



ki charter
every **change** has a story

Module 600: *Human Resources Charter Board Policy*

Ki Charter

600.020. EQUAL OPPORTUNITY

The governing body (“Board”) of KI CHARTER ACADEMY adopts the following policy which shall be effective on the date that the policy is adopted by the Board.

SECTION 1. Anti-Discrimination Policy

Ki Charter employees shall not engage in discrimination or harassment motivated by race, color, religion, sex, sexual orientation, gender affiliation, disability, military service, or age directed toward other Ki Charter employees or students. A substantiated charge of discrimination and/or harassment shall result in disciplinary action. Retaliation against employees or students who report discrimination and/or harassment is strictly prohibited. Acts of retaliation may result in disciplinary action up to and including termination.

SECTION 1.1 Title IX

Title IX of the Education Amendments of 1972, Public Law 93-318, and regulations thereunder, require that school districts not discriminate against students on the basis of sex in educational programs and activities. Sexual harassment is a form of sexual discrimination. Chris Allison is the Title IX coordinator for Ki Charter District.

SECTION 2. Investigation

Any allegations of discrimination or harassment of students or employees shall be investigated and addressed.

SECTION 3. Coordinator

Ki Charter designates the following person to coordinate its efforts to comply with Title IX of the Education Amendments, the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, and the Age Discrimination Act of 1975, and this anti-discrimination policy:

Name: Chris Allison

Position: Operations Administrator

Address: 120 Bert Brown Rd

San Marcos, Texas 78666

Telephone: 210-410-5673

SECTION 4. Complaints

The Coordinator shall be responsible for the investigation of discrimination complaints filed by employees and citizens. Complaints regarding any type of alleged discrimination shall be made in accordance with Ki Charter’s complaint policy in Section 300.120.

600.40. DRUG-FREE WORKPLACE

SECTION 1. Drug-Free Policy

Ki Charter is committed to maintaining a drug-free workplace and shall make a good faith effort to maintain such an environment. The unlawful manufacture, distribution, possession, or use of a controlled substance in the workplace is strictly prohibited. In addition to any consequences established by law, violation of this policy may lead to disciplinary consequences up to and including termination.

SECTION 2. Drug-Free Awareness Program

The Superintendent, or designee, shall establish a drug-free awareness program in accordance with federal law.

SECTION 3. Notification.

Employees shall notify the Superintendent or designee of any conviction based on a drug statute violation that occurred in the workplace within five days of such a conviction. Within 10 days of such notification, or otherwise being notified, the Superintendent, or designee, shall notify applicable relevant federal granting agencies of the conviction. Within 30 days of such notification the Superintendent, or designee, shall take appropriate personnel action or require the employee participate in a drug abuse assistance or rehabilitation program.

SECTION 4. Alcohol & Drug Testing

Section 4.1. Establishment of Testing Program & Procedures. In an effort to promote safety and help prevent accidents resulting from alcohol and/or drug misuse, the Superintendent or Superintendent's designee shall establish an alcohol and drug and controlled substance testing program and procedures for the following:

1. Employees who are drivers of charter school-owned or rented vehicles;
2. Employees who perform safety-sensitive functions;
3. Applicants for positions in the above-referenced categories; and
4. Any employee when there is reasonable suspicion of use of alcohol or controlled substances in the workplace.

The Superintendent shall designate a charter school official who shall be responsible for ensuring that information is provided to all employees regarding prohibited driver conduct, alcohol and controlled substances tests, and the consequences that follow positive test results.

Section 4.2. Reasonable Suspicion Testing. Only supervisors (Designated Employer Representative DER) trained in accordance with federal regulations may, based upon reasonable suspicion, remove an employee and require testing for alcohol and/or controlled substances. The determination of reasonable suspicion shall be based on specific observations of the appearance, behavior, speech, or body

odors of the employee whose motor ability, emotional equilibrium, or mental acuity appears impaired. Such observations must take place just preceding, during, or just after the period of the workday that the employee is on duty.

The observations may include indication of the chronic and withdrawal effects of controlled substances. Within 24 hours of the observed behavior, the supervisor shall provide a signed, written record documenting the observations leading to a controlled substance reasonable suspicion test.

Section 4.3. Required Procedures. The procedures established under Section 4.1 shall require the termination of an employee's employment for refusal to submit to a required test for alcohol or controlled substances.

