.5. If AMPS offers employees of Richmond Charter Academy the opportunity to participate in STRS or PERS, AMPS shall be responsible for contracting with a third party for reporting purposes. Such arrangements must be made in writing with the third party prior to the hiring of any employee.

## 9. Richmond Charter Academy Students

- 9.1. The parties recognize and agree that Richmond Charter Academy will be open to all students. Richmond Charter Academy shall adopt and adhere to anti-discrimination policies that are consistent with law and prohibit unlawful discrimination against any legally protected group. Protected groups are enumerated by Government Code Section 12940, Education Code Sections 200 and 220, Government Code §11135, and include actual or perceived sex, sexual orientation, gender, gender identity, gender expression, ethnicity, race, ancestry, national origin, religion, color, mental or physical disability, genetic condition or information, and age, as well as association with a member of a protected class, and immigration status. Additionally, it is the policy of CCCOE and its Board, pursuant to Section 200 that all persons should enjoy freedom from discrimination and/or harassment of any kind in the educational institutions of the state. This includes sexual harassment, which is a form of sexual discrimination (Education Code §231.5).
- 9.2. Richmond Charter Academy will not discourage enrollment or encourage disenrollment of any pupil for any reason, and specifically based on any characteristic listed in 9.1 above or any of the following: level of academic performance, level of academic achievement, level of physical or mental ability, English language status, or status as a neglected or delinquent, homeless, economically disadvantaged, or foster youth.
- 9.3. AMPS shall make a serious and concerted effort to recruit students to Richmond Charter Academy to achieve a racial and ethnic, special education, and English Learner, including redesignated English Learner student balance among its pupils that is reflective of the general population residing within the school district in which Richmond Charter Academy is located.
- 9.4. If a Richmond Charter Academy student is expelled or leaves Richmond Charter Academy at any time during the year without graduating or completing the school year for any reason, Richmond Charter Academy shall notify the parties (including CCCOE) and superintendent of the student's last known school district within 30 days (pursuant to Education Code §47605(e)(3)). The Charter School shall maintain records of such notifications during the Term of this MOU for CCCOE review upon request.
- 9.5. To the extent necessary to discharge its reasonable supervisory oversight activities, Richmond Charter Academy hereby designates the employees of CCCOE as having a legitimate educational interest such that they are entitled upon request to access to Richmond Charter Academy's education records under FERPA and related state laws regarding student records. As authorizer, the County Board also has a legitimate educational interest to ensure they fulfill their oversight responsibilities. The County Board, CCCOE, Richmond Charter

Academy, and their offices and employees shall comply with FERPA and state laws regarding student records at all times.

## 10. Required Disclosures

- 10.1. AMPS shall notify the County Board and CCCOE within five days of any known pending or actual litigation and/or claim from any party or notice of potential infraction, criminal or civil action against AMPS, Richmond Charter Academy or any employee, agent or volunteer that may involve or affect AMPS or Richmond Charter Academy. In addition, AMPS shall immediately notify CCCOE of any request for information by any governmental agency about AMPS or Richmond Charter Academy.
- 10.2. CCCOE shall notify AMPS within five days of any known pending or actual litigation and/or claim from any party or notice of any potential litigation and/or claim against CCCOE, the County Board, AMPS or Richmond Charter Academy, that may involve or affect AMPS or Richmond Charter Academy. In addition, the CCCOE shall immediately notify AMPS and the County Board of any request for information by any governmental entity about AMPS or Richmond Charter Academy.
- 10.3. If AMPS seeks any loans or advance receipt of funds for Richmond Charter Academy, it shall establish a fiscal plan for repayment in advance of receipt of such loans. AMPS shall provide advance written notice to the County Board and the CCCOE specifying its intent to apply for a loan for Richmond Charter Academy. Advance notice shall include a description of the need for the loan, its terms, and the plan for repayment, including a cash flow schedule. If a loan is received, AMPS shall, at the time of deposit of any sums which are loans to AMPS for Richmond Charter Academy, provide CCCOE with the loan documents, minutes of AMPS Board meetings at which such loan was approved, plan for repayment and updated cash flow schedule. AMPS will provide the same information in the same manner for loans and/or advancement of funds made internally by the AMPS to Richmond Charter Academy.

## 11. Insurance and Risk Management

- 11.1. AMPS shall procure from an insurance carrier licensed to do business in the State of California or a qualified joint power authority ("JPA") registered with the California Department of Industrial Relations, and keep in full force during the term of the Charter, at least the following insurance coverage for itself and Richmond Charter Academy:
  - 11.1.1. Property Insurance – against fire, vandalism, malicious mischief and such other perils as are included in "special form" coverage insuring all of AMPS' trade fixtures, furnishings, equipment and other personal property. The property policy shall include 'extra expense' coverage and shall be in an amount not less than 100% of the replacement value.
  - 11.1.2. Commercial General Liability -- In an amount not less than two million dollars (\$2,000,000) per occurrence and five million dollars (\$5,000,000) in total general liability insurance for bodily injury (including death), property damage and personal and advertising injury arising out of or connected to the AMPS' premises and operations. AMPS shall also maintain errors and omissions/educators legal liability, sexual abuse and molestation

coverage, and employment practices liability of AMPS, its governing board, officers, agents, or employees of Richmond Charter Academy with limits of not less than the amount stated above. The amount of total general liability insurance required shall increase to seven million, five hundred thousand dollars (\$7,500,000) when Richmond Charter Academy's ADA (as reported at P- Annual) exceeds 1,000. The deductible per occurrence for said insurance coverage stated herein shall not exceed twenty thousand dollars (\$20,000).

11.1.3. Workers' Compensation -- In accordance with the provisions of the California Labor Code, insurance adequate to protect AMPS from claims under Workers' Compensation Acts that may arise from its operation of Richmond Charter Academy, with statutory limits, and Employer's Liability coverage with limits of not less than one million dollars (\$1,000,000) per accident or disease.

11.1.4. Automobile Insurance – for all owned (if applicable), non-owned, borrowed, leased or hired automobiles in an amount of not less than one million dollars (\$1,000,000) per accident.

11.2. In addition, AMPS shall institute a risk management plan, including policies and practices to address reasonably foreseeable occurrences, and will provide CCCOE with such plan and with annual certification that such policies and practices have been instituted at Richmond Charter Academy, as specified in Schedule A.

11.3. All liability insurance policies required under this Section shall be endorsed to name the County Board, and CCCOE and its employees and agents as additional insureds and that such insurance policy(ies) shall be primary and any insurance or self-insurance maintained by CCCOE, the County and/or its employees shall not be required to contribute with it.

11.4. AMPS shall provide evidence of all applicable insurance coverage, with additional insured endorsements, to CCCOE (as specified in Schedule A) and will instruct the insurance carrier(s) to inform the CCCOE immediately if the coverage is reduced or becomes inoperative for any reason. The CCCOE may request to see evidence of insurance coverage during site visits.

## **12. Hold Harmless**

12.1. AMPS and Richmond Charter Academy shall hold harmless, defend, and indemnify the County Board, CCCOE, its officers, agents and employees, from every liability, claim, or demand which may be made by reason of (1) any injury to volunteers; and (2) any injury to person or property sustained by any person, firm, or corporation caused by any intentional or negligent act or omission of AMPS and/or Richmond Charter Academy, its officers, employees or agents. In cases of such liabilities, claims, or demands, AMPS, at its own expense and risk, shall defend, with legal counsel satisfactory to CCCOE, in all legal proceedings which may be brought against the County Superintendent, the County Board, CCCOE and its officers and employees (who will reasonably cooperate with AMPS' attorneys and insurance carriers), and shall satisfy any resulting judgments up to the required amounts that may be rendered against any of them. This indemnity and hold harmless provision shall exclude actions brought by third persons against the County Superintendent, the County Board, CCCOE or their officers and employees arising out of the gross negligence or intentional acts, errors, or omissions of the County



Superintendent, the County Board, CCCOE or their directors, employees, officers, and agents. This clause shall survive the termination of this MOU. The obligations described under this section shall survive the closing of Richmond Charter Academy.

- 12.2. CCCOE and the County Board shall hold harmless, defend, and indemnify AMPS and/or Richmond Charter Academy, its board, officers, agents and employees, from every liability, claim or demand which may be made by reason of (1) any injury to volunteers; and (2) any injury to person or property sustained by any person, firm, or corporation caused by any intentional or negligent act or omission of the County Superintendent, the County Board, or CCCOE, its officers, employees or agents. In such cases of such liabilities, claims, or demands, CCCOE and/or County Board, at its own expense and risk, shall defend with legal counsel satisfactory to AMPS all legal proceedings which may be brought against AMPS, its board, officers, and employees, who will cooperate fully with the County Board and/or CCCOE, its officers and employees, attorneys and insurance carriers and shall satisfy any resulting judgments up to the required amounts that may be rendered against any of them. This indemnity and hold harmless provision shall exclude actions brought by third persons against AMPS and/or Richmond Charter Academy arising out of the gross negligence or intentional acts, errors, or omissions of AMPS, its board, directors, employees, officers and agents.

### 13. Facilities

- 13.1. It is understood and agreed that the County Board and/or the CCCOE have no obligation to provide facilities to AMPS for Richmond Charter Academy. If AMPS seeks facilities for Richmond Charter Academy from a district in which it intends to locate under Proposition 39 (Education Code § 47614), it shall follow applicable statute and regulations regarding submission of such a request to a district. As provided in Schedule A, AMPS shall provide a copy of each Proposition 39 request for Richmond Charter Academy to CCCOE at the time of submitting its request to any school district, along with any documentation of subsequent steps in the process as described in implementing regulations at 5 CCR §§11969.1 et seq., whether produced by AMPS or the district.
- 13.2. AMPS shall ensure that Richmond Charter Academy's facility is located in an area that is properly zoned for operation of a school and that has received a conditional use permit, as necessary, and that has been cleared for student occupancy by all appropriate local authorities. All Charter School facilities must meet all applicable health and fire code requirements and zoning laws. AMPS will furnish the CCCOE, as provided in Schedule A, with all local approvals (Education Code §47610(d)) including applicable fire marshal clearances, certificates of occupancy, signed building permit inspections and approved zoning variances. Richmond Charter Academy cannot exempt itself from applicable local and state zoning or building code ordinances.
- 13.3. CCCOE may conduct a site review to determine that the facilities are clean, safe, Americans with Disabilities Act (ADA) compliant, and have the necessary local approvals to operate.
- 13.4. To ensure adequate facilities are available to students, at the time of opening or renewal, all charter schools shall demonstrate good standing on their lease agreement including all agreements about facilities maintenance, improvements and site changes or construction. The

Charter School shall provide such documentation to the parties during their annual review and upon request.

- 13.5. In the event that Richmond Charter Academy seeks to open an additional school site (whether for classroom or non-classroom based instruction), AMPS will submit a request for a material revision of the Charter School's Charter to the County Board for approval, pursuant to Section 23 of this MOU. Approval must be obtained before any additional school sites can begin operation.

#### **14. Food Service and Transportation**

- 14.1. Richmond Charter Academy shall provide meals pursuant to Education Code Section 49501.5.
- 14.2. AMPS shall be responsible for any and all transportation offered by AMPS to students who enroll in Richmond Charter Academy, including but not limited to any and all transportation required in any student's Individualized Education Program ("IEP") as required by IDEA or Section 504 Plan.

#### **15. Accountability for Academic Performance**

- 15.1. AMPS shall comply with and adhere to the state requirements for participation and administration of all state mandated tests for Richmond Charter Academy.
- 15.2. Richmond Charter Academy shall comply with Education Code Section 47606.5 (regarding Local Control and Accountability Plans), as that statute may be amended from time to time, as well as its implementing regulations, if any. Richmond Charter Academy's annual adopted Local Control and Accountability Plan ("LCAP") shall be submitted to the County by as specified in Schedule A.
- 15.3. The parties hereby agree that Richmond Charter Academy is accountable for pupil outcomes identified in the Charter. At the request of the County Board or CCCOE, AMPS shall present updates and reports regarding Richmond Charter Academy's pupil outcomes to the Contra Costa County Board of Education during the year.

#### **16. Services for Students with Disabilities**

- 16.1. At all times during the Term of the Charter and this MOU, the Charter School shall be its own local education agency ("LEA") in a Special Education Local Plan Area ("SELPA"), or as a duly constituted SELPA approved by the State of California. As specified in Schedule A, AMPS shall provide CCCOE with a copy of the Local Plan and documentation of the status of Richmond Charter Academy as an LEA in good standing with a state-approved SELPA or as a state-approved SELPA.
- 16.2. AMPS and/or Richmond Charter Academy shall assume all responsibility, including but not limited to full financial responsibility, for the implementation of student plans and provision of educational services under The Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act, for all students who are enrolled in Richmond Charter Academy.

