



# Pioneer Valley Performing Arts Charter Public School

## May Board Meeting

Published on May 9, 2024 at 4:37 PM EDT  
Amended on May 10, 2024 at 1:08 PM EDT

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### Date and Time

Tuesday May 14, 2024 at 6:00 PM EDT

### Location

Zoom Account is inviting you to a scheduled Zoom meeting.

Topic: My Meeting

Time: May 14, 2024 06:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/89230834572?pwd=VHk0ZEICWDJodDBINzRldlhFQW9CZz09>

Meeting ID: 892 3083 4572

Passcode: 6Q8cmx

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- +1 312 626 6799 US (Chicago)
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- +1 360 209 5623 US
- +1 386 347 5053 US
- +1 507 473 4847 US
- +1 564 217 2000 US
- +1 669 444 9171 US
- +1 669 900 6833 US (San Jose)
- +1 689 278 1000 US
- +1 719 359 4580 US

Meeting ID: 892 3083 4572

Passcode: 575967

Find your local number: <https://us02web.zoom.us/j/kGWR8GZuN>

Agenda

	Purpose	Presenter	Time
I.	Opening Items		6:00 PM
A.	Record Attendance	Shino Pichette	1 m
B.	Call the Meeting to Order	David Potter	1 m
C.	Read the Mission Statement	A member of the Board	1 m
PVPA offers its students intensive exposure to the performing arts within the context of an excellent college preparatory curriculum.			
D.	Approve Minutes	Approve Minutes David Potter	2 m
Please read minutes and prepare concerns or questions prior to the meeting.			
II.	Public Comment		6:05 PM
A.	Brief comments and/or questions welcomed.	Discuss David Potter	10 m

	Purpose	Presenter	Time
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Please be aware that the Board generally prefers not to respond directly to Public Comment, to ensure that we give full consideration to each issue before formulating an official response. We appreciate your understanding.

### III. Head of School Report 6:15 PM

- |           |  |         |               |      |
|-----------|--|---------|---------------|------|
| <b>A.</b> | Brent's Report                                     | Discuss | Brent Nielsen | 15 m |
|           | Update on Enrollment, Staffing, and School Culture |         |               |      |
|           | Core Criteria Site Visit                           |         |               |      |

### IV. Board Committee Reports 6:30 PM

- |           |   |         |                          |      |
|-----------|---|---------|--------------------------|------|
| <b>A.</b> | Finance Committee                                   | Vote    | Neil Hede & Marcy Conner | 20 m |
|           | School Budget SY 24-25                              |         |                          |      |
| <b>B.</b> | Governance Committee                                | Vote    | LATRINA DENSON           | 15 m |
|           | Explanation of Recruitment Process for New Trustees |         |                          |      |
|           | Vote on the SY 23-24 Employee Handbook              |         |                          |      |
|           | Vote on new Trustee: Tim Cable                      |         |                          |      |
| <b>C.</b> | Head of School Support & Evaluation Committee       | Discuss | David Potter             | 10 m |
|           | Explanation of the current process.                 |         |                          |      |

### V. Internal Stakeholders 7:15 PM

- |           |                 |  |  |      |
|-----------|-----------------|--|--|------|
| <b>A.</b> | Staff Reports   |  |  | 10 m |
| <b>B.</b> | Student Reports |  |  | 15 m |

### VI. President's Business 7:40 PM

- |           |  |      |              |     |
|-----------|--|------|--------------|-----|
| <b>A.</b> | SY 24-25 Calendar                          | Vote | David Potter | 5 m |
|           | Vote on the School Calendar for next year. |      |              |     |

	Purpose	Presenter	Time
<b>B.</b> Strategic Action Plan - Check-in on Leadership and Governance	Discuss	David Potter	15 m
<b>C.</b> Paideia - Review of Decision-Making Process	Discuss		15 m
<b>VII. Closing Items</b>			<b>8:15 PM</b>
<b>A.</b> Adjourn Meeting	Vote		1 m

# Coversheet

## Approve Minutes

<b>Section:</b>	I. Opening Items
<b>Item:</b>	D. Approve Minutes
<b>Purpose:</b>	Approve Minutes
<b>Submitted by:</b>	
<b>Related Material:</b>	2024_04_16_board_meeting_minutes.pdf

DRAFT



# Pioneer Valley Performing Arts Charter Public School

## Minutes

### April Board Meeting #2

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#### Date and Time

Tuesday April 16, 2024 at 9:00 AM

#### Location

VIRTUAL ONLY

Zoom Account is inviting you to a scheduled Zoom meeting.

Topic: PVPA April Board Meeting #2

Time: Apr 16, 2024 09:00 AM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/85280651013?pwd=VkNQMMttWIBVOUpkRjJKYkVta0RNdz09>

Meeting ID: 852 8065 1013

Passcode: 9xhxF

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+16469313860,,85280651013#,,,,\*528653# US

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- +1 305 224 1968 US
- +1 309 205 3325 US
- +1 360 209 5623 US
- +1 386 347 5053 US
- +1 507 473 4847 US
- +1 564 217 2000 US
- +1 669 444 9171 US
- +1 669 900 6833 US (San Jose)
- +1 689 278 1000 US
- +1 719 359 4580 US
- +1 253 205 0468 US
- +1 253 215 8782 US (Tacoma)
- +1 346 248 7799 US (Houston)

Meeting ID: 852 8065 1013

Passcode: 528653

Find your local number: <https://us02web.zoom.us/j/kcux1TVyBX>

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### **Trustees Present**

Azizah Yasin, David Cavallin (remote), David Potter (remote), Fiona Yates (remote), LATRINA DENSON (remote), Neil Hede (remote), Sasha Viands (remote), Shino Pichette (remote), Tim Cable (remote), Vanessa Ford

### **Trustees Absent**

Mindi Winter

### **Trustees who arrived after the meeting opened**

Azizah Yasin, Vanessa Ford

### **Ex Officio Members Present**

Brent Nielsen (remote), Marcy Conner (remote)

### **Non Voting Members Present**

Brent Nielsen (remote), Marcy Conner (remote)

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## **I. Opening Items**

### **A. Record Attendance**

### **B. Call the Meeting to Order**

David Potter called a meeting of the board of trustees of Pioneer Valley Performing Arts Charter Public School to order on Tuesday Apr 16, 2024 at 9:08 AM.

### C. Read the Mission Statement

David read the mission statement.

Vanessa Ford arrived at 9:13 AM.

Azizah Yasin arrived at 9:16 AM.

### D. Approve Minutes

David Potter made a motion to approve the minutes from April Board Meeting on 04-09-24.

David Cavallin seconded the motion.

Comment: Concern about the way executive session was discussed in the notes (at the last part of the minutes in president's business). The minutes note that executive session was on the original agenda so the board should have one. David Potter wants to confirm that there was never a public agenda that included an executive session. The draft agenda had an executive session on it but it was deleted before the agenda was publicized because there wasn't a valid reason to have an executive session.

Azizah notes that in prior boards she has been on, there has always been a standing executive session included on all agendas. So Azizah was surprised that this wasn't included in our meeting. Azizah had not seen an executive session in a prior version of the agenda, she just wanted to note that she thought every meeting should have an executive session on it.

David's concern was that the notes from the April meeting indicate that Azizah thought she saw a previous agenda and that is not the case.

Marcy shared some reasons about why executive session can be held or not for the PVPA board.

Azizah points out that she would like the chair to solicit feedback on the agenda from the full board rather than just committee chairs. David Potter says yes, he will do this.

No change needed to the April 9 minutes, because this discussion of the issue is included in these subsequent minutes.

[Note: Tim Cable not able to vote yet since DESE has not yet had a chance to approve his membership.]

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

#### Roll Call

LATRINA DENSON Aye

Shino Pichette Abstain

Vanessa Ford Aye

Sasha Viands Aye

David Cavallin Aye

David Potter Aye



### **Roll Call**

Mindi Winter	Absent
Neil Hede	Abstain
Azizah Yasin	Aye
Fiona Yates	Aye

## **II. Public Comment**

### **A. Brief comments and/or questions welcomed.**

No public present.

## **III. Head of School Report**

### **A. Vote on School Calendar 2024-2025**

Brent Nielsen:

Only change from the April 9th calendar to this one was moving some of the half days for curriculum development.

Brent reviews the details of the calendar (see attachment).

One of the reasons we have the half days is to allow all staff to meet more frequently. If the curriculum days are full days, there is more time between days. Previously staff met on Fridays and it didn't actually include everyone (like para-professionals). This was done in coordination with the union.

David Potter Question: Has the labor management committee seen this and approved it?  
Brent: Yes.

Shino Q: How did the community info session go, where this was discussed?

Brent: We shared this at the end of the meeting and people responded positively. There is some concern about transportation issues and it will be an adjustment for the new half days arrangement. Having transport for students will help addressing absenteeism.

Fiona Q: What formal conversations (not just informal) have happened with staff, students and parents before coming to the decision to cut Paideia?

Brent: Paideia isn't on the agenda, so it shouldn't be discussed.

Fiona: Paideia isn't on the calendar so it should be discussed.

Brent: The board is voting on the number of the days of school legally, ensuring that the school is following laws.

Fiona: We should be discussing Paideia - this has always been discussed in the past along with the schedule.

Brent: The board does not have control over Paideia, so it shouldn't be discussed. The board can plan a paideia conversation if they want.

David Potter: The management of day to day operations is not the board responsibility. But it is okay to talk about Paideia as it relates to the calendar right now, but not about school processes. Internal school decisions are Brent and the administration's responsibility.

Sasha would like to ask that make space to talk about Paideia. A conversation needs to be had.

Fiona: Yes, a board conversation needs to happen. Fiona cannot approve a schedule that doesn't include Paideia. It's a key part of the pull for enrollment so there is a fiduciary reason to address this further. In a prior year (2021?) we approved a start and end date with the requirement that the head of school assemble a task force to determine the length of Paideia.

David Potter: There have been times for the board to be heard on this issue.

Vanessa: Point of order, why are we discussing things that are not on the agenda?

Shino: Schedule conversations in the past have included conversations about Paideia, so that is why some of us want to discuss it now. Also there have been no other times given to the board about when to discuss it. Shino proposes that we move forward with approving the start and end dates but schedule times for a more conversation about Paideia, noting that we don't approve removing it from the schedule at this time.

David: We have talked about Paideia as a board. Frank shared a presentation. We have gotten lots of information.

Azizah: The Paideia conversation may be legitimate, but it shouldn't be had here, right now. The board should not be managing the school in the day to day responsibilities, but it is disappointing to see the divisions happening in the school community right now. We should do whatever is within our responsibilities to try to help with unity. The vote on the schedule should not be on Paideia, it should be on the legal days of school right now.

David Potter made a motion to approve the schedule as Brent has presented it.

LATRINA DENSON seconded the motion.

Shino: I think we should amend the motion to articulate that the board will vote on these dates but would establish more conversation about Paideia.

David: Rejects the request to amend the motion.

The motion did not carry.

#### **Roll Call**

Neil Hede	No
David Potter	Aye
Mindi Winter	Absent
Fiona Yates	Abstain

**Roll Call**

Shino Pichette	No
Azizah Yasin	Aye
David Cavallin	No
Sasha Viands	No
LATRINA DENSON	Aye
Vanessa Ford	Aye

Azizah: What do we do in the event of a tie?

Marcy: Can we check the bylaws? Should staff and students be allowed to vote on this?

Shino: We should reconvene, we don't have time to address this.

**B. Vote on Mock Trial out-of-state trip**

David Potter made a motion to approve this out of state trip.

Shino Pichette seconded the motion.

Brent: Mock Trial is going to Nationals. 17 students involved with Mock Trial, 8 are allowed to compete. Money was raised to cover the whole trip.

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

**Roll Call**

Sasha Viands	Aye
LATRINA DENSON	Aye
Neil Hede	Aye
David Potter	Aye
Mindi Winter	Absent
Azizah Yasin	Aye
Shino Pichette	Aye
Fiona Yates	Aye
David Cavallin	Aye
Vanessa Ford	Aye

**IV. Closing Items**

**A. Adjourn Meeting**

David Potter made a motion to Adjourn.

Azizah Yasin seconded the motion.

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

**Roll Call**

Shino Pichette	Aye
Sasha Viands	Aye
David Potter	Aye
David Cavallin	Aye
Neil Hede	Aye
Fiona Yates	Aye

**Roll Call**

Vanessa Ford      Aye

Mindi Winter      Absent

Azizah Yasin      Aye

LATRINA DENSON Aye

There being no further business to be transacted, and upon motion duly made, seconded and approved, the meeting was adjourned at 10:13 AM.

Respectfully Submitted,  
Shino Pichette

# Coversheet

## Finance Committee

<b>Section:</b>	IV. Board Committee Reports
<b>Item:</b>	A. Finance Committee
<b>Purpose:</b>	Vote
<b>Submitted by:</b>	
<b>Related Material:</b>	PVPA_FY25_Budget_Presentation_5-7-24.pdf



## FY 25 Budget

Finance Committee on 4/30/24 recommended budget based on 2.5% increase in tuition.

# PVPA Mission Statement



Pioneer Valley Performing Arts Charter Public School offers its students intensive exposure to the performing arts within the context of an excellent college preparatory curriculum.

# FY25 Budget - Revenue

	<u>FY24 Budget</u>	<u>FY24 Projected</u>	<u>FY 25 Proposed Budget</u>	<u>% Increase Projected vs Proposed</u>
<b>Ordinary Income/Expense</b>				
<b>Income</b>				
<b>Comm of Mass Sources</b>				
4000411 · Per Pupil Income	7,110,170.00	7,531,687	7,719,979 1	2.44%
4000412 · Grants	425,000.00	639,218.00	285,227.00 2	-124.11%
4000413 · MassHealth Reimbursement	0.00	100.00	0.00	0.00%
<b>Total Comm of Mass Sources</b>	7,535,170.00	8,171,005.00	8,005,206.18	-2.07%
<b>Total 4000420 · Production Revenue</b>	28,500.00	28,500.00	28,500.00	0.00%
<b>Total 4000430 · Student Activities Revenue</b>	54,500.00	29,100.00	34,500.00 3	15.65%
<b>Total 4000440 · Auxiliary Revenue</b>	30,000.00	30,000.00	30,000.00	0.00%
4000450 · Interest	6,000.00	62,659.00	41,000.00 4	-52.83%
4000460 · Fundraising				
4000461 · Friends of PVPA-Restricted	0.00		0.00	0.00%
4000462 · Friends-Annual Fund for PVPA	0.00		0.00	0.00%
4000463 · Contributions-Unrestricted	30,000.00	5,000.00	30,000.00	83.33%
4000464 · Contributions-Restricted	0.00	17,000.00	0.00	0.00%
<b>Total 4000460 · Fundraising</b>	30,000.00	22,000.00	30,000.00	
4000470 · Miscellaneous Revenue	2,500.00	5,000.00	2,500.00	-100.00%
4000490 Rental Income	4,000.00	1,050.00	4,000.00	73.75%
<b>Total Income</b>	<u>7,690,670.00</u>	<u>8,349,314.00</u>	<u>8,175,706.18</u>	<u>-2.12%</u>



# Revenue - Continued

1. **Per Pupil Income** – On April 30, 2024 the Finance Committee voted to set the FY25 tuition budget increase at 2.5% of the DESE projected tuition for the third quarter of FY24. Total \$7,719,979.
2. **Grant Revenue** – grant funding levels for FY25 have not yet been released by DESE. The \$285,227 budget figure represents FY24 level funding for ESSA, IDEA and CSHS grants.
3. **Student Activities Revenue** – student fundraising adjusting downward to be more in line with current activity.
4. **Interest** – will continue to roll over certificates of deposit as they mature however interest rates are projected to go down so the return will not be as much as FY24.

Overall increase of 5.93% proposed in revenue as compared to FY24.

# FY25 Budget - Expenses

Expense				
	FY24 Budget	FY24 Projected	FY 25 Proposed Budget	% Increase Projected vs Proposed
<b>5200000 · Education Expense</b>				
Total 5200500 · Salaries	3,160,995.00	3,302,802.41	3,642,844.23 1	9.34%
Total 5200560 · Taxes and Benefits	748,476.00	790,763.04	764,801.55	-3.40%
Total 5200001 · Salaries and Benefits	3,909,471.00	4,093,565.45	4,407,645.78	7.13%
Total 5210600 · General Educational Expense	39,400.00	32,400.00	54,400.00 2	40.44%
Total 5220000 · Departmental Expense	34,520.00	28,464.00	34,000.00	16.28%
Total 5229500 · Grant Expenses	425,000.00	639,218.00	285,227.00 3	-124.11%
Total 5290000 · Education-Other	138,300.00	117,626.00	151,030.00 4	22.12%
5200000 · Education Expense - Other				
Total 5200000 · Education Expense	4,546,691.00	4,911,273.45	4,932,302.78	0.43%
<b>5245000 · Production</b>				
Total 5245500 · Salaries	48,410.00	50,346.40	49,862.30 1	-0.97%
Total 5245560 · Taxes and Benefits	5,133.48	5,615.08	6,041.14	7.05%
Total 5245600 · Production-Other	89,160.00	87,630.00	108,100.00	18.94%
Total 5245000 · Production	142,703.48	143,591.48	164,003.44 5	12.45%
<b>Total 5250600 · Technology</b>	57,062.00	89,300.00	123,065.00 6	27.44%
<b>5300600 · Administrative</b>				
Total 5300500 · Salaries	1,032,401.00	1,076,888.49	1,089,441.64 1	1.15%
Total 5300560 · Taxes and Benefits	226,013.00	226,593.92	235,061.82	3.60%
5300580 · Workers' Compensation Insurance	31,940.00	35,955.50	38,790.96	7.31%
Total 5300601 · General Administrative Expenses	89,000.00	80,000.00	80,500.00 7	0.62%
Total 5310600 · Recruitment-Students	8,200.00	8,200.00	8,200.00	0.00%

# Expenses – Continued

## 1. Salaries & Benefits

### FTEs

Arts Teachers	+1.10
Academic Teachers	+0.80
Instructional Support Personnel	-0.40
Administrative Support	+0.10
ESSER III Positions	+4.00

### Health/Dental Insurance

Health Insurance	+4.90%
Dental Insurance	No Change

2. **General Education Expense** - \$15,000 increase over FY24. \$5,000 for field trips and \$10,000 for curriculum development
3. **Grant Expenses** – grants are paid as reimbursements. Expenses reduced to match revenue.
4. **Education Other** – increases built in for Library books, Nursing Office software, DEI training for staff and funds for Arts Integration expenses.
5. **Production** – increase in stipends and additions/changes to the production calendar
6. **Technology** – significant increase due to FY24 evaluation and application for eRate program. Required updates to infrastructure and security monitoring contract.
7. **General Administration** - \$8,500 decrease to adjust closer to actual.

# Expenses (continued)

Expense				
	FY24 Budget	FY24 Projected	FY 25 Proposed Budget	% Increase Projected vs Proposed
Total 5311600 · Recruitment-Employees	14,000.00	22,250.00	16,800.00 8	-32.44%
Total 5315600 · Business Office Expense	36,700.00	35,144.00	43,500.00 9	19.21%
Total 5320600 · Board of Trustees Expense	42,250.00	47,128.00	42,750.00	-10.24%
Total 5300600 · Administrative	1,480,504.00	1,532,159.91	1,555,044.43	1.47%
Total 5330600 · Development	2,600.00	500.00	2,600.00	80.77%
5400000 · Facilities Expense				
Total 5400500 · Salaries	94,278.00	101,472.79	109,344.00 1	7.20%
Total 5400560 · Taxes and Benefits-Facilities	27,677.00	27,960.24	29,868.31	6.39%
Total 5400600 · Facilities Expense-Other	798,115.00	789,635.00	809,715.00	2.48%
Total 5400000 · Facilities Expense	920,070.00	919,068.03	948,927.31 10	3.15%
Total 5500700 · Depreciation Expense	114,000.00	165,000.00	175,000.00 11	5.71%
5600600 · Auxiliary Expense				
Total 5600700 · Transportation	231,290.00	232,920.00	240,800.00 12	3.27%
Total 5610000 · Food Service	23,181.00	19,047.14	26,204.93	27.32%
Total 5600600 · Auxiliary Expense	254,471.00	251,967.14	267,004.93	5.63%
5700900 · Other Expense				
5700901 · Bad Debt Expense	6,500.00	6,500.00	6,500.00	0.00%
Total 5700900 · Other Expense	6,500.00	6,500.00	6,500.00	0.00%
66900 - Reconciliation Discrepancies	0.00	0.00		
Total Expense	7,524,601.48	8,019,360.01	8,174,447.88	1.90%
Net Ordinary Income	166,068.52	329,953.99	1,258.30	-26122.30%
Net Income	166,068.52	329,953.99	1,258.30	-26122.30%
Salary/Tax Reserve	165,000.00			
Net Income	1,068.52			

## Expenses – Continued

- 8. **Recruitment of Employees** – increased efforts in diversity recruitment and retention to include funds for advertising positions and career fairs.
- 9. **Business Office Expense** – increase for annual audit and required MCPPO certification
- 10. **Facilities Expense** – overall increase of 3.04% to cover rising cost of contracts and utilities
- 11. **Depreciation** – adjusted closer to actual
- 12. **Transportation** – annual increase in bus contract

## FY25 Net Income & Balanced Budget

Budget is balanced with a small net income of \$1,258.30. No need to reserve funds for salaries as in FY24 (due to Union negotiations still in progress during spring 2023).