Section 4.4. Supervisor Training. The Superintendent, or the Superintendent's designee, shall ensure that supervisors are properly trained in accordance with the terms of the applicable law and this policy.

600.060. HIRING PRACTICES & CRIMINAL BACKGROUND CHECKS

SECTION 1. New Hires

Section 1.1. Compliance.

The Superintendent, or designee, shall ensure compliance with applicable laws and regulations regarding hiring practices of new employees.

Section 1.2. Posting Job Vacancies.

The Superintendent, or designee, shall ensure that job vacancies are posted with ample time and in various venues so that a broad pool of potentially strong applicants may apply for available positions.

Section 1.3. Pre-employment Affidavits.

The Superintendent, or designee, shall ensure all applicants for a position at Ki Charter Academy must submit a pre-employment affidavit. An applicant that answers affirmatively as to having an improper relationship with a minor must disclose all relevant facts regarding the charge, adjudication, or conviction, and whether the charge was determined to be false. An applicant is not precluded from being employed with Ki Charter Academy if the charges were determined to be false.

SECTION 2. Criminal Background Checks

The Superintendent, or designee, shall ensure compliance with applicable laws and regulations regarding criminal background checks. Upon notification that an employee or prospective employee has engaged in an offense which legally prohibits that individual from employment at an open-enrollment charter school, the Superintendent, or designee, shall terminate, or not hire as applicable, that individual.

SECTION 3. SBEC Reporting Requirements

Section 3.1 Principal Reporting Requirements. The principal at a Ki Charter Academy campus must notify the Superintendent of Ki Charter Academy no later than 7 business days of:

- a. Learning an educator's termination of employment or resignation following an alleged incident of misconduct, including an improper relationship with a student; or
- b. Learning about an educator's criminal record by means other than the criminal history clearinghouse.

Section 3.2. Superintendent Reporting Requirements. The Superintendent, or designee, shall ensure compliance with reporting laws and regulations regarding employee termination and background checks.

- a. If the Superintendent, or designee, learns of criminal history outside of the clearinghouse background check, the Superintendent, or designee, must notify SBEC within 7 business days.

- b. Additionally, if an educator is terminated for or resigned due to inappropriate behavior, including being involved in a romantic relationship with or solicited or engaged in sexual contact with a student or minor, the Superintendent, or designee, shall notify SBEC within 7 business days.
- c. If the Superintendent, or designee, receives a report from a principal of a Ki Charter Academy campus, the Superintendent, or designee, must report to SBEC within 7 business days.

TCSA NOTE: Texas Education Code requires the report to be in writing in a form adopted by the board. This is a sample list of items that the school may want to include in the written notice, but there are no prescribed requirements.

Section 3.3. Written Report. A report to SBEC must be in writing and should include the following:

- a. Name of employee
- b. State certification status
- c. Description of incident or description of criminal history
- d. Disciplinary steps taken

Section 4. Improper Relationships with Students

It is the policy of Ki Charter Academy that all employees maintain a professional relationship and exhibit a professional demeanor in their interactions with students. Employees shall not form personally intimate or romantic relationships with students, regardless of whether the student is 18 years old. Employees found to have engaged in an improper or inappropriate relationship with a student is subject to immediate disciplinary action, including termination.

Section 4.1. Electronic Communication. In order to prevent improper relationships with students, Ki Charter Academy adopts the following:

- a. Text messages and email communications are prohibited between employees and students.
- b. Employees may not be friends or connect with students on any social media platform such as Facebook, Twitter, Snapchat, Instagram and others. Also, employees are prohibited from engaging in electronic dating applications with students such as Tinder.

TCSA NOTE: Charter schools that require school employees to be available to students via phone or email to assist with homework or classwork, cannot require an employee to share their personal email or phone number.

Section 4.2. Personal Phone Numbers and Emails. Employees at Ki Charter Academy are not required to provide personal emails or personal phone numbers with students, parents, or families of students. Employees may elect not to disclose their personal telephone number or e-mail address to students.

Section 4.3. Reporting Inappropriate Behavior.

a. Employee Reporting.

Employees at Ki Charter Academy must report any behavior that is observed at school or at any school-related or school-sponsored activity that might violate this policy. Additionally, if employees receive any inappropriate communication from a student, the employee must immediately report the incident to the campus Principal. Reports may be submitted directly to the campus administrator via email or verbally in person. A report should include:

- i. Name of the employee involved;
- ii. Name of the student involved;
- iii. Location of incident; and
- iv. Description of incident.
- v. If possible, a report should include any copies of communication between the employee and the student.

b. Parent Notification

TCSA NOTE: A notice regarding an alleged incident is required to be sent as soon as feasibly possible.