- 16.3. AMPS may contract with any school district or other qualified organization for other services on behalf of Richmond Charter Academy, provided that such services are at no cost to the County Board and/or CCCOE. Written agreements shall be authored to specify such services and costs. It is further recognized that AMPS and/or Richmond Charter Academy may contract with a SELPA, employ its own staff and/or contract with other vendors to deliver services required by the IEPs and/or Section 504 Plans of students enrolled in Richmond Charter Academy and as otherwise required by applicable state and federal laws.
- 16.4. As specified in Schedule A, AMPS shall provide special education revenue and expense schedules to the CCCOE as back-up to required regular financial reports. To the extent that the delivery of Section 504 and/or special education services and adherence to Section 504 and special education laws have costs in excess of revenue allocated to Richmond Charter Academy for such purposes, AMPS and Richmond Charter Academy shall be responsible for any and all such costs related to students of Richmond Charter Academy.
- 16.5. AMPS and Richmond Charter Academy agree to fully and promptly comply with any reasonable requests for information made by the County Board and CCCOE with regard to special education services and individual students at Richmond Charter Academy. The CCCOE may establish regular meetings with AMPS special education coordinator for purposes of reviewing special education and/or Section 504 compliance. The CCCOE may also take action to monitor Richmond Charter Academy to ensure that special education and/or Section 504 services are being provided as required by law and applicable SELPA policy.
- 16.6. AMPS agrees to defend with legal counsel satisfactory to CCCOE and to hold harmless the County Board, the County Superintendent, the Contra Costa County Office of Education, and each of their officers, directors, agents and employees, from and against any and all costs, including attorney's fees, and/or awards related to complaints, due process hearings, mediations or any and all forms of litigation relating to special education and/or Section 504 matters involving a student's enrollment, services and/or attendance at Richmond Charter Academy. This indemnification shall exclude any matters, which relate to the enrollment or attendance of a student in a CCCOE program, unless the student's enrollment or attendance in such program was through a contract with AMPS. This subsection shall survive termination of this MOU.
- 16.7. AMPS acknowledges that its failure to provide any Section 504 and/or special education services for students as required in their Section 504 Plans and/or IEPs may constitute a material violation of the conditions, standards and procedures set forth in the Charter and this MOU, as well as violation of applicable law which may be sufficient to support the County Board's revocation of the Charter School's Charter pursuant to Education Code Section 47607.
- 16.8. AMPS shall develop, maintain, and implement policies and procedures to ensure that eligible students with disabilities are properly identified, assessed by qualified assessors and IEPs or 504 Plans for the students are properly established, implemented and complied with such that a Free and Appropriate Public Education ("FAPE") in the Least Restrictive Environment ("LRE") is provided in accordance with state and federal law. Such policies shall, as specified in Schedule A, be provided to CCCOE.

## 17. Independent Study

- 17.1. Pursuant to applicable law, Richmond Charter Academy may, on a case-by-case basis, use short-term independent study contracts for students who receive prior approval for absences due to travel or extended illness of three or more days in duration. Any such independent study will be limited to occasional, incidental instances of extended absences, and must be fully compliant with all independent study statutes and regulations applicable to Richmond Charter Academy.
- 17.2. If Richmond Charter Academy provides instruction through independent study on more than an incidental basis, it shall comply with all requirements of statute applicable to independent study in charter schools, (including Education Code Section §51745, et seq.), and applicable regulations.

## 18. Funding

- 18.1. Richmond Charter Academy shall be direct funded in accordance with Education Code §§47630 et seq. Richmond Charter Academy is eligible for a general-purpose entitlement and supplemental funding allocated through the Local Control Funding Formula ("LCFF") under Education Code Sections 42238 and 47651(a)(1). It shall be the responsibility of Richmond Charter Academy to apply for funding beyond the basic statutory entitlements of the base grant due to Richmond Charter Academy under LCFF.
- 18.2. The parties specifically agree that it is not the responsibility of the CCCOE to provide funding in lieu of property taxes to AMPS for Richmond Charter Academy.
- 18.3. In the event that the County Board seeks and receives a voter approved bond, parcel tax, etc., Richmond Charter Academy and/or AMPS shall have no entitlement to any portion of the funds unless otherwise negotiated in advance and agreed to in writing. The parties shall meet sufficiently in advance of any action by the CCCOE to pursue such measures so as to advise AMPS and to determine the positions of the parties. AMPS agrees that it and Richmond Charter Academy have no entitlement to funds currently being received, if any, by the County Board and/or the CCCOE under former parcel tax or bond elections.
- 18.4. AMPS is to operate Richmond Charter Academy in a financially sound fashion. It is agreed that all loans sought by AMPS for Richmond Charter Academy shall be authorized in writing in advance by AMPS and shall be the sole responsibility of AMPS. Notification of loans shall be provided pursuant to Section 10.3 of this MOU. In no event shall the County Board and/or the CCCOE have any obligation for repayment of such loans.
- 18.5. The CCCOE shall not advance any funds to AMPS for Richmond Charter Academy. In addition, the CCCOE shall not act as or provide a line of credit to AMPS for Richmond Charter Academy.
- 18.6. The parties agree that neither the CCCOE nor the County Board shall act as fiscal agent for AMPS or Richmond Charter Academy. It is agreed that AMPS shall be solely responsible for all required and necessary fiscal services for appropriate operation of Richmond Charter Academy including but not limited to, payroll, purchasing, attendance reporting, and completion and

submission of state budget forms. CCCOE shall process and transfer to AMPS all payments received by the CCCOE for Richmond Charter Academy in a timely fashion.

- 18.7. To the extent that AMPS wishes to contract with the CCCOE for any services to Richmond Charter Academy beyond those specified in this MOU, a separate written contract with the CCCOE shall be required and the costs of such services paid in full by AMPS.
- 18.8. AMPS and Richmond Charter Academy will use all revenue received from state and federal sources only for the educational services of AMPS and Richmond Charter Academy and for the benefit of the students enrolled in and attending Richmond Charter Academy. Sources of funding must be used in accordance with applicable state and federal statutes, and the terms or conditions, if any, of any grant or donation.

## **19. Attendance Reporting**

- 19.1. AMPS shall use commercially available attendance accounting software (such as Power School, SASI, etc.) for student attendance accounting at Richmond Charter Academy. AMPS on behalf of Richmond Charter Academy shall submit enrollment and attendance data as required to receive apportionment of funding according to the deadlines specified in Schedule A. CCCOE staff will review and certify the accuracy of Richmond Charter Academy's attendance data submitted by AMPS only when all documentation has been submitted and is accurate. Attendance data submitted without the requisite detail will not be processed and may result in a delay of funding to Richmond Charter Academy.
- 19.2. AMPS shall make available to CCCOE on request all back up attendance documents as specified in Schedule A.
- 19.3. Monthly site-based attendance sheets, signed and dated by teachers, and evidence of contact made with parents when students are absent from school, e.g., parent contact log, absence log, etc., shall be maintained by AMPS, and may be reviewed by CCCOE during site visitations.

## **20. Financial Reporting**

- 20.1. AMPS is required by Education Code Section 47604.33 to submit periodic financial reports of revenues, expenditures, and reserves. In order to meet statutory timelines for financial reporting, AMPS shall submit such reports to CCCOE for review, using the state software or Charter School Alternative Reporting form, as specified in Schedule A. Specified back-up information shall be consistently provided for each reporting period. Any significant changes in the budget or interim reports from one reporting period to the next must be explained in writing. The CCCOE and the County Board may request additional information, as necessary, to evaluate the fiscal condition of Richmond Charter Academy. AMPS shall also provide a timely response to all inquiries from CCCOE and the County Board and shall provide all documents and additional information, as necessary to evaluate the fiscal soundness, operations, and governance of all other AMPS non-profit and for-profit corporate entities affiliated with AMPS as may be providing services to Richmond Charter Academy or controlling the assets of AMPS, including but not limited to documents and information related to the management, fiscal,

personnel, procurement, facilities operations, facilities financing, and programmatic services of the AMPS and, in regard to information or documents that may reasonably impact the assets of Richmond Charter Academy or AMPS, such affiliated entities, in accordance with Education Code Section 47604.3, and shall fully cooperate with any investigation into their operations conducted by CCCOE.

- 20.2. The parties agree that maintenance of a sufficient level of funding reserve is in the best interest of Richmond Charter Academy and its successful operation. Accordingly, AMPS consistent with 5 CCR 15450, AMPS is expected to maintain prudent reserves at least equivalent to those required of a school district of similar size, based upon the total expenditures and other uses of the Charter School's Adopted Budget for the fiscal year. An explanation of any projected drop in reserves below the expected reserve level must be included in the assumptions.

## **21. Annual Audit**

- 21.1. As specified in Schedule A, AMPS shall submit an annual independent financial audit in accordance with Education Code Section 47605(m), as applicable, to the State Controller's Office, the CCCOE, and the California Department of Education ("CDE") no later than December 15th of each year. In order for the Charter School to receive a favorable recommendation for renewal, corrective action plans shall have been implemented in a timely manner to the satisfaction of the CCCOE for any findings or exceptions identified in each annual audit, such that there are no continuing prior year findings or deficiencies identified in the following year. CCCOE shall be notified of AMPS' selection of an auditor, as specified in Schedule A.
- 21.2. In addition to AMPS' financial statements for Richmond Charter Academy, the audit shall include, as applicable, but not be limited to, review of contemporaneous records of attendance and annual instructional minutes, and such other reviews as required by law for the audit of Richmond Charter Academy.

## **22. Monitoring and Oversight**

- 22.1. The CCCOE will conduct at least one (1) visit to Richmond Charter Academy annually in accordance with Charter Schools Act. The information gathered will be used to assess Richmond Charter Academy's progress in governance and organizational management, educational performance, fiscal operations and fulfillment of the terms of the Charter and this MOU. A school site visit may include review of the facility, review of records maintained by AMPS for Richmond Charter Academy, interviews with the management of AMPS, AMPS' employees working at Richmond Charter Academy including the site principal, and Richmond Charter Academy students and parents, as well as observation of instruction in the classroom(s). Any deficiencies will be reviewed with Richmond Charter Academy's site principal and AMPS staff and an opportunity provided for comment, explanation and/or correction. The evaluations for each year will be used, in addition to other information and reports, to determine a renewal decision.

- 22.2. The County Board and CCCOE reserve the right to make unannounced visits to Richmond Charter Academy, and shall comply with all requirements of any visitor policies adopted by the Charter School, which shall be provided to CCCOE in accordance with Schedule A.
- 22.3. CCCOE shall charge Richmond Charter Academy the actual costs of supervisorial oversight not to exceed 1 percent of the revenue of the charter school in accordance with Education Code Section 47613. "Revenue of the charter school" means the amount received in the current fiscal year from the local control funding formula calculated pursuant to Education Code Section 42238.02, as implemented by Education Code Section 42238.03. The oversight fees shall be invoiced annually by CCCOE, with payment due and payable within 30 days of receipt.

### **23. Material Revisions to Charter**

- 23.1. Changes to the Charter deemed to be material revisions may not be made without prior approval from the County Board per Education Code Section 47607. The determination as to what constitutes a material revision will be determined by the County Board. Changes to the Charter considered to be material revisions include, but are not limited to, the following:
  - 23.1.1. Substantial changes to the educational program, mission, or vision of Richmond Charter Academy, including the addition or deletion of a major program component that is identified in the Charter as a distinctive feature of Richmond Charter Academy.
  - 23.1.2. Adding a classroom-based or non-classroom based program and/or facility not expressly authorized by the County Board.
  - 23.1.3. Changes in enrollment that represent an increase from the annual enrollment originally projected in the Charter petition by more than 15% in any grade level or 8% percent of total enrollment in any given year.
  - 23.1.4. Addition or deletion of grades or grade levels to be served, for the program as a whole or in a given year, not expressly authorized by the County Board, or otherwise required by law.
  - 23.1.5. Expanding operations to one or more additional sites. Temporary locations rented for annual student testing purposes shall be exempt from this provision.
  - 23.1.6. Changing the name of Richmond Charter Academy.
  - 23.1.7. Entering into a contract to be managed or operated by any other public benefit corporation (or any other corporation or entity), such as an Educational Management Organization or a Charter Management Organization other than AMPS.
  - 23.1.8. Substantial changes to admission requirements and/or enrollment preferences identified in the Charter, unless the change is required by law.

23.1.9. Substantial changes to the governance structure as described in the corporate bylaws, including but not limited to: changes in the authorized number of board members, method by which sitting board members are removed, method by which new board members are selected, and/or provisions that reduce the size of the quorum required for a meeting and/or majority required for action, unless the change is required by law.

23.2. Changes to the Charter not deemed to be material revisions may be made by AMPS following notification to CCCOE and the County Board. Such notice shall be provided, in writing, at least 5 business days in advance of the AMPS board meeting at which the revision is to be approved. Disagreement as to the materiality of the proposed revision/s shall be resolved consistent with the dispute resolution provisions of this MOU.

## **24. Charter Renewal**

24.1. AMPS may seek renewal of the Charter prior to expiration of the Term of the Charter in accordance with statutory and regulatory provisions. AMPS shall submit its renewal petition for the next charter term along with a copy of the most recent annual report required by CCCOE and/or Local Control and Accountability Plan Annual Update to CCCOE and the County Board, no sooner than the fiscal year in which Richmond Charter Academy would cease operations without renewal. CCCOE shall provide the County Board with a copy of the Petition and review the charter petition, academic and financial performance, audit reports, annual visitation reports, information regarding the number and resolution of disputes and complaints; and may conduct a renewal site visit prior to scheduling the renewal request for consideration by the County Board. To the extent required, the charter renewal petition shall be revised in accordance with current statutes and regulations.

## **25. Charter Revocation**

25.1. The County Board shall have the right to revoke the Charter in accordance with Education Code Section 47607, 47607.3 or other applicable statute or regulations. Prior to instituting revocation proceedings, in coordination with the County Board, the CCCOE may provide progressive notices that correction of a problem at Richmond Charter Academy by AMPS needs to occur with specified timelines. Additional notification may be provided, at the sole discretion of CCCOE in coordination with the County Board.

