



**Monticello**  
MONTESSORI  
Developing critical thinkers and motivated learners

# Public Charter School District No. 474

# Employee Handbook

## THE PURPOSE OF THE HANDBOOK

This Monticello Montessori Employee Handbook establishes policies, procedures, and working conditions that will be followed by all Monticello employees as a condition of their employment. The Standards of Conduct describe the expected conduct of employees while engaged in school business.

***This Employee Handbook is not a contract of employment nor is it intended to create for the school contractual obligations of any kind.***

Employment at Monticello Montessori Public Charter School District (MMCS/MMCSD) is on an "at will" basis, which means that the employee or MMCS may terminate the employment relationship at any time, for any reason, with or without cause.

The policies and procedures outlined in this Handbook will be applied at the discretion of MMCSD. MMCS reserves the right to interpret, apply, and make adjustments to the policies, procedures, and working conditions described in this handbook. Furthermore, MMCSD reserves the right to withdraw or change the policies, procedures, and working conditions described in this handbook at any time, for any reason, and without prior notice. MMCSD will make every effort to notify employees when an official change in policy or procedure has been made but employees are responsible for their own up-to-date knowledge about policies, procedures, and working conditions.

MMCSD values the talents and abilities of our employees and seeks to foster an open, cooperative, and dynamic environment in which employees and the school alike can thrive. The school provides an Open Door Policy under which employees are encouraged to resolve problems first with the person most closely concerned, then to move the next level of management if not need be. If an employee is unable to resolve a situation with their direct supervisor, the problem should be taken to the Administrator. The final level for resolving internal grievances is the Board of Directors. Grievances regarding sexual or other harassment or discrimination should be taken to the assigned coordinator (see the District website or Administrator for more information).

MMCSD is an equal opportunity employer. Religion, age, gender, sexual orientation, national origin, race, ethnicity or color does not affect hiring, promotion, development opportunities, pay, or benefits. MMCSD provides for fair treatment of employees based on merit. The school complies with all applicable federal, state, and local labor laws and statutes.

Please review the policies, procedures, and working conditions described in this handbook. You will be asked to affirm that you have read, understand, agree to abide by, and acknowledge your receipt of this employee handbook and employee Standards of Conduct.

Best regards,

Erica Kemery, Ed.S.  
Superintendent/Principal

## **EMPLOYMENT AT-WILL POLICY FOR NON-CONTRACTUAL EMPLOYEES**

MMCS D does not offer tenured or guaranteed employment. However, Certificated Teachers are able to fulfill the requirements of and become eligible for Continuous Contract status. Either the school or the employee can terminate the Classified employment relationship at any time, with or without cause, with or without notice.

## **EQUAL EMPLOYMENT OPPORTUNITY**

It is the policy of the school to ensure equal employment opportunity without discrimination or harassment on the basis of race, color, national origin, religion, gender, sexual orientation, age, disability, or any other characteristic protected by law. MMCS D complies with applicable state and local laws governing non-discrimination in employment.

## **NON-DISCRIMINATION AND ANTI-HARASSMENT POLICY**

MMCS D is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits discriminatory practices, including harassment. Therefore, MMCS D expects that all relationships among persons in the workplace will be business-like and free of bias, prejudice, harassment or sexual harassment.

### **Definitions of Harassment**

a. Sexual harassment constitutes discrimination and is illegal under federal, state and local laws. For the purposes of this policy, sexual harassment is defined, as in the Equal Employment Opportunity Commission Guidelines, as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example: (i) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; ii) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (iii) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include, but are not limited to: unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, catcalls or touching; insulting or obscene comments or gestures; display or circulation in the workplace of sexually suggestive objects or pictures (including through e-mail); and other physical, verbal or visual conduct of a sexual nature. Sex-based harassment that is, harassment not involving sexual activity or language (e.g., male manager yells only at female employees and not males) may also constitute discrimination if it is severe or pervasive and directed at employees because of their sex.

b. Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, national origin, age, disability or any other characteristic protected by law or that of his/her relatives, friends or associates, and that: (i) has the purpose or effect of creating an intimidating, hostile or offensive work environment; (ii) has the purpose or effect of unreasonably interfering with an individual's work performance; or (iii) otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes, but is not limited to: epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes and display or circulation in the workplace of written or graphic material that denigrates or shows hostility or aversion toward an individual or group (including through e-mail).

### **Individuals and Conduct Covered**

These policies apply to all applicants and employees, and prohibit harassment, discrimination and retaliation whether engaged in by fellow employees, by a supervisor or manager or by someone not directly connected to the school (e.g., an outside vendor, consultant or customer).

Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings and business-related social events.

### **Retaliation Is Prohibited**

The school prohibits retaliation against any individual who reports discrimination or harassment or participates in an investigation of such reports. Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action.

### **Reporting an Incident of Harassment, Discrimination or Retaliation**

The school strongly urges the reporting of all incidents of discrimination, harassment or retaliation, regardless of the offender's identity or position. Individuals who believe they have experienced conduct that they believe is contrary to the school's policy or who have concerns about such matters should file their complaints with the school Principal or Superintendent. In the case that the complaint involves the Principal or Superintendent, all reporting should be directed to the school board chair before the conduct becomes severe or pervasive. Individuals should not feel obligated to file their complaints with their immediate supervisor first before bringing the matter to the attention of one of the other the school designated representatives identified above.

### **IMPORTANT NOTICE TO ALL EMPLOYEES:**

Employees who have experienced conduct they believe is contrary to this policy have an obligation to take advantage of this complaint procedure. An employee's failure to fulfill this obligation could affect his or her rights in pursuing legal action. Also, please note, federal, state and local discrimination laws establish specific time frames for initiating a legal proceeding pursuant to those laws.

Early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment. Therefore, while no fixed reporting period has been established, the school strongly urges the prompt reporting of complaints or concerns so that rapid and constructive action can be taken. The school will make every effort to stop alleged harassment before it becomes severe or pervasive, but can only do so with the cooperation of its staff/employees.

The availability of this complaint procedure does not preclude individuals who believe they are being subjected to harassing conduct from promptly advising the offender that his or her behavior is unwelcome and requesting that it be discontinued.

### **The Investigation**

Any reported allegations of harassment, discrimination or retaliation will be investigated promptly, thoroughly and impartially. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge. Confidentiality will be maintained throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action.

## **Responsive Action**

Misconduct constituting harassment, discrimination or retaliation will be dealt with promptly and appropriately. Responsive action may include, for example, training, referral to counseling, monitoring of the offender and/or disciplinary action such as warning, reprimand, withholding of a promotion or pay increase, reduction of wages, demotion, reassignment, temporary suspension without pay, or termination, as the school believes appropriate under the circumstances.

Individuals who have questions or concerns about these policies should talk with the Administrator, a human resources representative, or the school Board of Directors.