Ki Charter Academy will notify a parent or guardian of a student when an alleged incident of educator misconduct involving an inappropriate relationship with a student as soon as feasibly possible after learning of the alleged incident, but no later than 24 hours.

Following an investigation into an incident of alleged misconduct involving an inappropriate relationship with a student, Ki Charter Academy will notify the parent or guardian of the student involved as to whether:

- i. The educator was terminated following the investigation or if the educator resigned before the completion of the investigation; and
- ii. A report was submitted to the SBEC for the alleged misconduct.

600.080. COMPENSATION

SECTION 1. Fair Labor Standards Act (FLSA) Compliance

Section 1.1. Designation of Work Week. For purposes of the FLSA, the board generally designates the 40 hour work-week for employees as Monday at 7:45 am through Friday at 4:15 pm. The Board authorizes the Superintendent to designate separate work weeks for specific school personnel such as, but not limited to, the school maintenance staff.

Section 1.2. Classification of Employees. The Superintendent shall determine the classification of employees as “exempt” or “nonexempt” for purposes of FLSA compliance.

Section 1.3. Permission Required to Work Overtime. Nonexempt employees may only work over 40 hours per week if they have received prior approval from their supervisor.

SECTION 2. COMPENSATION PLANS FOR SCHOOL EMPLOYEES

The Superintendent shall recommend for Board approval compensation plans for all categories of charter school employees including salary schedules, stipends, benefits, incentives or other components determined appropriate by the Superintendent. The Superintendent shall administer the compensation plan in a manner consistent with the annual budget adopted by the Board.

SECTION 3. Wage Overpayment / Underpayment

Ki Charter strives to take all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled paydays. In the unlikely event that there is an error in the amount of pay, the employee shall promptly bring the discrepancy to the attention of his or her supervisor so that corrections can be made as quickly as possible. If the employee has been paid in excess of what he or she has earned, the employee shall return the overpayment to Ki Charter as soon as possible. No employee is entitled to retain any pay in excess of the amount he or she has earned according to the agreed-upon rate of pay. If a wage overpayment occurs, the overpayment will be regarded as an advance of future wages payable and will be deducted in whole or in part from the next available paycheck(s) until the overpaid amount has been fully repaid. Each employee will be expected to sign a wage deduction authorization agreement authorizing such a deduction either soon after employed with Ki Charter or as soon as practicable. Such authorization agreement is valid for the duration of the employment relationship.

SECTION 4. Expense Reimbursement

The Superintendent, or designee, shall determine allowable expenses for reimbursement when employees incur expenses that are pre-approved and related to their work assignments. Mileage reimbursement for training or events required by a supervisor will be authorized when the distance traveled is over 50 miles one way. Mileage will be calculated from the employee's campus or home, whichever is closer. Employees shall be required to submit accurate documentation of the expenses for which reimbursement is sought.

SECTION 5. Bonus Payments

TCSA Note: Optional Policy

Ki Charter provides every employee with base compensation. However, there are circumstances when additional payment, bonus pay, may be appropriate to provide a reward for exceptional performance. An employee may earn a bonus only if he or she is employed on the bonus payment day and has not indicated his or her intent to resign.

A bonus is defined as an after-the-fact discretionary, lump sum, non-cumulative cash award that may be granted to an employee in recognition of an extraordinary contribution which substantially benefits the students at Ki Charter and/or Ki Charter. Because bonuses are for extraordinary contributions, it is not expected that bonuses will be awarded annually or on any other regular basis. No property interest exists in the possibility of an award of a bonus.

Ki Charter may award a bonus to an employee in its sole discretion. General factors that Ki Charter might consider in exercising its discretion to award a bonus include, but are not limited to:

1. Longevity of employment
2. Exceptional performance
3. Significant contribution to mission success.

By each scheduled board meeting, the SUPERINTENDENT shall notify the Board whether funds exist to award employee bonus payments. The Board will determine whether or not to allocate these funds for use as employee bonuses. If the Board determines to use these funds as employee bonuses, the SUPERINTENDENT, along with the PRINCIPAL(S) and ASSISTANT PRINCIPAL(S), shall comprise a committee which shall determine which employees receive a bonus and the amount.