25.2. If the County Board determines that there is a severe and imminent threat to the health or safety of students and/or staff of Richmond Charter Academy, and makes such determination in writing, per Education Code Section 47607(g), it may take immediate action to assure the safety and well-being of the students, staff, and community, consistent with 5 CCR §11968.5.3. Such immediate action, as deemed appropriate by the County Board, in its reasonable discretion, may include but is not limited to revocation of its Charter in accordance with the Education Code.

25.3. During the period prior to revocation, AMPS shall have the opportunity to work with the CCCOE, in coordination with the County Board, to address the concerns and develop a plan to remediate all areas to the reasonable satisfaction of the County Board.



## 26. Richmond Charter Academy Closure

- 26.1. At all times it is operation during the Charter Term, AMPS will maintain a description of the procedures to be used in the event Richmond Charter Academy closes and provide such procedures to CCCOE as specified in Schedule A and post them as specified in Schedule A. Procedures must be compliant with requirements contained in 5 CCR §11962, and consistent with the content of the Charter.
- 26.2. If Richmond Charter Academy is to close permanently for any reason (i.e., voluntary surrender, non-renewal, or revocation), the CCCOE on behalf of the County Board shall serve written notice on AMPS that the closure procedures have been invoked. AMPS will immediately identify to the CCCOE the specific individual who is responsible for coordinating Richmond Charter Academy's close out activities. CCCOE will identify a staff person who will work with Richmond Charter Academy to accomplish all close out activities.
- 26.3. AMPS expressly acknowledges the right of the CCCOE, on behalf of the County Superintendent of Schools to gain full access and copies of all student and business records concerning Richmond Charter Academy at any time after the County Board gives written notice that it is invoking the closure procedures.

## 27. Dispute Resolution

- 27.1. It is expressly agreed by the parties that dispute resolution process described herein shall be utilized in lieu of the dispute resolution process described in the Charter for disputes between and among AMPS, CCCOE and/or the County Board.
- 27.2. In the event of a dispute between AMPS and the CCCOE and/or the County Board related to the Charter or this MOU, which does not involve revocation, the parties shall seek to resolve the dispute using the process described below:
  - 27.2.1. The disputing party shall provide written notice of the dispute to the other party or parties, to include the County Board. Notice shall be provided as specified in Section 33.
  - 27.2.2. AMPS' designated representative shall meet with the CCCOE's designated representative within thirty (30) days of the date of the written notice to attempt informal resolution of the dispute. A summary of the dispute and resolution if achieved shall be reported to the County Board.
- 27.3. If the dispute is not resolved through the informal resolution of the designated representatives of the Charter School and CCCOE, then by mutual written agreement, the parties may engage the services of a third-party mediator to assist with informal resolution of the dispute. The format of the mediation shall be developed jointly by both parties including the County Board. The costs of the mediation shall be borne 50/50 by the parties.
- 27.4. If a dispute between AMPS and CCCOE and/or the County Board is not resolved through the dispute resolution set forth above within ninety (90) calendar days of the date notice is given by

the complaining party to the other parties, or by such alternative deadline as may be established by mutual agreement in writing, then any party shall have the right to take the matter to binding arbitration. Arbitration shall proceed according to the following timeline:

27.4.1. No later than ten (10) calendar days after the request for arbitration, unless agreed otherwise by the parties in writing, the parties shall choose a mutually acceptable arbitrator from a list obtained from the State Mediation and Conciliation Service.

27.4.2. Within ten (10) calendar days after the arbitrator is selected, the parties shall choose a mutually agreeable date and site for the arbitration.

27.5. The costs of the arbitrator shall be borne 50/50 by the parties.

## **28. Severability**

28.1. If any provision or any part of this MOU is for any reason held to be invalid and or unenforceable or contrary to public policy, or statute, the remainder of this MOU shall not be affected thereby and shall remain valid and fully enforceable.

## **29. Venue**

29.1. The parties agree that any legal action to enforce the terms of this MOU shall be brought in Contra Costa County, California.

## **30. Non-Assignment**

30.1. No portion of this MOU or the Charter approved by the County Board may be assigned to another entity without approval of a material revision of the Charter pursuant to Section 23.

## **31. Amendment and Waiver**

31.1. Any waiver, amendment, modification, or cancellation of any provisions of this MOU must be in writing and executed by duly authorized representatives of all parties specifically indicating the intent of the parties to modify this MOU. No such amendment or waiver shall be effective absent approval or ratification by the County Board and the governing board of the AMPS.

31.2. Proposed revisions to the MOU may be submitted by any of the parties at any time, through notice duly given in accordance with Section 33.

31.3. The failure of either party at any time to require performance of any provision hereof shall in no manner affect its right at a later time to enforce such provision.

## **32. Captions and Section Headings**

- 32.1. The captions and section headings used in the Charter and this MOU are inserted for convenience only and should not affect the meaning or interpretation of the terms of the Charter or this MOU.

### **33. Notification**

- 33.1. All notices, requests, and other communications under this MOU shall be in writing and mailed or delivered by overnight courier to the proper addresses as follows, unless allowed or required to be submitted electronically by CCCOE:

To the County Board at:  
Contra Costa County Board of Education  
77 Santa Barbara Rd  
Pleasant Hill, CA 94523  
Attn: Board President

To the CCCOE at:  
The Charter Schools' Office  
Contra Costa County Office of Education  
77 Santa Barbara Rd  
Pleasant Hill, CA 94523  
Attn: Contra Costa County Superintendent of Schools

To AMPS at:  
1450 Marina Way South  
Richmond, CA 94804  
Attn: Chief Executive Officer

### **34. Arbitration**

- 34.1. Any dispute arising between the Parties regarding the interpretation and application of this MOU to any claim, including, but not limited to, any claims pertaining to the formation, validity, interpretation, effect or alleged breach of this MOU ("arbitrable dispute") will be submitted to arbitration in Contra Costa County, California, before an experienced arbitrator licensed to practice law in California and selected in accordance with the rules of the Judicial Arbitration and Mediation Service (JAMS), as the exclusive remedy for such claim or dispute. Should any party to this MOU hereafter institute any legal action or administrative proceeding against the other with respect to any claim waived by this MOU or pursue any arbitrable dispute by any method other than said arbitration, the responding party shall be entitled to recover from the initiating party all damages, costs, expenses, and attorneys' fees incurred as a result of such action.

### **35. Entire Agreement; Counterparts**

- 35.1. This MOU and attached schedules contain the entire agreement of the parties with respect to the matters covered herein and supersedes any oral or written understandings or agreements

between the parties with respect to the subject matter of this MOU. This MOU may be executed in counterparts, each of which shall constitute an original. Facsimile copies of signature pages transmitted to other parties of this MOU shall be deemed equivalent to original signatures on counterparts.

IN WITNESS WHEREOF, the parties hereto have caused this MOU to be executed by duly authorized officers or representatives set forth below and to be effective as of the Effective Date.

\_\_\_\_\_  
Date

\_\_\_\_\_  
CEO/Executive Director/Superintendent or Designee

\_\_\_\_\_  
Date

\_\_\_\_\_  
President, Contra Costa County Board of Education or Designee

\_\_\_\_\_  
Date

\_\_\_\_\_  
Contra Costa County Superintendent of Schools or Designee

Approved and ratified this [Day Number] of [Month Name] [Year] by the Contra Costa County Board of Education.



## SCHEDULE A: Required Documentation

This Schedule lists the annual compliance submissions required of all CCCBOE authorized charters. These submissions must be completed and submitted to the CCCOE pursuant to authorizer direction by the dates and with the frequency indicated in the Schedule. When any document is revised it must be submitted to CCCOE within 14 business days of the revision whether they are based on material changes or not. All material changes must be first submitted to and approved by the County Board before they are instituted. Documents which are to be posted on the charter’s website must also be revised to reflect any changes when made.

The Authorizer or Designee may also request documents and information from the charter school by email, phone or other form of communication. Within 10 days of the request the charter must confirm receipt of the request and establish with CCCOE the due date of submission. Information not submitted to the County Office within the agreed upon timeline will be referred to the Authorizer for further action.

ITEM	DESCRIPTION	DUE DATE	Method of Delivery and Access	FREQUENCY		
				Before Start Up & When Changed	Annually & When Changed	Other
<b>GOVERNANCE AND ORGANIZATIONAL MANAGEMENT</b>						
<b>1.1 Organizational Structure</b>						
CDS code	Confirmation of receipt of CDS code		Submitted to CCCOE	<b>X</b>		
Organizational Chart	Structure of organization from governing board to classroom teacher, including Charter Management Organization, if applicable.		Posted on the Charter Website and Submitted to CCCOE	<b>X</b>		
All contracts that impact governance	All contracts signed by the Charter or the Charter Management Organization that have an impact on the functioning and governance of the board of directors.		Submitted to CCCOE	<b>X</b>		

ITEM	DESCRIPTION	DUE DATE	Method of Delivery and Access	FREQUENCY		
				Before Start Up & When Changed	Annually & When Changed	Other
School Contact Information	CCCOE form of contact information: school leader name, school phone, school fax, school leader emergency phone, school leader email, school address, and school leader’s office hours	August 1 <sup>st</sup>	Submitted to CCCOE		X	
School Leadership Information	CCCOE form with a roster of school leadership that includes phone number and email address for: <ul style="list-style-type: none"> <li>▪ School leader</li> <li>▪ Assistant leader (Vice Principal, Assistant Principal, etc.)</li> <li>▪ On-site Coordinators and/or Coaches</li> <li>▪ Designated Special Education Coordinator</li> <li>▪ Designated English Learner Coordinator</li> <li>▪ Designated Section 504 Coordinator</li> <li>▪ Designated Homeless Coordinator</li> <li>▪ Designated Foster Youth Coordinator</li> <li>▪ Office Manager</li> <li>▪ Operations Manager</li> <li>▪ Primary Finance/Accounting contact</li> <li>▪ Primary Human Resources contact</li> <li>▪ Primary Attendance reporting contact</li> </ul>	August 1 <sup>st</sup>	Posted on Charter Website and Submitted to CCCOE		X	
SARC	School Accountability Report Card	February 1 <sup>st</sup>	Posted on Charter Website and CDE Website		X	
<b>1.2 Board Governance</b>						
Articles of Incorporation	As submitted		Submitted to CCCOE	X		
Board biographies	Brief summaries of the background and experience of board members		Submitted to CCCOE	X		
Board Roster	Names and email addresses of all board members, with end date for current term of service, officers and committee assignments identified.		Submitted to CCCOE	X		
Bylaws	Current version of the bylaws as approved by the school’s governing board		Submitted to CCCOE	X		
501(c)(3) tax-exempt status	Letter from IRS confirming approval of tax-exempt status		Submitted to CCCOE	X		

ITEM	DESCRIPTION	DUE DATE	Method of Delivery and Access	FREQUENCY		
				Before Start Up & When Changed	Annually & When Changed	Other
Board election process	Process used for choosing Board Members. It should be a brief description of the process and be consistent with the charter and its bylaws.		Submitted to CCCOE	X		
Board Meeting Schedule	Dates, times and locations for all regular meetings of the board for the fiscal year; include all standing committees; identify annual organizational meeting at which board members and officers are elected.	August 1 <sup>st</sup>	Posted on Charter Website and Submitted to CCCOE		X	
Board Meeting Agendas	Board and standing committee meeting agendas	According to the Brown Act	According to the Brown Act			According to the Brown Act
Agenda Item Attachments	All documents referred to in the agenda or discussed at the meeting.	According to the Brown Act	According to the Brown Act			According to the Brown Act
Board Meeting Minutes	Approved minutes of board and standing committee meetings	According to the Brown Act	According to the Brown Act			According to the Brown Act
Board Trainings	Certification that all required board trainings (Brown Act and Fair Political Practices Act training for board and leadership) have been conducted.	August 1 <sup>st</sup>			X	
<b>1.3 Board Policies</b>						
Complaint and/or Internal Dispute Resolution Policies	Must include the procedures and forms used for Uniform Complaint and Due Process Hearings for parents and staff; may include other forms and systems		Posted on Charter Website and Submitted to CCCOE	X		
Conflict of Interest Policies	Conflict policy compliant with Charter and Fair Political Practices Act		Posted on Charter Website and Submitted to CCCOE	X		

ITEM	DESCRIPTION	DUE DATE	Method of Delivery and Access	FREQUENCY		
				Before Start Up & When Changed	Annually & When Changed	Other
Fiscal Management/ Control Policies	Internal fiscal control policies and procedures meeting GASB, including procedures for receipt and disbursement of funds, reconciliation of accounts, contracting, budget preparation, and protection of assets.		Submitted to CCCOE	X		
Health Practices	Covering student health and wellness practices (including immunizations, medications, screenings, student wellness, and food service).		Submitted to CCCOE	X		
Public Records Act Policy	Procedures to implement the California Public Records Act		Submitted to CCCOE	X		
English Learner Policies	Procedures to ensure compliance with legal requirements, including identification, placement and reclassification; consistent with Charter		Submitted to CCCOE	X		
Rehabilitation Act §504 Polices	Procedures to ensure compliance with legal requirement for 504 plans		Submitted to CCCOE	X		
Special Education Policies	Including procedures compliant with IDEA and requirements of SELPA; consistent with Charter		Submitted to CCCOE	X		
Student Discipline Policies	Policies and procedures for student discipline, including behavior expectations, suspension/ expulsion standards, and due process; including procedures for students with disabilities.		Submitted to CCCOE	X		
Student Free Speech Policies	Standards and procedures regarding student free expression, consistent with applicable state and federal law		Submitted to CCCOE	X		
Student Grading/ Promotion Policies	Policies and procedures regarding student grading, placement of students by grade, promotion from one grade to the next, and retention in current grade; including samples of parent notifications		Submitted to CCCOE	X		
Student Records Policies	FERPA-compliant student records policy, including information on directories and parental access to records.		Submitted to CCCOE	X		
<b>ADMINISTRATION AND LEADERSHIP</b>						
<b>2.1 Leadership Practices</b>						



