



**2022-2023**  
**STAFF HANDBOOK**

revised July 2022

**A PLACE TO THRIVE**  
**INSPIRING SUCCESS IN THE**  
**HEARTS AND MINDS OF**  
**GIFTED CHILDREN**  
**SINCE 1994**

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## **Welcome to Stargate**

Welcome to Stargate School, hereinafter referred to as “the School”. We look forward to working with you as a member of our educational team. We appreciate each of you and the skills and talents you individually bring to our school. We are committed to helping you achieve your highest level of service for the families and students of Stargate.

The Staff Handbook applies to all employees of the School and is intended to provide guidelines and summary information about Stargate School’s general policies, procedures, benefits, and rules of conduct. This edition of Stargate Staff Handbook replaces all previously issued editions. All policies set forth in this manual supersede those of Adams 12 Five Star District.

It is also imperative that you read the **Community Handbook**, which includes Adams 12 policies as well as revised Stargate policies, to be aware of information shared with our Stargate families. It can be found on the [www.stargateschool.org](http://www.stargateschool.org) website.

The Staff Handbook is an important employee working document and complies with our established performance standards. Please talk with the Human Resources Manager if you have any questions or need additional information.

## **Stargate Mission Statement**

Stargate School will provide a differentiated program designed specifically to meet the needs of identified intellectually gifted learners in order to challenge each student’s academic abilities, support their unique emotional needs, promote individual character development and encourage a life-long love of learning.

## **Stargate Vision Statement**

Stargate community will be a leader and innovator in intellectually gifted education by providing a learning environment to enhance gifted students’ needs.

## **Stargate Governance Board**

The School is governed by the Governance Board of Directors (“the Board”). The Board is comprised of up to nine Directors, at least five of whom are parents or guardians, and up to four board-appointed independent directors.

The purpose of the Board is to set the general direction and policy of the School, not to manage it on a daily basis. The Board establishes and maintains fundamental school policies to ensure adherence to the vision and mission statements. Board Directors govern in a manner to ensure the adherence to the Stargate vision and mission statements. Their role is to oversee the financial stability of the School, to ensure compliance with all applicable laws and regulations, and to deal with school-related issues as prescribed in the bylaws. Furthermore, it is the responsibility of the Board to foster positive relationships with school personnel, the school community, and with the community at large.

Administration makes day-to-day management decisions and is responsible for all education and operations duties for the School.

As with all charter schools, the School is an entity separate from the school district in the area of governance. Each Director shall guard this unique characteristic of the School and other charter schools. All board policies can be found on the [Stargate Governance Webpages](#).

## **Introduction**

This handbook is designed to acquaint employees with the School and provide some information about working here. The handbook is not all inclusive, but is intended to provide employees with a summary of some of the School's guidelines and our expectations regarding your conduct. This edition supersedes and replaces all previously issued editions and any inconsistent verbal or written policy statements issued prior to this handbook.

No employee handbook can anticipate every circumstance or question. After reading the handbook, employees who have questions should talk with their immediate supervisor or the Human Resources Manager. In addition, the need may arise to revise, delete, or add to the provisions in this handbook. Except for the at-will nature of the employment, the school reserves the right to make such changes with or without prior notice. No oral statements or representations can change the provisions of this staff handbook.

Employees should not interpret anything in this handbook as creating a contract or guarantee of continued employment. In addition, this handbook is not intended to cover all possible situations that may arise in your employment relationship with the School.

Many matters covered in this handbook, such as benefit plan descriptions, are also described in separate School documents. These School documents are always controlling over any statement made in this handbook or by any member of management.

This handbook is the property of the School, and it is intended for personal use and reference by the employees of the School.

## **Handbook Revisions**

The School reserves the right to make changes to this handbook and to any employment policy, practice, work rule, or benefit, at any time without prior notice. Employees' at-will employment can only be changed as stated in the separate Employment At Will Policy contained in this handbook. Any other change to this handbook or any employment policy, practice, work rule, or benefit is effective only if it is in writing and is signed or authorized by the Human Resources Manager. Except as otherwise provided in this handbook, no one has the authority to make any promise or commitment contrary to what is in this handbook.

This handbook replaces all earlier handbooks and supersedes all prior inconsistent policies, practices, and procedures.

## **Handbook Acknowledgement**

Employees must sign the acknowledgement form at the end of this handbook, click on the box as indicated, type their name and the date, as applicable, hit "enter". This will provide the School with a record that each employee has received, read and understood this handbook.

## **Employment at Will**

All employment at the School is "at-will." This means that both employees and the School have the right to terminate employment at any time, with or without advance notice, and with or without cause.

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also may be demoted or disciplined, and the terms of their employment may be altered at any time, with or without cause, at the discretion of the School. No one other than an officer of the School has the authority to alter this arrangement, to enter into an agreement for employment for a specified period of time, or to make any agreement contrary to this at-will status. Any such agreement must be in writing, must be signed by an officer of the School, and must express a clear and unambiguous intent to alter the at-will nature of the employment relationship. Nothing contained in this Handbook or any other documents provided to employees is intended to be, nor should it be, construed as a guarantee that employment (or any benefit) will be continued for a specific time period. For example, any salary figures provided to an employee in annual or monthly terms are stated for the sake of convenience. They are not intended to create an employment contract for one or more months. Employees should ask the Human Resources Director if they have any questions about their status as an employee at-will.