600.100. TRAINING: CAMPUS ADMINISTRATIVE OFFICERS & BUSINESS MANAGERS

Section 1: Documenting Compliance

The governing body (“Board”) of Ki Charter Academy adopts the following policy which shall be effective on the date that the policy is adopted by the Board.

Each campus administrative officer and business manager shall comply with and keep accurate records concerning his or her compliance with the commissioner of education rules governing training requirements.

Section 2: Staff Development

The Superintendent or designee will adopt a policy to provide annual training on suicide prevention for all new staff and a schedule for returning staff to renew their training in line with rules adopted by TEA.

600.120. IMMUNITIES

Section 1. Exhaustion of Administrative Claims

Prior to filing a lawsuit against a professional employee hired by Ki Charter, Potential claimants shall exhaust administrative remedies in accordance with state law. Administrative remedies must be pursued through the Board's grievance process set forth in Board Policy 300.120.

Section 2. Written Notice of Legal Claims

Written notice of a potential legal claim against a professional employee of the Ki Charter shall be provided in accordance with state law and shall be mailed or hand-delivered to the employee's attention at the charter school's administrative office at the following address: 120 Bert Brown Rd. San Marcos, Texas 78666.

600.140. RETIREMENT AND HEALTH BENEFITS

SECTION 1. Compliance

The Superintendent shall administer this policy in compliance with all applicable laws and shall ensure that school records pertaining to each employee's retirement and health benefits are current and accurate.

SECTION 2. Health Benefits

Ki Charter elects to provide health benefits to full time employees through a private carrier. All health claims and coverage decisions are final as determined by the school's selected carrier.

For more information, see Ki Charter Academy Personnel Handbook/Employee Handbook.

SECTION 3. COBRA Notification

The Superintendent, or designee, shall notify employees of their potential rights under COBRA upon separation from employment with the school, whether for voluntary or involuntary reasons.

SECTION 4. Local Benefits

Ki Charter offers the following additional benefits for its full time employees: Dental, Vision, Life and AD&D insurance, participation in Texas Teacher Retirement System, 403(b) with company matching, and 457(b) retirement funds.

SECTION 5. Workers Compensation Benefits

It is the policy of Ki Charter to provide workers' compensation insurance. The Superintendent shall notify employees of its coverage decisions in accordance with state law.

SECTION 6. Teacher Retirement System

Section 6.1. TRS Eligibility. Ki Charter Academy participates in the Teacher Retirement System (TRS). An employee is eligible for membership in TRS when the employee has:

- a. Regular employment with a single public, state-supported education institution in Texas that is expected to last for a period of 4 ½ months or more;
- b. For one-half or more of the full-time workload; and
- c. With compensation paid at a rate comparable to the rate of compensation for other persons employed in similar positions.

An employee at Ki Charter Academy is considered to meet these requirements if the employee's customary employment is for 20 hours or more each week at a single employer and for 4 ½ months or more in one school year.

TCSA NOTE: This is a required policy.

Section 6.2 Loss of TRS Eligibility. An employee at Ki Charter Academy is no longer eligible to receive retirement annuity from TRS if the person is convicted of a qualifying felony against a student. A qualifying felony includes the continuous sexual abuse of a young child or children,

an improper relationship between an educator and student, sexual assault, or aggravated sexual assault.

600. 160. TEACHER CREDENTIALS & QUALIFICATIONS

SECTION 1. Compliance.

The Superintendent shall ensure that each teacher employed by the Ki Charter is properly credentialed and qualified as required by state and federal law. Further, the Superintendent shall ensure that the appropriate notices are sent to parents concerning the credentials and qualifications of the student's teachers.

SECTION 2. Local Requirements for Teaching Credentials and Qualifications

In addition to the federal and state requirements, the Board directs the Superintendent to hire/make a good faith effort to hire highly qualified teachers with the following credentials and qualifications:

- a. State certification appropriate for the subject areas being taught by the teacher.
- b. EC-12 Special Education certification within the first year of employment.
- c. Ongoing yearly professional development as required by TEA.

Ki Charter will ensure each campus has a highly qualified teacher plan that includes strategies to ensure teachers who are not highly qualified in all academic subject areas taught will become highly qualified within one year. Ki Charter will assist preparing teachers for certification through training from certified teachers, regional service center support training, and mentorship.