ITEM	DESCRIPTION	DUE DATE	Method of Delivery and Access	FREQUENCY		
				Before Start Up & When Changed	Annually & When Changed	Other
Leadership Vision	The school leadership has a strategic view of the direction for the work and development of the school in order to achieve the school's mission.	Annual Site Visit	Observation and Interview		X	
School Direction and Mission	The school leader has a strategic view of the school's direction for and mission	Annual Site Visit	Observation and Interview		X	
Student Success	The leadership inspires a shared commitment to the capacity for all students to succeed	Annual Site Visit	Observation and Interview		X	
Evaluation of Student Learning	There is regular monitoring and evaluation of the impact of teaching on student learning	Annual Site Visit	Observation and Interview		X	
Safety Drills	Regular safety drills are scheduled and conducted	Annual Site Visit	Observation and Interview		X	
Financial Support	Educational priorities are supported financially	Annual Site Visit	Observation and Interview		X	
FERPA Verification	Verify the location, contents, and confidentiality of student files (FERPA)	Annual Site Visit	Observation and Interview		X	
<b>2.2 Personnel Procedures</b>						
Teaching Staff Master List	CCCOE form that lists current teachers, coaches and other student services personnel with current assignments, certifications, and documentation.	August 1 <sup>st</sup>	Submitted to CCCOE		X	
Job Descriptions	Job descriptions for all school leadership positions and teachers listed above (including resource teachers, prep teachers, instructional coaches, etc.)		Submitted to CCCOE	X		
Employee Contracts	A sample of each type of Employee contract (including collective bargaining agreements)		Submitted to CCCOE	X		

ITEM	DESCRIPTION	DUE DATE	Method of Delivery and Access	FREQUENCY		
				Before Start Up & When Changed	Annually & When Changed	Other
Required and appropriate licenses and certifications	Verification that all of the school’s faculty and staff are credentialed, licensed, or otherwise qualified for the positions for which they have been employed in accordance with any applicable requirements of law, the Charter, and the policies and directives of the governing board.	August 1 <sup>st</sup>	Submitted to CCCOE		X	
Clearances & Criminal Background Checks	Certification that all employees and volunteers at school site have been subject to criminal background checks (FBI and DOJ) and any other clearances necessary for the positions for which they have been employed.	August 1 <sup>st</sup>	Submitted to CCCOE		X	
TB Screening	Certification that immunization and Tuberculosis screening has occurred and that records are stored.	August 1 <sup>st</sup>	Submitted to CCCOE		X	
Mandated Reporter Training	Certification that per Assembly Bill 1432 and Ed. Code Sec. 44691, the charter has provided annual training to their employees in child abuse detection and mandated reporting obligations under the Child Abuse and Neglect Reporting Act.	August 1st	Submitted to CCCOE		X	
Safety Training	Certification that all employees have been trained in health, safety and emergency procedures.	August 1st	Submitted to CCCOE		X	
Evaluation procedures and forms	Performance evaluation procedures and sample forms for all leadership positions and teachers (including resource teachers, prep teachers, instructional coaches, etc.).		Submitted to CCCOE	X		
Number of Faculty and Staff	Charter School has employed (maintains) sufficient number of faculty and staff	Annual Site Visit	Observation and Interview		X	
Valid Faculty and Staff Credentials	Copies of faculty and staff credentials are available at the school	Annual Site Visit	Observation and Interview		X	
<b>2.3 Facilities Inspection and Documentation Viability</b>						
Building Permits	Evidence of compliance with local building code for educational uses, including building permits and zoning.		Submitted to CCCOE	X		

ITEM	DESCRIPTION	DUE DATE	Method of Delivery and Access	FREQUENCY		
				Before Start Up & When Changed	Annually & When Changed	Other
Certificate of Occupancy	Valid current Certification of Occupancy for school use.		Submitted to CCCOE	X		
Facilities Lease Agreement(s)	Lease, rental agreement, facilities use agreement or similar documentation of right to use school facilities.	August 1 <sup>st</sup>	Submitted to CCCOE	X	X	
Fire Marshal Inspection	Verification of passage of Fire Marshal inspection of the site.	August 1 <sup>st</sup>	Submitted to CCCOE	X	X	
Safety plan	Per Ed. Code Sec. 32281, safety and emergency response plan for specific site/s, covering earthquake, fire, natural disasters, bomb threat and criminal activity lock-down procedures; sample evacuation plans for classrooms; planned rotation of safety drills. Must address child abuse reporting procedures. The School will provide training for staff in responding to emergencies and conduct emergency response drills for its students.	March 1 <sup>st</sup>	Posted on Charter Website and Submitted to CCCOE		X	
Proof of Insurance	Certificate of insurance in the amounts required by the MOU [authorizing agency]	August 1 <sup>st</sup>	Submitted to CCCOE	X	X	
Risk Management Plan	Policies and practices to prevent and address reasonably foreseeable risks and incidents occurrences, plus certification that such policies and practices have been instituted		Submitted to CCCOE	X		
Health Department Approval	Health department approval for service of food at school facility		Submitted to CCCOE	X		
Free Lunch	Process for provision of free nutritionally adequate meals		Submitted to CCCOE	X		
Site Accommodations for students	Site is sufficient to accommodate estimated student enrollment	Annual Site Visit	Observation and Interview		X	

ITEM	DESCRIPTION	DUE DATE	Method of Delivery and Access	FREQUENCY		
				Before Start Up & When Changed	Annually & When Changed	Other
ADA Requirements	Site meets requirements of the Americans with Disabilities Act, including accessible routes from outside the school to the points of entry, stairs and, toilets.	Annual Site Visit	Observation and Interview		X	
Site Security	Site has appropriate security (i.e. fencing, adequate lighting, alarms, etc.).	Annual Site Visit	Observation and Interview		X	
Secure Storage	Space is allocated for secure storage of computers and other expensive electronic devices.	Annual Site Visit	Observation and Interview		X	
<b>EDUCATIONAL PROGRAM AND STUDENT ENROLLMENT</b>						
<b>3.1 Admissions and Enrollment Procedures</b>						
Admission, Enrollment and Exit Procedures	Description of process for admission and enrollment of students, consistent with Charter, and including dates for receiving applications and conducting lottery; also addressing process for exit (voluntary withdrawal)	December 15 <sup>th</sup>	Posted on Charter Website and Submitted to CCCOE	X	X	
Student Application Form	Current sample of printed, downloadable or on-line application for admission to the school.	December 15 <sup>th</sup>	Posted on Charter Website and Submitted to CCCOE	X	X	
Student Recruitment Plans	Including scheduling meetings, outreach and description of process for targeting the process in attempts to mirror the local districts enrollment.	December 15 <sup>th</sup>	Submitted to CCCOE		X	
Enrollment preferences, if any	List of preferences that will be given to students for enrollment priority.		Submitted to CCCOE	X		
Required Documents for Enrollment	List of information and documents required to complete enrollment of admitted students.		Posted on Charter Website and Submitted to CCCOE	X		
<b>3.2 Family Involvement and Participation</b>						

ITEM	DESCRIPTION	DUE DATE	Method of Delivery and Access	FREQUENCY		
				Before Start Up & When Changed	Annually & When Changed	Other
Feedback	Parent/guardian level of satisfaction with their interaction with school personnel, as measured in a parent/guardian survey.	August 15th	Email		X	
Student/Family Handbook	Material provided to students and families regarding school policies, procedures and expectations; including attendance, discipline, parent volunteers, electronics, dress codes, etc. the School will provide a hardcopy of the parent/student handbook to each family at the beginning of each school year.	August 1 <sup>st</sup>	Posted on Charter Website and Submitted to CCCOE		X	
Notices to Parents/Guardians	Certification that all required notices have been provided to Parents/Guardians, including those required under applicable State and Federal Law (examples: Title I, English learners, special education, etc.).	August 1 <sup>st</sup>	Submitted to CCCOE		X	
Parent Involvement Process	Description of process used to involve parents/guardians in decision-making about the school. Should include an annual schedule of events, how parents were engaged, and how many attended.	August 1 <sup>st</sup>	Submitted to CCCOE		X	
Satisfaction with School Offerings	There is parent/guardian satisfaction with school's offerings and accomplishments	Annual Site Visit	Observation and Interview		X	
Child's Progress	Parents/Guardians are given accessible information about their child's progress	Annual Site Visit	Observation and Interview		X	
Involvement in School Activities	Parents/Guardians have meaningful opportunities for involvement in school activities	Annual Site Visit	Observation and Interview		X	
Informed of Student Absence(s)	Parents/Guardians are being efficiently and effectively informed of their child's absence(s)	Annual Site Visit	Observation and Interview		X	
<b>3.3 Academic Program: Curriculum and Instruction</b>						
Academic Calendar	Calendar of academic year showing holidays, recess periods, staff development days, etc.	August 1 <sup>st</sup>	Posted on Charter Website		X	
WASC Accreditation	Documentation of current status of WASC accreditation ( <i>High Schools Only</i> ).		Submitted to CCCOE			When Granted
A-G Course Approval	Verification of UC/CSU approval of A-G courses ( <i>High Schools Only</i> ).		Submitted to CCCOE			When Granted

ITEM	DESCRIPTION	DUE DATE	Method of Delivery and Access	FREQUENCY		
				Before Start Up & When Changed	Annually & When Changed	Other
Bell Schedule for Site-based Programs	Current schedule of class periods on daily and weekly basis, with arrival and dismissal times for regular and early release days.	August 1 <sup>st</sup>	Posted on Charter Website	X	X	
Curriculum	Overview for all subjects in grades to be served.		Submitted to CCCOE	X		
Instructional Materials List	List of Instructional Materials to be used (including materials for English language learners).		Submitted to CCCOE	X		
Instructional Minutes	Amount of time in which students are participating in an approved course, curriculum, or educationally related activity under the direction of a teacher.		Submitted to CCCOE	X		
Submission of Board Approved LCAP	Annual Local Control and Accountability Plan (LCAP) using state template (to be submitted with budget)	June 30 <sup>th</sup>	Posted on Charter Website and Submitted to CCCOE		X	
Instructional Resources	There appear to be sufficient instructional resources for all students	Annual Site Visit	Observation and Interview		X	
Clear Objectives	Clear objectives can be seen within lessons	Annual Site Visit	Observation and Interview		X	
Classroom Time	Classroom time is being well managed and used appropriately	Annual Site Visit	Observation and Interview		X	
Evacuation Procedures	Evacuation procedures/map are posted	Annual Site Visit	Observation and Interview		X	
Student Achievement Recording	There is evidence of procedures/processes for assessing and recording student achievement	Annual Site Visit	Observation and Interview		X	
Behavior Management	Behavior management seems consistent and effective throughout the school	Annual Site Visit	Observation and Interview		X	
Students on Task	Students seem to concentrate and remain on task during lessons	Annual Site Visit	Observation and Interview		X	
Effective Group Collaboration	Students work well together and collaborate effectively when appropriate	Annual Site Visit	Observation and Interview		X	
<b>3.4 English Learner (EL) Support</b>						

ITEM	DESCRIPTION	DUE DATE	Method of Delivery and Access	FREQUENCY		
				Before Start Up & When Changed	Annually & When Changed	Other
Evaluation of EL progress after reclassification.	Description of regular, on-going policies to monitor EL student progress for at least four years after each student has been reclassified as English proficient.		Submitted to CCCOE	X		
EL access to standards and grade level instruction	Description of how English learners will have access to standards-aligned and grade level appropriate instruction in mathematics and English language arts.		Submitted to CCCOE	X		
<b>3.5 Special Education</b>						
SELPA Verification	Letter of verification of good standing in a Special Education Local Planning Area (SELPA).	August 1 <sup>st</sup>	Submitted to CCCOE		X	
Special Education Services	Signed contract with special education and 504 service providers; or identification of individuals responsible for providing service.		Submitted to CCCOE	X		
<b>3.6 Independent Study</b>						
Independent Study Program Verification	Documentation verifying compliance with independent study requirements as required by MOU <i>(if applicable)</i> .		Submitted to CCCOE	X		
<b>FINANCIAL MANAGEMENT AND REPORTING</b>						
<b>4.1 Fiscal Management</b>						
Funding	Verification of Funding.		Submitted to CCCOE	X		
Start-Up Grant Funding	Public Charter School Grant Program application and subsequent correspondence about status.		Submitted to CCCOE			When Applying for Funding
Accounting Services	Signed contract with back-office or financial services provider; or identification of individual/s responsible for providing service.		Submitted to CCCOE	X		
Verification of use of a Student Information System	Contract or other verification of the use of a student information/attendance tracking system.		Submitted to CCCOE	X		