Finally, these policies should not, and may not, be used as a basis for excluding or separating individuals of a particular gender, or any other protected characteristic, from participating in business or work-related social activities or discussions in order to avoid allegations of harassment. The law and the policies of MMCS D prohibit disparate treatment on the basis of sex or any other protected characteristic, with regard to terms, conditions, privileges and prerequisites of employment. The prohibitions against harassment, discrimination and retaliation are intended to complement and further these policies, not to form the basis of an exception to them.

## **AMERICANS WITH DISABILITIES ACT POLICY STATEMENT**

MMCS D is committed to complying with all applicable provisions of the Americans with Disabilities Act ("ADA"). It is the school's policy not to discriminate against any qualified employee or applicant with regard to any terms or conditions of employment because of such individual's disability or perceived disability so long as the employee can perform the essential functions of the job. Consistent with this policy of nondiscrimination, the school will provide reasonable accommodations to a qualified individual with a disability, as defined by the ADA, who has made the school aware of his or her disability, provided that such accommodation does not constitute an undue hardship on the school.

Employees with a disability who believe they need a reasonable accommodation to perform the essential functions of their job should inform the school Administrator or a human resources representative. The district encourages individuals with disabilities to come forward and request reasonable accommodation.

### **Procedure for Requesting an Accommodation**

On receipt of an accommodation request, the Administrator or human resources representative will meet with the employee to discuss and identify the precise limitations resulting from the disability and the potential accommodation that the district might make to help overcome those limitations.

The school will determine the feasibility of the requested accommodation considering various factors, including, but not limited to the nature and cost of the accommodation, the availability of tax credits and deductions, outside funding, the school's overall financial resources and organization, and the accommodation's impact on the operation of the school, including its impact on the ability of other employees to perform their duties and on the district's ability to conduct business.

The district will inform the employee of its decision on the accommodation request or on how to make the accommodation. If the accommodation request is denied, employees will be advised of their right to appeal the decision by submitting a written statement explaining the reasons for the request. If the request on appeal is denied, that decision is final.

The ADA does not require the school to make the best possible accommodation, to reallocate essential job functions, or to provide personal use items (i.e., eyeglasses, hearing aids, wheelchairs etc.).

An employee or job applicant who has questions regarding this policy or believes that he or she has been discriminated against based on a disability should notify the Board of Directors. All such inquiries or complaints will be treated as confidential to the extent permissible by law.

### **IMMIGRATION LAW COMPLIANCE**

MMCS D is committed to employing only people who are United States citizens or who are aliens legally authorized to work in the United States. We do not illegally discriminate because of a person's citizenship or national origin.

Because we comply with the Immigration Reform and Control Act of 1986, every new employee at MMCS D is required to complete the Employment Eligibility Verification Form I-9 and show documents that prove identity and employment eligibility.

If you leave MMCS D and are rehired, you must complete another Form I-9 if the previous I-9 with MMCS D is more than three years old, or if the original I-9 is no longer accurate, or if MMCS D no longer has the original I-9 form.

If you have questions or want information on the immigration laws, contact the Administrator. If you ask questions or want to complain about the immigration law, you will not be punished in any way.

### **EMPLOYMENT OF RELATIVES**

Members of an employee's immediate family will be considered for employment on the basis of their qualifications. Immediate family may not be hired, however, if employment would:

- (i) Create a supervisor/subordinate relationship with a family member;
- (ii) Have the potential for creating an adverse impact on work performance; or
- (iii) Create either an actual conflict of interest or the appearance of a conflict of interest.

This policy must also be considered when assigning, transferring, or promoting an employee. For the purpose of this policy, immediate family includes: spouse, parent, child, sibling, in-law, aunt, uncle, niece, grandparent, grandchild, members of household. This policy also applies to romantic relationships.

Employees who become immediate family members or establish a romantic relationship may continue employment as long as it does not involve any of the above. If one of the conditions outlined should occur, attempts will be made to find a suitable position within the school to which one of the employees will transfer. If employees become immediate family members or establish a romantic relationship, MMCS D will make reasonable efforts to assign job duties so as to minimize problems of supervision, safety, security or morale. If accommodations of this nature are not feasible, the employees will be permitted to determine which of them will resign. If the employees cannot make a decision, the MMCS D will decide in its sole discretion who will remain employed.

The employment of relatives can cause various problems, including charges of favoritism, conflicts of interest, family discord and scheduling conflicts that work to the disadvantage of both MMCS D and its employees. Therefore, it is the preference of the district not to hire a close relative of any current employee in any capacity.

For purposes of this policy, the term "close relative" includes the following relationships, whether established by blood, marriage, or other legal action; mother, father, husband, wife, son, daughter, sister, brother, mother-in-law, father-in-law, sister-in-law, brother-in-law, son-in-law, daughter-in-law, step-child, aunt, uncle, nephew, niece or cousin.

When a situation occurs which results in waiving this policy (whether because of the marriage of two employees or some other circumstance), one of the employees involved may be required to resign or be otherwise discharged. Employees will be permitted to determine which of them will resign and will be required to inform the school of their decision within a two-month period after the violation begins. If the employees cannot make a decision, MMCS D will decide in its sole discretion who will remain employed.

This policy does not apply to "close relatives" who already are employed by the school as of the effective date of this policy. This waiver, however, may not be used as a basis for further exceptions subsequent to the effective date of this policy.

## **REFERENCE CHECKS**

All inquiries regarding a current or former school employee must be referred to the district Administrator.

Should an employee receive a written request for a reference, he/she should refer the request to MMCS D's Administrator for handling. No employee may issue a reference letter on behalf of the district to any current or former employee unless approved by the Administrator.

Under no circumstances should any employee release any information about any current or former employee over the telephone. All telephone inquiries regarding any current or former employee must be referred to the school Administrator. In response to an outside request for information regarding a current or former school employee, the Administrator will furnish or verify only an employee's name, dates of employment, job title and the essential functions of the position, unless otherwise required by law.

## **DRESS AND APPEARANCE**

MMCS D is an educational organization. Therefore modeling modest and businesslike attire to students is essential and required for employees. The following dress and appearance guidelines summarize Policy 5360. Any dress or accessories not detailed in this section must at all times meet or exceed the standards set for students.

Professional appearance is required. Professional casual is the minimum level of expected employee attire, except for special occasions. Shirts or blouses with sleeves, and slacks, skirts, khaki pants or dress jeans are standard. Because they are contrary to the student dress code, and outside the expectations for professional dress, the following is not acceptable: leggings, athletic shorts or pants, visible undergarments including straps, visible cleavage either fore or aft, backless shirts, tight-fitting or low-cut shirts, garments which expose the midriff or are revealingly see-through, tattoos, head-coverings (except for religious purposes), flip-flops, and hair color not in the natural color spectrum. Exceptions for special or job-related circumstances may be requested of the Administrator.