# FY25 Capital Budget

Lease-hold Improvements		
	Main Entrance Upgrade	15,000
	3rd Floor Carpet	32,000
	Capital Needs Assessment w/FOPVPA	30,000
		<u>77,000</u>
Equipment		
	Classroom Furniture (5 rooms)	56,500
		<u>56,500</u>
	Total Capital Budget FY25	133,500

# PVPA Salaries (PVPA CBA 2023-2026)

## Matrix Positions

Step	BA	MA
1	\$ 42,420	\$ 44,541
2	\$ 43,693	\$ 45,877
3	\$ 45,004	\$ 47,254
4	\$ 46,354	\$ 48,671
5	\$ 47,744	\$ 50,131
6	\$ 49,177	\$ 51,635
7	\$ 50,652	\$ 53,185
8	\$ 52,172	\$ 54,779
9	\$ 53,736	\$ 56,424
10	\$ 55,348	\$ 58,115
11	\$ 57,008	\$ 59,860
12	\$ 58,719	\$ 61,655
13	\$ 60,481	\$ 63,505
14	\$ 62,295	\$ 65,410
15	\$ 64,164	\$ 67,372

## Starting Rates for Non-Matrix Unit Positions

Position	2024-2025
Speech & Language Pathologist Assistant	\$20.55/hr
Paraprofessional	\$18.39/hr
Substitute Teacher	\$16.22/hr
Paraprofessional - Therapeutic	\$18.39/hr
Instructional Support Professional	\$23.27/hr
ELL Coordinator	\$64,890/year
Nurse	\$64,890 - \$73,542/year

# PVPA – 5 Year History of Cash Reserves

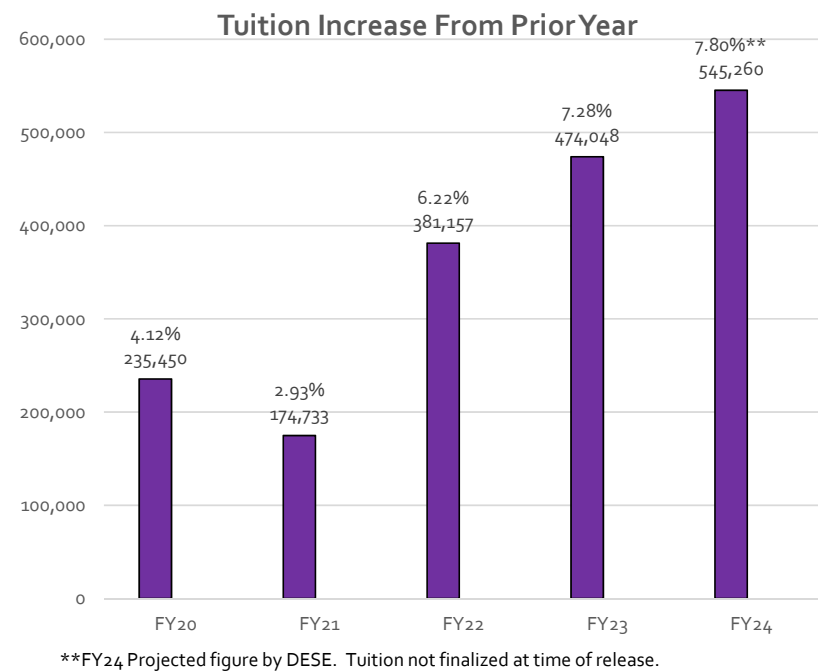
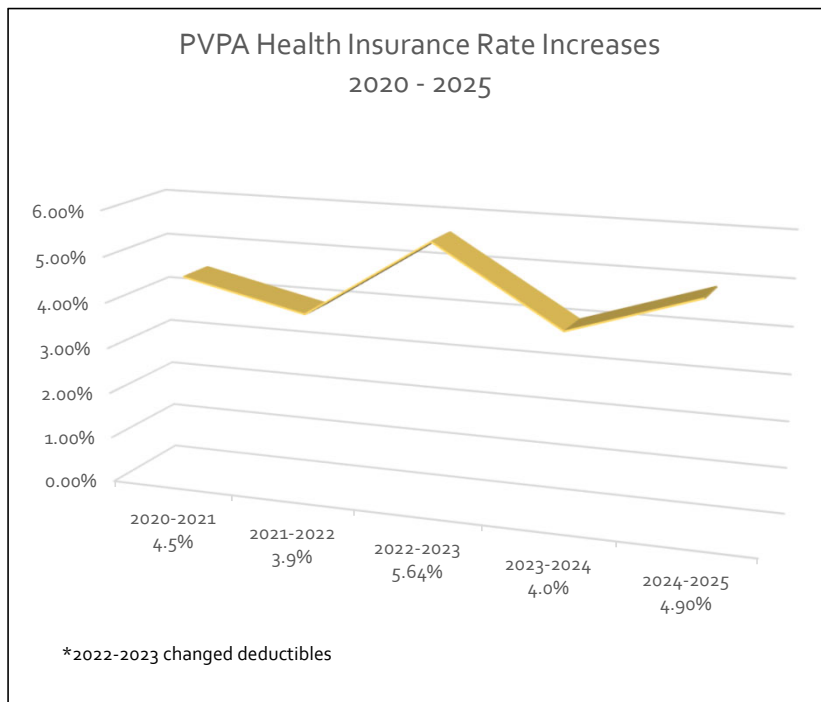
	2023	2022	2021	2020	2019***
Cash, per Balance Sheet at June 30	3,307,490	2,952,004	2,547,805	2,223,230	1,905,644
Operating expenses for 3 months	(1,500,000)	(1,500,000)	(1,500,000)	(1,500,000)	(1,500,000)
Balance	1,807,490	1,452,004	1,047,805	723,230	405,644
*** DESE late with 6/30 payment. Received \$321,022 in July					



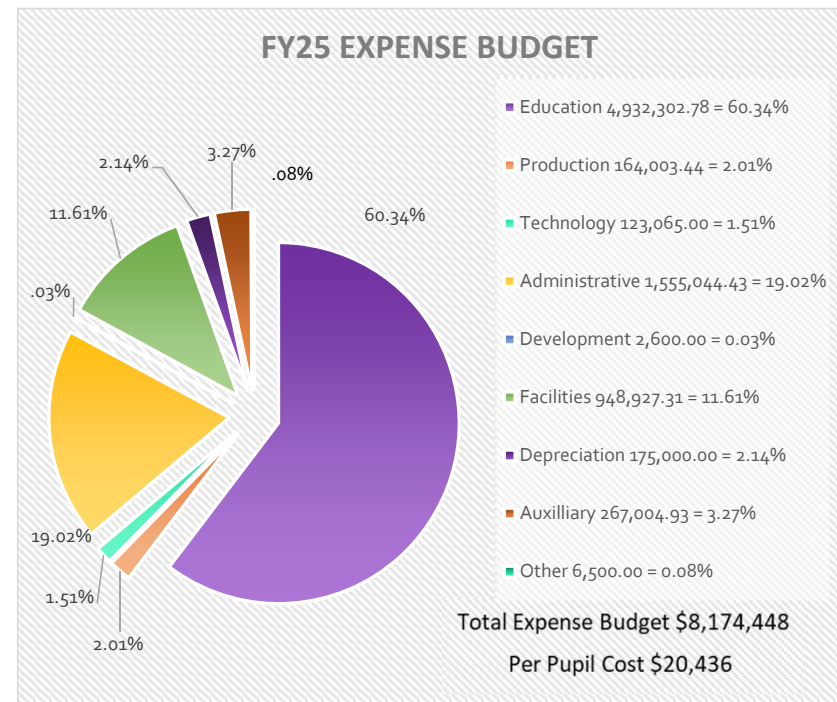
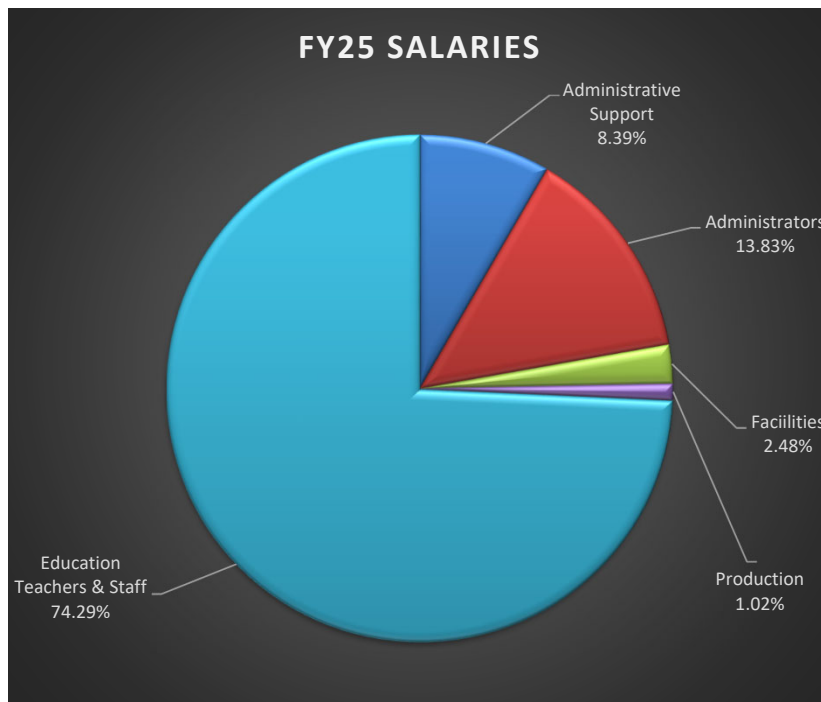
Inspired to Learn



# FY25 Budget By the Numbers



# FY25 Budget By the Numbers



# Coversheet

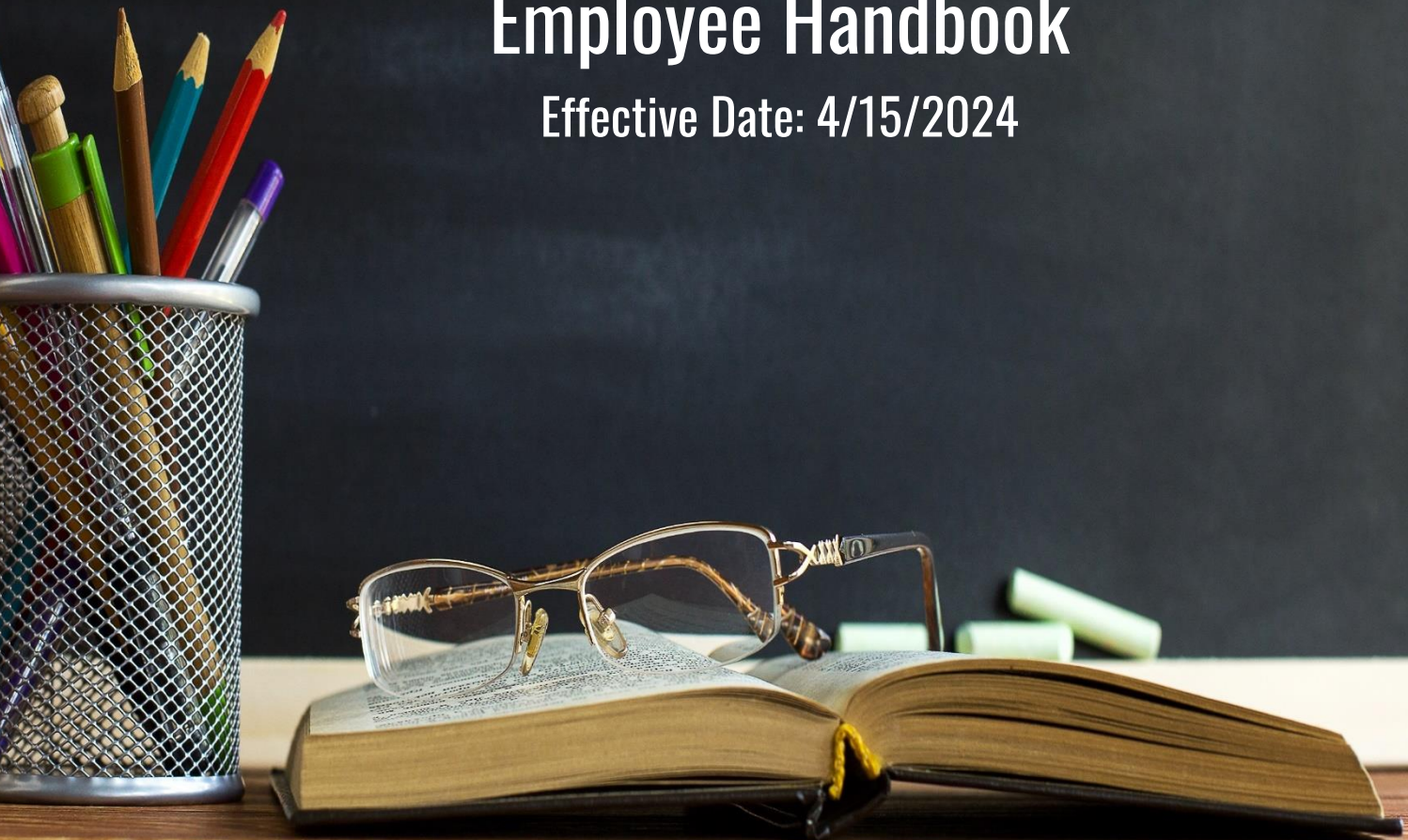
## Governance Committee

<b>Section:</b>	IV. Board Committee Reports
<b>Item:</b>	B. Governance Committee
<b>Purpose:</b>	Vote
<b>Submitted by:</b>	
<b>Related Material:</b>	PVPA Employee Handbook 4-15-24.pdf



# Employee Handbook

Effective Date: 4/15/2024





# Pioneer Valley Performing Arts Employee Handbook

## Welcome

Welcome to Pioneer Valley Performing Arts Charter Public School! We wish you every success here! We believe that every employee contributes directly to our School's growth and success, and we hope you will take pride in being a member of our team.

This Employee Handbook was developed to describe some of our expectations for our employees. You should familiarize yourself with the contents of this Handbook as soon as possible, as you are required to comply with all the policies and practices it contains. It will answer many questions about employment with Pioneer Valley Performing Arts Charter Public School, from now on referred to as the "School."

The contents of this document have been carefully considered. We believe you will find the policies to be beneficial to both you as an employee and to the School. We hope that your experience here will be challenging, enjoyable, and rewarding. We look forward to collaborating with you.

## Mission Statement/ About Us

### A Public School Dedicated to academic and Artistic Excellence

Pioneer Valley Performing Arts Charter Public School (PVPA) is a regional public charter school serving 400 students in grades 7-12 throughout Hamden, Hampshire, and Franklin counties. We seek to connect the creative process with critical thinking to inspire a love of learning. As a charter school, the work we do informs educational policy at local, state, and national levels.

### Our Mission

PVPA offers its students intensive exposure to the performing arts within the context of an excellent college preparatory curriculum.

### Our History

PVPA was founded in 1996 as part of the Massachusetts Educational Reform movement. The process of being approved as a charter school required us to identify and facilitate innovations in educational methods that could impact positively on student learning, and to disseminate these practices to other public schools in the Commonwealth and eventually the nation.

Throughout the 1990s, performing arts offerings in the Commonwealth's public schools declined sharply. Of the twenty-three high schools in the Pioneer Valley in 1995, twenty-two reported a significant reduction in performing arts programs. Only 47% offered a music program other than band. Only 26% offered a dramatic arts program of any kind. No school offered a dance program. Nowhere was creativity supported as an equal and necessary partner to critical thinking.

Given the state of arts programming in public schools, a group of artists and educators united in their belief that the arts share equal importance with academics in the education of young people and

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formed the idea that led to the founding of PVPA. Their mission was to provide western Massachusetts with a school that offered students a challenging and innovative academic curriculum wedded to a performing arts program of unparalleled scope and depth.

## Our Vision

PVPA offers an extraordinary, integrated curriculum that challenges students to blend creative and critical thinking in academic and performing art courses complemented by a respectful, empowering community that surrounds students with the support and encouragement of teachers, parents, and administrators. Through our curriculum and instruction, students develop a sense of confidence, a direction for individual creativity, and the skills and experiences necessary to succeed in college and beyond.

We seek to connect and leverage the synergy between the creative process and critical thinking to inspire a love of learning. Arts integration supports the pursuit of academic excellence by increasing student interest and enthusiasm and by providing novel entries into intellectual realms that typically remain unplumbed in middle and high school curricula. As a charter school, we are mandated to disseminate the work we do and our learning about it to inform educational policy at local, state, and national levels.

The school has earned a reputation for its dedicated faculty and administrators, academic and artistic excellence, and motivated student body. At PVPA, committed educators with a wide range of experiences and expertise collaborate to create diverse programming, attentive teaching, and innovative forms of assessment. Each academic and performing arts faculty member holds impressive potential for successfully implementing the mission of the school. In keeping with PVPA's philosophy that creativity and critical thinking are intricately intertwined, teachers are guided by their supervisors and department leaders to collaborate across disciplines to create arts integration projects. These projects engage students in the creative process while teaching them to think critically about the world around them.

Small class size is a priority at PVPA. An intimate setting, in which faculty members know every student by name, helps to create a personalized learning strategy for every student.

PVPA is committed to excellence in its academic and arts programs, and the school's graduation requirements are aligned with the State's MassCore frameworks for college and career readiness with additional requirements in the arts. To earn a PVPA diploma, all students are required to meet our graduation requirements as well as the State's Competency Determination standard, which is usually done by earning a passing score on MCAS.



# Pioneer Valley Performing Arts Employee Handbook

## Purpose of this Document

This document is intended to provide you with a general understanding of the policies and practices of the School. However, this document cannot anticipate every situation or answer every question about employment. Should you have any questions about this Handbook, we welcome you to address them with the Chief Financial Officer. In addition, you can email [humanresources@pvpa.org](mailto:humanresources@pvpa.org) for any payroll, benefit, and other HR-related questions.

This Employee Handbook supersedes and replaces all previous policies and procedures including, but not limited to, all memoranda or written policies that may have been issued on the subjects covered in this document. The policies included are guidelines only and are subject to change as the School deems appropriate and necessary. To retain the necessary flexibility in the administration of policies, practices, and benefits, the School reserves the right to change, revise, interpret, or eliminate any of the policies, practices, or benefits described in this document at any time, with or without notice. From time to time, you may receive notice of new or modified policies, procedures, benefits, or programs. Any oral or written statements contrary to the policies, practices, or benefits described in this Employee Handbook, by anyone at the School, are unauthorized and disavowed and should not be relied upon. Any deviations from the stated policies must be authorized and approved in writing by Chief Financial Officer and the Executive Director.

Conflicting provisions contained in any collective bargaining agreement, to the extent required by law, shall supersede these policies. Nothing in this Handbook or in any other document or policy is intended to violate any local, state, or federal law. Nothing in this Handbook is intended to limit any concerted activities by employees relating to their wages, hours, or working conditions, or any other conduct protected by Section 7 of the National Labor Relations Act. Furthermore, nothing in this Handbook prohibits an employee from reporting concerns to, filing a charge or complaint with, making lawful disclosures to, providing documents or other information to, or participating in an investigation or hearing conducted by, the Equal Employment Opportunity Commission ("EEOC"), National Labor Relations Board ("NLRB"), Securities and Exchange Commission ("SEC"), or any other federal, state, or local agency charged with the enforcement of any laws.

Employees must comply with this Handbook at all times. Failure to comply with any policies or procedures in this Handbook will result in discipline, up to and including termination of employment.

## State-Specific Policies

The School complies with applicable state and local laws. This Handbook may apply to employees working in a state with greater or different rights. To the extent that any provision outlined in this Handbook is inconsistent or to the extent the state law provides employees working in that state with additional benefits above and beyond those spelled out in this Handbook, the state law will be upheld. Employees may receive a state-specific supplement to this Handbook that provides information and policies applicable to employees working in that state.

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## Open-Door Policy

We encourage open communication, feedback, and discussion about any matter of importance to an employee; therefore, employees are free to talk with any Senior Administrator at any time. Whether you have a problem, a suggestion, or an observation, we want to hear from you. By listening to you, the School can improve, address complaints, and foster employee understanding of the rationale for practices, processes, and decisions.

Most situations can and should be solved in discussion with your Senior Administrator; this is encouraged as your first effort, but you may also discuss your issues and concerns with School Leadership. While we provide employees with this opportunity to communicate their views, please understand that not every complaint can be resolved to the employee's satisfaction. Even so, we believe that open communication is essential to a successful work environment and all employees should feel free to raise issues of concern without fear of reprisal.

Please note that some School policies, such as the Sexual and Other Unlawful Harassment policy, contain specific reporting procedures that should be followed. Employees should utilize this Open-Door policy for any issues or ideas that are not addressed through the School's specific reporting procedures.



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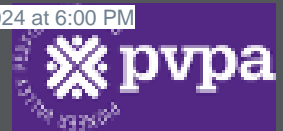
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## Section 1: Employment Practices

### 1.1 Hiring and Renewals

Employment with the School is at-will, unless state law or collective bargaining agreement which covers the employee's employment provides otherwise. This means that employment may be terminated for any or no reason, with or without cause or notice at any time by the employee or by the School. Nothing in this Handbook or any oral statement shall limit the right to terminate at-will. This at-will employment policy is the sole and entire agreement between the employee and the School regarding the fact that employment with the School is at-will. No Senior Administrator has any authority to enter into a contract of employment express or implied that changes the fact that employment with the School is at-will. Only the Principal/Executive Director of the School or their authorized representative has the authority to enter into an employment agreement that alters the fact that employment with the School is at-will, and any such agreement must be in writing signed by the Principal/Executive Director of the School or their authorized representative.

### 1.2 Employment Classifications

It is the intent of the School to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time. The right to terminate the employment relationship at-will at any time is retained by both the employee and the School. All employees are designated as either nonexempt or exempt under state and federal wage and hour laws.

*These classifications are made based on the guidelines set by the Fair Labor Standards Act (FLSA):*

- **Nonexempt:** Nonexempt employees are subject to the minimum wage and overtime provisions of the federal Fair Labor Standards Act (FLSA) and parallel state law. Nonexempt employees are entitled to overtime pay, or "time and one half" when they work more than forty (40) hours per workweek, under the specific provisions of state and federal laws.
- **Exempt:** Exempt employees generally hold a salaried professional, administrative, or executive position, and perform work duties that exempt them from the minimum wage and overtime provisions of the FLSA.

The School has established the following categories for both nonexempt and exempt employees:

- **Regular, full-time:** Employees who are normally scheduled to work at the School up to forty (40) hours per week (except for approved paid time off or approved leave of absence). Full-time employees are eligible for the full benefit package, subject to the terms, conditions, and limitations of each benefit program, and are provided with benefits required by applicable law. For more information regarding the specifics of full-time hours per position, please defer to Article 12, Hours and Scheduling in the CBA.
- **Regular, part-time:** Part-time employees may be eligible for some, but not all, employee benefits described in this Employee Handbook and are provided with benefits required by applicable law. For more information, please defer to Article 12, Hours and Scheduling in the CBA.

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- **Temporary/Seasonal/Part Time Substitutes:** Employees who are hired on an interim basis to temporarily supplement the workforce during times of increased demand or to assist in the completion of a specific project. Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary employees retain their status until notified of a change in their status, in writing. While temporary employees receive all legally mandated benefits, such as workers' compensation insurance and social security, they are ineligible for all of the School's other discretionary benefit programs.
- **Intern:** Typically, students that are being given the opportunity to gain real-life work experience or to be assessed for future regular employment. Internships are of a limited duration. Interns are eligible for legally mandated benefits.

Employment status and benefits eligibility will be outlined in an employee's offer letter or other agreement. Employees will be notified in writing of any changes in their employment classifications that occur during their employment.