ITEM	DESCRIPTION	DUE DATE	Method of Delivery and Access	FREQUENCY		
				Before Start Up & When Changed	Annually & When Changed	Other
Process for Maintaining a Reserve	Consistent with 5 CCR 1540, the School is expected to maintain prudent reserves at least equivalent to those required of a school district of similar size: <u>School ADA</u> <u>Expected Reserve</u> 0–300            greater of 5%* or \$80,000 301–1,000      greater of 4%* or \$80,000 1,001–30,000  3%*		Submitted to CCCOE	X		
Bank Information for Fund Transfers	Completed CCCOE forms for transfer of funds from CCCOE to charter school.		Submitted to CCCOE	X		
Independent Auditor Selection	Notification of independent auditor selected for annual audit.	April 1 <sup>st</sup>	Submitted to CCCOE		X	
Payroll	Contract or other verification of payroll services provider.		Submitted to CCCOE	X		
Contract for STRS/PERS Reporting	Contract with CCCOE for STRS and/or PERS reporting, if applicable	June 30 <sup>th</sup>	Submitted to CCCOE		X	
Oversight Fees	Payment of invoice for oversight fee.	June 30 <sup>th</sup>	Submitted to CCCOE		X	
School Leader Financial Understandings	The school leader understands the need for financial controls. Also, financial control issues are not cited as weaknesses in the current audit; <b>or</b> such issues were identified and have been successfully addressed.	Annual Site Visit	Observation and Interview		X	
Financial Reporting	Regular financial reports are provided to the governing body	Annual Site Visit	Observation and Interview		X	
Effective Financial Processes and Systems	There are effective budgeting, accounting, and financial reporting processes and systems	Annual Site Visit	Observation and Interview		X	
Current Budget	There are no deficits in the current budget; <b>or</b> the school can show viable plans for addressing forecasted budget shortfalls	Annual Site Visit	Observation and Interview		X	



ITEM	DESCRIPTION	DUE DATE	Method of Delivery and Access	FREQUENCY		
				Before Start Up & When Changed	Annually & When Changed	Other
Petty Cash	There are procedures for staff members to obtain petty cash with approval when necessary and to procure supplies and materials as needed	Annual Site Visit	Observation and Interview	X		
Funding for Materials and Supplies	Budget documents that there is sufficient funding for curriculum materials and school supplies	Annual Site Visit	Observation and Interview		X	
<b>4.2 Student Attendance Reporting</b>						
Attendance Accounting Procedures	Description of procedures used for attendance accounting.	Annual Site Visit	Observation and Interview	X	X	
PENSEC report	Attendance report for <b>new</b> or <b>significantly expanding charter</b> .	1 week before CDE deadline (July 31)	Submitted to CCCOE			When Sending to CDE
First 20-Day Attendance report	First 20 day attendance reports for newly operational or expanding charters have been filed (due December)	1 week before CDE deadline (October)	Submitted to CCCOE			When New or Expanding
First Principal Apportionment (P-1)	<b>July-Dec (P-1)</b> Attendance /supporting documents are filed (due January 15)	1 week before CDE deadline (January 15)	Submitted to CCCOE		X	
Second Principal Apportionment (P-2)	<b>July-April 15 (P-2)</b> Attendance /supporting documents are filed (due May 1)	1 week before deadline (April)	Submitted to CCCOE		X	
Annual Apportionment (P-Annual)	Attendance report for annual attendance accounting period, in CDE format.	1 week before CDE deadline (July 15)	Submitted to CCCOE		X	
<b>4.3 Revenue and Expenditure Reporting</b>						
Approved Budget	Final budget for first fiscal year of operation; completed and approved (includes MYP, Cash Flow, LCAP and special education).	June 30 <sup>th</sup>	Submitted to CCCOE		X	

ITEM	DESCRIPTION	DUE DATE	Method of Delivery and Access	FREQUENCY		
				Before Start Up & When Changed	Annually & When Changed	Other
First Interim Report	Report on first period revenues and expenditures; completed using CCCOE template, with additional information as requested (i.e., special education).	1 week before CDE deadline (December 15)	Submitted to CCCOE		X	
Second Interim Report	Report on second period revenues and expenditures; completed using CCCOE template, with additional information as requested (i.e., special education).	1 week before CDE deadline (March 15)	Submitted to CCCOE		X	
<b>4.4 Annual Audit</b>						
Unaudited Actuals	Report on prior year revenues and expenditures; completed using CDE template.	1 week before CDE deadline (September 15)	Submitted to CCCOE		X	
Annual Audit Report	Annual report from the charter's independent financial audit.	December 15 <sup>th</sup> for prior fiscal year	Submitted to CCCOE		X	
<b>FULFILLING CHARTER TERMS</b>						
<b>5.2 Adherence to the Charter</b>						
Adherence to the Charter Elements	Verify adherence to the charter elements as approved by interviews with staff, students, parents, and community, if applicable.	Annual Site Visit	Observation and Interview		X	
Required Visitor Policy Adopted by Charter School	Described required visitor policies adopted by the Charter School during unannounced visits.		Submitted to CCCOE	X		
Identification of Point of Contact for Closure Activities	Name, phone, email, fax and postal address for primary contact in event of school closure (if updated from previous year).		Submitted to CCCOE	X		
School Closure Checklist	Plan for school closure, consistent with charter provisions (if updated from previous year). See School Closure Procedures Checklist for activities, which must be completed in the event of closures.		Submitted to CCCOE	X		



Contra Costa County Board of Education,  
County Superintendent of Schools/Office of Education,  
And Richmond Charter Academy  
Memorandum of Understanding  
Schedule B

In addition to the responsibilities and obligations contained in the Memorandum of Understand, RCA hereby agrees to the following:

1. Submit the following documentation on a monthly basis:
  - a. Enrollment and ADA reports with grade level breakdown
  - b. Cash reconciliation report (exclusively for Richmond Charter Academy)
  - c. CCCOE may revise or suspend the list of monthly submission requirements as determined appropriate
2. Notify CCCOE's Coordinator of Charter School Oversight within three (3) business days of any changes in the Leadership Team for RCA or AMPS
3. Notify CCCOE's Coordinator of Charter School Oversight within three (3) business days of any changes in the AMPS Governing Board
4. Respond to additional requests for information from CCCOE within three (3) business days in the format requested by CCCOE, unless otherwise agreed to

# Coversheet

## AB 1234 Ethics Training (including Brown Act)- Continued

**Section:** IV. Business  
**Item:** G. AB 1234 Ethics Training (including Brown Act)- Continued  
**Purpose:** FYI  
**Submitted by:**  
**Related Material:** Ethics\_Training.pdf

# AMETHOD PUBLIC SCHOOLS ETHICS TRAINING COURSE

Compliant with AB 2158



# UNDERSTANDING AB 2158 (2022)

What is “ethics”?

# ETHICS TRAINING

No later than January 1, 2026, every charter school board member must receive ethics training in specified topics, and at least every two years thereafter. The course must meet the following requirements:

Requirement	This Course
Two hours of course content	YES
Coverage of general ethics principles and ethics laws	YES
Content is relevant to the official’s public service (here, charter school board membership)	YES
Course covers core content outlined in Government Code section 53234(d) (ethics laws) and California Code of Regulations title 2, section 18371 (ethics training)	YES
Course is developed in consultation with guidance issued by the Fair Political Practices Commission and the Attorney General	YES
Attorney General: “For in-person training, the ethics law portion of any course should be delivered by an attorney licensed to practice law in California and knowledgeable about California’s ethics laws.”	YES
Participant is provided proof of participation upon completion (school must retain compliance records)	YES

**WARNING: Other courses, webinars, and presentations covering similar topics do not count toward AB 2158 compliance requirements unless part of an AB 2158-designated course.**



# ETHICS VIOLATIONS VIOLATE THE PUBLIC TRUST

FOX 40 News Watch Weather Sports Co

STOCKTON

## Former school board president accused of theft of public funds appears in court

by: [Mason Mauro](#), [Jeremiah Martinez](#)  
 Posted: May 6, 2024 / 05:55 PM PDT  
 Updated: May 6, 2024 / 05:55 PM PDT

SHARE

(FOX40.COM) — A former elected school leader appeared in court Monday two weeks after her arrest.


AngelAnn Flores is accused of stealing thousands of dollars as the former Stockton Unified School District board president.

Bakersfield.com

### UPDATED: Ex-Fairfax School District board member accused of embezzlement bound for trial on all charges

A former Fairfax School District board member who's charged with embezzlement, violations of state election law and conflict of interest was...

Jun 8, 2023



NBC NEWS LIVE: OLYMPICS LIVE: 2024 ELECTION POLITICS U.S. NEWS WATCH LIVE


U.S. NEWS

## California education official embezzled over \$16 million, hid cash in mini fridge, officials say

KGW

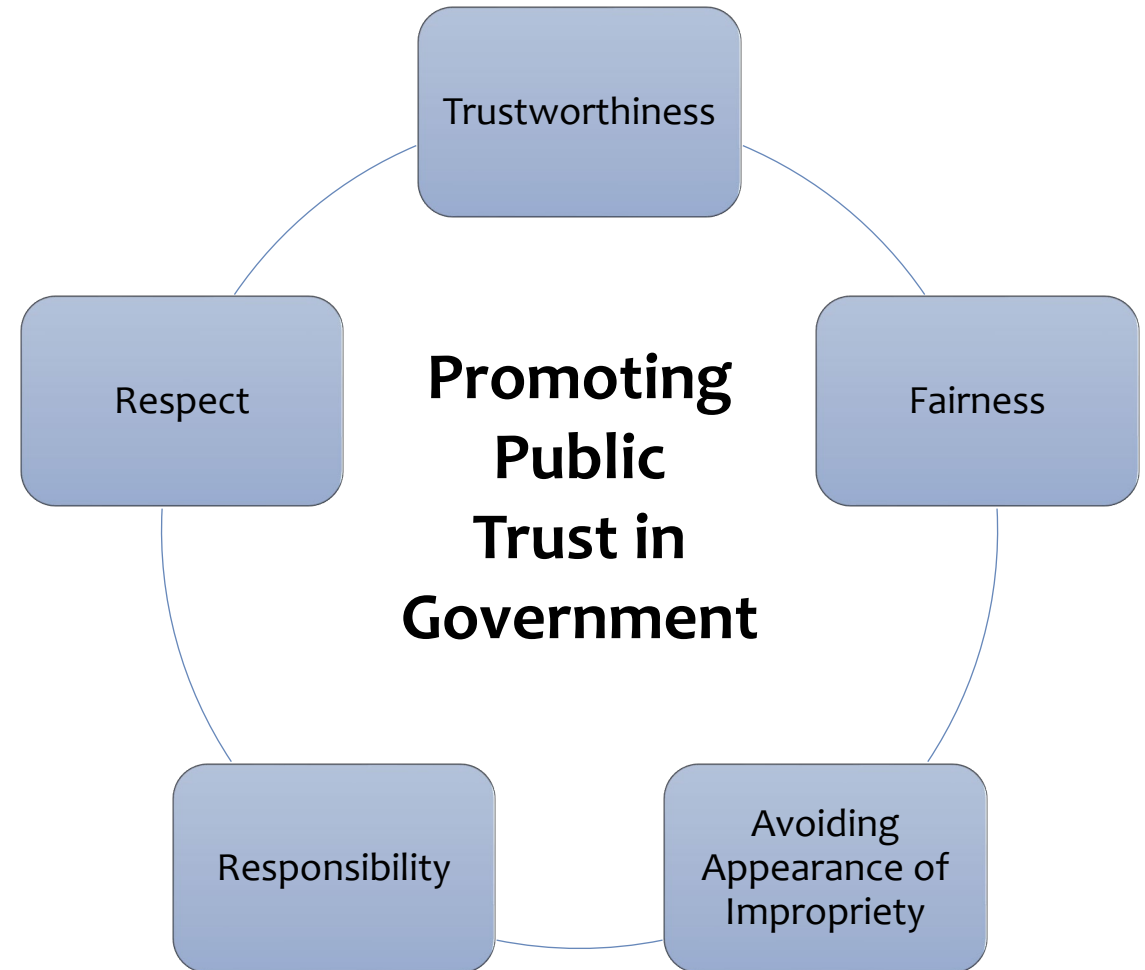
### Woodburn school staff say school board chair is 'profiting' by providing therapy sessions at schools

Woodburn School District employees said the board chair could be in a conflict of interest, since she started providing therapy for students...