## **LEAVE UNDER THE FAMILY AND MEDICAL LEAVE ACT (FMLA)**

The Family and Medical Leave Act (FMLA) provides eligible employees with up to 12 workweeks of unpaid leave for certain family and medical reasons during a 12 month period. During this leave, an eligible employee is entitled to continued group health plan coverage, if such coverage is provided, as if the employee had continued to work. At the conclusion of the leave, subject to some exceptions, an employee generally has a right to return to the same or to an

equivalent position.

### **Employee Eligibility Criteria**

To be eligible for FMLA leave, an employee must have been employed by the school for at least 12 months (which need not be consecutive); for at least 1,250 hours during the 12 month period immediately preceding the commencement of the leave; and at a worksite (a) with 50 or more employees; or (b) where 50 or more employees are located within 75 miles of the worksite.

### **Events Which May Entitle an Employee to FMLA Leave**

FMLA leave may be taken for any one, or for a combination of, the following reasons:

1. the birth of the employee's child or to care for the newborn child;
2. the placement of a child with the employee for adoption or foster care or to care for the newly placed child;
3. to care for the employee's spouse, child or parent (but not in-law) with a serious health condition; and/or
4. the employee's own serious health condition that makes the employee unable to perform one or more of the essential functions of his or her job.
5. A "serious health condition" is an injury, illness, impairment, or physical or mental condition that involves inpatient care or continuing treatment by a health care provider.

[NOTE: A more detailed definition of "serious health condition" can be found in the Department of Labor's Certification of Health Care Provider Form (Form WH-380- December 1994).]

### **How Much FMLA Leave May Be Taken**

#### **The 12 Month Period**

An eligible employee is entitled to up to 12 work weeks of unpaid leave during a 12 month period for any FMLA qualifying reason(s). The 12 month period is the period measured forward from the date an employee's first FMLA leave begins. Subsequent 12 month periods begin the first time FMLA leave is taken after the completion of any previous 12 month period.

#### **Limitations on FMLA Leave**

Leave to care for a newborn or for a newly placed child must conclude within 12 months after the birth or placement of the child.

When both spouses are employed by the school, they are together entitled to a combined total of 12 work weeks of FMLA leave within the designated 12 month period for the birth, adoption or foster care placement of a child with the employees, for aftercare of the newborn or newly placed child, and to care for a parent (but not in-law) with a serious health condition.

Each spouse may be entitled to additional FMLA leave for other FMLA qualifying reasons (i.e., the difference between the leave taken individually for any of the above reasons and 12 work weeks, but not more than a total of 12 work weeks per person). For example, if each spouse took 6 weeks of leave to care for a newborn child, each could later use an additional 6 weeks due to his/her own serious health condition or to care for a child with a serious health condition.

#### **Intermittent or Reduced Work Schedule Leave**

Intermittent leave is leave taken in separate blocks of time. A reduced work schedule leave is a leave schedule that reduces an employee's usual number of hours per workweek or hours per workday.



Leave to care for a newborn or for a newly placed child must be taken all at once and may not be taken intermittently or on a reduced work schedule.

If an employee takes leave intermittently or on a reduced work schedule basis, the employee must, when requested, attempt to schedule the leave so as not to unduly disrupt the school's operations. When an employee takes intermittent or reduced work schedule leave for foreseeable planned medical treatment, the school may temporarily transfer the employee to an alternative position with equivalent pay and benefits for which the employee is qualified and which better accommodates recurring periods of leave.

### **Requests for FMLA Leave**

An employee should request FMLA leave by completing the Employer's Request for Leave form and submitting it to the Principal.

When leave is foreseeable for childbirth, placement of a child or planned medical treatment for the employee's or family member's serious health condition, the employee must provide the school with at least 30 days advance notice, or such shorter notice as is practicable (i.e., within 1 or 2 business days of learning of the need for the leave).

When the timing of the leave is not foreseeable, the employee must provide the school with notice of the need for leave as soon as practicable (i.e., within 1 or 2 business days of learning of the need for the leave).

### **Required Documentation**

When leave is taken to care for a family member, the school may require the employee to provide documentation or statement of family relationship (e.g., birth certificate or court document).

An employee may be required to submit medical certification from a health care provider to support a request for FMLA leave for the employee's or a family member's serious health condition.

If the school has reason to doubt the employee's initial certification, the school may: (i) with the employee's permission, have a designated health care provider contact the employee's health care provider in an effort to clarify or authenticate the initial certification; and/or (ii) require the employee to obtain a second opinion by an independent the school-designated provider at the school's expense. If the initial and second certifications differ, the school may, at its expense, require the employee to obtain a third, final and binding certification from a jointly selected health care provider.

During FMLA leave, the school may request that the employee provide recertification of a serious health condition at intervals in accordance with the FMLA. In addition, during FMLA leave, the employee must provide the school with periodic reports regarding the employee's status and intent to return to work. If the employee's anticipated return to work date changes and it becomes necessary for the employee to take more or less leave than originally anticipated, the employee must provide MMCS with reasonable notice (i.e., within 2 business days) of the employee's changed circumstances and new return to work date. If the employee gives the school notice of the employee's intent not to return to work, the employee will be considered to have voluntarily resigned.

Before the employee returns to work from FMLA leave for the employee's own serious health condition, the employee may be required to submit a fitness for duty certification from the employee's health care provider, with respect to the condition for which the leave was taken, stating that the employee is able to resume work.

FMLA leave or return to work may be delayed or denied if the appropriate documentation is not provided in a timely

manner. Also, a failure to provide requested documentation of the reason for an absence from work may lead to termination of employment.

### **Use of Paid and Unpaid Leave**

FMLA provides eligible employees with up to 12 workweeks of unpaid leave. If an employee has accrued paid leave (e.g., vacation, sick leave, personal leave), however, the employee must use any qualifying paid leave first. "Qualifying paid leave" is leave that would otherwise be available to the employee for the purpose for which the FMLA leave is taken. The remainder of the 12 workweeks of leave, if any, will be unpaid FMLA leave. Any paid leave used for an FMLA qualifying reason will be charged against an employee's entitlement to FMLA leave. This includes leave for disability or workers' compensation injury/illness, provided that the leave meets FMLA requirements. The substitution of paid leave for unpaid leave does not extend the 12 workweek leave period.

**[NOTE:** The FMLA gives the employer the right to require that the employee use qualifying paid leave prior to taking unpaid FMLA leave. In the alternative, the employee may elect to use qualifying paid leave.

The Department of Labor takes the position that an employee's receipt of workers' compensation or disability payments precludes the employee from electing, and prohibits the employer from requiring, substitution of accrued paid leave for any part of the absence covered by such payments.]

### **Designation of Leave**

The school will notify the employee that leave has been designated as FMLA leave. The school may provisionally designate the employee's leave as FMLA leave if the school has not received medical certification or has not otherwise been able to confirm that the employee's leave qualifies as FMLA leave. If the employee has not notified the school of the reason for the leave, and the employee desires that leave be counted as FMLA leave, the employee must notify the school principal within 2 business days of the employee's return to work that the leave was for an FMLA reason.