## 1.3 Immigration Compliance

The School is committed to employing only individuals who are authorized to work in the United States and who comply with applicable immigration and employment law. As a condition of employment, every individual must provide satisfactory evidence of their identity and legal authority to work in the United States within three business days of commencing employment. If the employee cannot verify their right to work in the United States within three business days of employment, the School will be required to terminate their employment immediately.

## 1.4 Disability Accommodation

The School will not discriminate against qualified individuals with disabilities regarding any aspect of their employment. To comply with applicable laws ensuring equal employment opportunities for individuals with disabilities, the School will 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 or a direct threat to the health and/or safety of the individual or others would result. Any employee who requires an accommodation in order to perform the essential functions of their job, enjoy an equal opportunity, and/or obtain equal job benefits should contact Chief Financial Officer to request such an accommodation.

We will communicate with the employee and engage in an interactive process to determine the nature of the issue and what, if any, reasonable accommodation(s) may be appropriate. In some cases, this interactive process may be triggered without a request from the employee, such as when the School receives notice from its own observation or another source that a medical impairment may be impacting the employee's ability to perform their essential job functions.



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Employees who believe they need an accommodation must specify, preferably in writing, what barriers or limitations prompted the request. The School will evaluate information obtained from the employee, and possibly their health care provider or another appropriate health care provider, regarding any reported or apparent barriers or limitations, and will then work with the employee to identify possible accommodations, if any, that will help to eliminate or otherwise address the barrier(s) or limitation(s). If an identified accommodation is reasonable and will not impose an undue hardship on the School and/or a direct threat to the health and/or safety of the individual or others, we will generally make the accommodation, or the School may propose another reasonable accommodation which may also be effective. Employees are required to cooperate with this process by communicating with the School regarding their requested accommodation, providing all necessary documentation supporting the need for accommodation and being willing to consider alternative accommodations when applicable.

## 1.5 Pregnancy and Lactation Accommodation

Employees and applicants with needs related to pregnancy, childbirth, or related conditions (including lactation), may request a reasonable accommodation to enable them to perform their job. A reasonable accommodation may include, but is not limited to, the following: more frequent or longer breaks; acquisition or modification of equipment or seating; assistance with manual labor; job restructuring; light duty; private non-bathroom space for expressing breast milk; modified work schedules; temporary transfers to a less strenuous or hazardous position; or time off to attend to a pregnancy complication or recover from childbirth. The School will provide a reasonable accommodation for needs related to pregnancy, childbirth, or a related medical condition so long as the requested accommodation does not impose an undue hardship on the School.

The School will not deny employment opportunities or take adverse employment action against otherwise qualified applicants or employees who request or use such reasonable accommodations. Employees who take leave as an accommodation under this policy will be reinstated to their original job or to an equivalent position with equivalent pay, seniority, benefits, and other terms and conditions of employment upon their notification to the School of their intent to return to work or when the employee's need for a reasonable accommodation ends.

The School may require that employees provide documentation about the need for a reasonable accommodation, or the need to extend an accommodation, from an appropriate health care or rehabilitation professional. The School will not require such documentation when the requested accommodation is more frequent restroom, food, and water breaks; seating; private non-bathroom space for expressing breast milk; or limits on lifting over 20 pounds.

Employees who have questions about this policy or who wish to request leave or other reasonable accommodations under this policy should contact Chief Financial Officer. When an employee makes



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a request for a reasonable accommodation, the School and employee will engage in a timely, good-faith, and interactive process to determine an effective reasonable accommodation.

## 1.6 Equal Employment Opportunity/Nondiscrimination Policy

The School provides equal employment opportunities to all employees and applicants for employment without regard to race, color, religion, sex (including pregnancy, lactation, childbirth or related medical conditions), gender identity, sexual orientation, national origin, ancestry, age, physical or mental disability, genetic information (including testing and characteristics), military service or veteran status, citizenship status, certain criminal records, HIV testing, a personal admission to a facility for the care and treatment of a mentally ill person, taking of parental leave, crime victim status, or any other classification protected by applicable local, state, and federal law. This policy applies to all terms and conditions of employment, including, but not limited to, hiring, placement, promotion, termination, layoff, recall, transfer, compensation, training, scheduling, and leaves of absence. The School does not tolerate harassment, discrimination, or retaliation of any kind, including, but not limited to, these protected classes. We are counting on everyone, individually and collectively, to give this policy positive and constructive support.

The School also will not discriminate or retaliate against an employee because the employee provided evidence in connection with a claim for unemployment benefits or testified at any unemployment hearing. Any employee who believes they have been discriminated against should report their concerns to their Senior Administrator, Human Resources, or any other member of management with whom they feel comfortable.

## 1.7 Employment Applications and Resumes

The School relies upon the accuracy of all information provided during the hiring process, including, but not limited to, employment applications, resumes, and any other form(s) associated with the hiring process. All data presented by individuals throughout their employment with the School must be true and accurate to the best of their knowledge. Any deliberate misrepresentations, falsifications, or material omissions in any form, whether deemed pertinent or not, in regard to the information or data provided to the School, may result in the exclusion of the individual from further consideration for employment, or if the person has already been hired, the termination of their employment with the School.

## 1.8 Personnel Files

The School maintains personnel files on each employee. Employees will be provided access to personnel records in accordance with applicable state law. Only authorized members of management and Chief Financial Officer have access to an employee's personnel file. However, the School will cooperate with — and provide access to an employee's personnel file to — law enforcement officials or local, state, or federal agencies in accordance with applicable law, or in response to a subpoena, in accordance with applicable law.

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It is an employee's responsibility to promptly notify the School of any changes in personal data. Changes of particular importance are the following:

- Legal name;
- Address change;
- Emergency contact information;
- Dependent Information (including contact information);
- Change in gender;
- Marital status;
- Beneficiary changes;
- Military or draft status;
- Tax withholding exemptions; and
- Educational and professional accomplishments.

Before any of these changes are made, employees should contact Chief Financial Officer.

## 1.9 Benefit Eligibility

Benefit plans offered by the School are defined in legal documents such as insurance contracts and summary plan descriptions. If employees are offered benefits, and if a question arises about the nature and extent of plan benefits or if there is a conflict in language, the formal language of the plan documents govern, not the informal wording of this Handbook. Plan documents, if applicable, are available for your inspection. The School and its designated benefit-plan administrators reserve the right to determine eligibility as well as interpretation and administration of issues related to benefits offered by the School. Employment benefits vary according to the position and status of the employee.

## 1.10 Statutory Insurance Programs

The School offers the following insurance to our employees as required by state and federal laws.

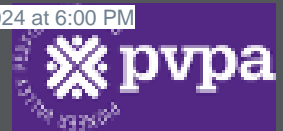
**A. Workers' Compensation Insurance:** The School is insured to provide workers' compensation coverage at no cost to employees. This program covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. Subject to the applicable legal requirements, workers' compensation insurance may provide wage replacement benefits after a waiting period. Employees who sustain work-related injuries or illnesses must inform their Senior Administrator immediately. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately. This will enable an eligible employee to qualify for coverage as quickly as possible.





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- B. Unemployment Insurance:** The School complies with all local, state, and federal laws that govern the unemployment insurance program. The State Unemployment Insurance Program provides unemployment benefits to eligible workers who are unemployed through no fault of their own and meet other eligibility requirements (as determined under state law). Information about this program will be provided to employees in the event of an employment separation.
- C. Social Security and Medicare:** During employment with the School, all employees contribute a specified percentage of their earnings and the School pays an equal amount for the benefits provided under the Social Security and Medicare programs. In addition to retirement benefits, the program also provides benefits for eligible employees and their dependents in the event of disability.
- D. MTRS:** All teaching and some non-teaching employees employed in a Massachusetts charter school are eligible for and required to contribute to the Massachusetts Teachers' Retirement System (MTRS) in lieu of contributing to Social Security. The contribution percentage is determined by MTRS and is based on when an employee first enrolled. Pension will be based on years of service and salary. Please visit <http://www.mass.gov/mtrs> for further information on this benefit.
- E. State Retirement System-Smart Plan or OBRA:** Employees not eligible to contribute to MTRS, including part-time, seasonal, or temporary employees of the Commonwealth of Massachusetts or a Massachusetts local government employer are required to participate in the SMART Plan. The SMART Plan is an alternative to Social Security as permitted by the federal Omnibus Budget Reconciliation Act of 1990 (OBRA). OBRA requires that employees not eligible to participate in their employer's retirement program (MTRS) be placed in Social Security or another program meeting federal requirements.
- F. MA Paid Family Medical Leave:** This is a State-mandated benefit for anyone who works in Massachusetts and who may be eligible to take up to 26 weeks of paid leave for medical or family reasons. PFML is separate from both the federally mandated benefits offered by the Family Medical Leave Act (FMLA) and from leave benefits that may be offered by the School.



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## Section 2: Pay Practices

### 2.1 Pay Schedule

All employees are paid on a biweekly basis. A paycheck will include earnings for all hourly work performed through the end of that payroll period plus any contract installments. Annual installments are paid in accordance with the payroll notification issued individually on an annual basis. All additionally hourly pay will fall within the two-week payroll period. If a regularly scheduled payday falls on a holiday, employees will receive pay on the last business day before the regularly scheduled payday. For payroll purposes, the workweek is measured from 12:00 AM Saturday to 11:59 PM the following Friday.

### 2.2 Pay Corrections

We make every effort to ensure that our employees are paid correctly. However, inadvertent mistakes can happen. When mistakes do happen and are called to our attention, we will promptly take action to make the necessary corrections. All employees are responsible for reviewing their paychecks when they are received to make sure they are correct. If an error has occurred, the employee should promptly bring the discrepancy to the attention of Chief Financial Officer, so that corrections can be made as quickly as possible. Should there be an underpayment of any kind, we will make every effort to repay an employee as quickly as possible. If there is an overpayment of any kind, employees are responsible for bringing it to the attention of Chief Financial Officer. Failure to report an overpayment is grounds for disciplinary action, up to and including termination of employment.

### 2.3 Pay Deductions

The School will make deductions from the wages of its employees only as permitted by law. Making improper deductions from the wages of employees is strictly prohibited.

Despite our best efforts to prevent improper deductions, it is possible that mistakes may be made. If any employee believes that an improper deduction from wages has been made, they should report the situation immediately to Chief Financial Officer. The complaint will be promptly investigated, and the employee will be reimbursed for any improper deductions.

No deductions will be taken from an exempt employee's pay inconsistent with the exempt employee's salaried status. Nor shall any policy or statement in this Employee Handbook or any other policy, practice, or procedure of the School be construed as permitting or authorizing an exempt employee's pay to be subject to deductions inconsistent with the exempt employee's salaried status. We advise employees to review their paystub to ensure that it reflects the proper number of withholdings. The W-2 form that employees receive annually reflects how much of their earnings were deducted for these purposes. Any other mandatory deductions to be made from an employee's paycheck, such as court-ordered garnishments, will be explained to the employee if the School is ordered to make deductions.



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### 2.4 Discussion of Wages

The School does not prohibit employees from discussing or disclosing information about their own wages or inquiring about or discussing the wages of other employees. The School will not retaliate against employees for disclosing their wages or inquiring about or discussing the wages of other employees. This policy does not apply to the disclosure of other employees' wage information by members of the School who have access to such information solely as part of their essential job functions and who, while acting on behalf of the School, make unauthorized disclosure of that information.

### 2.5 Attendance and Punctuality

To maintain a productive work environment, the School expects all employees to report to work as scheduled, be on time, and be prepared to start work. Good attendance is a critical element in the performance of every employee and is essential for the continued success and growth of the School.

Absenteeism is disruptive to the School and places a burden on other employees; it may subject the absent employee to disciplinary action, up to and including termination of employment. If employees are unable to work their scheduled hours, they must notify their Senior Administrator and/or Chief Financial Officer prior to the start of their workday. Employees who need to leave early must notify their Senior Administrator as soon as they learn that they will not be able to complete their scheduled shift. The School may inquire about the general reason for an absence, tardiness, or early departure. Unless extenuating circumstances exist, employees must call in on each and every scheduled day on which they will not report to work, unless they are on an approved leave of absence. Any absenteeism not reported to management will be considered as unapproved time off.

Excessive absenteeism or tardiness may result in disciplinary action up to and including termination of employment unless the absence or tardiness is excused or approved. The following are examples of types of time off that will not be considered grounds for disciplinary action under this policy:

- Time off that was previously approved, including vacation and/or PTO;
- Paid sick time provided under a mandatory sick time leave law;
- Approved state and federal leaves of absence, including, but not limited to, jury duty leave, military leave, leave protected under the Family and Medical Leave Act or similar state laws, and time off or leave specifically approved by the School as an accommodation under the Americans with Disabilities Act or similar state laws; and/or
- Time off due to a work-related injury that is covered by workers' compensation.

Each situation of absenteeism, tardiness, or early departure will be evaluated on a case-by-case basis. Even one unexcused absence or tardiness may be considered excessive, depending upon the circumstances. However, the School will not subject employees to disciplinary action or retaliation for an absence, tardiness, or early departure for which discipline may not be imposed under applicable



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law. If the employee believes that their absence, tardiness, or early departure is (or should be) excused pursuant to applicable law, the employee must notify their Senior Administrator of this fact as soon as possible, but no later than at the time of the absence, tardiness, or early departure. (For the required timing of an employee's notice of the need for a foreseeable leave of absence, see the applicable leave policy.) If an employee believes they have been mistakenly subject to disciplinary action for an absence, tardiness, or early departure that the employee believes is or should be excused/approved, the employee must immediately, as soon as they learn of the imposed discipline, discuss the matter with their Senior Administrator. The School will investigate the situation and any errors will be corrected.

## 2.6 Job Abandonment

Any employee who is absent and fails to contact their Senior Administrator and/or Chief Financial Officer for three (3) consecutive business days will be considered to have voluntarily abandoned their employment with the School. Extenuating circumstances will be evaluated by the Head of School on a case-by-case basis.

## 2.7 School Schedules

**Academic Year Employees/10-Month Employees:** Employees working less than 191 days annually. Employees may work the base academic year or the base plus 10 days. The additional 10 days are accompanied by additional responsibilities and requirements. The Base Academic year for the upcoming school year will be determined by the school district in the spring preceding the school year.

**12-Month Employees:** Employees who work 248 days or more annually. The workdays are set by the calendar.

**Summer Hours:** All School-based employees working over the summer will be subject to the hours established by the Executive Director/Head of School. All Administration employees will maintain normal business hours.

The School advises all nonexempt employees of their individual work schedules, including the times for lunch periods and all starting and stopping times for a given week. Schedules for all nonexempt employees will be set by the School according to staffing needs and operational demands. Nonexempt employees are not permitted to begin working prior to their scheduled starting time, or to work beyond their scheduled ending time without authorization from their Senior Administrator or an appropriate member of the management team. Nonexempt employees are not permitted to work through their rest or meal break periods to enable them to begin work later than scheduled or to leave work earlier than scheduled.



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## 2.8 Timekeeping

Accurately recording time worked is the responsibility of all employees at the School. All nonexempt employees (regardless of status: regular, temporary, or intern) are required to fill out timesheets, which should be updated daily.

Nonexempt employees must accurately record the time they work each day, including arrival, departure, and the beginning and ending time of each meal period. 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.

Nonexempt employees must report all time worked and not work any time that is not authorized by their Senior Administrator. This means nonexempt employees must not start work early, finish work late, work during a meal 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 Senior Administrator.

It is a violation of the School's 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 Senior Administrator.

Managers and Senior Administrators must review and approve timesheets at the end of each pay period.

Timesheets are retained by the School as a record of service and must be carefully prepared each week without exception. Altering, falsifying, or tampering with time records; recording on another employee's timesheet; or having another employee alter someone else's timesheet will result in disciplinary action, up to and including termination of employment.

## 2.9 Overtime

Overtime compensation is paid to all nonexempt employees for overtime in accordance with state and federal wage and hour laws. Overtime pay is based on actual hours worked per week above and beyond forty (40) hours. Any approved paid time off, including sick time, vacation time, holiday pay, or any other type of paid leave, will not be considered hours worked for purposes of calculating overtime. *(Example: If an employee works thirty-two (32) hours in a week and has sixteen (16) hours of sick time taken during that particular week, the employee will only be paid straight time for that entire week.)*



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Overtime is paid at “one and one-half” times the “regular rate of pay,” which is the weighted average of an employee's hourly rate(s) of pay. Nonexempt employees should not work overtime without authorization from their Senior Administrator or an appropriate member of the management team. Failure to obtain prior authorization may result in disciplinary action, up to and including termination of employment. Exempt employees are expected to work as much of each workday as is necessary to complete their job responsibilities and are not paid overtime wages; therefore, they are not required to obtain prior authorization for hours that would normally be considered overtime.

## 2.10 Break Periods

It is the School's policy to comply with all laws regarding meal and rest breaks. The School will provide break time as appropriate, subject to operational needs and Senior Administrator discretion. Any rest breaks of short duration (lasting between five and 20 minutes) will be counted as “hours worked” and paid accordingly. Meal breaks lasting 30 minutes or more are not considered “hours worked” for purposes of federal law and will not be paid for nonexempt employees.

Nonexempt employees must record the beginning and ending time of their meal breaks each day on their time records.



# Pioneer Valley Performing Arts Employee Handbook

## Section 3: Time Off and Leaves of Absence

### 3.1 Paid Vacation

Regular 12-month employees are eligible for paid vacation days. Vacation days are prorated for part-time staff. The number of vacation days provided is based on an employee's time in service at PVPA with the following:

Year 1: 15 days	Year 4: 21 days
Year 2: 17 days	Year 5: 23 days
Year 3: 19 days	Year 6: 25 days

The term Year is defined as the school's fiscal year: July 1 to June 30.

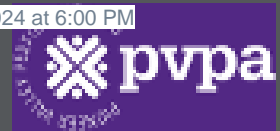
1. Employees hired after the fiscal year has begun will receive a prorated number of vacation days for the first partial employment year based on an allotment of 15 vacation days. For such employees, Year 1 commences at the beginning of the new fiscal year.
2. Employees who terminate their employment with PVPA for any reason during the fiscal year are entitled to be paid for a prorated number of unused vacation days based on the individual's service at PVPA. In these cases, unused vacation days will be calculated on a monthly accrual basis and paid at the daily rate of the current salary.
3. New employees are eligible to take vacation days upon completion of their first 90 days of employment.
4. Vacation days are not cumulative from year to year, however on June 30<sup>th</sup>, an employee may opt to receive pay for up to 10 days of unused vacation time.
5. Vacation days must be taken by September 30 (90 days following the end of the fiscal year) or they will be forfeited.

Note:

- Vacation days must be requested in advance through the ADP Portal.
- Twelve-month regular full-time and twelve-month regular part-time employees are required to work during Academic Calendar vacations. An employee may use vacation days during these times provided proper approval is obtained.
- Regular full-time 10-month and regular part-time 10-month employees are not eligible for paid vacation days. These employees follow the Academic Calendar and school vacation schedule.

### 3.2 Paid Time Off (Sick/Personal)

- All full-time employees are entitled to fifteen (15) days per year of paid time off (PTO). Part-time employees shall be entitled to a pro-rata number of PTO days. The term "day, as used in this policy, shall be equal to an employee's regular weekly contracted hours, divided by five.



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- An employee's PTO will be charged for the amount of contracted time during which they were absent. When used during classroom time for which a substitute will be required, PTO will be charged in class blocks. PTO taken during non-supervisory time shall be charged in increments of fifteen (15) minutes.
- PTO may be used for all covered purposes under MA Paid Sick Leave, including an employee's own or a household or family member's illness or injury, or medical appointments, or for other personal reasons that cannot be attended to outside of the employee's work hours. Employees may use PTO for religious holidays. For the purposes of this Article, "family member" shall have the same meaning as used in Section 3.4, Bereavement Leave.
- Use of PTO, other than for unanticipated medical reasons or other emergencies, must be submitted for approval by noon on the Friday prior to its use. PTO must be submitted for approval at least two (2) weeks in advance if it will coincide with MCAS testing days, and for any days immediately before or after School holidays or the first and last days with students. (Earlier submission of requests is preferred). Employees are strongly discouraged from taking time off for personal reasons at the beginning or end of a school break or vacation period, given the resulting disruption to students and the school community and the greater-than-normal needs of the School at those times. Employees must call-in no later than 7:30 a.m. when taking PTO for unanticipated medical reasons or other emergencies.
- PTO may not be used as vacation or for other employment.
- During periods of high usage of approved PTO administrators may ask individual employees if they have the flexibility to reschedule planned PTO use. Administrators may request information in order to confirm that PTO is being used for purposes allowed by the School if an employee has a pattern (e.g., multiple absences on Fridays, for example), that suggests possible misuse of PTO.
- Full-time employees begin their employment year with fifteen (15) days immediately available to them, along with any unused days carried over from the preceding year in accordance with the School policy. Part-time employees shall be entitled to an annual allotment of PTO days and to carry-over and cash-out PTO days in accordance with this Article, on a pro-rata basis. In no event will any employee receive fewer hours of PTO annually than their entitlement under the Massachusetts Paid Sick Leave law.
- Full-time employees may carry over up to ten (10) unused days of PTO from the previous year to the next employment year, so that a maximum of twenty-five (25) days of PTO may be available for use by an employee in any employment year.
- At the end of each school year, employees shall be paid for any unused PTO days which exceed the allowable amount of carry-over under the School policy at a rate of \$25 per day.
- In extenuating circumstances, employees may request in writing to the Head of School/ Executive Director, the use of paid time off in lieu of taking a leave without pay. Such requests will be granted at the sole discretion of the Head of School/ Executive Director.





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- In the event an employee takes more than three (3) consecutive days of unanticipated leave, PVPA may require the employee to provide documentation showing that the use of leave is consistent with the purposes of PTO.
- Sick/personal leave in no way is intended to be construed as vacation time.
- Unused PTO (Sick/Personal) leave will not be paid out upon separation of employment.

## PTO-Leave Bank

The PTO leave bank may be used by regular full-time, regular part-time and regular full-time 10-month employees who are eligible for PVPA benefits. The bank may start with an anonymous and voluntary donation of up to one PTO day from eligible employees upon signing a contract. Eligible employees may also choose to donate up to five (5) additional unused PTO days during the school year. Donated days in the bank will not roll over into the next school year. Eligible staff members may apply for use of the PTO bank only after they have used all of their own sick/personal days. The application will be reviewed by the administration of the school. A licensed physician's note must accompany the employee's application and should specify, to the extent possible, the start and anticipated end of illness.