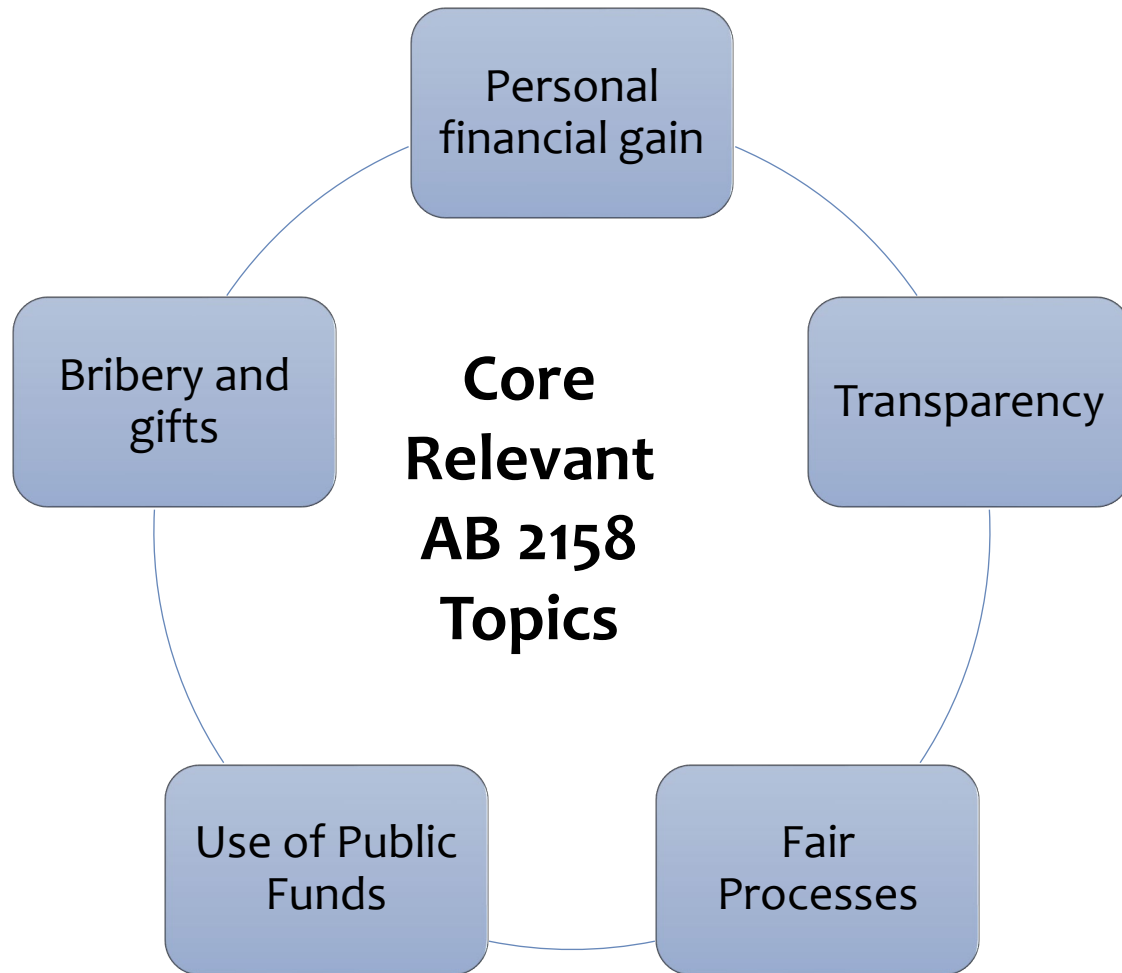


Powered by BoardOnTrack

# WHAT IS ETHICS?



# WHAT IS ETHICS?



# ETHICAL LAPSES MAY LEAD TO DENIAL OF A CHARTER RENEWAL PETITION

Chartering authority may deny high-, middle-, or low-performing, upon a finding that:

- Charter school is demonstrably unlikely to successfully implement the program set forth in the petition due to **substantial fiscal or governance factors**.

# ETHICAL LAPSES MAY LEAD TO CHARTER REVOCATION

Chartering authority may revoke a charter where it has:

- Committed a material violation of any of the conditions, standards, or procedures set forth in the charter.
- Failed to meet generally accepted accounting principles, or engaged in fiscal mismanagement.
- Violated any law.

# ETHICAL LAPSES MAY LEAD TO SERIOUS CONSEQUENCES

- Removal as a board member
- Loss of employment
- Criminal investigations, prosecution, jail time, financial penalties
- Administrative investigations and financial penalties
- Civil litigation
- Reputational harm

# TRAINING ROADMAP



Training Area	Content
Transparency	<ul style="list-style-type: none"> <li>• Ralph M. Brown Act</li> <li>• California Public Records Act</li> </ul>
Personal Financial Gain	<ul style="list-style-type: none"> <li>• Conflict of Interest Laws                             <ul style="list-style-type: none"> <li>• Government Code Section 1090</li> <li>• Political Reform Act</li> </ul> </li> <li>• Reporting Obligations - Form 700</li> </ul>
Bribery and Gifts	<ul style="list-style-type: none"> <li>• Definition of bribery</li> <li>• Prohibition and limits on gifts</li> </ul>
Use of Public Funds	<ul style="list-style-type: none"> <li>• Principles governing use of public funds</li> <li>• Prohibition on gifts of public funds</li> </ul>
Fair Process	<ul style="list-style-type: none"> <li>• Eliminating Bias</li> <li>• Prohibition on incompatible offices</li> <li>• Anti-nepotism</li> </ul>

An aerial photograph of a meeting around a light blue table. Seven people are seated around the table, engaged in discussion. The table is cluttered with papers, a laptop, a calculator, and glasses. A semi-transparent yellow rectangular overlay covers the left side of the image, containing the word 'TRANSPARENCY' in blue capital letters.

# TRANSPARENCY



# THE BROWN ACT

## ROADMAP: 6 QUESTIONS

1. What is the purpose of the Brown Act?
2. What is a meeting?
3. What are the notice and agenda requirements?
4. What are the public's rights?
5. What are the permissible closed session topics?
6. What are the penalties and remedies for violating the Act?

# 1. WHAT IS THE PURPOSE OF THE ACT?

## A. To Foster Broad Public Access



“... The people of this State do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created.”

# 1. WHAT IS THE PURPOSE OF THE ACT?

## How Does the Brown Act Accomplish Its Purpose?

- Public is given notice of meetings
  - Agenda posting requirements
- Meetings must be open to the public
  - Confidentiality is limited
  - Closed sessions must be statutorily authorized
- Transparency does not mean chaos
  - Meetings are held in public, not controlled by the public.
- Charter School can set more stringent requirements that foster greater access and participation (e.g., longer posting periods), but Charter School cannot do less than the law requires. Check charter, Bylaws and MOUs to see if your requirements are more stringent.

## 2. WHAT IS A MEETING?

### A. Basic Definition:

When any congregation of a majority of the members of the Board meet to hear, discuss, deliberate, or take action on any item of Charter School business.

## 2. WHAT IS A MEETING?

### B. Exceptions to definition of meeting:

- Attendance of majority at public conferences of general interest
- Attendance of majority at another body's public meeting
- Attendance of majority at purely social or ceremonial gatherings

SO LONG AS SCHOOL BUSINESS  
IS NOT DISCUSSED!

## 2. WHAT IS A MEETING?

### C. Brown Act Committees

*As a general rule, all committees must follow the Brown Act*

#### **Committees**

- Permanent or temporary
- Decision-making or advisory
- Created by charter, ordinance, resolution, or a Board's formal action

*A standing committee must comply with the Brown Act even if it is an advisory committee composed solely of the members of the Board who are less than a quorum.*

#### **Standing Committees**

- A committee is a standing committee if it:
  - Has continuing subject matter jurisdiction; or
  - Has a meeting schedule fixed by charter, ordinance, resolution, or a Board's formal action
- Brown Act applies regardless of whether the standing committee is:
  - Composed solely of Board members or not
  - Less than a quorum of Board members or not
- Examples: Budget Committee; Facilities Committee; etc.

### Non- Brown Act Committees

*There is one exception for certain advisory committees that are not subject to the Brown Act. The advisory committee must be composed solely of the members of the Board that are less than a quorum, and must not be a standing committee.*

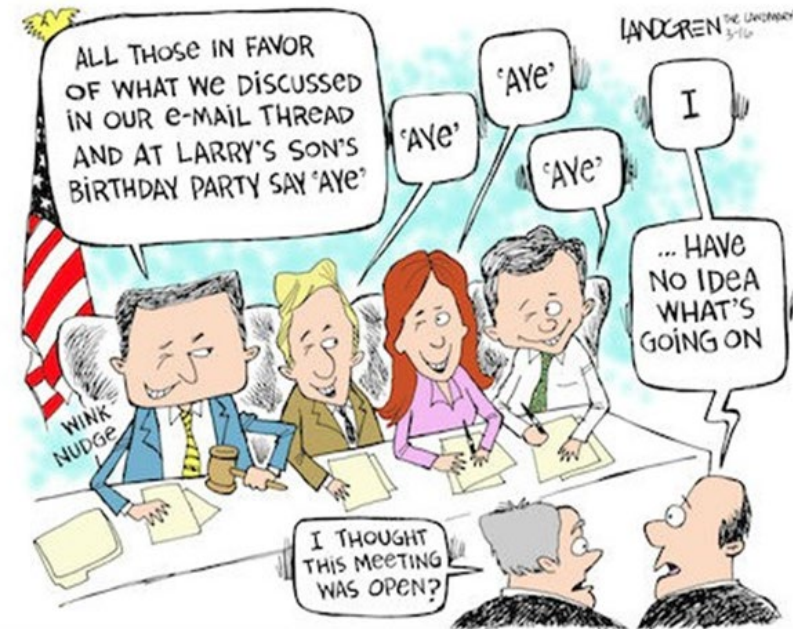
#### **Certain Advisory Committees**

- Must be advisory, not decision-making
- Must be composed solely of the members of the Board
- Must be less than a quorum of the Board
- Must not be a standing committee

## 2. WHAT IS A MEETING?

### D. Serial Meetings Are Prohibited

- A majority of the members
- Outside a meeting
- Use a series of communications of any kind, directly or through intermediaries
- To discuss, deliberate, or take action on
- Any item of Charter School business that is within the subject matter jurisdiction of the Board.





## 2. WHAT IS A MEETING?

### **E. Limit On Unilateral Communications**

While an employee or official may engage in separate conversations or communications outside of a meeting with other members of the Board in order to answer questions or provide information regarding a matter of Charter School business, that person may not communicate to members of the Board the comments or position of any other member or members of the Board.

## 2. WHAT IS A MEETING?

### F. Meeting Locations and Two-Way Teleconference Locations

Type of Governing Body	Meeting Location
Governs one charter school	Meet within the physical boundaries of the county in which the charter school is located; two-way teleconference location at each schoolsite
Governs one NCB that does not have a facility or operates one or more resource centers	Meet within the physical boundaries of the county in which the greatest number of pupils who are enrolled in that charter school reside; two-way teleconference location at each resource center
Governs an entity managing one or more charter schools located within the same county	Meet within the physical boundaries of the county in which the charter schools are located; two-way teleconference location at each schoolsite/resource center
Governs an entity that manages two or more charter schools that are not located in the same county	Meet within the physical boundaries of the county in which the greatest number of pupils enrolled in those charter schools managed by that entity reside; two-way teleconference location at each schoolsite/resource center; audio record, video record, or both, all the governing board meetings and post the recordings on each charter school’s internet website.

## 2. WHAT IS A MEETING?

### G. Remote Participation in Meetings by Board Members



## 2. WHAT IS A MEETING?

### H. Basic Requirements if Any Board Member Participates by Telephone

1. All votes taken shall be by roll call.
2. Agenda must be posted at all teleconference locations.
3. Each teleconference location shall be identified in the notice and agenda of the meeting.
4. Each teleconference location shall be accessible to the public.
5. Members of the public shall have the right to address the board directly at each teleconference location.
6. A quorum of the Board must participate from within the School's "jurisdiction."

## 2. WHAT IS A MEETING?

### Only operative through January 1, 2026

- Allows relaxed videoconferencing requirements for members' personal **emergencies** and for **just cause**
- Allows videoconferencing without any obligation to
  - Identify the teleconferencing location on the agenda
  - Allow public access to the teleconferencing location
- Member must participate through both audio and visual technology
- **Only allowable if a quorum of members participate in person from a singular physical location** clearly identified on the agenda and which is open to the public and situated within the agency's jurisdiction.

## 2. WHAT IS A MEETING?

**“Emergency circumstances”** means a physical or family medical emergency that prevents a member from attending in person.

**“Just cause”** means any of the following:

- A childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires them to participate remotely.
- A contagious illness that prevents a member from attending in person.
- A need related to a physical or mental disability as defined in law and not otherwise accommodated
- Travel while on official business of the governing board or another state or local agency.

## 2. WHAT IS A MEETING?

Teleconferencing based on an **emergency** requires that:

- The member shall make a request to participate remotely as soon as possible.
- The member must make a separate request for each meeting in which they seek to participate remotely.
- If the request does not allow sufficient time to place proposed action on such a request on the posted agenda for the meeting for which the request is made, the Board may take action at the beginning of the meeting.

## 2. WHAT IS A MEETING?

- Just cause limited to twice per calendar year
- Member must request emergency circumstances and Board must vote to approve (limited agenda description)
- Under no circumstances can a member participate in meetings solely by videoconference from a remote location for a period of more than:
  - three consecutive months;
  - 20 percent of the regular meetings within a calendar year; or
  - more than two meetings if the Board regularly meets fewer than 10 times per calendar year.



## 2. WHAT IS A MEETING?

### Other requirements:

- At least a quorum of members must participate in person from a singular physical location clearly identified on the agenda and which is open to the public and situated within the agency's jurisdiction.
- Members of the public must be provided a means to “remotely hear and visually observe the meeting, and remotely address” the governing board, ” i.e., a two-way audiovisual platform or a two-way telephonic service and a live webcasting of the meeting.
- Meet virtual meeting requirements: agenda provides notice for how the public can participate; comments cannot be required in advance; technical disruption must be fixed before Board can take action
- The member shall publicly disclose before any action is taken, if any individuals 18 years of age or older are present in the room at the remote location, and the general nature of the member’s relationship with any such individuals.

## 3. WHAT ARE THE NOTICE & AGENDA REQUIREMENTS?

### A. General Rule:

The agenda shall be posted properly in advance of a meeting and must include a brief description of items to be transacted or discussed. With a few exceptions, if an item is not on the agenda, the Board cannot discuss it.