**[NOTE:** It is the Employer's responsibility to designate leave, paid or unpaid, as FMLA qualifying and to give the employee notice of the designation.

The Department of Labor takes the position that, absent extenuating circumstances, the Employer must give the employee notice of the designation within 2 business days after the Employer has acquired knowledge that leave is being taken for an FMLA qualifying reason. The notice may be written or oral but, if oral, must be confirmed in writing no later than the next payday that occurs one week or more after the oral notice. It is important to designate leave (whether paid or unpaid) as FMLA leave in a timely manner. Otherwise, for example, an employee who takes several weeks of paid sick leave that is not designated as FMLA leave may then be entitled to an additional 12 weeks of leave under the FMLA.]

### **Maintenance of Health Benefits**

Monticello Montessori Charter School will ensure that all eligible staff members are covered by health insurance. A signed assurance form attesting to that fact will be placed in each eligible employee's personnel file.

During FMLA leave an employee is entitled to continued group health plan coverage, if such coverage is provided, under the same conditions as if the employee had continued to work.

**[NOTE:** The second and third paragraphs of this section are not applicable to Employers with non-contributory group health plans. With respect to the second paragraph, prepayment of premiums, whether pursuant to a cafeteria plan or otherwise, is permitted only if the employee agrees. With respect to the third paragraph, an employee's health insurance

coverage may be discontinued only after 15 days' notice by the Employer. Note, however, that if coverage is discontinued and the employee returns from FMLA leave, the employee may not be required to meet any qualification requirements imposed by the group health plan (e.g., waiting period or medical examination).]

To the extent that an employee's FMLA leave is paid, the employee's portion of health insurance premiums will be deducted from the employee's salary. For the portion of FMLA leave that is unpaid, the employee's portion of health insurance premiums, if such health insurance is offered, may be paid at the same time as if made by payroll deduction.

If the employee's payment of health insurance premiums is more than 30 days late, the school may discontinue health insurance coverage upon notice to the employee.

### **Return from FMLA Leave**

Upon return from FMLA leave, the school will place the employee in the same position the employee held before the leave or an equivalent position with equivalent pay, benefits and other employment terms.

### **Limitations on Reinstatement**

An employee is entitled to reinstatement only if he/she would have continued to be employed had FMLA leave not been taken. Thus, an employee is not entitled to reinstatement if, because of a layoff, reduction in force or other reason, the employee would not be employed at the time job restoration is sought.

The school reserves the right to deny reinstatement to salaried, eligible employees who are among the highest paid 10 percent of the school's employees employed within 75 miles of the worksite ("key employees") if such denial is necessary to prevent substantial and grievous economic injury to the school's operations.

### **Failure to Return To Work Following FMLA Leave**

If the employee does not return to work following the conclusion of FMLA leave, the employee will be considered to have voluntarily resigned. MMCSD may recover health insurance premiums that the school paid on behalf of the employee during any unpaid FMLA leave except that MMCSD's share of such premiums may not be recovered if the employee fails to return to work because of the employee's or a family member's serious health condition or because of other circumstances beyond the employee's control. In such cases, MMCSD may require the employee to provide medical certification of the employee's or the family member's serious health condition.

### **Additional Information**

For further information or clarification about FMLA leave, please contact the Administrator.

## **WORKERS' COMPENSATION INSURANCE**

All employees are covered by workers' compensation insurance, which compensates an employee for lost time, medical expenses, and loss of life or dismemberment from an injury arising out of or in the course of work. Employees must report any accident or injury immediately to his/her supervisor and the Administrator or human resources representative so that the necessary paperwork may be completed. Employees should use the approved health care provider when seeking initial medical attention for work-related injuries. The approved health care provider is \_\_Mountain View RediCare \_\_.

## **DRUG & ALCOHOL ABUSE**

Manufacture, distribution, dispensation, possession, or use of any illegal drug, alcohol, or controlled substance while on the

school's premises or as prohibited by the Code of Ethics for Idaho Professional Educators is strictly prohibited. These activities constitute serious violations of the school rules, jeopardize the district and can create situations that are unsafe or that substantially interfere with job performance.

Employees in violation of the policy are subject to appropriate disciplinary action, up to and including dismissal. Additionally, the school reserves the right to require an employee to undergo a medical evaluation under appropriate circumstances.

## **VIOLENCE IN THE WORKPLACE**

The school strongly believes that all employees should be treated with dignity and respect. Acts of violence will not be tolerated. Any instances of violence must be reported to the employee's supervisor and/or the human resources representative. All complaints will be fully investigated.

The school will promptly respond to any incident or suggestion of violence. Violation of this policy will result in disciplinary action, up to and including immediate discharge.

## **ACCIDENTS AND EMERGENCIES**

Maintaining a safe work environment requires the continuous cooperation of all employees. The school strongly encourages employees to communicate with fellow employees and their supervisor regarding safety issues.

All employees will be provided care, first-aid and emergency service, as required, for injuries or illnesses while on school premises. Employees should contact their supervisor, the nearest supervisor, and/or 911 in the event of an accident or emergency.

If an employee is injured on the job, the school provides coverage and protection in accordance with the Worker's Compensation Law. When an injury is sustained while at work, it must be reported immediately to the employee's supervisor, who in turn will notify the Administrator or human resources representative of the incident.

Failure to report accidents is a serious matter as it may preclude an employee's coverage under Worker's Compensation Insurance.

The school provides a safe workplace for all employees. To ensure a safe workplace and to reduce the risk of violence, all employees should review and understand all provisions of this workplace violence policy.

## **EMPLOYEE CONDUCT STANDARDS**

Staff morale and a positive work environment are the goal of MMCS. To provide a harmonious work environment, civility and collegiality are standards of conduct to be maintained at all times. While conflicts resulting from a misunderstanding or concern between employees may occur, how employees handle those situations is critical. Employees are expected to maintain personal integrity and treat others with dignity and respect at all times, and to especially model civil conduct in the workplace. To support positive morale, employees should attempt to resolve the conflict or problem first with the person most directly concerned (unless it regards violence, harassment or discrimination). If not resolved, the employee should take the problem to her direct supervisor, and then, if needed, to the Administrator.

Conduct which undermines positive morale is usually the result of failure to appropriately handle problems or concerns.

Maintaining or contributing to a negative work environment is considered unprofessional conduct. An employee must never criticize another employee or undermine his authority before a student. Criticism of a fellow employee shared with someone not directly involved or gossip that denigrates a colleague to another person, including a parent or community member, is considered slanderous.