If approved, an employee may receive, for the school year, a maximum of ten (10) days from the PTO leave bank or until short- or long-term disability insurance benefits, if any, become available. The employee may reapply for additional days beyond the ten (10) days, if needed. PTO days from the PTO leave bank may not be used in addition to short or long-term disability insurance benefits. Any and all grants from the PTO leave bank are subject to and limited by the number of days available in such bank.

## 3.3 School Holidays

PVPA observes the following Holidays. These days are noted in the School calendar and typically coincide with School breaks.

New Year's Day  
 Martin Luther King, Jr. Day  
 President's Day  
 Memorial Day  
 Patriot's Day  
 Juneteenth  
 Independence Day  
 Labor Day  
 Indigenous People's Day  
 Veteran's Day  
 Thanksgiving  
 The day after Thanksgiving  
 Christmas Day



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If holiday falls on a Saturday or Sunday, the day off will be determined by the administration when developing the school calendar.

An employee being paid under short- or long-term disability or worker's compensation, or on family and medical leave under the FMLA or personal leave of absence will not be eligible for holiday pay.

Holidays are not the same as school breaks, such as spring break, summer, or winter break. Employees may be required to work during such breaks.

Twelve-month employees are eligible to receive holiday pay when the School is closed and observes a holiday on a day when the employee is regularly scheduled to work. No other category of employee will be eligible for holiday pay. Employees who are on a continuous leave of absence are not eligible to receive holiday pay. Employees who are on an approved intermittent leave and are not scheduled to work on the day of a School-observed holiday are not eligible for holiday pay.

Holiday pay will not count toward hours worked in determining overtime pay for nonexempt employees. Exempt employees paid a weekly salary will receive no more than their normal weekly salary for any week in which a holiday falls, regardless of whether they perform work on the holiday.

## 3.4 Bereavement Leave

In the event of a death of a "family member" employees who are eligible for PVPA benefits will be entitled to paid bereavement leave per death, as detailed below. Employees must notify their supervisor and submit a written request for leave to the School Leader.

Employees will be granted:

- Up to ten (10) days for Parents, children, spouses, domestic partners and siblings.
- Up to five (5) days for others permanently residing in the employee's household, grandchildren, grandparents, aunts, uncles, nieces and nephews.

Employees may also request additional paid bereavement leave from the School Leader or designee, which may be granted in the School Leader's sole discretion and shall not be subject to the grievance process. Such requests, however, will not be unreasonably denied. If such a request is not approved, employees must use PTO days if they plan to be away from school.

For the purposes of this Article, the relations described in paragraphs (a) and (b) shall include step and half relations and in-laws (inclusive of those relations of domestic partners).

Bereavement leave is meant solely for the grieving of the employee's loss and events intended to remember the deceased. It may not be taken prior to the death or used for addressing the affairs of the deceased, e.g., legal, financial. Employees may request to use PTO for these purposes.



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## 3.5 Religious Observances and Accommodation

The School respects the religious beliefs and practices of all employees and will make available, upon request, reasonable accommodation for such observances when a reasonable accommodation is available that does not create an undue hardship on the School. Employees with religious beliefs or practices that conflict with their job, work schedule, the School's policy or practice on dress and appearance, or with other aspects of employment may seek religious accommodation. Any requests for religious accommodation must be submitted in writing to Chief Financial Officer. The written request must include the type of religious conflict that exists and the employee's suggested accommodation. The School will make efforts to accommodate these requests. Employees may use their accrued paid time off to observe religious holidays. Employees requesting paid time off for religious observances should request leave from their Senior Administrator in writing at least two weeks in advance. If an employee has exhausted all paid time off, unpaid time off may be granted by the Executive Director to employees who desire to observe a religious holiday that is not recognized by the School, provided that the time off does not create undue hardship on the School.

## 3.6 Jury/Witness Duty

Employees are allowed time off for civic jury duty, and it is treated as a paid absence for up to three (3) business days annually. When an employee is required to serve as a juror, or is subpoenaed to serve as a witness with pay, time off will be granted as follows:

- The employee must notify Chief Financial Officer upon receipt of a summons or subpoena so that arrangements can be made to accommodate the employee's absence.
- A document from the court, which verifies the time spent by the employee (including, if applicable, being seated on a jury, being detained in a jury pool, or being subpoenaed as a witness) and, if paid, the amount paid to the employee, must be submitted to the School.
- An employee who is subpoenaed to serve on a grand jury will receive paid time off in the same manner as civic jury duty per the jurisdiction the employee works in.
- An employee who is subpoenaed to serve as a witness for reasons not related to the School must use paid time off.

## 3.7 Voting Duty

The School encourages all employees to fulfill their civic responsibilities and to vote in official public elections. Generally, working hours are such that an employee will have ample time to cast a vote before or after the work shift. If employees do not have sufficient time to vote, however, that employee should discuss the matter with a Senior Administrator. The School will comply with all applicable state and municipal voting time laws.

## 3.8 Military Leave

Both state and federal law provide employees with the right to take leave to serve in the military. At



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the federal level, military leave rights are governed by the Uniformed Services Employment and Reemployment Rights Act, commonly referred to as USERRA.

The School abides by all military leave requirements in accordance with applicable state or local laws per the jurisdiction where the employee works.

**A. Eligibility for Leave:** The School 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 are defined as 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 national emergency. The uniformed services also include participants in the National Disaster Medical System when activated to provide assistance in response to a public health emergency, to be present for a short period of time when there is a risk of a public health emergency, or when they are participants in authorized training.

Service consists of performing 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, absence from work for an examination to determine fitness for such duty, and absence for performing funeral honors duty. Total military leave time may not exceed five (5) years during employment, except in certain, defined circumstances.

**B. Notice of Leave:** Advance notice of leave is required, preferably in writing, unless giving of notice is impossible or unreasonable, or notice is prohibited by military necessity (which is defined by the United States Department of Defense). When notice is required, employees must provide their Senior Administrator with as much advance notice as possible of any anticipated leave of absence for military service.

**C. Compensation and Benefits During Leave:** Accrued, unused paid time off will be paid during military leave at the employee's request. After thirty (30) days of continuous military leave, employees may elect to continue their health plan coverage at their own expense, for up to twenty-four (24) months or during the remaining period of service, whichever is shorter.

**D. Reemployment:** To be eligible for reemployment an employee must have provided advance notice of the need for military leave (where required) and have completed their service on a basis that is not dishonorable or otherwise prohibited under USERRA.

Employees whose military service will be for fewer than thirty-one (31) days must report back to work at the beginning of the first full, regularly scheduled workday following completion of service, after allowing for a period of safe travel home and eight (8) hours of rest. Employees whose military



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service will be for more than thirty (30) days, but fewer than one hundred eighty-one (181) days, must apply for reemployment within fourteen (14) days after completing service. Employees whose service is greater than one hundred eighty (180) days must apply for reemployment within ninety (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. Full details regarding reinstatement are available from Chief Financial Officer. In general, an employee returning from military leave will be reemployed in the position and seniority level that they would have attained had there been no military leave of absence. If necessary, the School will provide training to assist the employee in the transition back to the workforce. Paid time off does not continue to accrue during a military leave of absence. An employee returning from military leave is entitled to any unused paid time off they had at the time the military leave began minus any paid time off they chose to use during the leave. Upon reinstatement, the employee will begin to accrue paid time off benefits at the rate they would have attained if no military leave had been taken.

## 3.9 Lactation Accommodation

The School will provide a reasonable amount of break time to accommodate an employee desiring to express breast milk for the employee's child. Employees needing breaks for lactation purposes may use ordinary paid rest breaks or may take other reasonable unpaid break time when needed.

Employees will be relieved of all work-related duties during any unpaid break. Where unpaid breaks or additional time are required, employees should work with their Senior Administrator regarding scheduling and reporting the extra break time. Where state law imposes more specific requirements regarding the break time or lactation accommodation, the School will comply with those requirements. Because exempt employees receive their full salary during weeks in which they work, all exempt employees who need lactation accommodation breaks do not need to report any extra break time as "unpaid."

The School will provide employees with the use of a room or a private area, other than a bathroom or toilet stall, that is shielded from view and free from intrusion from coworkers and the public. The School will make a reasonable effort to identify a location within close proximity to the work area for the employee to express milk.

The School will otherwise treat lactation as a pregnancy-related medical condition and address lactation-related needs in the same manner that it addresses other non-incapacitating medical conditions, including requested time off for medical appointments, requested changes in schedules and other requested accommodations. Employees should contact Chief Financial Officer during their pregnancy or before their return to work to identify the need for a lactation area.



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## 3.10 Family and Medical Leave

The School complies with all aspects of the Family and Medical Leave Act and its implementing regulations. *Please see addendum section of this document for the full policy regarding the FMLA.*

## 3.11 Paid Family and Medical Leave (MA PFML)

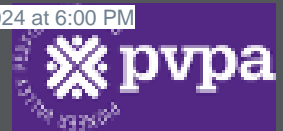
Under the Massachusetts Paid Family and Medical Leave Law, (MA PFML), eligible employees are entitled to a leave of absence to care for a family member with a serious health condition or their own serious health condition, bond with a new child, or assist with obligations that arise when a family member is called into active military service.

- A. Eligibility:** This policy applies to Massachusetts-based employees including full-time, part-time, and seasonal workers. Employees must also meet the financial eligibility requirements and any other eligibility requirements determined by the Department of Family and Medical Leave. Participation in the program is not optional.
- B. Contributions and Wage Benefit:** MA PFML benefits are funded by both the School and employee. Employee contributions are made through payroll deductions, and the amount of the contribution depends on the employee's average weekly wage. The maximum deduction amount will be adjusted periodically by the Massachusetts Department of Family and Medical Leave (Department). The amount of any deduction taken will be reflected on an employee's pay stub.

Eligible employees will receive wage replacement benefits based on the employee's earnings, up to a maximum benefit of the state average weekly wage. MA PFML benefits are administered by the Department. There is a 7-day waiting period after an application for a MA PFML benefit is approved before benefit payments begin, employees may opt to utilize paid time off during this waiting period.

Employees may choose to supplement MA PFML benefits with the use of paid time off (vacation, sick time, PTO) to the extent permitted by law and School policy. In no case will the combined pay an eligible employee receives through any wage replacement benefit exceed an employee's Individual Average Weekly Wage as defined by the DFML. All wage replacement benefits will be fully integrated to avoid duplication of benefits, to the fullest extent permitted by law.

- C. Qualifying Conditions:** If you are an eligible employee, you are entitled to take a job-protected leave of absence with partial wage replacement for one or more of the following qualifying conditions:
- Up to a maximum of 20 weeks of paid medical leave to attend to the employee's own serious medical needs, but not more than 26 weeks, in the aggregate, of family and medical leave in the same benefit year.



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- Up to a maximum of 26 weeks of paid family leave to care for a family member who is a covered service member undergoing medical treatment or otherwise addressing consequences of a serious health condition related to the family member's military service.
- Up to a maximum of 12 weeks of paid family leave to care for a family member with a serious health condition.
- Up to a maximum of 12 weeks of paid family leave: (1) for the birth, adoption, or foster care placement of a child; or (2) to attend to obligations arising because a family member is on active duty or has been notified of an impending call to active duty in the United States Armed Forces.

A covered employee is eligible for a combined maximum of 26 weeks of paid leave in a benefit year, which is calculated as 52 weeks beginning on the Sunday immediately preceding the first day of a leave.

**D. Health Coverage:** During an approved MA PFML leave, your health coverage will remain in force if you continue paying your share of the cost on time. In some cases, your payment may need to be made by your personal check or other means to maintain the coverage without interruption. You will make arrangements with the Chief Financial Officer at [humanresources@pvpa.org](mailto:humanresources@pvpa.org) on how premium payments shall be made.

**E. Intermittent Leave:** Under some circumstances, employees can take PFML on an intermittent basis or on a reduced schedule basis. An employee may take PFML intermittently or on a reduced schedule basis to care for their own or a family member's serious health condition or to care for a family member who is covered service member, if a health care provider determines it is medically necessary. If an employee requests intermittent or reduced schedule PFML for their own serious health condition, the School may request additional information and will work with the employee to identify a schedule for leave that meets the employee's needs without unduly interrupting the School's business operations (subject to the approval of the employee's healthcare provider). Employees may take PFML leave on an intermittent or reduced schedule basis when leave is due to a qualifying exigency.

In the case of PFML leave for the birth, adoption or foster care placement of a child, the School will consider requests to take leave intermittently or on a reduced schedule on a case-by-case basis depending upon the needs of the School.

PFML leave can be taken in increments of half or full day absences. Taking leave intermittently or on a reduced leave schedule will result in a proportionate reduction in the employee's available allotment of leave. Employees cannot apply for payment of benefits for intermittent PFML leave until they have accumulated 8 hours of leave time or until 30 calendar days following the first use of intermittent leave, whichever comes first.



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Employees who are approved for and use intermittent leave and fail to work during in accordance with an agreed-upon schedule may be subject to discipline. If an employee's use of intermittent PFML leave is inconsistent with the Department's approval, the School may also request additional information in support of the need for leave.

- F. Applying for Benefit:** Employees must file claims for MA PFML benefits directly with the Department using the Department's forms. The Department's contact information is:

*The Massachusetts Department of Family and Medical Leave*  
*Charles F. Hurley Building*  
*19 Staniford Street, 1st Floor*  
*Boston, MA 02214*  
*617. 626. 6565*  
[www.mass.gov/DFML](http://www.mass.gov/DFML)

- G. Notice of Leave:** Employees must provide at least 30 days advanced written notice to the Chief Financial Officer at [humanresources@pvpa.org](mailto:humanresources@pvpa.org) and specify the anticipated starting date of the leave, the anticipated length of the leave, and the expected date of return. If the employee is unable to provide 30 days' notice due to circumstances beyond their control, the employee must provide notice as soon as practicable. Failure to provide timely notice may result in a partial denial or delay in an employee's receipt of MA PFML. A request for an extension must be filed 14 calendar days prior to the expiration of the original approved leave, unless good cause for the delay is shown. The Department will not accept an application for benefits if proper notice is not made to the School as described above.

- H. Return to Work:** An eligible employee who takes leave under MA PFML and returns to work on or before the approved leave end date will be entitled to return to their former job or to an equivalent job with the same or substantially similar duties and responsibilities and with equivalent benefits, pay, and working conditions, as determined by the School. Taking family leave will not result in the loss of any employment benefit accrued prior to the date the leave began.

The School may deny restoration to any employee if:

- Other employees of equal length of service credit in the same or equivalent positions have been laid off due to economic conditions or a change in operating conditions;
- The contract for employment for which the employee was hired has concluded and the School would not have otherwise continued to employ the employee.

- I. Coordination with Other Leaves:** Leave taken under the PFML will run concurrently with leave taken under the Massachusetts Parental Leave Act and the federal Family and Medical Leave Act when the leave is for the same qualifying reason. Any paid leave provided under an employer policy and paid at the same or a higher rate than paid leave under the PFML shall count against the allotment leave benefits available under this law. In no case will the combined pay an eligible employee





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receives through any wage replacement benefit exceed the employee's weekly wage. All wage replacement benefits will be fully integrated to avoid duplication of benefits, to the fullest extent permitted by law. Employees may not receive paid family or medical leave benefits and use accrued paid time off at the same time. If employee chooses to use accrued paid leave while taking MA PFML, the amount of days that their claim has been approved for may be reduced in order to offset benefits.

- J. *Fraudulent Use of MA PFML Prohibited:*** Employees who fraudulently obtain MA PFML shall not receive the protections and benefits provided by the law and may be required to repay the Trust Fund for any benefits received and in addition may be subject to disciplinary action up to and including termination.
- K. *Protected Rights:*** The School will not interfere with, restrain, or deny the exercise of any right protected under the MA PFML. The School will not discriminate or retaliate against any individual because of the use of leave in accordance with this policy.
- L. *Contributions:*** The School will contribute 60 % of the medical contribution and the remaining 40% will be deducted from your earnings. The School will contribute 0% of the family leave contribution and the remaining 100% will be deducted from your earnings.
- M. *Questions:*** Employees should contact any questions. For recordkeeping, the School's address is 15 Mulligan Drive, South Hadley, MA 01075, and the FEIN is 04-3316318.

## 3.12 Parental Leave (MPLA)

The School is committed to providing employees with time off for the birth or adoption of a child. Eligible employees working in Massachusetts who gives birth or adopts a child under the age of 18 (or under 23 where the child is mentally or physically impaired) will be granted at least eight (8) weeks of parental leave under the Massachusetts Parental Leave Act (MPLA).

Federal and state laws may also provide an employee with additional rights to take parental leave. If the employee works in a state that provides additional rights, the School will provide those benefits.

Eligible employees may apply for disability/medical leave benefits related to their childbirth and/or pregnancy under the same terms and conditions that apply to other medical disabilities. Eligible employees may also apply for family leave benefits. Employees may also be eligible for School-sponsored paid parental leave as detailed below.

Leave taken under MPLA, or any other state leave will run concurrently with state paid leave such as MA PFML or the federal FMLA, when the leave is for the same qualifying reasons.



# Pioneer Valley Performing Arts Employee Handbook

## **School-Sponsored Paid Leave**

The School will provide up to two (2) weeks of paid parental leave to Full Time employees following the birth of an employee's child or the placement of a child with an employee in connection with adoption or foster care. The purpose of paid parental leave is to enable the employee to care for and bond with a newborn or a newly adopted or newly placed child.

This policy will run concurrently with Family and Medical Leave Act (FMLA) leave, Massachusetts Paid Family and Medical Leave (MA PFML), Massachusetts Parental Leave Act (MPLA) and/or any state family leave programs when the employee is eligible for all leaves.

### **A. Eligibility:** Eligible employees must meet the following criteria:

- Full Time employees
- Part-Time, temporary or seasonal staff do not qualify.

### **B. Qualifying Conditions:** Eligible employees must meet one of the qualifying conditions:

- Be a "primary caregiver" which is defined as someone who has primary responsibility for the care of a child immediately following birth. "Primary Caregivers" are also those individuals who have recently become parents through actions of custody. This definition thus applies to births, adoptions, and foster care placement. (in either case, the child must be age 17 or younger).
- Be an "eligible parent" which is defined as a natural parent, same-sex partner, or a new adoptive parent who is the primary caregiver.
- An individual who adopts a spouse or partner's child(ren) is not eligible for this benefit.

### **C. Timing and Duration of Paid Employer Parental Leave Program:** Eligible employees will receive a maximum of two (2) weeks of employer paid parental leave per birth, adoption, or placement of a child/children. The fact that a multiple birth, adoption, or placement occurs (e.g., the birth of twins or adoption of siblings) does not increase the total amount of employer paid parental leave granted for that event. In addition:

- In no case will an employee receive more than School of paid parental leave in a rolling 12-month period, regardless of whether more than one birth, adoption or foster care placement event occurs within that 12-month time frame.
- Paid leave must be taken during the first two (2 weeks) following the birth, adoption, or foster placement of a child and in no way can this paid leave benefit be used to extend a leave beyond what the employee is eligible for or paid at the back end of the leave. If the birth, adoption, or foster placement occurs during the Summer or a period that the employee would otherwise not be working, the paid leave will be granted immediately upon School being back in session.
- Employees must take paid parental leave as part of this benefit in one continuous period of leave, intermittent leave is not allowed under this employer-sponsored paid parental leave benefit.



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- Employees can elect to take two (2) full semesters of leave with only two (2) of those weeks being paid.
- Any unused paid parental leave will be forfeited at the end of the eligibility period.

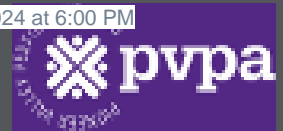
## D. Compensation During Leave:

- Paid leave benefits through this policy will be coordinated with Short-Term Disability (STD) benefits (if applicable) and State paid family leave benefits (if applicable), both of which are adjudicated through our state plan.
- The employer will fund any difference between the payment provided by STD benefits (if applicable) and State paid family leave benefits (if applicable) up to 100 percent of the employee's regular, straight-time pay for these first two (2) weeks.
- There may be a delay in payment based on the coordination of the aforementioned leaves.
- The School will make every effort to ensure that employees are paid correctly. However, inadvertent mistakes can happen. When mistakes do happen and are called to our attention, we will promptly take action to make the necessary corrections. Employees are responsible for reviewing their payment(s) to make sure they are correct. If an error has occurred, the employee should promptly bring the discrepancy to the attention of Chief Financial Officer, so corrections can be made as quickly as possible. Should there be an underpayment of any kind, we will make every effort to repay an employee as quickly as possible. If there is an overpayment of any kind, employees are responsible for bringing it to the attention of Chief Financial Officer.
- Employees will not be paid for any unused paid parental leave for which they were eligible for upon separation of employment.
- Employees will not accrue Vacation time while on paid parental leave. Vacation for 12-month employees will be adjusted for time worked throughout the year.

**E. Applying for Leave:** Employees must request paid leave parental benefits by contacting Chief Financial Officer at least two (2) weeks prior to the proposed date of the leave (or if the leave was not foreseeable, as soon as possible). The employee must complete the necessary forms and provide all documentation. The employee should also initiate a claim for all applicable benefits (Short Term Disability, State Family Leave and/or State Disability. Employees must give a 30 days' notice if they elect to take up to two (2) full semesters of leave.

**F. Coordination with Other Leaves:** Paid parental leave taken under this policy will run concurrently with leave under Short Term Disability, State Family Leave, State Disability Insurance and/or FMLA; thus, any leave taken under this policy that falls under the definition of circumstances qualifying for leave due to the birth or placement of a child due to adoption or foster care, the leave will be counted toward the leave available under those benefits.

**G. Health Insurance Benefits:** The School's group health insurance benefits will continue for the



# Pioneer Valley Performing Arts Employee Handbook

duration of the employee's approved leave time and the employee's contribution portion of the insurance premium will be deducted from their paychecks. If the employee converts to unpaid leave, they will be responsible for submitting the contribution for the insurance premium before the fifteenth day of each month while on leave. The employee must notify Chief Financial Officer of the birth or adoption date or fostering placement date of the child as soon as it is known in order to process any requested changes in medical coverage. Should the employee not return for reasons other than a documented serious illness or disability that incapacitates the employee for work or other circumstances beyond the employee's control, the Employer may require the employee to reimburse the Employer the portion it paid for the employee's benefit premium (s) during the leave for any period of coverage to which the employee was otherwise entitled under state or federal law.

**H. Return to Work:** At the end of leave taken pursuant to this article, employees shall be entitled to return to the same or an equivalent position with the equivalent pay and other terms of employment without loss of employment benefits for which they were eligible on the date such leave commenced, subject to the terms of employment of article 34.