600. 170. TEACHER & ADMINISTRATOR EVALUATIONS

Ki Charter will adopt TEA approved evaluation models for teachers and administrators. Associate Principals' appraisers will be the Principal and /or Superintendent, and teacher appraisers will be Associate Principals and Principals.

SECTION 1. ANNUAL EVALUATIONS: FORMAL & INFORMAL: TEXAS TEACHERS EVALUATION AND SUPPORT SYSTEM (T-TESS)

Multiple informal and two formal observations (one announced and one unannounced) will be conducted for teachers each year. Ki Charter will determine formal and informal observation schedules which will conform to the State observation windows.

The annual observation cycle runs from the first instructional day through the last instructional day.

Certified Appraisers: Associate Principals and Principal will appraise teachers under T-TESS.

Informal Observations/Walk-throughs: Ki Charter will use T-TESS rubric tool to maintain consistency.

Pre-Conferences: Pre-conferences will be conducted for all announced observations.

Planning Domain Evidence: Ki Charter will collect planning data formatively throughout the year.

Professional Practices and Responsibilities Domain Evidence: As captured in teachers' goal-

setting process (Goal Setting Template will be used), teachers will track their progress in following their professional development plan, will collect evidence on the attainment of their goal(s), and will share this data with their appraiser prior to or during the end of the year conference. Additional data such as district expectations for attendance; professional appearance; procedural, ethical, legal, and statutory responsibilities will be compiled.

Goal Setting: The teacher reflects on his or her practice using the goal-setting template. Teachers must provide evidence for the Professional Practices and Responsibilities Domain (Goal-setting Form of the T-TESS Rubric) to the associate principals / principal prior to the end of the year conference.

Rubric Rollout: T-TESS rubric rollout will occur during beginning of the year in-service to ensure teachers understand the domains, dimensions, descriptors, and performance levels, including how these are reflected in practice and the observation process.

Collecting and Maintaining Evidence: The T-TESS observation sheets and goal setting form must be submitted to the associate principals within three weeks of the last instruction day. Appraiser may collect scripted evidence according to personal style, and evidence will be categorized on observation form or notes.

Post-conference: Post-conferences will be conducted within two days of the observation and will not exceed the 10-day required limit.

Scoring: After the post-conference and the review of all documentation from the four dimensions within the fourth domain, the goal setting form, and the progress of the PD plan, the appraiser will then score the final domain.

Teacher Response and Appeals:

(a) A teacher may submit a written response or rebuttal at the following times:

- (1) for Domains I, II, and III, as identified in §150.1002(a) of this title (relating to Assessment of Teacher Performance), after receiving a written observation summary or any other written documentation related to the ratings of those three domains; or
- (2) for Domain IV, as identified in §150.1002(a) of this title, and for the performance of teachers' students, as defined in §150.1001(f)(2) of this title (relating to General Provisions), after receiving a written summative annual appraisal report.

(b) Any written response or rebuttal must be submitted within 10 working days of receiving a written observation summary, a written summative annual appraisal report, or any other written documentation associated with the teacher's appraisal. A teacher may not submit a written response or rebuttal to a written summative annual appraisal report for the ratings in Domains I, II, and III, as identified in §150.1002(a) of this title, if those ratings are based entirely on observation summaries or written documentation already received by the teacher earlier in the appraisal year for which the teacher already had the opportunity to submit a written response or rebuttal.

(c) A teacher may request a second appraisal by another certified appraiser at the following times:

- (1) for Domains I, II, and III, as identified in §150.1002(a) of this title, after receiving a written observation summary with which the teacher disagrees; or
- (2) for Domain IV, as identified in §150.1002(a) of this title, and for the performance of teachers' students, as defined in §150.1001(f)(2) of this title, after receiving a written

summative annual appraisal report with which the teacher disagrees.

(d) The second appraisal must be requested within 10 working days of receiving a written observation summary or a written summative annual appraisal report. A teacher may not request a second appraisal by another certified appraiser in response to a written summative annual appraisal report for the ratings of dimensions in Domains I, II, and III, as identified in §150.1002(a) of this title, if those ratings are based entirely on observation summaries or written documentation already received by the teacher earlier in the appraisal year for which the teacher already had the opportunity to request a second appraisal.

(e) A teacher may be given advance notice of the date or time of a second appraisal, but advance notice is not required.

(f) The second appraiser shall make observations and walk-throughs as necessary to evaluate the dimensions in Domains I-III or shall review the Goal-Setting and Professional Development Plan for evidence of goal attainment and professional development activities, when applicable. Cumulative data may also be used by the second appraiser to evaluate other dimensions.