The following list of behaviors, while not exhaustive, provides examples of conduct that is prohibited:

- Causing physical injury to another person
- Making threats or threatening remarks
- Violence committed by or against an employee
- Aggressive or hostile speech or behavior that creates a reasonable fear of injury to another person or subjects him or her to pervasive, persistent or severe emotional distress
- Intentionally damaging employer property or property of another employee
- Possession of a weapon while on MMCS D property or business
- Committing acts motivated by, or related to, sexual harassment or domestic violence

### **Enforcement**

Threats, threatening conduct, or any other acts of aggression or violence in the workplace will not be tolerated. Any employee determined to have committed such acts will be subject to disciplinary action, up to and including termination. Non-employees engaged in violent acts on the employer's premises will be reported to the proper authorities and fully prosecuted.

### **Reporting Procedures**

Any potentially dangerous situation must be reported immediately to a supervisor, the related nondiscrimination coordinator, or the human resource representative. Reports can be made anonymously and all reported incidents will be investigated. Reports or incidents warranting confidentiality will be handled appropriately and information will be disclosed to others only on a need- to-know basis. All parties involved in a situation may be counseled regarding the process of complaint procedures. MMCS D will actively intervene at any indication of a possibly hostile or violent situation.

### **Risk Reduction Measures**

**Hiring:** The school takes reasonable measures to conduct background investigations and to review candidates' backgrounds checks and reduce the risk of hiring individuals with a history of violent behavior.

**Safety:** The school conducts annual inspections of the premises to evaluate and determine any vulnerability to workplace violence or hazards. Any necessary corrective action will be taken to reduce all risks. Employees are required to comply immediately with safety corrections and measures.

**Individual Situations:** While we do not expect employees to be skilled at identifying potentially dangerous persons, employees are expected to exercise good judgment and to inform the Administrator if any employee exhibits behavior which could be a sign of a potentially dangerous situation. Such behavior includes:

- Discussing weapons or bringing them to the workplace
- Displaying overt signs of extreme stress, resentment, hostility, or anger
- Making threatening remarks
- Sudden or significant deterioration of performance
- Displaying irrational or inappropriate behavior

## **Dangerous/Emergency Situations**

Employees who confront or encounter an armed or dangerous person should not attempt to challenge or disarm the individual. Employees should remain calm and follow procedure consistent with safety training.

## **OPEN DOOR POLICY**

MMCS D promotes an atmosphere whereby employees can talk freely with members of the management staff. Employees are encouraged to openly discuss with their supervisor any problems, so appropriate action may be taken. If the supervisor cannot be of assistance, the Administrator and finally the Board of Directors is available for consultation and guidance. The district is interested in all our employees' success and happiness in employment. We, therefore, welcome the opportunity to help employees whenever feasible.

## **INTERNAL COMPLAINT PROCEDURES**

To foster sound employee-employer relations through communication and reconciliation of work-related problems, MMCS D provides employees with an established procedure for expressing employment related concerns. In situations where employees feel a complaint is in order, the following steps should be taken:

If an employee believes that he/she has a legitimate work-related complaint, the employee is encouraged to first attempt to resolve the issue(s) through discussions with the person most closely related to the problem. If no resolution is reached, the employee is encouraged to discuss the matter with his immediate supervisor.

If the situation is not resolved within five working days from the time the complaint is discussed with the employee's immediate supervisor, barring extenuating circumstances, it should be brought to the attention of the next level supervisor, and then the Administrator. MMCS D will attempt to resolve the complaint within a reasonable period of time while preserving the confidentiality and privacy of those involved to the extent feasible. Finally, the problem may be brought for resolution to the Board of Directors using the correct procedure. The Board of Directors is the final hearing board and as such must remain neutral. Contact the Board Clerk or Administrator for how to file a grievance with the Board (see Policy 4120, 4120F, 5250).

## **ATTENDANCE, PUNCTUALITY AND DEPENDABILITY**

Because MMCS D depends heavily upon its employees, it is important that employees attend work as scheduled. Dependability, attendance, punctuality, and a commitment to do the job well are essential at all times. As such, employees are expected at work on all scheduled work days and during all scheduled work hours and to report to work on time. Moreover, an employee must notify his/her supervisor or the Administrator or designee as far in advance as possible, but not later than one hour before his/her scheduled starting time if he/she expects to be late or absent. This policy applies for each day of his/her absence. An employee who fails to contact his/her immediate supervisor or the Administrator or designee may be considered as having voluntarily resigned. A careful record of absenteeism and lateness is kept by the employee's supervisor and becomes part of the personnel record. To the extent permitted by law, absenteeism and lateness lessen an employee's chances for advancement and may result in dismissal.

## **E-MAIL AND INTERNET POLICY**

Every MMCS D employee is responsible for using the electronic mail (E-mail) system properly and in accordance with this policy. Any questions about this policy should be addressed to the Administrator.

The E-mail system is the property of MMCS D. It has been provided by MMCS D for use in conducting school business. All communications and information transmitted by, received from, or stored in this system are school records and property of MMCS D. The E-mail system is to be used for school purposes only. Use of the E-mail system for personal purposes is prohibited.

School communication systems, including E-mail, are public property and as such may not be used for furtherance of particular political or religious purposes or interests. Employees have no right of personal privacy in any matter stored in, created, received, or sent over the MMCS D mail system. MMCS D, in its discretion as owner of the E-mail system, reserves and may exercise the right to monitor, access, retrieve, and delete any matter stored in, created, received, or sent over the E-mail system, for any reason and without the permission of any employee.

Even if employees use a password to access the E-mail system, the confidentiality of any message stored in, created, received, or sent from the MMCS D E-mail system still cannot be assured. Use of passwords or other security measures does not in any way diminish MMCS D's rights to access materials on its system, or create any privacy rights of employees in the messages and files on the system. Any password used by employees must be revealed to MMCS D as E-mail files may need to be accessed by the school in an employee's absence.

Employees should be aware that deletion of any E-mail messages or files will not truly eliminate the messages from the system. All E-mail messages are stored on a central back-up system in the normal course of data management.

Even though MMCS D has the right to retrieve and read any E-mail messages, those messages should still be treated as confidential by other employees and accessed only by the intended recipient. Employees are not authorized to retrieve or read any E-mail messages that are not sent to them. Any exception to this policy must receive the prior approval of MMCS D management.

MMCS D's policies against sexual or other harassment apply fully to the E-mail system, and any violation of those policies is grounds for discipline up to and including discharge. Therefore, no E-mail messages should be created, sent, or received if they contain intimidating, hostile, or offensive material concerning race, color, religion, gender, sexual orientation, age, national origin, disability or any other classification protected by law.

The E-mail system may not be used to solicit for religious or political causes, commercial enterprises, outside organizations, or other non-job related solicitations.

The E-mail system shall not be used to send (upload) or receive (download) copyrighted materials, trade secrets, proprietary financial information, or similar materials without prior authorization from MMCS D management. Employees, if uncertain about whether certain information is copyrighted, proprietary, or otherwise inappropriate for transfer, should resolve all doubts about transferring the information in consultation with the Administrator.

### **Educational Internet Use Only**

Although MMCS D recognizes that the Internet may have useful learning applications, employees may not engage in Internet use unless a specific school-related purpose requires such use. "Surfing the Net" for personal use is not a legitimate business activity during working hours.