Employees may not return in the middle of a semester if they elect to take two (2) full semesters of leave and must inform the School of their intent to return at the end of leave.

If an employee requests and is granted an extension of Parental Leave that is not covered by any School policy or other federal/ state statute, the employee's job will not be protected. Under these circumstances, the School provides no assurance the employee will be restored to their previous position or a similar position when the extension expires.

As is the case with all School policies, the organization has the exclusive right to interpret and change this policy.

## 3.13 Crime Victim Leave

This policy pertains to Massachusetts employers with more than fifty (50) employees. Employees who are victims of abusive behavior, defined for purposes of this policy to include domestic violence, stalking, sexual assault, and kidnapping, or that have a family member who is a victim of abusive behavior, may take up to fifteen (15) days of unpaid leave within a 12-month period to address issues related to the abuse. For purposes of this policy, abusive behavior includes conduct by a current or former spouse; a person with whom the employee or covered family member shares a child; a person cohabitating with or who has cohabitated with the employee or covered family member; a person related by blood or marriage to the employee or covered family member; or a person with whom the employee or covered family member has or had a dating relationship. Employees must exhaust any available annual vacation leave or Paid Time Off, if applicable.



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An employee who is the perpetrator of the abusive behavior is not eligible for leave under this policy. Covered family members include the employee's spouse; a person in a dating or engagement relationship with the employee and who resides with the employee; someone having a child in common with the employee; and a parent, stepparent, child, stepchild, sibling, grandparent, grandchild, or someone in a guardianship relationship with the employee.

Leave taken under this policy must be used to address issues directly related to the abusive behavior and may be used to:

- Seek or obtain medical attention;
- Receive counseling, victim services, or legal assistance;
- Secure housing;
- Obtain a protective order from a court;
- Appear in court or before a grand jury;
- Meet with a district attorney or other law enforcement official;
- Attend child custody proceedings; or
- Address other issues directly related to the abusive behavior against the employee or covered family member.

Employees may take up to fifteen (15) days of leave within a twelve (12)-month period. The twelve (12)-month period begins on the date of an employee's first use of such leave and ends twelve (12) months after that date. Where they overlap, leave taken under this policy will run concurrently with leave under the Family and Medical Leave Act.

Employees needing leave under this policy must provide advance notice when foreseeable. However, if there is a threat of imminent danger to the health or safety of the employee or a covered family member, the employee must notify the School within three workdays that protected leave was taken or is being taken. Such notice may be provided by the employee, a family member of the employee, or a professional assisting the employee with addressing the abusive behavior, and can be made via telephone, in person, or in writing.

If an absence is unscheduled, the School will not take any negative action against the employee as long as the employee provides appropriate documentation within thirty (30) days of the unauthorized absence. The School may require employees to provide supporting documentation demonstrating that the employee or a covered family member was the victim of abusive behavior and that the reason for taking leave was related to that behavior. Such documentation should be provided within a reasonable period of time and may include:

- A protective order or other document issued by a court;
- A document under the letterhead of a court, provider, or public agency;
- A police report or witness statement provided to the police;



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- Documents showing that the perpetrator was convicted of an offense constituting abusive behavior, or admitted to facts sufficient to establish guilt of abusive behavior;
- Medical documentation;
- A sworn statement, signed under penalty of perjury, from a counselor, social worker, health care worker, member of the clergy, shelter worker, legal advocate, or other professional advocate who has helped the employee and/or their family address the effects of abusive behavior; or
- A sworn statement signed under penalty of perjury, from the employee, attesting that the employee or a covered family member has been the victim of abusive behavior.

All information and documentation related to an employee's use of domestic violence leave will be kept confidential, unless such disclosure is expressly required by law, requested in writing by the employee, or necessary to protect the safety of the employee or other employees.

Upon return from leave, employees will be restored to their original position or to an equivalent position. The School will not take any adverse action against an employee for exercising their rights under this policy. Additionally, employees taking leave under this policy will not lose any benefits accrued prior to the start of the leave.

## 3.14 Small Necessities Leave

This policy pertains to Massachusetts employers with more than fifty (50) employees. Under the Small Necessities Leave Act (SNLA), employees who are eligible for Family and Medical Leave under the federal law shall be entitled to a total of twenty-four (24) hours of additional unpaid leave (which may be taken intermittently or on a reduced leave schedule) during any calendar year to:

- Participate in school activities directly related to the educational advancement of their children, such as parent-teacher conferences or interviewing for a new school.
- Accompany their children to routine medical or dental appointments, such as checkups or vaccinations; or
- Accompany an elderly relative of the employee to routine medical or dental appointments or appointments for other professional services related to the elder's care, such as interviewing nursing or group homes.

Employees are required to give notice of their need for leave under SNLA not less than seven (7) days before the leave is to begin if the leave is foreseeable; if it is not foreseeable, such as for an illness or injury, the employee must give notice to their Senior Administrator and/or Chief Financial Officer of the need for leave as soon as it is practical. Any leave taken under SNLA will be unpaid unless the employee wishes to use vacation time or PTO, in which case it should be recorded as such by the employee, and it will run concurrently with leave under the Massachusetts Earned Sick Time Law.



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## Section 4: The Workplace

### 4.1 Appearance and Dress Code

Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the business image the School presents to students, families, and visitors. During business hours or when representing the School at outside events, employees are expected to present a clean, neat, and tasteful appearance. Employees should dress and groom themselves according to the requirements of their position and accepted social standards, especially if their job involves working with students and families or visitors in person.

We encourage employees to seek the advice of their Senior Administrator or Chief Financial Officer if they have questions regarding appropriate dress or appearance at work. Employees who report to work improperly dressed or groomed may be instructed by their Senior Administrator to return home to change. The time that nonexempt employees are absent for this purpose will be unpaid unless state law requires otherwise.

Nothing in this policy is intended to prevent employees from wearing a natural hair or facial hair style that is consistent with their cultural, ethnic or racial heritage or identity. This policy will be interpreted to comply with applicable local, state or federal law.

The School will reasonably accommodate exceptions to this policy if required due to an employee's religious beliefs, medical condition, or disability. Employees who need an accommodation should contact their Senior Administrator and/or Chief Financial Officer.

### 4.2 Code of Conduct

The successful operation and reputation of the School are built upon the principles of fair dealing and the ethical conduct of our employees. Our reputation for integrity and excellence requires careful observance of the spirit and letter of all applicable local, state, and federal laws and regulations, as well as a scrupulous regard for the highest standards of conduct and personal integrity.

It is understood and agreed that employees of PVPA will always use best efforts to further the objectives and interests of the school and its students. PVPA expects all employees to be honest and to conduct their personal and professional affairs lawfully. PVPA also expects that all employees will serve as models of responsible behavior for our students. Further, employees will not engage in behavior that harms, or that a reasonable person might view as placing in harm, a student enrolled at the School or other member of the School community.

The School expects all employees to act in accordance with all internal policies and aforementioned laws and regulations, and to refrain from any illegal, dishonest, or unethical conduct. The use of good judgment based on high ethical principles should guide employees with respect to acceptable



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conduct. If a situation arises where it is difficult to determine the proper course of action, employees should discuss the matter with their Senior Administrator. Compliance with this policy is the responsibility of every employee of the School. Disregarding or failing to comply with our standards of business ethics and/or code of conduct may lead to disciplinary action, up to and including termination of employment.

## 4.3 No Solicitation or Distribution

In support of the PVPA's mission, staff members who are members of a band or involved in an artistic endeavor may promote and share material related for these specific purposes only. Employees must not solicit other employees or distribute literature or printed matter of any other kind for any purpose during their working hours unless authorized by the School. Solicitation does not include mere discussions without a concurrent request for action. Working hours does not include breaks or other off-duty time. People who do not work for the School are prohibited from distributing literature of any kind or soliciting employees for any purpose at any time on School premises. Employees who are assigned to work at a customer's property are required to abide by all rules and regulations of the customer concerning solicitation, distribution, and the customer's bulletin boards.

## 4.4 Prohibition Against Harassment

It is the goal of the School to promote a workplace that is free of harassment. As a result, the School maintains a strict policy prohibiting sexual harassment and harassment against applicants and employees based on any legally-recognized status, including, but not limited to: race, color, religion, creed, sex, pregnancy (including lactation, childbirth or related medical conditions), sexual orientation, gender identity, age (40 and over), national origin or ancestry, physical or mental disability, genetic information (including testing and characteristics), veteran status, uniformed service member status, citizenship status, certain criminal records, HIV testing, a personal admission to a facility for the care and treatment of a mentally ill person, taking of parental leave or any other status protected by federal, state or local law.

The School's anti-harassment policy applies to all persons involved in its operations, regardless of their position, and prohibits harassing conduct by any employee of School, including Senior Administrator's and non-Administrator employees. This policy also protects employees from prohibited harassment by third parties, such as customers, vendors, clients, visitors, or temporary or seasonal workers. If such harassment occurs in the workplace by someone not employed by School, the procedures in this policy should be followed. The workplace includes actual work sites, any setting in which work-related business is being conducted (whether during or after normal business hours), School-sponsored events, or School-owned/controlled property.





# Pioneer Valley Performing Arts Employee Handbook

## **Sexual Harassment Defined**

Sexual harassment includes unwanted sexual advances; requests for sexual favors; or visual, verbal, or physical conduct of a sexual nature when:

- Submission to such conduct is made a term or condition of employment; or
- Submission to, or rejection of, such conduct is used as a basis for employment decisions affecting the individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile, or offensive working environment.

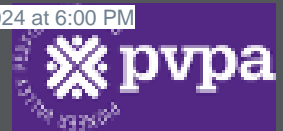
Sexual harassment includes various forms of offensive behavior based on sex. The following is a non-exhaustive list of the types of conduct prohibited by this policy:

- Unwanted sexual advances or propositions (including repeated and unwelcome requests for dates);
- Offers of employment benefits in exchange for sexual favors;
- Making or threatening reprisals after a negative response to sexual advances;
- Visual conduct: leering, making sexual gestures, displaying of sexually suggestive objects or pictures, cartoons, posters, websites, emails, or text messages;
- Verbal conduct: making or using sexually derogatory comments, innuendos, epithets, slurs, sexually explicit jokes, or comments about an individual's body or dress, whistling or making suggestive or insulting sounds;
- Verbal and/or written abuse of a sexual nature, graphic verbal and/or written sexually degrading commentary about an individual's body or dress, sexually suggestive or obscene letters, notes, invitations, emails, text messages, tweets, or other social media postings;
- Physical conduct: touching, assault, or impeding or blocking normal movements and/or;
- Retaliation for making reports or threatening to report sexual harassment.

## **Other Types of Harassment**

Harassment on the basis of any legally protected status is prohibited, including harassment based on race, color, religion, sex, pregnancy (including lactation, childbirth, or related medical conditions), sexual orientation, gender identity, age (40 and over), national origin or ancestry, physical or mental disability, genetic information (including testing and characteristics), veteran status, uniformed service member status, or any other status protected by federal, state, or local law. Prohibited harassment may include behavior similar to the illustrations above pertaining to sexual harassment. It also includes, but is not limited to:

- Verbal conduct including taunting, jokes, threats, epithets, derogatory comments, or slurs based on an individual's protected status;
- Visual and/or written conduct including derogatory posters, photographs, calendars, cartoons, drawings, websites, emails, text messages, or gestures based on an individual's protected status; and



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- Physical conduct including assault, unwanted touching, or blocking normal movement because of an individual's protected status.

## Complaint Procedure

Any applicant or employee who believes that they have been subjected to prohibited harassment or retaliation by a coworker, Senior Administrator, student, visitor, vendor, or temporary worker of the School, or who believes another individual has been subject to such conduct, should report it immediately. Applicants and employees are encouraged to report concerns, even if they relate to incidents in the past, involve individuals who are no longer affiliated with School, or concern conduct occurring outside of work if it impacts the individual at work.

Complaints can be made verbally, or in writing, to the personnel listed below:

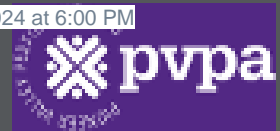
<p>Chief Financial Officer 15 Mulligan Drive South Hadley, MA 01075 413-552-150 Ext. 124 humanresources@pvpa.org</p>	<p>Executive Director/Head of School 15 Mulligan Drive South Hadley, MA 01075 413-552-150 Ext. 118 humanresources@pvpa.org</p>
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Employees are not required to report any prohibited conduct to a Senior Administrator who may be hostile, who has engaged in such conduct, who is a close associate of the person who has engaged in such conduct, or with whom the employee is uncomfortable discussing such matters.

Employees are encouraged, but not required, to communicate to the offending person that their conduct is offensive and unwelcome. Any Senior Administrator who receives a complaint of harassment or retaliation must immediately report the allegation to Chief Financial Officer.

After a report is received, a thorough and objective investigation will be undertaken. Confidentiality will be maintained to the extent practical and permitted by law. Investigations will be conducted as confidentially as possible and related information will only be shared with others on a need-to-know basis. The investigation will be completed, and a determination made and communicated to the employee, as soon as practicable.

If a complaint of prohibited harassment or discrimination is substantiated, prompt and effective remedial action will be taken, including appropriate disciplinary action, up to and including termination of employment. If a complaint cannot be substantiated, the School may take appropriate action, such as additional training, to reinforce its commitment to providing a work environment free from harassment.



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The Equal Employment Opportunity Commission (EEOC) and equivalent state agencies will accept and investigate charges of unlawful discrimination and harassment at no charge to the complaining party.

## **Senior Administrator's Responsibility**

All Senior Administrators are responsible for:

- Implementing this policy, which includes, but is not limited to, taking steps to prevent harassment and retaliation;
- Ensuring that all employees under their supervision have knowledge of and understand this policy;
- Promptly reporting any complaints to Chief Financial Officer so they may be investigated and resolved in a timely manner;
- Taking and/or assisting in prompt and appropriate corrective action when necessary to ensure compliance with this policy; and
- Conducting themselves, at all times, in a manner consistent with this policy.

Failure to meet these responsibilities may lead to disciplinary action, up to and including termination.

## **Protection Against Retaliation**

Retaliation is prohibited against any person by another employee or by School for using this complaint procedure; reporting proscribed harassment, discrimination, or retaliation; objecting to such conduct; or filing, testifying, assisting, or participating in any manner in any investigation, proceeding, or hearing conducted by a governmental enforcement agency. Prohibited retaliation includes, but is not limited to, termination, demotion, suspension, failure to hire or consider for hire, failure to give equal consideration in making employment decisions, failure to make employment recommendations impartially, adversely affecting working conditions, or otherwise denying any employment benefit.

Individuals who believe they have been subjected to retaliation or believe that another individual has been subjected to retaliation, should report this concern to the highest-ranking on-site Senior Administrator or to Human Resources. Any report of retaliatory conduct will be investigated in a thorough and objective manner. If a report of retaliation prohibited by this policy is substantiated, appropriate disciplinary action, up to and including termination of employment, will be taken. If a complaint cannot be substantiated, the School may take appropriate action to reinforce its commitment to providing a work environment free from retaliation.

## **Good Faith**

The initiation of a good-faith complaint of harassment or retaliation will not be grounds for disciplinary action, even if the allegations cannot be substantiated. Any individual who makes a complaint that is demonstrated to be intentionally false may be subject to discipline, up to and including termination.



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## ***Support for Individuals Impacted by Harassment or Retaliation***

The School will strive to assist anyone who has been subjected to unwelcome harassment or retaliation to feel more comfortable in the work environment. Such assistance may but does not necessarily include transfer or reassignment. Any such assistance is at the School's sole discretion.

Any employee who believes that they have been harassed or discriminated against should provide a written or verbal report to their Senior Administrator, another member of management or to Human Resources as soon as possible. The responsibility to investigate complaints of harassment has been assigned to Human Resources. Employees who believe they have been harassed or discriminated against may also file a formal complaint with either or both government agencies listed below:

The Massachusetts Commission Against Discrimination (MCAD) is the state agency responsible for handling complaints of harassment, including sexual harassment. The MCAD can be reached at the following locations:

- Boston Office: One Ashburton Place, Sixth Floor, Room 601, Boston, MA 02108, telephone number (617) 994-6000
- Springfield Office: 436 Dwight Street, Second Floor, Suite 220, Springfield, MA 01103, telephone number (413) 739-2145
- Worcester Office: 484 Main Street, Room 320, Worcester, MA 01608, telephone number (508) 453-9630

The Equal Employment Opportunity Commission (EEOC) is the federal agency that investigates harassment claims, including claims of sexual harassment. The EEOC can be reached at:

- John F. Kennedy Federal Building, Government Center, 475 Government Center, Boston, MA 02203, telephone number (800) 669-4000.

Complaints filed with the MCAD and the EEOC must be filed within 300 days of the incident giving rise to the claim.

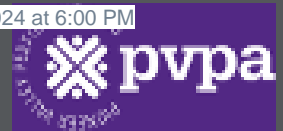
## ***Title IX Procedures and Policies***

The School and all employees are required to follow all policies and procedures required by the U.S. Department of Education Final Rule under Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex in education programs or activities receiving federal financial assistance. For more information about Title IX, please go to <http://www.pvpa.org/about/docs>.

## **4.5 Workplace Bullying**

The School does not tolerate bullying behavior by its employees. Employees who engage in workplace bullying may be disciplined, up to and including termination of employment.

Workplace bullying is the repeated use of force, threats, or coercion to abuse, intimidate, or humiliate another employee. Workplace bullying includes, but certainly is not limited to, the following:



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- Verbal abuse, such as the use of patently offensive, demeaning, and harmful derogatory remarks, insults, and epithets;
- Verbal or physical conduct that is threatening, intimidating, or obscene;
- Pushing, shoving, kicking, poking, tripping, assaulting, or threatening physical assault, or intentionally damaging a person's work area or property; or
- Sabotage, or deliberately subverting, obstructing, or disrupting another person's work performance.

Cyberbullying refers to bullying, as defined above, that occurs through the use of a computer, cell phone, smartphone, tablet, pager, or other device that transmits electronic information, regardless of whether the device is owned by or located at the School or connected to the School network. Cyberbullying is also prohibited. This policy in no way prohibits employees from engaging in activities that are protected under applicable state and federal laws, including, but not limited to, any activity that is protected under Section 7 of the National Labor Relations Act, which includes the right of employees to speak with others, engage in workplace debates, and protest about their terms and conditions of employment.

## Reporting and Response

Employees who are subject to, or witness, workplace bullying are encouraged to notify Chief Financial Officer immediately. The School will promptly investigate the complaint. The School will maintain confidentiality to the extent possible, consistent with its commitment to investigating the complaint promptly and thoroughly.

If the complaint is verified, the School will take appropriate remedial and/or disciplinary action, which may include, but is not limited to, verbal or written warnings, suspension, termination of employment, counseling, and other actions. The School will also report the complaint to law enforcement, if appropriate. The complaining party will be advised of the results of the investigation.

## Anti-Retaliation

The School strictly prohibits retaliation against an employee for making a good faith claim of bullying or for participating in good faith in an investigation of bullying. Reports of retaliation should be made to Human Resources or any Senior Administrator with whom you feel comfortable.

## 4.6 Personal Relationships in the Workplace

The School will not take any adverse employment action against any employee for engaging in romantic relationships during nonworking hours away from School premises. However, we will consider such relationships when they affect an employee's job performance, occur during working time or on School premises, or pose a danger of a conflict of interest.



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A familial or intimate relationship among employees can create an actual, or at least potential or perceived, conflict of interest in the employment setting, especially where one relative, spouse, partner, or member of such a relationship manages another relative, spouse, partner, or member. To avoid this problem, we may refuse to hire or place a relative or other intimately associated individual in a position where the potential for favoritism or a conflict exists. For purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage (e.g., domestic partnership or civil union status). A dating relationship is defined as a relationship that may be reasonably expected to lead to the formation of a consensual "romantic" or sexual relationship.

If two employees marry, become related, or enter into an intimate relationship, they may not remain in a reporting relationship or in positions where one individual may affect the compensation or other terms or conditions of employment of the other individual. In other cases where a conflict or the danger of a conflict arises, even if there is no supervisory relationship involved, the parties may be separated by reassignment or terminated from employment, at the discretion of the School.

School employees are never permitted, under any circumstance, to engage in an intimate or romantic relationship with a student. School employees are required at all times to remain professional with students. If you become aware that a School employee is engaged in, or is attempting to engage in, an intimate relationship with a student, you must notify Human Resources immediately.

## 4.7 Workplace Violence Prevention

We are committed to providing a workplace free from violence and to maintaining a safe work environment. The School has adopted the following approaches to handle threats or acts of violence—including intimidation, bullying, physical or mental abuse, and/or coercion—that involve or affect School employees or that occur on the School's premises.

Employees must refrain from conduct that may be threatening or dangerous to others. Firearms, weapons, and all other dangerous or hazardous devices or substances are strictly prohibited from the School's premises without proper authorization. All threats of (or actual) violence, both direct and indirect, should be reported as soon as possible to one's Senior Administrator or any member of the management team. This includes threats by coworkers, clients, vendors, solicitors, or other members of the public. When reporting a threat of violence, employees should be as specific and detailed as possible.

All suspicious individuals or activities on or around the School's premises or work-site locations should be reported as soon as possible to one's Senior Administrator, Chief Financial Officer, or any member of the management team. Employees should not place themselves in jeopardy or danger. An employee who sees or hears a commotion or disturbance near their work area should not try to intercede or see what is happening, but instead should immediately report the incident to any of the



# Pioneer Valley Performing Arts Employee Handbook

following: Senior Administrator, any member of the management team, or, if the situation calls for it, the police (911).

The School will immediately and thoroughly investigate all reports of threats of (or actual) violence and of suspicious individuals or activities. The identity of any individual who makes a report will be kept confidential to the fullest extent possible given the circumstances of each specific complaint. To maintain workplace safety and the integrity of its investigation, the School may suspend employees, with or without pay, pending an investigation.

Anyone determined to be responsible for threats of (or actual) violence or other conduct that is in violation of this Handbook will be subject to immediate disciplinary action, up to and including termination of employment. The School encourages employees to bring their disputes or differences with other employees to the attention of their Senior Administrator or an appropriate member of the management team before the situation escalates into potential violence. The School is eager to assist in the resolution of employee disputes and will not discipline employees for raising such concerns.

## 4.8 Disciplinary Action

The purpose of this policy is to state the School's position on the administering of equitable and consistent discipline for unsatisfactory conduct in the workplace. By complying with these standards, employees will be able to help maintain a positive and safe work environment for all employees and their colleagues. To address the times when an employee has not lived up to the positive standards, we may provide an employee with counseling, progressive discipline, or termination of employment. The School always maintains the sole discretion on deciding whether counseling, progressive discipline, or termination of employment is warranted.