## 3. WHAT ARE THE NOTICE & AGENDA REQUIREMENTS?

### B. Exceptions to the Rule:

1. Upon a determination by a majority vote of the Board that an “emergency” or “dire emergency” exists (54956.5) – EXTREMELY RARE
2. Upon a determination by a 2/3 vote of the members of the Board or unanimous vote of those present if less than 2/3 of the members are present that:
  - a) That there is a need to take immediate action; and
  - b) The need for action came to the attention of the Board after the agenda was posted.

## 3. WHAT ARE THE NOTICE & AGENDA REQUIREMENTS?

3. The agenda item was posted for a prior meeting of the Board that:
  - a) Occurred not more than 5 calendar days prior to the date action was taken on the item; and
  - b) At the prior meeting the item was continued to the meeting at which action is taken.
4. Direction to staff
5. Brief responses, clarifying questions and announcements
6. Identification of future agenda items

## 3. WHAT ARE THE NOTICE & AGENDA REQUIREMENTS?

### C. Types of Meetings:

1. Regular meetings – Agenda posted 72 hours in advance
2. Special meetings – Agenda posted 24 hours in advance
3. Emergency Meetings – Agenda posted at least 1 hour in advance

## 3. WHAT ARE THE NOTICE & AGENDA REQUIREMENTS?

### **D. Location of Posting**

1. Posted in publicly accessible location for entire posting period within jurisdiction.
2. If Charter School maintains a website, agenda must be posted on website.
3. On website through “prominent, direct link” on front page; current agenda appears at top; agenda must be downloadable and searchable; free access

### **E. Content of Agendas – Brief description of 20 words or less and public testimony time.**

### **F. Closed Session Agendas**

1. Use safe harbor language
2. Provide verbal notice in advance of closed session
3. Make public report of action taken in closed session and roll call vote or abstention of every member, if any

### 3. WHAT ARE THE NOTICE & AGENDA REQUIREMENTS?

- G. **Executive Compensation**: the Charter School cannot approve educational executive contract at special meeting and must orally report salary, salary schedule, and benefits in open session.
- H. **Votes are Public**: the votes of individual Board members must be publicly reported, during meeting and in minutes.
- I. **Board Minutes**: Include all material motions and votes.

## 4. WHAT ARE THE PUBLIC'S RIGHTS?

- A. Public testimony
  - Addressing disruptive speakers?
- B. Taping or broadcasting
- C. No conditions of attendance
- D. Non-discriminatory facilities
- E. Copies of agendas and other public writings
- F. Must provide double the time for public testimony to persons utilizing an interpreter to ensure equal opportunity



## 4. WHAT ARE THE PUBLIC'S RIGHTS?

### SB 1100

- Authorizes Board Chair or designee to **remove, or cause the removal of, an individual for disrupting the meeting.**
- “Disrupting” means engaging in behavior during a Board meeting that actually disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting and **includes, but is not limited to,** one of the following:
  - (A) A failure to comply with reasonable and lawful regulations or policies adopted by the Board related to public comment, or any other law.
  - (B) Engaging in behavior that constitutes use of force or a true threat of force.

## 4. WHAT ARE THE PUBLIC'S RIGHTS?

- Before removing an individual, the presiding member or designee **must warn the individual** that their behavior is
  1. disrupting the meeting and
  2. that their failure to cease their behavior may result in their removal
- The presiding member or designee may then remove the individual if they do not promptly cease their disruptive behavior
- The warning requirement does not apply to behavior constituting a “**true threat of force**”
- A “**true threat of force**” means “a threat that has sufficient indicia of intent and seriousness, that a reasonable observer would perceive it to be an actual threat to use force by the person making the threat”

## 5. WHAT ARE THE PERMISSIBLE CLOSED SESSION TOPICS?

### A. Confidentiality requirement

No Board member, staff member or invitee may disclose information from closed session without the authorization of the Board.

## 5. WHAT ARE THE PERMISSIBLE CLOSED SESSION TOPICS

### **B. Authorized Closed Sessions**

1. Personnel
  - Caveat - 24 hour written notice to employee if complaints and/or charges will be heard.
2. Real estate negotiations
3. Labor negotiations
4. Public security exception
5. Conference with legal counsel
6. Pupil discipline

## 6. WHAT ARE THE PENALTIES & REMEDIES FOR VIOLATING THE ACT?

- Civil remedies
  - Board action may be declared null and void
  - Injunctive relief may be obtained
  - Prevailing plaintiff awarded attorneys' fees
- Criminal penalties apply if one or more Board members intend to deprive the public of information to which the member knows or has reason to know the public is entitled.
- Potential charter revocation

## 6. WHAT ARE THE PENALTIES & REMEDIES FOR VIOLATING THE ACT?

### Complaints and Challenges

- Notice and Demand for Cure or Cease and Desist
  - Can be brought by District Attorney or member of the public
  - Board must cure/respond within 30 days
  - Seek advice from legal counsel on response

# TRAINING ROADMAP



Training Area	Content
Transparency	<ul style="list-style-type: none"> <li>• <del>Ralph M. Brown Act</del></li> <li>• California Public Records Act</li> </ul>
Personal Financial Gain	<ul style="list-style-type: none"> <li>• Conflict of Interest Laws                             <ul style="list-style-type: none"> <li>• Government Code Section 1090</li> <li>• Political Reform Act</li> </ul> </li> <li>• Reporting Obligations - Form 700</li> </ul>
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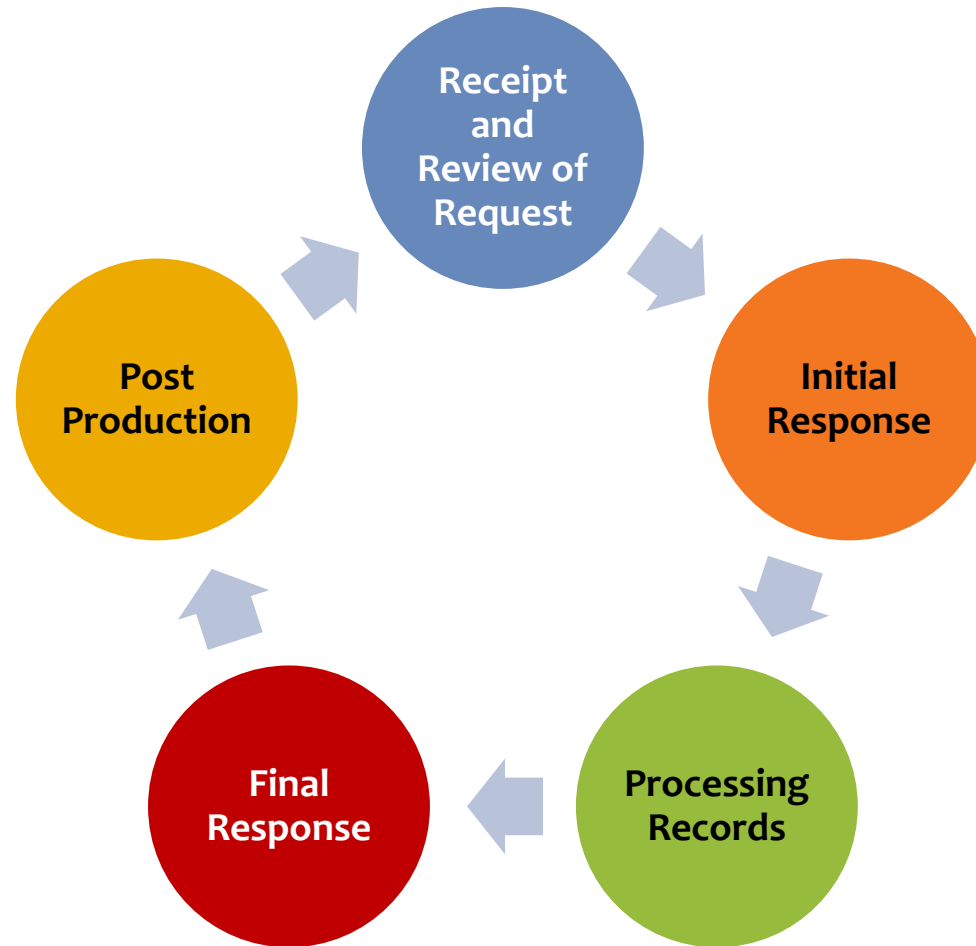
# CALIFORNIA PUBLIC RECORDS ACT



## PURPOSE OF THE PUBLIC RECORDS ACT

*“In enacting this chapter, the Legislature, mindful of the right of individuals to privacy, finds and declares that access to information concerning the conduct of the people’s business is a fundamental and necessary right of every person in this state.”*  
(Govt. Code § 7921.000)

# LIFE CYCLE OF A PUBLIC RECORDS ACT REQUEST



# RECEIPT AND REVIEW OF REQUEST

A request may be in any form and does not need to reference the PRA.

*Practice Pointers:*

- Treat any request for records or information as a PRA request.
- Reduce verbal requests to writing and provide a copy to requester.

# RECEIPT AND REVIEW OF REQUEST

## What is the purpose of this request?

"This division does not allow limitations on access to a public record based upon the purpose for which the record is being requested, if the record is otherwise subject to disclosure." (Govt. Code § 7921.300.)

"The [] motive in making the request is essentially irrelevant." (*Bertoli v. City of Sebastopol* (2015).)

# PROCESSING RECORDS

## Public Records

“Includes any writing containing information relating to the conduct of the public’s business prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics.”

(Govt. Code § 7920.530)



# PROCESSING RECORDS

## Writing

“Any handwriting, typewriting, printing, photostating, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored.”  
(Govt. Code § 7920.545)

# PROCESSING RECORDS

“This definition is intended to cover every conceivable kind of record that is involved in the governmental process and will pertain to any new form of record-keeping instrument as it is developed. Only purely personal information unrelated to 'the conduct of the public's business' could be considered exempt from this definition. . .” (*Braun v. City of Taft* (1984).)



# PROCESSING RECORDS

## City of San Jose v. Superior Court (2017)

“A city employee’s writings about public business are not excluded from CPRA simply because they have been sent, received, or stored in a personal account.”

Must relate in some substantive way to the conduct of the public’s business.

### Factors:

- Content;
- Context and purpose;
- Audience to whom it was directed; and
- Was it prepared by an employee acting or purporting to act within the scope of his or her employment?





## PROCESSING RECORDS

### Are the records disclosable?

"The Act contains a number of exemptions from disclosure. Because of the strong public policy in favor of disclosure of public records, such records must be disclosed unless they come within one or more of the categories of documents exempt from compelled disclosure. . . .These exemptions are construed narrowly, and the burden is on the public agency to show that the records should not be disclosed." (*Rogers v. Superior Court* (1993).)

# PROCESSING RECORDS

## EXEMPTIONS

### Pending Litigation (Govt. Code §7927.200.)

- Applies only during ongoing litigation.
- Prevents a litigant from using the PRA to gain earlier/ greater access to records outside of the rules of discovery.
- Protects documents specifically prepared for use in litigation.
- Settlements are generally disclosable.
- Attorneys' fees and invoices while litigation is pending.



# PROCESSING RECORDS

## EXEMPTIONS

### Personnel, medical, or similar files:

“the disclosure of which would constitute an unwarranted invasion of privacy.”

(Govt. Code § 7927.700)

- Personnel records defined by content not location.
- Evaluations are exempt.



### Investigative Reports:

Personnel exemption can be overridden if allegations being investigated are substantial in nature and well-founded. (*Marken v. Santa Monica Malibu Unified School District* (2012).)

# PROCESSING RECORDS

## EXEMPTIONS

### Drafts

- Not kept in ordinary course of business; and
- Public interest in withholding outweighs public interest disclosure.  
(Govt. Code §7927.500.)



# PROCESSING RECORDS

## EXEMPTIONS

### Records exempted by federal or state law (Govt. Code § 7927.705.):

- Attorney-client privileged:
  - Copying emails to attorney is not sufficient.
  - Investigations performed by your legal counsel.
  
- FERPA – identifiable student records.

### Catchall exception (Govt. Code § 7922.000.):

Balancing test: Public interest in not disclosing vs. public interest in disclosure.



# PROCESSING RECORDS

## EXEMPTIONS

### **Deliberative Process Privilege**

Protects pre-decisional discussions the disclosure of which would expose an agency's decision-making process discouraging candid discussion within the agency and undermining the agency's ability to perform its functions.

- Governor's appointment calendars and schedules exempt from disclosure. (*Times Mirror Co. v. Superior Court* (1991).)

## POST PRODUCTION

- To enforce rights under the Public Records Act a requester must institute proceedings for injunctive/declaratory relief or seek a writ of mandate. (Govt. Code § 7923.000.)
- The court shall award court costs and reasonable attorneys' fees to the plaintiff should the plaintiff prevail in litigation. (Govt. Code § 7923.115.)
  - Plaintiff prevails if suit motivates disclosure.



## POST PRODUCTION

- The costs and fees shall be paid by the public agency and shall not become a personal liability of the public official. (Govt. Code § 7923.115.)
- If the court finds that the plaintiff's case is clearly frivolous, it shall award court costs and reasonable attorneys' fees to the public agency. (Govt. Code § 7923.115.)



# ELECTRONIC COMMUNICATION BEST PRACTICES

- Employees and board members should use school-issued email accounts for all communications touching on public business.
- Keep school-related email communication professional.
- Strongly discourage discussing public business on Facebook, Twitter, or other social medium.
- Discourage employees and board members from using text messages to communicate about public business.
- Encourage phone or in-person communication with board members and employees.
- Adopt records retention policy that addresses all records including email retention.