Management approval is required before anyone can post any district information on commercial on-line systems or the Internet. Any approved material that is posted should, unless posted on its official website, include a disclaimer in that

information stating, "Views expressed by the author do not necessarily represent those of MMCS D."

### **Delete Email Annually**

It is the policy of MMCS D that all employee old emails will be deleted each year. Users should routinely delete outdated or otherwise unnecessary E-mails and computer files. These deletions will help keep the system running smoothly and effectively, as well as minimize maintenance costs. It is the responsibility of the employee to clean out his email account annually.

### **Professionalism**

Employees are reminded to be courteous to other users of the system and to always conduct themselves in a professional manner. E-mails are sometimes misdirected or forwarded and may be viewed by persons other than the intended recipient. Users should write E-mail communications with no less care, judgment and responsibility than they would use for letters or internal memoranda written on MMCS D letterhead.

Because E-mail records and computer files may be subject to discovery in litigation, MMCS D employees are expected to avoid making statements in E-mail or computer files that would not reflect favorably on the employee or MMCS D if disclosed in litigation or otherwise.

Any employee who discovers misuse of the E-mail system should immediately contact the Administrator. Violations of MMCS D's E-mail policy may result in disciplinary action up to and including discharge.

Employees are required to sign an E-mail and Internet Policy Acknowledgment Form as a condition of employment. The form is to be signed on acceptance of an employment offer by MMCS D.

## **INTERNET USE POLICY**

Certain employees may be provided with access to the Internet to assist them in performing their jobs. The Internet can be a valuable source of information and research. In addition, e-mail can provide excellent means of communicating with other employees, our customers and clients, outside vendors, and other businesses. Use of the Internet, however, must be tempered with common sense and good judgment.

Use of the Internet is governed by this policy and the E-Mail Policy. If an employee abuses the use of the Internet, access will be denied. In addition, the employee may be subject to disciplinary action, including possible termination, and civil and criminal liability.

### **Disclaimer of liability for use of Internet**

MMCS D is not responsible for material viewed or downloaded by users from the Internet. The Internet is a worldwide network containing voluminous information. Users are cautioned that many pages include offensive, sexually explicit, and inappropriate content. In general, it is difficult to avoid at least some contact with this material while using the Internet. Even innocuous search requests may lead to sites with highly offensive content. In addition, having an e-mail address on the Internet may lead to receipt of unsolicited e-mail containing offensive content. Users accessing the Internet do so at their own risk.

### **Duty not to waste computer resources**

Employees must not deliberately perform acts that waste computer resources or unfairly monopolize resources to the exclusion of others. These acts include, but are not limited to, sending mass mailings or chain letters, spending excessive amounts of time on the Internet, playing games, engaging in online chat groups, printing multiple copies of documents, or



otherwise creating unnecessary network traffic. Because audio, video and picture files require significant storage space, files of this or any other sort may not be downloaded unless they are business-related.

Use of printers and copiers must be school-related and may not be for personal or any non-school purposes.

### **No expectation of privacy**

The computers and computer accounts given to employees are to assist them in performance of their jobs. Employees should not have an expectation of privacy in anything they create, store, send, or receive on the computer system. The computer system belongs to Monticello Montessori Charter School and may only be used for business purposes.

### **Monitoring computer usage**

MMCS D has the right, but not the duty, to monitor any and all of the aspects of its computer system, including, but not limited to, monitoring sites visited by employees on the Internet, monitoring chat groups and news groups, reviewing material downloaded or uploaded by users to the Internet, and reviewing e-mail sent and received by users.

### **Blocking of inappropriate content**

MMCS D may use software to identify inappropriate or sexually explicit Internet sites. Such sites may be blocked from access by Monticello networks. In the event you nonetheless encounter inappropriate or sexually explicit material while browsing on the Internet, immediately disconnect from the site, regardless of whether the site was subject to the school's blocking software.

### **Prohibited activities**

Material that is fraudulent, harassing, embarrassing, sexually explicit, profane, obscene, intimidating, defamatory, or otherwise unlawful, inappropriate, offensive (including offensive material concerning sex, race, color, national origin, religion, age, disability, or other characteristic protected by law), or in violation of MMCS D's equal employment opportunity policy and its policies against sexual or other harassment may not be downloaded from the Internet or displayed or stored in MMCS D's computers. Employees encountering or receiving this kind of material should immediately report the incident to their supervisors or the Human

### **Resources Department**

MMCS D's equal employment opportunity policy and its policies against sexual or other harassment apply fully to the use of the Internet. Any violation of those policies is grounds for discipline up to and including discharge.

### **Games and entertainment software**

Employees may not use the Monticello's Internet connection to download games or other entertainment software, including wallpaper and screen savers, or to play games over the Internet.

### **Illegal copying**

Employees may not illegally copy material protected under copyright law or make that material available to others for copying. Employees are responsible for complying with copyright law and applicable licenses that may apply to software, files, graphics, documents, messages, and other material they download or copy. They may not agree to a license or download any material for which a registration fee is charged without first obtaining the express written permission of the Administrator.

### **Accessing the Internet**

To ensure security and to avoid the spread of viruses, employees accessing the Internet through a computer attached to MMCS D's network must do so through an approved Internet firewall. Accessing the Internet directly by modem is strictly prohibited unless the computer you are using is not connected to the School's network.

### **Virus detection**

Files obtained from sources outside MMCS, including disks brought from home; files downloaded from the Internet, newsgroups, bulletin boards, or other online services; files attached to e-mail; and files provided by customers or vendors may contain dangerous computer viruses that may damage the MMCS's computer network. Employees should never download files from the Internet, accept e-mail attachments from outsiders, or use disks from unfamiliar or unreliable sources, without first scanning the material with virus checking software. If an employee suspects that a virus has been introduced into the MMCS's network or on a district computer, he must notify the Administrator or Administrative Assistant immediately.

### **Sending unsolicited e-mail (spamming)**

Without the express permission of their supervisors, employees may not send unsolicited e-mail to persons with whom they do not have a prior relationship.

### **Amendments and revisions**

This policy may be amended or revised from time to time as the need arises. Users will be provided with copies of all amendments and revisions. Violations of this policy will be taken seriously and may result in disciplinary action, including possible termination, and civil and criminal liability. Use of the Internet via MMCS's computer system constitutes consent by the user to all of the terms and conditions of this policy.

### **ON SCREEN E-MAIL DISCLAIMER**

This E-mail network is a private information system of MMCS. Individuals using this system expressly consent to monitoring of their activities. Anyone using this system in violation of MMCS's E-mail and Internet policy may be subject to disciplinary action, up to and including discharge.