The forms of disciplinary action that the School uses may include, but are not limited to, the following: verbal warning(s), written warning(s), suspension with or without pay, and termination of employment. The appropriate level of disciplinary action taken depends on the severity of the situation and the number of prior occurrences. In most situations where an employee has demonstrated unsatisfactory conduct, they may first receive a verbal warning, followed by a written warning, and finally termination of employment. There may be circumstances, however, where one or more steps are bypassed.

The School will determine the type of disciplinary action it chooses to administer based on the facts of each particular case, as deemed necessary, through a thorough investigation of the event by the School. At no point are any of the aforementioned rules, policies, practices, or procedures intended to interfere with or inhibit (nor shall they have the effect of interfering with or inhibiting) an employee's ability to exercise any rights afforded or protected by local, state, or federal laws. Nothing in this section in any way alters the "at-will" employment policy. The School reserves the right, at its sole discretion, to take whatever disciplinary action it deems necessary notwithstanding this section.



# Pioneer Valley Performing Arts Employee Handbook

## 4.9 Confidential School Information

Employees are expected to maintain the privacy of confidential information they obtain in the course of their employment, particularly regarding information and materials from and about students and families in accordance with 603 CMR 23.00 et. seq. and the Family Educational Rights Privacy Act (FERPA). The definition of "Confidential Information" does not include employee terms and conditions of employment which are not otherwise covered by or protected from disclosure by applicable privacy laws such as the ones named above. Moreover, this policy is not intended to restrict your rights under the National Labor Relations Act (NLRA) to discuss your terms and conditions of employment. Employees found in violation of this policy are subject to disciplinary action, up to and including termination of employment.

## 4.10 Conflicts of Interest

All employees are required to complete conflict of interest training through the Commonwealth of Massachusetts' State Ethics Commission. In addition, it is the policy of the School that employees and their immediate families must avoid having any interests that are inconsistent with the best interests of the School, and must refrain from activities, investments, or associations that compete with the School; interfere with one's judgment concerning the School's best interests; exploit one's position with the School for personal gain; or might impair, or even appear to impair, their ability to make objective and fair decisions when performing their jobs. At times, employees may encounter situations where the business actions they take on behalf of the School may conflict with their own personal or family interests because the course of action that is best for them personally may not also be the best course of action for the School. For example, outside employment may pose a conflict of interest if the hours or work overlap or interfere with your work for the School.

Anyone with a conflict of interest or potential conflict of interest must immediately disclose it to a member of the management team and recuse themselves from any negotiations, deliberations, or votes that involve the conflict of interest and take any other necessary actions as required by the School. If you are unsure if certain activities are considered a conflict of interest, you should discuss the matter with your Senior Administrator or an appropriate member of the management team. This policy in no way prohibits employee affiliations or activities that are protected under applicable state and federal laws, including, but not limited to, any activity that is protected under Section 7 of the National Labor Relations Act, which includes the right of employees to organize collectively and to speak with others about their terms and conditions of employment.

## 4.11 Media Contacts

To ensure that the School communicates with the media in a consistent, timely, and professional manner about matters related to the School, you should notify the Head of School/Executive Director that you have been contacted by the media whenever you are asked to speak on behalf of the School so that the School knows that a media inquiry has been made. Do not respond to media



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inquiries on the School's behalf without authorization. This rule does not prevent you from speaking with the media, but you should not attempt to speak on behalf of the School unless you have specifically been authorized to do so.

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## Section 5: Health and Safety

### 5.1 School Safety

The School is committed to the safety and health of all employees and recognizes the need to comply with regulations governing injury, accident prevention, and employee safety. Maintaining a safe work environment requires the continuous cooperation of all employees. The School will maintain safety and health practices consistent with the needs of our industry. If employees are ever in doubt about how to safely perform a job, it is their responsibility to ask their Senior Administrator for assistance. Employees must immediately report any suspected unsafe condition and/or any injury that occurs on the job. It is the responsibility of each employee to follow the established safety regulations and procedures. Employees who violate these safety rules may be subject to disciplinary action, up to and including termination of employment.

### 5.2 Reporting Injuries and Accidents

Any injury, whether or not it requires medical attention, should be reported to the School. Reporting will ensure that any existing safety hazards are corrected. Federal law (Occupational Safety and Health Administration "OSHA") requires that the School keep records of all illnesses and accidents that occur in the workplace. Workers' Compensation laws may also require that employees report any workplace illness or injury, no matter how slight. An employee who fails to report an injury may jeopardize their right to collect workers' compensation payments, as well as health benefits. OSHA also protects an employee's right to know about any health hazards that might be present on the job. An employee with any questions or concerns should contact their Senior Administrator for more information.

### 5.3 Security Inspections

The School wishes to maintain a work environment that is free of illegal drugs, alcohol, firearms, weapons, explosives, and other improper materials. To this end, the School prohibits the possession, transfer, sale, or use of such materials on its premises.

Desks and other storage devices are provided for the convenience of employees but remain the sole property of the School. Accordingly, they, as well as any articles found within them, can be inspected by any agent or representative of the School at any time, either with or without prior notice. In addition, to ensure the safety and security of employees and customers, and to protect our legitimate business interests, we reserve the right to question and inspect or search any employee or other individual entering or leaving School premises or job sites. The inspection or search may include packages or items that the individual may be carrying, including briefcases, backpacks, handbags, shopping bags, etc. These items are subject to inspection and search at any time, with or without prior notice. We also require employees to agree to reasonable inspection of their personal property and/or person while



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on the job or on the School's premises. The individual may be requested to display the contents of their personal property, in the presence of a School representative of the same gender. The School will not tolerate any employee's refusal to submit to a search.

## 5.4 Workplace Monitoring

Workplace monitoring may be conducted by the School to ensure quality control, employee safety, security, and client satisfaction. While on the School's premises, employees should have no expectation of privacy in their belongings or in the nonprivate workplace areas which include, but are not limited to, classrooms, designated parking areas, desks, computers, lockers, rest or eating areas, vehicles engaged in School operations, and any personal belongings on or in any of the above. Computers furnished to employees are the property of the School. As such, computer usage and files, including email usage and related files, may be monitored, or accessed.

## 5.5 Drug and Alcohol Use

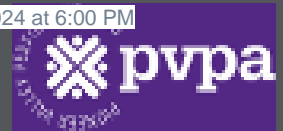
The School is committed to providing a work environment free of the use of alcohol and the illegal use of drugs. Employees are expected to be in suitable condition to satisfactorily and safely perform their jobs. All employees are expected to conscientiously follow this policy and demonstrate a responsible attitude toward the use of alcohol and drugs.

Being under the influence of a drug or alcohol on the job poses serious safety and health risks to the user and to all those who work with the user. The use, sale, purchase, transfer, or possession of an illegal drug in the workplace, and the use, possession, or being under the influence of alcohol also poses unacceptable risks for safe, healthy, and efficient operations.

The School strictly prohibits the use, sale, attempted sale, conveyance, distribution, manufacture, purchase, attempted purchase, possession, cultivation, and/or transfer of illegal drugs or other unlawful intoxicants at any time, and in any amount or any manner, regardless of occasion. "Illegal drugs" means all drugs whose use or possession is regulated or prohibited by federal, state, or local law. These include prescription medication that is used in a manner inconsistent with the prescription or for which the individual does not have a valid prescription. Marijuana remains illegal as a matter of federal law and therefore the use of marijuana and marijuana products is prohibited by this policy.

### **Counseling and Rehabilitation**

An employee's decision to seek help voluntarily will not be used as a basis for disciplinary action, although the individual may be transferred, given work restrictions, or placed on leave, as appropriate. A request for help is considered voluntary only if it is made before the employee is asked to submit to any drug or alcohol test or is discovered to have otherwise violated this policy.



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Recurring or continued problems with performance, unexcused attendance, or inappropriate workplace behavior may result in disciplinary action, including termination. This policy is not intended to restrict the immediate notification of police or other appropriate authorities when the situation demands their immediate intervention. In circumstances when a person's behavior requires that they be restrained or removed from School premises, the Senior Administrator should contact other local authorities.

## 5.6 Smoke-Free Workplace

Smoking and/or using tobacco products including e-cigarettes and vaporizers is never permitted on School grounds by anyone. Employees can report violations of this policy to their Senior Administrator and/or Chief Financial Officer.

## 5.7 Adverse Weather-Related Conditions

The School typically follows the weather conditions of all sending communities when adverse weather is forecasted. Employee will be informed of school closures or delays due to weather related conditions via email, robo-call, or by checking the local television stations.

Regardless of whether the School is open, employees must determine whether, in their personal circumstance, they believe it is safe to travel to and from work. Employees will follow paid time off procedures if they decide to take time off due to inclement weather.

The expectation is that all employees will prepare for a closure when inclement weather is foreseeable. To remain productive, employees should bring any work home such as files, documents, or reports and/or ensure they understand how to access the School's remote server/VPN network and/or email platform.

If the School is announced to be closed, all 12-month staff will receive their regular pay for the day of closure. Please be advised that in the event of closure, the School still expects employees who have the ability to work remotely. For all staff that follow the School calendar, the schedule will be adjusted accordingly. Employees will be required to use their available vacation or paid time off if they cannot report to work on a day in which the School is open.

**Early Closures/Delayed Openings:** When potentially dangerous weather develops during the day and a decision is made by the School to close early, both exempt and non-exempt employees will be compensated as if they had worked to the end of their regularly scheduled hours for that day. If you elect to leave prior to the time the School closes, you will be required to use paid time off in an amount equal to the number of hours between the time you left and the time the School closed. If the School has a delayed start, nonexempt employees will be compensated as if they had worked a full day.

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## 5.8 Communicable Diseases

The School is committed to providing a safe, healthy, and productive workplace. The purpose of this policy is to help protect everyone from the spread of and exposure to infectious (communicable) diseases. This policy covers those diseases that may be communicable in a work environment.

Examples include, but are not limited to:

- Chickenpox
- Measles
- Mumps
- Tuberculosis
- Meningitis
- Hepatitis B
- Whooping Cough
- Ebola Virus
- SARS
- MRSA
- Avian or other potentially pandemic influenza (but not the common seasonal flu)
- Coronaviruses

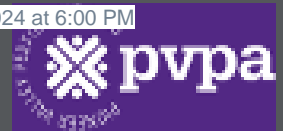
This policy is not intended to cover common illnesses such as colds and viruses, sore throats, and upper respiratory and common bacterial infections. Employees experiencing common illnesses should use good judgment (and heed their medical providers' advice) in deciding whether to report to work, or not. Employees who decide to come in to work should take appropriate measures to limit the potential spread of their common illness to co-workers and customers (e.g., cover mouth/nose when coughing or sneezing, avoid shaking hands, wash hands frequently, etc.).

### A. Reporting to Work

Employees who believe they may have contracted a communicable disease (as defined by this policy) should not report to the School until they have been evaluated and treated by their medical provider as necessary.

Employees who learn they have a communicable disease must not come to the School, until they no longer have the communicable disease, or the disease is no longer transmissible through normal work contact, as determined by their medical provider.

Employees who come in to work but are not fit for duty due to illness (or any other reason), may be sent home by their Senior Administrator.



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## **B. Reasonable Accommodation**

If the School receives notice that an employee is requesting a reasonable accommodation for a communicable disease, it will make decisions regarding the request on a case-by-case basis based upon information submitted by the employee's medical provider, and will consider, among other relevant factors, the health and safety of other persons with whom the employee may interact.

## **C. Confidentiality**

Except for circumstances in which the School is legally required to report workplace occurrences of communicable disease, the confidentiality of all medical conditions shall be maintained in accordance with applicable law. When it is required, the number of persons who will be informed of the employee's condition shall be kept at the minimum necessarily needed not only to comply with legally required reporting, but also to assure proper care of the employee and to detect situations where the potential for transmission may increase. The School reserves the right to inform other employees that a co-worker (without disclosing the person's name) has been diagnosed with a communicable disease if the other employees might have been exposed to the disease, so that the employees may take measures to protect their own health condition.

## **D. No Discrimination**

The School prohibits discrimination, harassment, and retaliation against applicants and employees who have or had a communicable disease.

## **E. Responsibility**

In all cases of an absence due to the contraction (or potential contraction) of a communicable disease, the affected employee must notify their Senior Administrator and/or Human Resources immediately of their condition. Anyone who discovers evidence of a communicable disease that could endanger the health of others in the School must report it to management and/or Human Resources. The School will notify the appropriate health department(s) as deemed necessary and/or if such reporting is required by law.



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## Section 6: Student Welfare

### Section 504/ADA Coordinator

The School has designated the following person as its Section 504/ADA Coordinator to coordinate the School's Section 504 and ADA compliance efforts: Director of Student Services at 413-552-1580.

### 6.1 Student Records

A "student record" is any information maintained by the School regarding an individually identifiable student. As employees, you should be aware that both federal and state laws address the confidentiality of student records and impose strict limitations on the School's ability to disclose them. Both the Family Educational Rights and Privacy Act (FERPA) and the Student Record Regulations adopted by the Massachusetts Board of Education at 603 CMR 23.00 apply to the School. Both FERPA and the state regulations are designed to ensure parents' and students' rights of confidentiality, inspection, modifying, and destruction of student records and to assist School authorities in carrying out their responsibilities.

Both FERPA and the state regulations place specific restrictions on when and under what circumstances the School may release student records to third parties outside of the School without the specific, written consent of the parents or guardian (or eligible student over the age of 14). Therefore, faculty and employees should never personally provide any records or information pertaining to a student to any person outside of the School without permission from the Chief Financial Officer.

Bear in mind, however, that the School may disclose information regarding a student to appropriate parties in connection with a health or safety emergency if that information is necessary to protect the health or safety of that student or other individuals. Direct all questions regarding the confidentiality of student, employee, or School information to the Chief Financial Officer.

### 6.2 Mandated Reporting of Suspected Abuse or Neglect

Educators play an important role in child protection. State law requires that teachers, nurses, guidance counselors, social workers, and school administrators "who, in their professional capacity, have reasonable cause to believe that a child under the age of eighteen years is suffering physical or emotional injury resulting from abuse inflicted upon them which causes harm or substantial risk of harm to the child's health or welfare, including sexual abuse, or from neglect, including malnutrition, shall immediately report such condition to the Department of Social Services." Mass. Gen. Laws, c. 119 51A.

Therefore, when any employee or faculty member in their professional capacity has reasonable cause to believe that a child under the age of eighteen (18) years is suffering from the effects of any form of child abuse and neglect, the employee *must* report their concerns to the Dean of Students who will



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either assume responsibility for making the required report or assist in doing so. A failure to make such a report when required is punishable by termination and may also be a violation of the law.

The law provides that schoolteachers and administrators are mandated reporters and therefore *must* report child abuse and neglect to the Department of Children & Families (DCF). When someone reports to DCF that they think a child is being abused or neglected, the report is called a "51A report." The name "51A" comes from section 51A of Chapter 119 of the Massachusetts General Laws.

Mandated reporters must report to DCF if, when acting in their professional capacities, they have reasonable cause to believe that a child is suffering certain kinds of physical or emotional injury. The kinds of physical or emotional injuries that must be reported are the result of:

- Abuse inflicted upon the child that causes harm or substantial risk of harm to the child's health or welfare, including sexual abuse;
- Neglect, including malnutrition; or
- Physical dependence upon an addictive drug at birth.

When a mandated reporter comes to believe any of these things, they must immediately communicate with DCF orally and, within 48 hours, must file a written report with DCF detailing the suspected abuse or neglect. The School expects that any employee who has reason to suspect that a student has been abused or neglected will report whatever they know immediately to the Dean of Students, who will then ensure that a report is made as required.

If an employee believes that a child is showing signs of abuse or neglect but is unsure, the employee or school leader should visit the [DCF website](#) which includes the "Key Resources" section, a detailed description of the signs of physical and emotional abuse and neglect.

Mandated reporting is also required for incidents of hazing. Hazing is defined as: "any conduct or method of initiation into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person. Such conduct includes whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug or other substance, or any other brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of any such student or other person, or which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation."

An employee who witnesses or hears about an incident of hazing must immediately report the incident to the Principal/Executive Director or to an appropriate law enforcement official as soon as reasonably practicable.



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### 6.3 Maintaining Appropriate Boundaries with Students

All school employees are responsible for acting as role models of appropriate behavior for students and setting and maintaining appropriate boundaries with students at all times. Because this is a school environment, boundaries may be crossed to relate to students and meet their needs meaningfully and effectively. However, there is some conduct that will always be deemed a violation of healthy boundaries and appropriate adult behavior. The School believes that its employees individually and collectively possess the wisdom and expertise necessary to conduct themselves in a manner that is educationally sound and acceptable both within the professional community and the community at large.

#### **Physical contact**

What constitutes appropriate physical contact in one circumstance may be totally inappropriate in another. Appropriateness will depend on a variety of factors, not the least of which will be the student's reaction and responses of other adults.

All physical contact between employees and students must have a valid educational purpose and objective, meeting the student's needs. The use of physical contact (including touching) except in an emergency situation, is strictly prohibited. Questions of the appropriateness of physical contact will be determined by the context of the contact on a case-by-case basis. Issues such as intent, context, location, circumstances, age, and sex are all considerations that may be relevant. Examples: Holding or comforting a student who has fallen and is crying may be appropriate, whereas placing a hand on a child's head to redirect their attention to the front of the room is not.

If a child or other employee specifically requests that they not be touched, then that request must be honored without question. If the child or other employee has not requested that they not be touched, then the following forms of touching are considered appropriate:

- Hugs given with permission to comfort an anxious or upset child
- Pats on the shoulder or back
- Handshakes
- Light "high fives" and hand slapping
- Touching shoulders
- Touching face to check temperature, wipe away a tear, and remove hair from face or other similar types of contact for similar comfort or care purposes
- Holding hands while walking with small children or children with significant disabilities for safety
- Reasonable self-defense
- Reasonable defense of another
- Reasonable restraint of a violent person to protect others or property
- Physical contact for safety purposes to prevent harm to a child (e.g., pulling a child to safety out of the path of a moving car)

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Except as discussed above, the following forms of touching are never appropriate:

- Inappropriate or lengthy embraces
- Kisses
- Corporal punishment
- Sitting students on one's lap
- Touching buttocks, chests, or genital areas
- Pushing a person or another person's body part (other than to prevent injury, in self-defense, defense of another person, or defense of property)
- Showing affection in isolated areas
- Wrestling with students or other employees
- Bench-pressing another person
- Tickling
- Piggyback rides
- Massages
- Any form of unwanted affection
- Any form of sexual contact
- Poking fingers at another person that results in an offensive contact

## 6.4 Bullying Prevention

We expect that all members of our school community will treat each other with civility and respect. In accordance with both state law and School policy, the School seeks to provide and maintain a learning environment for our students that is free of bullying and any other verbal or physical misconduct that disrupts the learning environment or makes it unsafe.

The School's Bullying Prevention and Intervention Plan, which is provided to all students and their families, is published in response to Massachusetts law against bullying and is an integral part of our efforts to promote learning and prevent behavior that can impede the learning process. All employees are required to be familiar with and abide by the law and the School's anti-bullying plan.

## 6.5 Physical Restraint

The School will meet the state-mandated requirement for crisis prevention and restraint training for all employees in order to maintain a safe school environment conducive to learning. De-escalation and restraint training will be administered to all employees at the beginning of each academic year. New hires who are employed after the training will be trained within one (1) month of employment. All employees will receive an overview in administering crisis de-escalation techniques, state restraint regulations, and our program policy, as well as an overview of administering restraint, types of restraint, and restraint safety.

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The designated individuals, including Senior Administration and selected teachers will perform restraints as appropriate.

## 6.6 Student Complaints of Harassment

If a student brings a complaint of harassment to any faculty member, that faculty member must pass the information on to the Chief Financial Officer. It is the School's policy that all such matters will be handled with appropriate care and discretion and receive a thorough investigation. When an employee brings a complaint to the attention of Chief Financial Officer or any member of the administration team, Chief Financial Officer will be notified and the School will promptly undertake an investigation of the allegations. Such investigation typically shall include, at a minimum, interviews with people identified as having direct and personal knowledge of the incident(s) in question. During the investigation, the School will protect the confidentiality of harassment allegations to the extent possible. The School cannot guarantee complete confidentiality, because it cannot conduct an effective investigation without revealing certain information to the alleged harasser and potential witnesses. However, the School will attempt to keep such disclosures to the minimum required under the circumstances, on a "need-to-know basis."

If the investigation reveals that the allegations are valid, the School will take prompt and appropriate remedial action against the offending person. Such measures are designed to put an immediate stop to the harassment as well as prevent its recurrence. Therefore, School management retains the right to take whatever action it believes appropriate under the circumstances, up to and including discharge of the offending person.

"Intent" to harm is not a measure of whether harassment has occurred at School. If a joke or comment (either written or verbal) is identified by a colleague or Senior Administrator as inappropriate and, after intervention, the behavior continues, the School will consider the act as harassment.



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## Section 7: Technology

### 7.1 Electronic Communication

This policy describes the School's rules for using its electronic resources, including email, voicemail, internet access, and computer systems.

- A. Electronic Resources:** Employees should use the School's electronic resources with the understanding that they are provided for the benefit of the business. Employees may use these resources for personal use, during non-working time, as long as such use complies with School rules and applicable laws. Employees should never use these resources for personal use in a manner that interferes with their work responsibilities.

Sending, saving, accessing, or viewing obscene or similarly offensive material on the School's electronic resources is prohibited. Messages stored and/or transmitted on these electronic resources, including the computer, voicemail, email, or the telephone system, must not contain content that may reasonably be considered to be obscene or other similarly offensive material. Prohibited material includes, but is not limited to, sexual comments; jokes or images; racial slurs; gender-specific comments; or any comments, jokes, or images that would discriminate against or harass someone based on race, color, sex, age, national origin or ancestry, disability, or any other category protected by federal, state, or local law. Likewise, any use of the internet, email, or any other electronic resource to engage in harassment or discrimination prohibited by School policies is unlawful and strictly prohibited.

Violators may be subject to discipline, up to and including termination of employment. Employees are also prohibited from downloading software and/or modifying any such files without permission from the copyright holder.

- B. No Solicitation, Personal Gain, or Commerce:** The School's electronic resources must not be used for solicitation purposes, personal gain, or commercial ventures of any kind.
- C. Software Code of Ethics:** Employees may not duplicate any licenses, software, or related documentation unless expressly authorized to do so by agreement with the licensor. Unauthorized duplication of software may subject users and/or the School to both civil and criminal penalties under the United States Copyright Act. Employees may not give software to any outsiders including contractors, customers, or others. Employees may use software on local area networks or on multiple machines only in accordance with applicable license agreements. The School reserves the right to audit any School computer.
- D. Employee Responsibility:** Each employee is responsible for the content of all text, audio, or images that they place or send using the School's electronic resources.