# TRAINING ROADMAP



Training Area	Content
Transparency	<ul style="list-style-type: none"> <li>• <del>Ralph M. Brown Act</del></li> <li>• <del>California Public Records Act</del></li> </ul>
Personal Financial Gain	<ul style="list-style-type: none"> <li>• Conflict of Interest Laws                             <ul style="list-style-type: none"> <li>• Government Code Section 1090</li> <li>• Political Reform Act</li> </ul> </li> <li>• Reporting Obligations - Form 700</li> </ul>
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An aerial photograph of a meeting table with several people seated around it. The table is light blue and has various items on it, including papers, a calculator, a smartphone, and glasses. A large yellow semi-transparent overlay covers the left side of the image, containing the text 'PERSONAL FINANCIAL GAIN (Conflict of Interest Training)'.

# PERSONAL FINANCIAL GAIN

(Conflict of Interest Training)

# CONFLICTS OF INTEREST

## Broad Definition

- ▶ A *conflict of interest* arises when an individual who has a private financial interest in the outcome of a corporate contract or a public decision, participates in the decision-making process or influences or attempts to influence others making the contract or decision.
- ▶ In short, a conflict of interest is a clash between an individual's duty to his or her office and his or her personal interests.

# FINANCIAL INTERESTS

## Common Types of Financial Interests Regulated by Conflict Laws

- ▶ Ownership or investment in business entity
- ▶ Investment in real property
- ▶ Source of income
- ▶ Source of gifts
- ▶ Effect on personal finances

☞ Financial interests of immediate family members of Board Members and employees typically are covered.



# GOVERNMENT CODE SECTION 1090

## Elements

1. Public official (officer, board member, or employee)
2. Making a public contract (for sale or purchase)
3. Public official has a financial interest in the contract

# GOVERNMENT CODE SECTION 1090

## What you need to know about Section 1090

- ▶ If board member has financial interest, the entire board is prohibited from entering into the contract; *even if it is with the best vendor at the best price and the interested board member abstains.* (Unless an exception applies.)
- ▶ Making a public contract is defined very broadly! Applies to earliest discussions, planning, solicitation for bids, etc., not just vote.
- ▶ Thus, this statute is, in most respects, the toughest standard to meet.
- ▶ Violation of GC 1090 is a felony and the contract void!

# POLITICAL REFORM ACT

## Big Picture

1. Public official
2. Participating in or attempting to influence a governmental decision
3. Public official has qualifying financial interest (*Includes spouse and children*)
4. Financial interest is material

## The Official Must Recuse Him or Herself from All Parts of the Decision-Making Process

- Cannot make, participate in, or use an official position to influence, any decision directly relating to any person with whom the official is negotiating, or has any arrangement concerning, prospective employment
- Lots of very detailed regulations have also been adopted by FPPC.



## Conflict of Interest Code

- ▶ States who must file the Form 700
- ▶ Assigns disclosure categories



# FORM 700

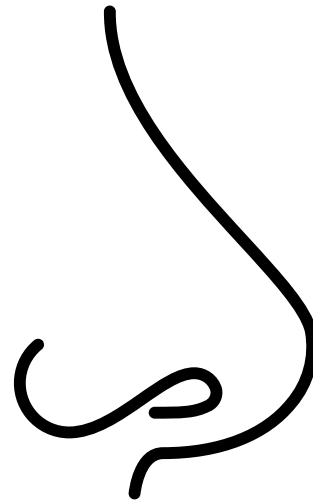
## Form 700 (Statement of Economic Interests)

- ▶ When it must be filed:
  - ▶ Assuming or reappointment to office or position (within 30 days)
  - ▶ Once annually (by April 1<sup>st</sup>)
  - ▶ Leaving office or position (within 30 days)
- ▶ Penalties for failure to file:
  - ▶ Criminal charges by Atty General or District Atty for deliberate failure to file
  - ▶ Civil or administrative action by FPPC or private citizen

# COMMON LAW ON CONFLICTS-OF-INTEREST

## Prohibition Against Conflicts of Interest

- ▶ Public official engaging in transaction or influencing decision.
- ▶ Creating an appearance of impropriety (financial interest not necessarily required)



Does it meet the  
smell test?

# TRAINING ROADMAP



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An aerial photograph of a meeting around a light blue table with seven participants. A semi-transparent yellow rectangle is overlaid on the left side of the image, containing the text 'BRIBERY AND GIFTS'.

# BRIBERY AND GIFTS

## GIFTING AND BRIBERY

**Definition of Bribe:** to persuade (someone) to act in one's favor, typically illegally or dishonestly, by a gift of money or other inducement.

1. Does a gift = bribe?
  - What is the intent of the giver and the receiver?
  - Does the giver have business before the Board? (e.g., proposed vendor, counterparty to a contract)
  - Is the giver attempting to influence a decision?
  - Is the receiver participating in a quid pro quo?
  - Could a gift have the appearance of a bribe?
2. Is a gift/bribe a financial interest under Section 1090 and the Political Reform Act?



# BRIBERY

**Penal Code Section 68:** “Every executive or ministerial officer, employee, or appointee of the State of California, a county or city therein, or a political subdivision thereof, who asks, receives, or agrees to receive, any bribe, upon any agreement or understanding that his or her vote, opinion, or action upon any matter then pending, or that may be brought before him or her in his or her official capacity, shall be influenced thereby, is punishable by imprisonment [of up to four years]... and, in addition thereto, forfeits his or her office, employment, or appointment, and is forever disqualified from holding any office, employment, or appointment, in this state.”

**We don't want to test whether this statute applies to charter school officials!**

# BRIBERY

## Don't bribe other public officials!

**Penal Code Section 85:** “Every person who gives or offers to give a bribe to any Member of the Legislature, any member of the legislative body of a city, county, city and county, school district, or other special district, or to another person for the member, or attempts by menace, deceit, suppression of truth, or any corrupt means, to influence a member in giving or withholding his or her vote, or in not attending the house or any committee of which he or she is a member, is punishable by imprisonment in the state prison for two, three or four years.”



## Gifts

- ▶ General rule is that you cannot accept more than \$590 from one source in a calendar year.
- ▶ General rule is that gifts worth more than \$50 **must be reported** (one gift or aggregate gifts from same source in a calendar year).
- 1. Many exceptions to both general rules, the most common being:
  - ☞ Special Occasions – Birthdays, Holidays:
    - ▲ Can be gifts from anyone (other than lobbyists) if the gift giving and taking is proportional.
- 2. Inheritance

# GIFTS

## Gift (cont.)

### 3. Family Members:

- ☞ Spouse (or former spouse), child, parent, grandparent, great grandparent, grandchild, brother, sister, current or former parent-in-law, brother-in-law, sister-in-law, aunt, great aunt, uncle, great uncle, niece, great niece, nephew, great nephew, first cousin, or first cousin once removed, or the spouse of any such person. (other than a lobbyist)

### 4. “BFFs”- Long-term friendships:

- ☞ Friends for a “period of time” and gift giving and taking must be proportional. (other than a lobbyist)

### 5. Dating – “bona fide” relationship (other than a lobbyist)

- ☞ Returning or Donating Gifts vs. Reporting

Other laws regulate gifting from lobbyists (e.g., Gov. Code, §§ 86203, 89503) and third-party-paid travel (Gov. Code § 89506)

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# USE OF PUBLIC FUNDS

## PUBLIC SCRUTINY TEST

All state, federal, and local funds received by charter schools:

- Are considered public funds
- Must be used to support the educational mission

Donated funds might be considered public funds upon donation – check with counsel.

The “public scrutiny test”:

- For each transaction, ask, would the tax-paying public would view the expenditure as necessary to support public education?
- If you are questioning whether the expenditure is appropriate, it may not be!

Do public contracting and bidding laws apply to charter school expenditures?

# MISUSE OF PUBLIC FUNDS

## **Government Code Section 8314**

Bars use of public resources/funds for campaign activities and personal purposes.

## **Penal Code Section 424**

Persons responsible for "receipt, safekeeping, transfer or disbursement of public money" are prohibited from:

- Appropriating for personal use
- Keeping false or falsifying accounts
- Willfully obstructing lawful payments

# EMBEZZLEMENT

## **Penal Code Section 503**

“Embezzlement is the fraudulent appropriation of property by a person to whom it has been intrusted.”

## GIFT OF PUBLIC FUNDS?

- General prohibition against lending or gifting public money (California Constitution, art. XVI, § 6)
- For charter schools, there must be a nexus between the expenditure and the mission of the public school
  - Expenditures should be budgeted for by Board
    - ✓ Must further the Charter School's public purpose
    - ✓ Evaluate on case-by-case basis
  - Purely personal items or money benefiting an individual without any consideration are not OK
    - ✓ E.g., paying for board member's vacation in the Bahamas or CEO's gym membership



## GIFT OF PUBLIC FUNDS?

### FCMAT's Sample List of **Unallowable** Expenditures

- A social gathering where a meal is provided for employee recognition such as for teacher appreciation, secretary day, etc.
- Contributions or donations to religious, community, charity, or other non-profit groups
- Purchase of flowers for personal gift
- Giving of flowers or items to convey compassion, sympathy or meet a perceived moral obligation
- Presents or gifts to anyone including employees, volunteers, or students
- Alcohol
- Holiday or other staff parties or picnics
- Employee reimbursement for mileage from their residence to their place of work

# GIFT OF PUBLIC FUNDS?

## FCMAT's Sample List of Allowable Expenses

- School furniture, supplies and equipment
- Teacher and faculty salaries
- Uniforms and regalia for school bands, choirs or athletic teams
- Caps and gowns for graduation ceremonies
- Instructional materials and textbooks
- Maintenance of buildings and facilities
- Research and promotional activities to advance public education
- Awards to students for excellence or to employees for exceptional contributions (if in board policy)
- Flowers or decorations for a school awards ceremony or commemorative event
- Transportation for students
- Refreshments/meals for meetings for the purpose of conducting school business (e.g., curriculum meeting during lunch)
- Snacks, refreshments and food for students in the course of the school day that are deemed to contribute to the educational process (e.g., during testing)

# TRAINING ROADMAP



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# FAIR PROCESSES

## ELIMINATING BIAS

**In every action, decision, and policy, the Board and each Board member must uphold the anti-discrimination laws required of the Charter School:**

No person shall be subjected to discrimination on the basis of disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code, including immigration status, in any program or activity conducted by an educational institution that receives, or benefits from, state financial assistance, or enrolls pupils who receive state student financial aid.

## ELIMINATING BIAS

In circumstances where a board member acts as a factfinder (e.g., expulsion) Courts have recognized that “an individual has the right to a tribunal ‘which meets . . . standards of impartiality.’ . . . Biased decision makers are . . . impermissible and even the probability of unfairness is to be avoided. . . . The factor most often considered destructive of administrative board impartiality is bias arising from pecuniary interests of board members. . . . **Personal embroilment in the dispute will also void the administrative decision . . . , although neither prior knowledge of the factual background which bears on a decision nor pre-hearing expressions of opinions on the result disqualifies an administrative body from acting on a matter before it. . . .**”

[Clark v. City of Hermosa Beach, 48 Cal. App. 4th 1152 \(1996\)](#)

# INCOMPATIBLE OFFICES

## Doctrine of Incompatible Offices

- ▶ Public official holding two public offices simultaneously
- ▶ Offices are incompatible with each other (creating divided loyalties); overlapping jurisdictions

# NEPOTISM

**Fun fact:** The word **nepotism** comes from the Italian word for nephew, and the practice can be traced back to Pope Sixtus IV in the late 15th century.

**Defined:** The appearance of, or actual, favoritism in employment (e.g., hiring, compensation, supervision, discipline), appointments, contracting, or decision-making based on family or personal relationships.

**Best Practice:** Implement and enforce anti-nepotism policy that defines scope of nepotism and procedures to avoid nepotism.



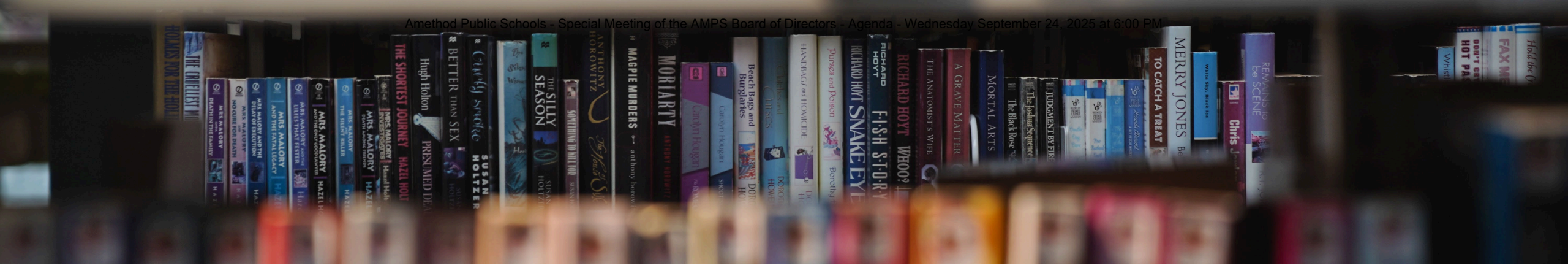
# TRAINING ROADMAP



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**QUESTIONS?**



THANK YOU

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