### **EMPLOYER INFORMATION AND PROPERTY**

The protection of MMCS business information, property and all other district assets are vital to the interests and success of MMCS. No MMCS related information or property, including without limitation documents, files, records, computer files, equipment, office supplies or similar materials (except in the ordinary course of performing duties on behalf of MMCS) may therefore be removed from district premises. In addition, when an employee leaves MMCS, the employee must return to the district all MMCS related information and property in the employee's possession, including without limitation, district-purchased electronic devices, documents, files, records, manuals, district information stored on a personal computer or on a computer disc, supplies, and equipment or office supplies. Violation of this policy is a serious offense and will result in appropriate disciplinary action, up to and including discharge or recovery action.

### **VOICE MAIL POLICY**

Every MMCS employee is responsible for using the Voice Mail system properly and in accordance with this policy. Any questions about this policy should be addressed to the Administrator. The Voice Mail system is the property of MMCS. It has been provided by the district for use in conducting district business. All communications and information transmitted by, received from, or stored in this system are records and property of MMCS. The Voice Mail system is to be used for district purposes only. Use of the Voice Mail system for personal purposes is prohibited.

Employees have no right of personal privacy in any matter stored in, created, received, or sent over the MMCS Voice Mail system. MMCS, in its discretion as owner of the Voice Mail system, reserves and may exercise the right to monitor,

access, retrieve, and delete any matter stored in, created, received, or sent over the Voice Mail system, for any reason and without notice to or permission of any employee and without notice.

Even if employees use a password to access the Voice Mail system, the confidentiality of any message stored in, created, received, or sent from the MMCS D Voice Mail system still cannot be assured. Use of passwords or other security measures does not in any way diminish MMCS D's right to access materials on its system, nor to create any privacy rights of employees in the messages and files on the system. Any password used by employees must be revealed to MMCS D since Voice Mail messages may need to be accessed by Administration in an employee's absence.

Even though MMCS D reserves the right to retrieve and read any Voice Mail messages, those messages should still be treated as confidential by other employees and accessed only by the intended recipient. Employees are not authorized to retrieve or listen to any Voice Mail messages that are not sent to them. Any exception to this policy must receive the prior approval of MMCS D management.

MMCS D's policies against sexual or other harassment apply fully to the Voice Mail system, and any violation of those policies is grounds for discipline up to and including discharge. Therefore, no Voice Mail messages should be created, sent, or received if they contain intimidating, hostile, or offensive material concerning race, color, religion, sex, age, national origin, disability or any other classification protected by law.

The Voice Mail system may not be used to solicit for religious or political causes, commercial enterprises, outside organizations, or other non-job related solicitations.

Users should routinely delete outdated or otherwise unnecessary Voice Mails. These deletions will help keep the system running smoothly and effectively, as well as minimize maintenance costs.

Because of the storage space required for Voice Mail messages, employees should not send a Voice Mail message to a large number of recipients without prior approval from their supervisor.

Employees are reminded to be courteous to other users of the system and always to conduct themselves in a professional manner. Voice Mails are sometimes misdirected or forwarded and may be heard by persons other than the intended recipient. Users should create Voice Mail communications with no less care, judgment and responsibility than they would use for letters or internal memoranda written on MMCS D letterhead.

Employees should also use professional and courteous greetings on their Voice Mail boxes so as to properly represent MMCS D to outside callers.

Because Voice Mail records and messages may be subject to discovery in litigation, MMCS D employees are expected to avoid making statements in Voice Mail that would not reflect favorably on the employee or MMCS D if disclosed in a litigation or otherwise.

In order to avoid accidentally disclosing message contents to unauthorized listeners, employees should not listen to Voice Mail messages while using the speaker phone feature.

Any employee who discovers misuse of the Voice Mail system should immediately contact the Administrator. Violations of MMCS D's Voice Mail policy may result in disciplinary action up to and including discharge.

MMCS D reserves the right to modify this policy at any time, with or without notice.

Employees are required to sign a Voice Mail Policy Acknowledgment Form as a condition of employment. The form is to be signed on acceptance of an employment offer by MMCS D.

## **USE OF MONTICELLO'S EQUIPMENT AND COMPUTER SYSTEMS**

MMCS D provides any supplies, uniforms, equipment, automobiles and materials necessary for employees to perform their jobs. These items are to be used solely for MMCS D's purposes. Employees are expected to exercise care in the use of MMCS D's equipment and property and use such property only for authorized purposes. Loss, damages or theft of MMCS D property should be reported at once. Negligence in the care and use of MMCS D property may be considered grounds for discipline, up to and including dismissal.

The MMCS D's equipment, such as telephone, postage, facsimile and copier machine, is intended to be used for business purposes. An employee may only use this equipment for non-business purposes in an emergency and only with the permission of his or her supervisor. Personal usage, in an emergency, of these or other equipment that results in a charge to MMCS D should be reported immediately to a supervisor or the Business Manager so that reimbursement can be obtained.

Upon termination of employment, the employee must return all MMCS D property, uniforms, equipment, work product and documents in her possession or control.

## **USE OF MONTICELLO'S COMPUTER SYSTEM**

It is the policy of MMCS D that the use of its computers and software is limited solely to appropriate business use. Employees are not allowed to use the computer system for their personal benefit. Employees are strictly forbidden from installing software on the system. Further, this policy reaffirms that MMCS D's employees have no reasonable expectation of privacy with respect to any computer hardware, software, electronic mail or other computer or electronic means of communication or storage, whether or not employees have private access or an entry code into the computer system. MMCS D reserves the right to monitor the use of its computer system.

An employee's occasional use of MMCS D's computer facilities to type a term paper for an educational course or prepare an announcement for a charitable event is acceptable. However, in order to keep these uses to a reasonable level, approval to use the system in such a manner must be given by the employee's supervisor. Moreover, there is no guarantee of secure personal document storage: MMCS D may purge files on its computers at any time, without notice. The use of the system for such personal efforts must occur outside of business hours, and any files created are to be deleted at the end of the project. Also, because of the normal heavy load on the system, these outside projects will not receive priority over late evening operational requirements, system maintenance, or file back-up.

Use of the computer facilities for other than educational or charitable activities, following the procedures described above, is not permitted.

## **INTERNAL INVESTIGATIONS AND SEARCHES**

From time to time, MMCS D may conduct internal investigations pertaining to security, auditing or work-related matters. Employees are required to cooperate fully with and to assist in these investigations if requested to do so.

Whenever necessary, at the schools discretion, work areas (i.e., desks, file cabinets, etc.) and personal belongings (i.e., brief cases, handbags, etc.) may be subject to a search without notice. Employees are required to cooperate.

MMCS D will generally try to obtain an employee's consent before conducting a search of work areas or personal belongings, but may not always be able to do so.

## **DISMISSALS**

Every classified employee has the status of "employee-at-will", meaning that no classified staff has a contractual right, express or implied, to remain in the school's employ. MMCS D may terminate classified employee's employment, or a classified employee may terminate her employment, without cause, and with or without notice, at any time for any reason. No supervisor or other representative of the school has the authority to enter into any agreement for classified employment for any specified period of time, or to make any agreement contrary to the above.