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- E. Computer and Systems Security:** All computers and the data stored on them are, and always remain, the property of the School. As such, all messages created, sent, or retrieved over the internet or the School's electronic mail systems are the property of the School and should be considered School information. The School reserves the right to retrieve and read any message composed, sent, or received using the School's electronic resources.

Employees should be aware that even when a message is deleted or erased, it is still possible to recreate the message; therefore, ultimate privacy of a message cannot be ensured to anyone. Furthermore, all communications, including text and images, can be disclosed to law enforcement or other third parties without prior consent of the sender or the receiver. Employees should also be aware that duplicates of email transmitted through a personal, web-based email account using School equipment could be stored on that equipment; likewise, information regarding internet sites that an employee has accessed may also be stored.

Passwords and other log-in information for websites, the network, or other accounts belonging to the School must be provided to the Principal/Executive Director upon request. To protect confidential information, all School devices and computers must be logged off, locked, and/or shut down when not in use.

- F. Email Content Screening:** The School maintains the right to screen all inbound and outbound email content. Email messages or attachments that contain obscene or similarly offensive material may be quarantined and held from transmission or receipt until the sender or recipient can verify that the message or attached document is work-related. The School may, in its discretion, review communications to and from a personal account, subject to state laws regarding attorney-client communications.
- G. Virus Protection:** To prevent computer viruses from being transmitted through the system, employees are not authorized to download any software from the internet onto their computer or any drive in that computer. The School maintains virus protection software on all network servers and filters all inbound and outbound email for virus attachments.
- H. Questions Regarding the Use of the Internet or Email:** If employees have questions regarding the appropriate use of internet access or email systems, they should contact the Technology Coordinator.
- I. Cell Phones:** Cellular phones provided by the School to employees are primarily for business use; personal calls must be limited and not interfere in any way with an employee's work time or performance. Cellular phone invoices and messages may be regularly monitored to ensure compliance with this policy. Personal use of School-provided cell phones, which results in additional charges including, but not limited to, toll fees or minute overages, will be charged to the employee.

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## J. **Personal Calls and Texting**

Personal calls, social networking, emails, and texting during working hours must be limited to breaks except in the case of an emergency. The use of cell phones or tablets during working hours also includes the use of such devices for texting, talking, playing games, or accessing the internet. Doing so during working hours will result in disciplinary action, up to and including termination of employment. Using School phones for personal international calls without authorization is strictly prohibited.

**K. Breach of this Policy:** Because it is not possible to define all unauthorized uses of the School's voice mail, email, and computer systems, disciplinary action may be taken in response to any conduct that warrants such action. In addition to the above provisions, other examples of prohibited conduct include:

- Unauthorized attempts to break into any computer physically or electronically;
- Theft or copying of electronic files containing Confidential Information without permission; and
- Sending or posting files containing Confidential Information to unauthorized personnel.

Failure to comply with any part of this policy will result in discipline, up to and including termination of employment.

## 7.2 Social Media

Nothing in this policy restricts an employee's right to discuss protected activity outlined in the Collective Bargaining Agreement.

Social media includes all means of communicating or posting information or content of any sort on the internet, whether or not associated or affiliated with the School, as well as any other form of electronic communication. Employees are solely responsible for what they post online. Before creating online content, employees should consider some of the risks and rewards that are involved. They should keep in mind that any conduct that adversely affects School or violates any policy in this Handbook will result in disciplinary action, up to and including termination of employment.

**A. Know and Follow the Rules:** Inappropriate postings that include discriminatory remarks, harassment, threats of violence, or similar inappropriate or unlawful posts meant to intentionally harm someone will not be tolerated and may subject the employee to disciplinary action, up to and including termination of employment.

**B. Be Respectful:** All employees should be fair and courteous. Employees should keep in mind that they are more likely to resolve work-related complaints by speaking directly with their coworkers or by using our Open-Door Policy than by posting complaints to a social media outlet. If an employee



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decides to post complaints or criticism, they should avoid using statements, photographs, videos, or audio that reasonably could be viewed as malicious, obscene, threatening, or intimidating; that disparage coworkers, students, or parents; or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment based on race, color, religion, sex (including pregnancy), gender identity, sexual orientation, national origin, ancestry, age, physical or mental disability, genetic information, military service or veteran status, or any other classification protected by applicable local, state, and federal laws.

- C. Avoid Posting Information You Know to Be False:** All employees should strive to be honest and accurate when posting information or news, and if they make a mistake, they should correct it quickly. Employees should be open about any previous posts that they have altered. They should remember that the internet archives almost everything; therefore, even deleted postings can be searched. They should never post any information or rumors that they know to be false about the School, coworkers, students, or parents.
- D. Maintain Confidentiality of "Confidential Information":** Employees should maintain the confidentiality of the School's "Confidential Information."
- E. Using Social Media at Work:** Employees may not use the School's electronic resources to access social media while on working time unless it is work-related as authorized by their Senior Administrator. Employees may not use the School's email addresses for personal use.
- F. Retaliation is Prohibited:** The School prohibits taking negative action against any employee for reporting a possible breach of this policy or for cooperating in an investigation. Any employee who retaliates against another for these reasons will be subject to disciplinary action, up to and including termination of employment.





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## Section 8: Leaving the School

### 8.1 Separation of Employment

Since employment with the School is "at-will," both the employee and the School may terminate employment at-will, with or without cause, at any time unless otherwise stipulated in a collective bargaining agreement or other agreement. Employees will receive their final pay in accordance with applicable state and federal laws.

Resignation is a voluntary act initiated by the employee to separate from employment with the School. Advance notice is not required, but as a professional courtesy we appreciate being given at least two (2) weeks' written notice. When a person's employment ends for any reason, some benefits continue at the employee's expense. The employee will be notified of the benefits that may be continued and of the terms, conditions, and limitations of such a continuance.

### 8.2 Exit Interviews

Prior to an employee's voluntary separation, an exit interview may be scheduled to discuss the reasons for resignation and will afford an opportunity to talk about such issues as employee benefits, suggestions, criticisms, and questions. Discussions concerning the reasons for leaving will assist the School in evaluating the effectiveness of our personnel policies and practices. At the time of the exit interview, matters relating to final pay and any other personal considerations will be discussed and the employee shall return any School property at that time.

### 8.3 Final Pay

Employees who separate from the School on a voluntary basis receive their final paycheck in the next regularly scheduled payroll following the last day of employment or as outlined by contractual arrangement. Employees who are involuntarily terminated will be paid final wages, including accrued but unused vacation, on the last day of employment. Where permitted by applicable laws, the School reserves the right to deduct from the last payment any used but not earned vacation time, as the School considers borrowed paid time off as "advanced wages" and will collect all advancements on wages at the time of separation.

### 8.4 Returning School Equipment

Employees must return all items, when requested to do so, or before leaving the premises on their last day of employment, including, but not limited to, passwords, keys, electronic devices, and any school materials. Where permitted by applicable laws, the School may withhold from the employee's check or final paycheck the cost of any items that are not returned. The School may also take all action deemed appropriate, within the extent of the law, to recover or protect its physical and intellectual property.



## Pioneer Valley Performing Arts Employee Handbook

### 8.5 Employment References and Verifications

Any employment inquiries, received by telephone or in writing, regarding past or present employees are to be referred to Chief Financial Officer. The School will only provide the employee's dates of employment and current title or position or, if the individual is no longer employed with the School, then their last title or position. Only if an employee submits a request in writing will additional information be released. This pertains to both past and present employees. Proper requests made by legal authorities will be honored and the School may be required to provide more information than dates/titles/position.

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# Pioneer Valley Performing Arts Employee Handbook

## Employee Handbook Acknowledgment

I acknowledge that I have received and agree to read a copy of the School Employee Handbook. I understand that the Handbook sets forth the terms and conditions of my employment with the School as well as the duties, responsibilities, and obligations of employment with the School. I understand that the School has provided me with various alternative channels to raise concerns of violations of this Handbook and the School policies and encourages me to do so promptly so that the School may effectively address such situations, and nothing in this Handbook prohibits an employee from reporting concerns, making lawful disclosures, or communicating with any governmental authority about conduct the employee believes violates any laws or regulations. I agree to abide by and be bound by the rules, policies, and standards set forth in the Employee Handbook.

I understand that the School has the right to change the Handbook, but that all such changes must be in writing. No oral statements or representations can change the provisions of the Handbook. It is understood that future changes in policies and procedures will supersede or eliminate those found in this document, and that employees will be notified of such changes through normal communication channels.

I also acknowledge that my employment with the School is at-will, that the information contained in these materials does not constitute an employment contract between the School and me, and that either I or the School may terminate our employment relationship at any time, with or without any reason, unless otherwise stated in a collective bargaining agreement or other agreement. I understand that no representative of the School other than the Head of School/Executive Director has any authority to enter into any agreement for employment for any specified period of time, or to make any agreement contrary to the foregoing.

I also understand and acknowledge that nothing in this Handbook or in any other document or policy is intended to prohibit me from reporting concerns to, filing a charge or complaint with, making lawful disclosures to, providing documents or other information to, or participating in an investigation or hearing conducted by, the Equal Employment Opportunity Commission (EEOC), National Labor Relations Board (NLRB), Securities and Exchange Commission (SEC) or any other federal, state, or local agency charged with the enforcement of any laws.

Nothing in this Handbook or in any other document or policy is intended to prohibit protected conduct or communications relating to employee wages, hours, or working conditions, or any other conduct protected by Section 7 of the National Labor Relations Act (NLRA).

I understand that if I have any questions about the policies contained in this Handbook, I can direct those questions to my Senior Administrator or Chief Financial Officer at any time.



## Pioneer Valley Performing Arts Employee Handbook

*I acknowledge receipt of this Employee Handbook via Employee Navigator and that checking the box in the portal constitutes a legal signature confirming receipt. I have read and familiarized myself with the contents, and I understand my responsibilities for adhering to these policies. I am aware of the disciplinary action that may be taken if I do not comply.*

CONFIDENTIAL



# Pioneer Valley Performing Arts Employee Handbook

## Addendum: Family and Medical Leave

**A. Family and Medical Leave:** The School will grant family and medical leave in accordance with the requirements of the federal Family and Medical Leave Act ("FMLA") in effect at the time the leave is granted.

**B. Employee Eligibility:** To be eligible for FMLA leave benefits, you must:

- Have worked for the School for a total of at least twelve (12) months;
- Have worked at least 1,250 hours over the previous twelve (12) months as of the start of the leave; and
- Work at a location where at least fifty (50) employees are employed by the School within seventy-five (75) miles, as of the date the leave is requested.

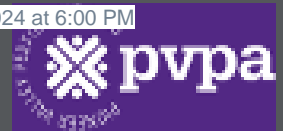
**C. Reasons for Leave:** FMLA leave is allowed for various reasons. FMLA leave may be used for one of the following reasons, in addition to any reason covered by an applicable state family/medical leave law:

- The birth, adoption, or foster care of an employee's child within twelve (12) months following birth or placement of the child ("Bonding Leave");
- To care for an immediate family member (spouse, child, or parent with a serious health condition) ("Family Care Leave");
- An employee's inability to work because of a serious health condition ("Serious Health Condition Leave");
- A "qualifying exigency," as defined under the FMLA, arising from a spouse's, child's, or parent's "Covered Active Duty" (as defined below) as a member of the military reserves, National Guard, or armed forces ("Military Emergency Leave"); or
- To care for a spouse, child, parent, or next of kin (nearest blood relative) who is a "Covered Servicemember," as defined below ("Military Caregiver Leave").

### D. Definitions

**"Child,"** for purposes of Bonding Leave and Family Care Leave, means a biological, adopted, or foster child; stepchild; legal ward; or a child of a person standing in loco parentis, who is either under age 18, or age 18 or older and incapable of self-care because of a mental or physical disability at the time that the Family and Medical Leave is to commence. "Child," for purposes of Military Emergency Leave and Military Caregiver Leave, means a biological, adopted, or foster child; stepchild; legal ward; or a child for whom the person stood in loco parentis, and who is of any age.

**"Parent,"** for purposes of this policy, means a biological, adoptive, step, or foster father or mother, or any other individual who stood in loco parentis to the person. This term does not include parents



# Pioneer Valley Performing Arts Employee Handbook

"in law." For Military Emergency Leave taken to provide care to a parent of a military member, the parent must be incapable of self-care, as defined by the FMLA.

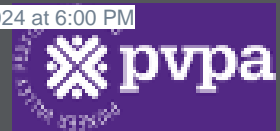
**"Covered Active Duty"** means (1) in the case of a member of a regular component of the armed forces, duty during the deployment of the member with the armed forces to a foreign country, and (2) in the case of a member of a reserve component of the armed forces, duty during the deployment of the member with the armed forces to a foreign country under a call or order to active duty (or notification of an impending call or order to active duty) in support of a contingency operation as defined by applicable law.

**"Covered Servicemember"** means (1) a member of the armed forces, including a member of a reserve component of the armed forces, who is undergoing medical treatment, recuperation, or therapy; is otherwise in outpatient status; or is otherwise on the temporary disability retired list, for a serious injury or illness incurred or aggravated in the line of duty while on active duty that may render the individual medically unfit to perform their military duties, or (2) a person who, during the five (5) years prior to the treatment necessitating the leave, served in the active military, Naval, or Air Service, and who was discharged or released therefrom under conditions other than dishonorable (a "veteran" as defined by the Department of Veteran Affairs), and who has a qualifying injury or illness incurred or aggravated in the line of duty while on active duty that manifested itself before or after the member became a veteran. For purposes of determining the five (5)-year period for covered veteran status, the period between October 28, 2009, and March 8, 2013, is excluded.

**"Spouse"** means the other person with whom an individual entered into marriage as defined or recognized under state law for purposes of marriage in the state in which the marriage was entered into, or, in the case of a marriage entered into outside of any state, if the marriage is valid in the place where entered into and could have been entered into in at least one state. This includes common-law marriage and same-sex marriage in places where these marriages are recognized.

**"Key employee"** means a salaried FMLA-eligible employee who is among the highest paid 10 percent of all the employees employed by the employer within 75 miles of the employee's work site.

- E. Length of Leave:** The maximum amount of FMLA leave will be twelve (12) workweeks in any twelve (12)-month period, measured forwards from the first date when the leave is taken for: (1) Bonding Leave, (2) Family Care Leave, (3) Serious Health Condition Leave, and/or (4) Military Emergency Leave. However, if both spouses work for the School and are eligible for leave under this policy, the spouses will be limited to a total of 12 workweeks off between the two of them when the leave is for Bonding Leave or to care for a parent using Family Care Leave.



## Pioneer Valley Performing Arts Employee Handbook

The maximum amount of FMLA leave for an employee wishing to take Military Caregiver Leave will be a combined leave total of twenty-six (26) workweeks in a single twelve (12)-month period.

A "single 12-month period" begins on the date of your first use of such leave and ends twelve (12) months after that date.

If both spouses work for the School and are eligible for leave under this policy, the spouses will be limited to a total of 26 workweeks off between the two when the leave is for Military Caregiver Leave only or is for a combination of Military Caregiver Leave, Military Emergency Leave, Bonding Leave, and/or Family Care Leave taken to care for a parent.

**F. Special Leave Requirements for "Instructional" Employees:** "Instructional employees" are those whose primary function is to teach and instruct students in a class, small group, or individual setting. Thus, "instructional employees" includes not only teachers in the School, but also athletic coaches, driving instructors, and special education assistants, such as signers for the hearing impaired. For "instructional employees," the following rules apply:

Regarding intermittent or reduced-schedule leave (for an employee's own serious health condition, to care for a covered servicemember, or to care for a sick family member with a serious health condition), if the medical leave is foreseeable based on planned medical treatment and the employee is scheduled to be off work more than 20% of the working days during the period of medical leave (for an instructional employee working 5 days a week, 20% would be one day), the School may require the employee to choose:

- To take leave of a particular duration not to exceed the duration of the planned leave (the entire period of leave is counted as FMLA leave); or
- To temporarily transfer to another position, so long as the position has equivalent pay and benefits and is a position for which they are qualified. The position also has to better accommodate the employee's intermittent leave.

*If leave is requested near the end of the term, the following rules apply regarding job restoration:*

- Leave within the last three weeks of the end of the Academic Term for a purpose other than the instructional employee's own serious health condition: The School may require continuous leave until the end of the term if the period of leave lasts more than five working days.
- Leave within the last five weeks of the Academic Term for a purpose other than the instructional employee's own serious health condition: The School may require continuous leave until the end of the term if:
  - The period of leave is longer than two weeks; and
  - Return to work would occur within two weeks of the end of the Academic Term.



# Pioneer Valley Performing Arts Employee Handbook

*Leave more than five weeks prior to the end of the Academic Term:*

- The School may require continuous leave until the end of the term if:
- The period of leave is at least three weeks; or
- Return to work would occur during the last three weeks of the Academic Term.

In these cases, only the period of leave taken during the school year will be charged against the instructional employee's allotted 12 weeks of FMLA leave.

**G. Intermittent Leave:** Under some circumstances, you may take FMLA leave intermittently which means taking leave in blocks of time, or by reducing your normal weekly or daily work schedule. Leave taken intermittently may be taken in increments of no less than one (1) hour.

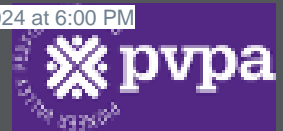
Employees who take leave intermittently or on a reduced work schedule basis for planned medical treatment must make a reasonable effort to schedule the leave so as not to unduly disrupt the School's operations. Please contact Chief Financial Officer prior to scheduling planned medical treatment. If Family and Medical Leave is taken intermittently or on a reduced schedule basis due to foreseeable planned medical treatment, the School may require you to transfer temporarily to an available alternative position with an equivalent pay rate and benefits, including a part-time position, to better accommodate recurring periods of leave.

When an employee who has been approved for intermittent leave seeks leave time that is unforeseeable, the employee must specifically reference either the qualifying reason for leave or the need for FMLA leave at the time they call off. As discussed more generally below, if your request for intermittent leave is approved, the School may later require you to obtain re-certifications of your need for leave. For example, the School may request recertification if it receives information that casts doubt on your report that an absence qualifies for Family Medical Leave.

To the extent required by law, some extensions to leave beyond an employee's FMLA entitlement may be granted when the leave is necessitated by an employee's work-related injury/illness or a "disability" as defined under the Americans with Disabilities Act (ADA) and/or applicable state or local law. Certain restrictions on these benefits may apply and the employee MUST inform the School that they are requesting further leave time as a reasonable accommodation at least 10 days BEFORE the end of the employee's approved FMLA leave expires.

**H. Notice and Certification:** Bonding, Family Care, Serious Health Condition, and Military Caregiver Leave Requirements; employees are required to provide:

- When the need for the leave is foreseeable, thirty (30) days advance notice or such notice as is both possible and practical if the leave must begin in less than thirty (30) days (normally this would be the same day the employee becomes aware of the need for leave or the next business day);



# Pioneer Valley Performing Arts Employee Handbook

- When the need for the leave is not foreseeable, notice within the time prescribed by the School's normal absence reporting policy, unless unusual circumstances prevent compliance, in which case notice is required as soon as is otherwise possible and practical; When the leave relates to medical issues, a completed *Certification of Health-Care Provider* form within fifteen (15) calendar days (for Military Caregiver Leave, an invitational travel order or invitational travel authorization may be submitted in lieu of a *Certification of Health-Care Provider* form); Periodic recertification (upon request); and Periodic reports during the leave.

Certification forms are available from the Chief Financial Officer. At the School's expense, the School may also require a second or third medical opinion regarding your own serious health condition or the serious health condition of your family member. In some cases, the School may require a second or third opinion regarding the injury or illness of a "Covered Servicemember." Employees are expected to cooperate with the School in obtaining additional medical opinions that the School may require.

When leave is for planned medical treatment, you must try to schedule treatment so as not to unduly disrupt the School's operation. Such an employee may also be required to transfer to another position which better accommodates the requested duration and frequency of leave requested. Please contact Chief Financial Officer prior to scheduling planned medical treatment.

**I. Recertification After Grant of Leave:** In addition to the requirements listed above, if your Family and Medical Leave is certified, the School may later require medical recertification in connection with an absence that you report as qualifying for Family and Medical Leave. For example, the School may request recertification if:

- The employee requests an extension of leave;
- The circumstances of the employee's condition as described by the previous certification change significantly (e.g., your absences deviate from the duration or frequency set forth in the previous certification, your condition becomes more severe than indicated in the original certification, or you encounter complications); or
- The School receives information that casts doubt upon your stated reason for the absence. In addition, the School may request recertification in connection with an absence after six (6) months have passed since your original certification, regardless of the estimated duration of the serious health condition necessitating the need for leave. Any recertification requested by the School shall be at the employee's expense.

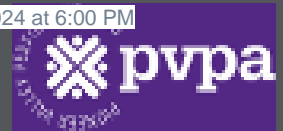
**J. Military Emergency Leave Requirements:** Employees are required to provide:

- As much advance notice as is reasonable and practicable under the circumstances;
- A copy of the covered military member's active-duty orders when the employee requests leave and/or documentation (such as Rest and Recuperation leave orders) issued by the military setting forth the dates of the military member's leave; and



## Pioneer Valley Performing Arts Employee Handbook

- A completed *Certification of Qualifying Exigency* form within fifteen (15) calendar days, unless unusual circumstances exist to justify providing the form at a later date. Certification forms are available from the Chief Financial Officer.
- K. Failure to Provide Certification and to Return from Leave:** Absent unusual circumstances, failure to comply with these notice and certification requirements may result in a delay or denial of the leave. If you fail to return to work at your leave's expiration and have not obtained an approved extension of the leave from the School, the School may presume that you do not plan to return to work and have voluntarily terminated your employment.
- L. Compensation During Leave:** FMLA leave is unpaid. However, you may be eligible to receive benefits through state-sponsored or School-sponsored wage-replacement benefit programs. If you are eligible to receive these benefits, you may also choose to supplement these benefits with the use of paid time off, to the extent permitted by law and School policy. All such payments will be integrated so that you will receive no more than your regular compensation during this period. If you are not eligible to receive any of these wage-replacement benefits, the School may require you to use accrued paid time off to cover some or all of the FMLA leave. The use of paid benefits will not extend the length of an FMLA leave.
- M. Benefits During Leave:** The School will continue making contributions for your group health benefits during your leave on the same terms as if you had continued to work. This means that if you want your benefits coverage to continue during your leave, you must also continue to make any premium payments that you are now required to make for yourself or your dependents. Employees taking Bonding Leave, Family Care Leave, Serious Health Condition Leave, and Military Emergency Leave will generally be provided with group health benefits for up to twelve (12) weeks. Employees taking Military Caregiver Leave may be eligible to receive group health benefits coverage for up to a maximum of twenty-six (26) workweeks. In some instances, the School may recover premiums it paid to maintain health coverage if you fail to return to work following an FMLA leave.
- N. Coordination with other Leaves:** Leave taken under the federal Family and Medical Leave Act (FMLA) will run concurrently with leave taken under the Massachusetts Paid Family and Medical Leave (PFML) and Massachusetts Parental Leave Act (MPLA) when the leave is for the same qualifying reason.
- O. Job Reinstatement:** Under most circumstances, you will be reinstated to the same position held at the time of the leave or to an equivalent position with equivalent pay, benefits, and other employment terms and conditions. However, you have no greater right to reinstatement than if you had been continuously employed rather than on leave. For example, if you would have been laid off had you not gone on leave, or if your position has been eliminated during the leave, then you will not be entitled to reinstatement.