(g) Each school district shall adopt written procedures for determining the selection of second appraisers. These procedures shall be disseminated to each teacher at the time of employment and updated annually or as needed.

Ki Charter has established a formal grievance procedure in the event T-TESS appeal process does not resolve concerns.

Other guidelines:

Deferment of the Professional Development and Appraisal System (PDAS) does not apply to T-TESS.

All teachers will participate in the T-TESS process.

Post conferences following each formal observation cannot be waived.

Cumulative documentation that may impact a teacher's evaluation must be shared with the teacher within 10 working days.

If the teacher wishes to respond to documentation, it must be done within 10 working days.

If the appraisal accompanying a teacher new to Ki Charter meets the option as specified in subsection 150.1003 (k), the appraisal will be accepted if the teacher is hired during the second semester of the school year; however, the teacher will be appraised by the new campus administrator if hired prior to the second semester.

SECTION 2. ANNUAL EVALUATIONS: TEXAS PRINCIPAL EVALUATION & SUPPORT SYSTEM (T-PSS)

FREQUENCY

The employment policies adopted by a board must require a written evaluation at annual or more frequent intervals of each principal, supervisor, school counselor, or other full-time, certified professional employee, and nurse. [Education Code 21.203\(a\)](#)

ADMINISTRATOR APPRAISAL

A district shall appraise each administrator, other than a principal, annually using either:

The Commissioner's recommended appraisal process and performance criteria; or

An appraisal process and performance criteria developed by the district in consultation with the district- and campus-level committees and adopted by the board.

District funds may not be used to pay an administrator who has not been appraised in the preceding 15 months.

[Education Code 21.354\(c\), \(d\)](#)

PRINCIPAL APPRAISAL

A district shall appraise each principal annually. In appraising principals, a school district shall use either:

1. The appraisal system and school leadership standards and indicators developed or established by the Commissioner; or
2. An appraisal process and performance criteria developed by the district in consultation with the district-level and campus-level committees and adopted by the board.

[Education Code 21.3541\(f\), \(g\)](#)

CONFIDENTIALITY OF EVALUATION

A document evaluating the performance of an administrator is confidential. [Education Code 21.355](#)

APPRAISAL PROCEDURES

The following procedures for administrator appraisal are minimum requirements.

A district shall establish an annual calendar providing for the following activities, which shall involve both the administrator and the appraiser:

1. Procedures for setting goals that define expectations and set priorities for the administrator being appraised.
2. Formative conference.
3. Summative conference.

19 TAC 150.1022(a)

APPRAISAL INSTRUMENT AND PROCESS

A district shall involve appropriate administrators in developing, selecting, or revising the appraisal instruments and process.

Before conducting appraisals, an appraiser shall provide evidence of training in appropriate

personnel evaluation skills related to the locally established criteria and process.

A district may implement a process for collecting staff input for evaluating administrators. If the district implements such a process, the input must not be anonymous.

The domains and descriptors used to evaluate each administrator may include the following:

1. Instructional management.
2. School or organization morale.
3. School or organization improvement.
4. Personnel management.
5. Management of administrative, fiscal, and facilities functions.
6. Student management.
7. School or community relations.
8. Professional growth and development.
9. Student achievement indicators and campus performance objectives.

In developing appraisal instruments, a district shall use the local job description, as applicable.

19 TAC 150.1021-.1022

Note: The standards, indicators, knowledge, and skills to be used to align with the training, appraisal, and professional development of principals are outlined in 19 Administrative Code 149.2001.

SUPERINTENDENT APPRAISAL

A district shall appraise each principal annually. In appraising principals, a school district shall use an appraisal process and performance criteria developed by the district in consultation with the district-level and campus-level committees and adopted by the board.

600. 180. EMPLOYEE LEAVES AND ABSENCES

Section 1. Definition

For purposes of this policy, “instructional staff” includes full time employees who work as campus principals, classroom teachers, teacher aides, counselors, and providers of special education services. [Note: The board at its discretion may modify this listing of employees as appropriate for the staffing plan and position titles.]

Section 2. Administration and Compliance

The Superintendent shall administer this policy in compliance with all applicable laws and shall ensure that school records pertaining to each employee’s leaves and absences are current and accurate.