**The following guidelines may be applied at the discretion of the school's management:**

### **IMMEDIATE DISMISSAL/ MISCONDUCT**

Any employee whose conduct, actions or performance violates or conflicts with the district's policies may be terminated immediately and without warning. The following are examples of grounds for immediate dismissal of an employee:

1. Breach of trust, dishonesty
2. Time card or sign-in book violations
3. Excessive absenteeism or lateness
4. Failure to call or directly contact your supervisor or designee prior to being late or absent from work
5. Leaving the work premises without authorization during work hours
6. Sleeping on duty
7. Willful violation of an established policy or rule
8. Gambling, conducting games of chance or possession of such devices on the premises or during work hours
9. Falsification of MMCS D records
10. Gross negligence
11. Insubordination
12. Violation of the Anti-Harassment and/or Equal Employment Opportunity Policies
13. Conviction of a felony
14. Undue and unauthorized absence from duty during regularly scheduled work hours
15. Deliberate non-performance of work
16. Larceny or unauthorized possession of or use of property belonging to any co-worker, visitor or customer of MMCS D
17. Possession of dangerous weapons on the premises
18. Unauthorized possession, use or copying of any records that are the property of the district
19. Unauthorized posting or removal of notices from bulletin boards or posting locations
20. Marring, defacing or other willful destruction of any supplies, equipment or property of the school
21. Fighting or serious breach of acceptable behavior
22. Violation of the district's Alcohol or Drug Policy
23. Theft
24. Violation of district Policies

This list is intended to be representative of the types of activities that may result in disciplinary action. It is not exhaustive,

and is not intended to be comprehensive and does not change the employment-at-will relationship between the employee and Monticello Montessori.

In the event of dismissal for misconduct, all benefits end at the end of the month. COBRA may not be available to anyone dismissed from the school for gross misconduct.

### **DISCIPLINE OTHER THAN IMMEDIATE TERMINATION**

All employees are expected to meet the school's standards of work performance. Work performance encompasses many factors, including attendance, punctuality, personal conduct, job proficiency and general compliance with Monticello's policies and procedures.

If an employee does not meet these standards, the school may, under appropriate circumstances, take corrective action, other than immediate dismissal.

The intent of corrective action is to formally document problems while providing the employee with a reasonable time within which to improve performance. The process is designed to encourage development by providing employees with guidance in areas that need improvement such as poor work performance, attendance problems, personal conduct, general compliance with this school's policies and procedures and/or other disciplinary problems.

### **Written Warnings**

The supervisor should discuss the problem and present a written warning to the employee. This should clearly identify the problem and outline a course of corrective action within a specific time frame. The employee should clearly understand both the corrective action and the consequence (i.e., termination) if the problem is not corrected or reoccurs. The employee should acknowledge receipt of the warning with his or her signature and may submit a comment or rebuttal to be attached and included in the personnel file. A record of the discussion should also be placed in the employee file in the Human Resources Department.

Employees who have had formal written warnings are not eligible for salary increases, bonus awards, promotions or transfers during the warning period.

### **Post-Resignation/Termination Procedures**

Return all the school property, including:

- Monticello Montessori's Access Card
- Picture Identification Card
- Office and building\_keys
- Any additional school-owned or issued property

### **Benefits**

Benefits (Life, Medical and Dental), if applicable, end on the last day of employment, [or, last day of the month in which the last day of employment falls]. An employee, unless dismissed for gross misconduct, has the option to convert to individual life insurance, and/or to continue any provided Medical/Dental Benefits in accordance with the Consolidated Omnibus Budget Reconciliation Act ("COBRA") regulations.

### **Final Paycheck**

Employees leaving the MMCS D must return office keys, building keys, corporate credit cards, etc., before their final paycheck can be issued. This final paycheck will be mailed during the next normal pay period. If there are unpaid obligations to the district, the final paycheck will be payment of the balanced amount.

**EMPLOYEE ACKNOWLEDGMENT FORMS**

*Directions: Read the Employee Handbook. Sign and date these forms and submit a photocopy of this page to the Administrator or human resources representative within 2 working days of receipt of the Handbook.*

**E-MAIL AND INTERNET POLICY ACKNOWLEDGMENT FORM (p. 15-19)**

I acknowledge that I have received a copy of MMCS D's E-Mail and Internet Policy. I agree to read it thoroughly, and agree that if there is any policy or provision in the policy I do not understand, I will seek clarification from the Administrator.

I understand that my use of MMCS D's E-mail system constitutes my consent to all the terms and conditions of that policy. In particular, I understand that (1) the E-mail system and all information transmitted by, received from, or stored in that system are the property of MMCS D, (2) the system is to be used only for business purposes and not for personal purposes, and (3) I have no expectation of privacy in connection with the use of the E-mail system or the Internet or with the transmission, receipt, or storage of information in that system.

I agree not to use a code, access a file, or retrieve stored communications unless authorized. I acknowledge and consent to MMCS D's monitoring my use of the E-mail system and the Internet at any time at its discretion, including printing and reading all E-mails entering, leaving, or stored in the system.

Date: \_\_\_\_\_ Signature: \_\_\_\_\_ Print Name: \_\_\_\_\_

**VOICE MAIL POLICY ACKNOWLEDGMENT FORM (p. 20-21)**

I acknowledge that I have received a copy of MMCS D's Voice Mail Policy. I agree to read it thoroughly, and agree that if there is any policy or provision in the policy I do not understand, I will seek clarification from Administration.

I understand that my use of MMCS D's Voice Mail System constitutes my consent to all the terms and conditions of that policy. In particular, I understand that (1) the Voice Mail system and all information transmitted by, received from, or stored in that system are the property of MMCS D, (2) the system is to be used only for business purposes and not for personal purposes, and (3) I have no expectation of privacy in connection with the use of the Voice Mail system or with the transmission, receipt, or storage of information in that system.

I agree not to use a code, access a file, or retrieve stored communications unless authorized. I acknowledge and consent to MMCS D monitoring my use of the Voice Mail system at any time at its discretion, including listening to all Voice Mail entering, leaving, or stored in the system.

Date: \_\_\_\_\_ Signature: \_\_\_\_\_ Print Name: \_\_\_\_\_

**HANDBOOK ACKNOWLEDGEMENT FORM**

I acknowledge that I have received a copy of the MMCS D Employee Handbook, which replaces any and all prior verbal and written communications regarding MMCS D working conditions, policies, procedures and appeal processes.

I have read and understand the contents of this handbook and agree to act in accordance with the policies, procedures and standards of conduct expressed herein as a condition of my employment with MMCS D.

I understand that my questions or concerns about this Handbook or expected conduct should be brought to my immediate supervisor, the Administrator, a human resources representative, or the Board of Directors for clarification.

I also acknowledge that the handbook contains classified employment-at-will provision (p. 3).

Date: \_\_\_\_\_ Signature: \_\_\_\_\_ Print Name: \_\_\_\_\_