## Pioneer Valley Performing Arts Employee Handbook

Prior to being allowed to return to work, an employee wishing to return from a Serious Health Condition Leave must submit an acceptable release from a health care provider certifying that the employee can perform the essential functions of the job as those essential functions relate to the employee's serious health condition. For an employee on intermittent FMLA leave, such a release may be required if reasonable safety concerns exist regarding the employee's ability to perform their duties, based on the serious health condition for which the employee took the intermittent leave.

- P. Confidentiality:** Documents relating to medical certifications, recertification, or medical histories of employees or employees' family members will be maintained separately and treated by the School as confidential medical records, except that in some legally recognized circumstances, the records (or information in them) may be disclosed to Senior Administrator's, first aid and safety personnel, or government officials.
- Q. Fraudulent Use of FMLA Prohibited:** An employee who fraudulently obtains or remains on Family a Medical Leave from the School is not protected by FMLA's job restoration or maintenance of health benefits provisions. In addition, the School will take all available appropriate disciplinary action against the employee due to such fraud. Employees are not permitted to engage in outside employment, activities or work during an FMLA leave which is inconsistent with the purpose of the leave.
- R. Additional Information Regarding FMLA:** A Notice to Employees of Rights can be found [here](#).

# Coversheet

## SY 24-25 Calendar

<b>Section:</b>	VI. President's Business
<b>Item:</b>	A. SY 24-25 Calendar
<b>Purpose:</b>	Vote
<b>Submitted by:</b>	
<b>Related Material:</b>	DRAFT 2024-25 School Calendar (1).pdf



# 2024-2025 School Year Calendar

- 1- New Year's Day  
(No School)
- 17 - End of Fall Semester
- 20 - MLK, Jr. Day (No School)
- 21 -Curriculum Day
- 22- Spring Semester Begins

JANUARY 2025						
S	M	T	W	Th	F	S
			1	2	3	
	6	7	8	9	10	
	13	14	15	16	17	
	20	21	22	23	24	
	27	28	29	30	31	

AUGUST 2024						
S	M	T	W	Th	F	S
				1	2	
	5	6	7	8	9	
	12	13	14	15	16	
	19	20	21	22	23	
	26	27	28	29	30	

- 21-23 - Faculty Work Days
- 26- First Day of School
- 30- Community Day

FEBRUARY 2025						
S	M	T	W	Th	F	S
	3	4	5	6	7	
	10	11	12	13	14	
	17	18	19	20	21	
	24	25	26	27	28	

- 17 Presidents' Day  
(No School)
- 10, 11 - Half-Days Professional Development
- 17-21 FEBRUARY BREAK

SEPTEMBER 2024						
S	M	T	W	Th	F	S
	2	3	4	5	6	
	9	10	11	12	13	
	16	17	18	19	20	
	23	24	25	26	27	
	30					

- 2- Labor Day (No School)
- 11 - Half-Day Professional Development
- 26- Open House (evening)

MARCH 2025						
S	M	T	W	Th	F	S
	3	4	5	6	7	
	10	11	12	13	14	5
	17	18	19	20	21	
	24	25	26	27	28	
	31					

- 20, 21 - Half-Days Professional Development

OCTOBER 2024						
S	M	T	W	Th	F	S
		1	2	3	4	
	7	8	9	10	11	
	14	15	16	17	18	
	21	22	23	24	25	
	28	29	30	31		

- 14- Indigenous Peoples' Day  
(No School)
- 25- Octoberfest
- 30- Curriculum Day

- 4- Mid-semester Grades Close
- 16 - Half-Day Professional Development
- 21 - Patriots' Day (No School)
- 21-25 APRIL BREAK

APRIL 2025						
S	M	T	W	Th	F	S
		1	2	3	4	
	7	8	9	10	11	
	14	15	16	17	18	
	21	22	23	24	25	
	28	29	30			

NOVEMBER 2024						
S	M	T	W	Th	F	S
					1	
	4	5	6	7	8	
	11	12	13	14	15	
	18	19	20	21	22	
	25	26	27	28	29	

- 1- Mid-semester Grades Close
- 5 - Half-Day Professional Development
- 11- Veterans' Day  
(No School)
- 27-29 - THANKSGIVING BREAK

- 9- Late Notice Grades Close
- 15 - Half-Day Professional Development
- 23- Seniors' Last Day (must be no more than 12 days before the last day for all students with no snow days)
- 26 - Memorial Day  
(No School)

MAY 2025						
S	M	T	W	Th	F	S
				1	2	
	5	6	7	8	9	
	12	13	14	15	16	
	19	20	21	22	23	
	26	27	28	29	30	

DECEMBER 2024						
S	M	T	W	Th	F	S
	2	3	4	5	6	
	9	10	11	12	13	
	16	17	18	19	20	
	23	24	25	26	27	
	30	31				

- 6- Late Notice Grades Close
- 16- Half-Day Professional Development
- 23-31- HOLIDAY BREAK

- 5- Graduation
- 11- Last Day of School with no Snow Days (Half-Day)
- 18- Last Day of School with 5 Snow Days (Half-Day)
- 19 Juneteenth (No School)

JUNE 2025						
S	M	T	W	Th	F	S
	2	3	4	5	6	
	9	10	11	12	13	
	16	17	18	19	20	
	23	24	25	26	27	
	30					

## Faculty Days - NO SCHOOL

School Days = 180  
½ Days = 10

## Holidays/Vacations - NO SCHOOL

Fall Semester = 90  
Spring Semester = 90

## Important Dates

First Quarter = 46  
Third Quarter = 44

## Half-Day

Second Quarter = 44  
Fourth Quarter = 46





# Coversheet

## Strategic Action Plan - Check-in on Leadership and Governance

<b>Section:</b>	VI. President's Business
<b>Item:</b>	B. Strategic Action Plan - Check-in on Leadership and Governance
<b>Purpose:</b>	Discuss
<b>Submitted by:</b>	
<b>Related Material:</b>	2021-2026 PVPA Strategic Action Plan_Final.docx.pdf

**PIONEER VALLEY PERFORMING ARTS  
PUBLIC CHARTER SCHOOL**



**STRATEGIC ACTION PLAN  
2021-2026**

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## **FOREWORD:**

The 2021-2026 Strategic Action Plan (SAP) for PVPA focuses on strengthening the current school culture, and it emphasizes three important frameworks that are weaved throughout the document: re-calibrating our practices; increasing inclusivity; and committing to more transparency across our community. The recurring expectation of this SAP is for the school leadership to assess programs and resources by listening to a broad diversity of perspectives and transparently implementing plans to systematize what is working. The previous SAP (2016-2021) launched PVPA along many important paths of improvement, and it helped to guide the school through significant leadership changes, the creation of a teachers' union, and the COVID-19 pandemic. With this SAP, we attempt to capture the spirit of drilling down to further clarify, strengthen, and sustain the work that has already been set in motion.

The SAP was developed with the collaboration and contributions of a broad range of stakeholders, and it attempts to distill those voices and concerns into a practical and meaningful path forward. Many members of the community gave invaluable input to the SAP Committee along our journey of investigation, and we truly appreciate their work. The committee particularly wishes to thank the many people who participated in the Focus Group gatherings -- it was inspiring and wonderfully productive to hear views from so many people working together in the same virtual space! Additionally, there were many people who completed our Community Survey in the spring of 2020, and who met or corresponded with the committee -- we thank you all for those important contributions as well.

## **MISSION:**

The Pioneer Valley Performing Arts Charter Public School offers its students intensive exposure to the performing arts within the context of an excellent college preparatory curriculum.

The goal is to provide students with a supportive and challenging environment that is responsive to multiple learning styles, emphasizes learning through the arts, and integrates critical and creative thinking throughout the curriculum.

**VALUES:**

During the time of writing the 2011-2016 Strategic Action Plan, the committee members attempted to capture the intangible aspects of the school treasured by the community. These values continue to be alive in the PVPA community in 2021, at the time of drafting this Strategic Action Plan; we keep them in this current plan because we hope they will continue to hold a central place in our school.

–Critical and Higher Order Thinking Skills: These include searching for and evaluating sources, holistic analysis, the ability to ask appropriate questions, the capacity to evaluate and judge, and openness to outliers of thought and minority opinions. We value rigorous thinking and approaches to learning such as the recognition of connections between one’s own life and the larger society, willingness to embrace paradox and ambiguity without rushing to conclusions, and an ability to recognize multiple perspectives—all of which are foundations for students’ future education.

–Creative Thinking: We value experimentation, risk-taking and mistake-making, interdisciplinary approaches, collaboration between co-creators, divergent as well as convergent thinking, and the ability to draw from oneself the material for creating and for making new and essential connections.

–A Passion for Inquiry and Self-Reflection: We value the right to question assumptions and to demonstrate knowledge in a variety of forms. This passion is modeled by the outstanding educators at PVPA—teachers who, in their fields of expertise, are enthusiastic facilitators of student learning. Passion and learning go hand-in-hand and are compatible with rigorous standards and expectations.

–A Loving Community: Students, faculty, families, administrators, Board members, people from various social classes, ethnicities, life experiences, and with a variety of learning styles are respected. We value all voices being heard when important decisions are made and expect community members to support the school’s mission and values. PVPA aspires to be a safe environment for students and encourages them to develop their own ideas and opinions.

–School as One Part of a Larger Learning Community: We believe that education goes on all the time and everywhere. We value our essential connections with the broader community and with artists in various disciplines. PVPA is committed to being part of a community of artistic organizations, where our approaches to education are shared, where our students present arts performances, where we both receive and give. We seek to enhance our visibility in the communities where our students reside and in other public schools.

## **VISION:**

The 2021-2026 Strategic Action Plan builds on the foundation set by the previous plan. In continuing the school's growth and progress, we see three primary areas of focus: re-calibrating our practices; broadening our understanding and implementation of inclusivity; and committing to more transparency across our community.

Our first objective is in the spirit of offering PVPA an opportunity to recalibrate by focusing attention to the areas that need it most. A robust commitment to education and students has led to the creation of a number of quality programs and initiatives that have been started, and not yet fully realized. We now have the opportunity to refocus and intentionally embed these programs into our school culture.

Our second objective—centering equity and inclusivity—aims to expand resources and initiatives in support of all members of the PVPA community. Through these goals and objectives, we will make an intentional effort to uphold diversity, equity, and inclusion in all aspects of our mission. By committing to these practices, we will be poised to better serve marginalized populations and ensure that all students are empowered to create a path to success.

Our last objective seeks to address an area of growth within the PVPA community, transparency of leadership. During times of change, trusting and understanding structures of leadership is key in maintaining a healthy school environment. In this Strategic Action Plan we aim to outline both broad goals and specific strategies to accomplish transparency and build clearer structures of leadership within PVPA at all levels. The onus of responsibility for implementing and creating success with the plan rests with the head of school, the administrative team, and the Board of Trustees.

## **Leadership & Governance**

**Goal 1:** Prioritize PVPA's mission in every aspect of the school community.

**Objective 1.1:** Maintain a Director of Arts and a Director of Academics as key leadership positions.

**Goal 2:** Improve transparency and increase the use of inclusive, collaborative decision-making.

**Objective 2.1:** Clearly define leadership positions, roles, and responsibilities in a solidified organizational and leadership structure and share this openly with the greater PVPA community.

**Objective 2.2:** Develop a Policy Handbook to clearly delineate school practices and procedures.

**Objective 2.3:** Work with the Labor-Management Committee to create a flow chart of how decisions are made.

**Objective 2.4:** Ensure the successful implementation of the PVPA Student Opportunity Act Plan.

**Objective 2.5:** Create a plan for systemic growth and share the plan openly with the greater PVPA community.

**GOAL 3:** Cultivate and maintain our leadership position in the community as a faithful adherent to, and innovator of, best practices.

**Objective 3.1:** Support the successful implementation of Restorative Practices, Arts Integration and prioritized curricular approaches including Universal Design.

**Objective 3.2:** Provide relevant professional development, coaching, and mentoring to all staff, faculty and administrators to support leadership growth and to ensure effective outcomes.

**GOAL 4:** Improve overall effectiveness of the Board, through consistent communication, community engagement, and increased Board accountability for promoting, protecting, and ensuring PVPA's mission of academic excellence.

**Objective 4.1:** Board representatives will communicate regularly with the head of school to review progress on priorities set by the school administration.

**Objective 4.2:** Board members should prioritize attending school events and activities and engaging with community members outside of Board meetings.

**Objective 4.3:** The Board will create and promote an avenue for community members to communicate with the board beyond attendance at Board meetings.

**Objective 4.4:** Board subcommittees will support and monitor academic concerns such as MCAS, Charter School directives, grades, and college acceptance/attendance.

**Objective 4.5:** Recruitment for Board of Trustee membership and Senior Administration will include arts experience considerations as well as diversity and student identity representation in the hiring / selection process.



## **Diversity, Equity, Anti-Racism & Inclusion**

**Goal 1:** Strategically expand representation in all parts of the PVPA community.

**Objective 1.1:** Continue to prioritize efforts to recruit, hire, and retain teachers, administrators, staff, and Board Trustees whose identities are reflective of the student body.

**Objective 1.2:** Update and continue implementation of the [PVPA Diversity Plan](#).

**Objective 1.3:** As the Board of Trustees, share openly with the PVPA community detailed steps the board is taking to address issues of diversity, equity, and inclusion at a board level.

**Objective 1.4:** Create/Update and publish a statement on commitment to diversity and inclusion, including benchmarks with specific goals and timelines. (For the school and Board of Trustees.)

**Goal 2:** Increase opportunities for students to learn about social justice issues, and to engage in social justice action.

**Objective 2.1:** Provide social justice education to middle school students, with opportunities for a culminating social action project by the end of 8th grade.

**Goal 3:** Openly acknowledge and address challenges in the community related to diversity, equity, anti-racism and inclusion.

**Objective 3.1:** Acknowledge achievement gaps that exist in an effort to overcome barriers to learning and create an equitable educational space.

**Objective 3.2:** Name racism, ableism, and inequity when it is seen.

**Goal 4:** Increase opportunities for staff, faculty, administrators and board members to develop anti-racism skills.

**Objective 4.1:** Plan regular anti-racism professional development.

**Objective 4.2:** Include racial sensitivity training as part of the on-boarding or hiring process (including for new board members).

## **School Climate**

**GOAL 1:** Deliberately and demonstrably create a safer, more supportive, and more inclusive school environment.

**Objective 1.1:** Continue to implement PVPA's Restorative Practice initiative that includes school-wide positive behavior plans; restorative justice; and a peer mediation program.

**Objective 1.2:** Improve how the PVPA community is supported to enact the values represented by PVPA C.A.R.E.S.

**Objective 1.3:** Identify harmful behaviors; create and share an equitable system to determine the range of potential responses to such behaviors.

**Objective 1.4:** Support and further develop the 7th and 8th grade advisory program, with an aim toward broadening arts exposure and improving rates of student retention.

**Objective 1.5:** Consider how to create an advisory for high school grades.

**Objective 1.6:** Increase diversity, anti-racist, and anti-bullying trainings for students and staff.

**GOAL 2:** Work towards creating a space that inspires students, staff, faculty and administrators.

**Objective 2.1:** Hire a diverse group of professional performing artists to teach students.

**Objective 2.2:** Encourage staff, faculty, administrators and board members to engage in and experience student creative works.

**GOAL 3:** Maintain full student enrollment and implement efforts to increase student retention as compared to the previous 5 years.

## **Arts and Academics**

**GOAL 1:** Analyze achievement data to understand and address trends for specific demographic groups.

**Objective 1.1:** Create and develop a team of school personnel to analyze school data.

**Objective 1.2:** Provide professional development for teachers to become more comfortable with data analysis (trusting the data).

**Objective 1.3:** Identify changes to be made at any/all levels (within curriculum to new school policy) based on school data.

**GOAL 2:** Improve the shared understanding of Standards Based Grading and increase consistency of implementation across all classes.

**Objective 2.1:** Use professional development to improve shared understanding and implementation for all teachers and administrators.

**Objective 2.2:** Increase education opportunities and communication about Standards Based Grading for students and families.

**Objective 2.3:** Use professional development to ensure that implementation of the Standards Based Grading is consistent.

**Objective 2.4:** Develop a common understanding of what represents high-quality evidence of learning within subject areas.

**Objective 2.5:** Establish clear expectations for communication through Powerschool.

**GOAL 3:** Work to develop a school culture in which all students are expected to do quality, meaningful work.

**Objective 3.1:** Support teachers to design instructional environments that ensure appropriate levels of challenge for students using Universal Design for Learning as a framework.

**GOAL 4:** Evaluate scheduling system and course offerings to improve overall timeliness of scheduling and access to classes.

**Objective 4.1:** Ensure students can access required courses.

**Objective 4.2:** Work to balance class sizes.

## **Student Support**

**GOAL 1:** Increase the integration of trauma-sensitive practices and social-emotional learning school wide.

**Objective 1.1:** Assess and report on the current status of implementation.

**Objective 1.2:** Create a plan to further support successful implementation.

**GOAL 2:** Expand the use of a school wide Multi-Tiered System of Support (MTSS) to improve student outcomes as measured by academic performance, attendance, and behavioral incidents.

**Objective 2.1:** Create an MTSS team to assess student needs and implement support.

## **Faculty/Staff Support and Development**

**GOAL 1:** Clarify a framework and implement a process of support and evaluation whereby faculty and staff can successfully implement the following prioritized initiatives: Universal Design for Learning; Restorative Practices; School-Wide Positive Behavior Intervention Support.

**Objective 1.1:** Evaluate the current status and effectiveness of the above-named initiatives/programs.

**Objective 1.2:** Use the findings from 1.1 to develop a plan to dedicate time and create opportunities for faculty and staff members to implement the initiatives successfully.

**GOAL 2:** Articulate teacher leadership roles and responsibilities.

**Objective 2.1:** Clarify role of Department Leaders.

**Objective 2.2:** Re-establish the Mentor Program as an effective peer guidance program.

## **Communication and Outreach**

**GOAL 1:** Increase accessibility to school communication and engagement with families with language and/or communication barriers.

**Objective 1.1:** Identify, increase and promote pathways for caregivers with language and/or communication barriers to engage with school communications, interact with faculty and administration, give feedback, and participate in providing student support.

**Objective 1.2:** Maintain a student recruitment and enrollment plan that supports a diverse student applicant pool, including ELL students.

**GOAL 2:** Increase PVPA's engagement with the wider community and raise awareness of PVPA's strengths and resources.

**Objective 2.1:** Continue to produce PVPA performance and showcase opportunities that take place in the wider community.

**Objective 2.2:** Highlight information about PVPA's arts and academics programs, student supports, restorative practices, diversity initiatives, and opportunities for engagement on the PVPA website.

**Objective 2.3:** Create and strengthen partnerships with local/regional entities, both artistic and not, to support student engagement in the community and foster an opportunity network for creative showcasing.

**Objective 2.4:** Continue fostering relationships with local media to better broadcast stories and examples of student success - artistically, academically and otherwise.

## **Technology, Facilities, & Services**

**GOAL 1:** Work with the Friends of PVPA to maintain aspects of the building that are up to code, and update areas as needed to bring the entire infrastructure up to current operating standards.

**Objective 1.1:** Establish a consistent schedule and a committed membership for the Long Range Infrastructure Planning Task Force, considering all diverse members of the PVPA community.

**Objective 1.2:** The Long Range Infrastructure Planning Task Force will seek community input to weigh infrastructure ideas, evaluate costs associated with building needs based on Strategic Action goals, and create proposals for administration and board review.

**GOAL 2:** Offer EdTech Professional Development focused on student learning, enhancing sustainable instructional practices that support equity and inclusion, and promoting individualized learning.

**Objective 2.1:** Re-establish the Tech Steering Committee.

**Objective 2.2:** Improve day-to-day technological support.

**GOAL 3:** Continue to improve the school meals program in order to increase equitable access to healthy food options.

**Objective 3.1:** Clarify the lunch program process for families and students, especially protocols for ordering and paying.

**Objective 3.2:** Evaluate options beyond ordering from South Hadley PS, Family Pizza, and current vending machines.

**Objective 3.3:** Assess long-term options for internalizing as much of the meals program as possible (eating space, hot/cold storage, heated serving area, etc.).

**GOAL 4:** Maintain a state-certified school librarian to foster the community network of libraries and bring awareness to internal capacity for community and library curriculum.

**Objective 4.1:** Maintain participation in CW/MARS consortium by keeping up the library's Mass Library System membership.

**Objective 4.2:** Support the Librarian to offer curriculum to each grade annually.

**Objective 4.3:** Increase awareness of the community network of partner libraries and of how our library can foster community within PVPA.

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## **Strategic Action Plan Committee**

*The SAP Committee was originally formed in the fall of 2019, and the membership of the committee evolved over time. This list comprises all the members, past and present, and also includes our invaluable Focus Group facilitators.*

David Potter, Chair	Board Member, Parent
Loris Bjorkman-Joslyn, Co-Vice-Chair	Staff
Shino Yoshen, Co-Vice-Chair	Board Member, Alumna 2007
Jacob Rosenblum, Secretary	Board Member, Student 2021
Marcus McLaurin	Board Member
Laura Davis	Staff
Demetria Shabazz	Parent
Analua Moreira	Student 2021
Thom Vreeland	Staff
Shannon Materka	Staff
Frank Newton	Staff
Lissa Pierce Boniface	Staff, Parent
John Kulas	Staff, Parent