Section 3. Family Medical Leave

Section 3.1. 12-Month Period. For purposes of FMLA leave, the 12-month period for leave is determined as the calendar year/the fiscal year/ the 12-month period following the employee’s employment anniversary date/the 12-month period measured forward from the date an employee’s first FMLA period begins/a rolling 12-month period measured backward from the date an employee uses any FMLA leave.

Section 3.2. Concurrent Use of Leave. It is the policy of Ki Charter for an employee’s paid leave, and/or workers’ compensation leave to run/not to run concurrently with FMLA leave.

Section 4. Local Leaves and Absences

Section 4.1. Local Personal Leave. Each employee of Ki Charter is entitled to 10 days of paid personal leave per year. Personal leave may be used for illness, illness of an employee’s family member, personal and family medical appointments, and other personal reasons as determined by the employee.

Section 4.2. A maximum of five (5) days of Personal leave may rollover each year up to three (3) years, for a total of fifteen (15) days, at which time no additional days will be eligible to rollover.

Section 4.3. Leave must be approved and is to be taken in half-day increments.

Section 4.4. Of the initial ten (10) days, five (5) days of unused personal leave will roll over in August to the following school year up to a maximum accrual of fifteen (15) days.

Section 4.5. For unused personal leave over the five (5) rollover days, an employee will have the option in August of cashing out those days to receive \$100 per day (up to five (5) days). Any personal leave unused or ineligible for cashing out or rolling over will be lost. Personnel in administrative roles are ineligible for cashing out days saved. This includes all directors and above at the district level and associate principals and principals at the campus level.

Section 4.6. Upon separation, resignation, non-renewal, or termination, only Personal leave beyond the maximum rollover, excluding any additional rollover days from the previous year(s), will be eligible for cashing out, for a maximum of five (5) days.

Section 4.7. Once an employee’s personal leave balance is exhausted, any further leave granted due to unforeseen circumstances will be deducted from the employee’s salary at a rate equal to the employee’s daily rate.

Section 5. Extended Absences from Duty

Section 5.1. Abandoning Work. An employee who misses three days of work without directly notifying the employee's supervisor is considered to have abandoned the employee's position and will be terminated from employment unless extenuating circumstances exist as determined by the Superintendent or designee.

Section 5.2. Returning to Work from Extended Leave.

Section 5.2.1. Reinstatement. The reinstatement of an employee returning from extended leave such as family medical leave, military leave, or workers' compensation leave is a high priority for Ki Charter. Reinstatement to an equivalent position will be determined on a case-by-case basis by the Superintendent, or designee, based on the following factors relating to the best interests of the school and its students:

- a. the applicable laws, policies, and practices governing the employee's absence from duty;
- b. for instructional positions, the time of year, the students' academic and behavior progress, the proximity of school and/or student holidays, the proximity of student
- c. testing, and additional similar factors relating to the academic and behavioral success of the students;
- d. whether the employee is a key employee;
- e. the school's legal obligations to other employees;
- f. the employee's ability to perform the essential functions of the job with or without reasonable accommodation;
- g. the impact of reinstatement on the academic, fiscal, or other operations of the school.

Section 5.3. Pay Increases. Employees returning to their prior employment positions from extended leave such as family medical leave or workers' compensation leave are entitled to any cost of living increases that were awarded during the employee's absence from duty. Unless legally required otherwise, returning employees will be entitled to any pay increases that were awarded based on seniority, length of service, or work performance.

600. 200. COMPLAINTS BY SCHOOL EMPLOYEES

SECTION 1. Process for Employee Complaints

Employees of Ki Charter who have a complaint about their terms or conditions of work are encouraged to resolve their concerns informally with their co-workers and/or supervisors at the lowest level possible. If the employee is not satisfied with the outcome the informal resolution, then the employee may file a formal complaint in accordance with the grievance process set forth in Board Policy Section 300.120.

SECTION 2. Exception for Sexual Harassment Complaints

All formal complaints by charter employees must be pursued in accordance with the process set forth in Board Policy 300.120 unless the complaint is a sexual harassment complaint filed by an employee against the employee's supervisor. Under these circumstances, the employee shall present his or her Level 1 complaint to the school's ED/Superintendent/CEO who will designate another supervisory level employee to hear and respond to the Level1 grievance. If the ED/Superintendent/CEO's designee does not reach a decision that is satisfactory to the employee, then the employee may appeal the decision to Levels 2 and 3 as delineated in Board Policy Section 300.120.