## **Equal Employment Opportunity**

It is the School's policy to provide equal employment opportunity for all applicants and employees. The School does not unlawfully discriminate on the basis of actual or perceived race (including hair texture and natural hair styles), color, religion, religious creed (including religious dress and religious grooming practices), sex (including pregnancy, perceived pregnancy, childbirth, breastfeeding, or related medical conditions), gender, gender identity (including transgender identity, status and transitioning), gender expression and sex stereotyping, national origin, ancestry, citizenship, age, physical or mental disability, legally protected medical condition or information (including genetic information), family care or medical leave status, military caregiver status, military status, veteran status, marital status, domestic partner status, sexual orientation, status as a victim of domestic violence, sexual assault or stalking, enrollment in a public assistance program, engaging in protected communications regarding employee wages, requesting a reasonable accommodation on the basis of disability or bona fide religious belief or practice, or any other basis protected by local, state, or federal laws. Consistent with the law, the School also makes reasonable accommodations for disabled applicants and employees; for pregnant employees who request an accommodation with the advice of their health care providers, for pregnancy, childbirth, or related medical conditions; for employees who are victims of domestic violence, sexual assault, or stalking; and for applicants and employees based on their religious beliefs and practices.

The School will endeavor to accommodate the sincere religious beliefs of its employees to the extent such accommodation does not pose an undue hardship on the School's operations. If employees wish to request such an accommodation, they should contact the Human Resources Department.

The School prohibits sexual harassment and the harassment of any individual on any of the other bases listed above. For information about the types of conduct that constitute impermissible harassment and the School's internal procedures for addressing complaints of harassment, and the legal remedies available through and complaint procedures of the appropriate state and federal agencies and directions on how to contact these agencies, please refer to the School's Policy Against Harassment, Discrimination, and Retaliation in this Handbook Page 36 of Stargate Charter School Employee Handbook Version: 08/2022 This policy applies to all areas of employment including recruitment, hiring, training, promotion, compensation, benefits, transfer, disciplinary action, and social and recreational programs. It is the

responsibility of every manager and employee to conscientiously follow this policy. Any employee having any questions regarding this policy should discuss them with the Human Resources Department.

## **Applicants and Employees with Disabilities**

The School is committed to providing equal employment opportunities for all qualified individuals with disabilities in accordance with the federal Americans with Disabilities Act and applicable State disability laws. In accordance with these laws, the School strictly forbids all forms of unlawful discrimination, harassment, or retaliation against qualified applicants or employees with disabilities, and for pregnant employees who so request for pregnancy, childbirth, or related medical conditions, and requires reasonable accommodation if necessary for such individuals to perform the essential functions of their jobs safely and efficiently without undue hardship to The School and without serious risk to the health and safety of others.

Applicants and employees who require accommodation of any disability should inform the School of their needs. The School may have no way of knowing whether an individual requires an accommodation unless they bring it to the attention of The School. The School will engage in an interactive conversation to determine if there is a reasonable accommodation that can be provided that will not cause the School undue hardship and will treat all such information as confidential to protect privacy rights under laws such as HIPAA, but some disclosure will be necessary to fulfill the purposes of this policy.

Employees who are made aware that an applicant or employee has a disability should presume that the information is confidential and discuss it only with upper management and Human Resources, unless the employee has disclosed or consented to further disclosure.

Discrimination, harassment, or retaliation against an individual because they are considered disabled or has been given accommodation for a disability is absolutely forbidden and grounds for immediate termination. Employees who believe they have been harassed in violation of this policy may file a complaint under the School's policy on Equal Employment Opportunity.

## **Employee Classifications**

### **I. Regular Full-Time Employees**

Employees scheduled to work more than thirty (30) hours or more per week.

### **II. Regular Part-Time Employees**

Employees scheduled to work fewer than twenty-nine (29) hours or less per week; part-time employees may be regularly scheduled or scheduled on an 'as-needed' basis.

### **III. Temporary Employees**

Employees who provide support on a temporary basis in a licensed or unlicensed capacity; includes substitute paraprofessionals and teachers.

### **IV. Seasonal Employees**

Employees who work for a specific period of time for a specific season; includes head and assistant coaches.

### **V. Classified Employees**



Employees who provide school support in unlicensed capacity; includes office administration, paraprofessionals, support and labor workers.

#### **VI. Certified Employees**

Employees required to maintain licensure to conduct services; includes teachers, special service providers, and counselors.

#### **VII. Administrative Employees**

Employees providing school leadership from a licensed position or through advanced qualifications; includes executive directors, department directors, managers, principals, and assistant principals.

#### **VIII. Nine-Month Employees**

Employees scheduled for up to 199 workdays in one fiscal year.

#### **IX. Ten-Month Employees**

Employees scheduled to work between 200 and 219 days in one fiscal year.

#### **X. Eleven-Month Employees**

Employees scheduled to work between 220 and 246 days in one fiscal year.

#### **XI. Twelve-Month Employees**

Employees scheduled to work between 247 and 260 days in one fiscal year.

#### **XII. Exempt/Nonexempt Employees**

Exempt employees, by definition, are exempt from earning overtime compensation and generally receive the same weekly salary regardless of hours worked. Nonexempt employees are employees who are eligible to be paid for overtime work in accordance with the provisions of applicable wage and hour laws. Overtime pay requirements are set forth in the section of this Handbook/Manual entitled "Hours of Work, Overtime, and Pay Day". Employees will be informed of these classifications upon hire and informed of any subsequent changes to the classifications.

#### **XIII. Salaried Employees**

Salaried employees are employees who are paid a fixed amount on a periodic basis and not by the hour. Salaried employees are generally Exempt employees.

#### **XIV. Hourly Employees**

Hourly employees are employees whose wages are paid by the hour. Their wages fluctuate according to the number of hours they work. Hourly employees are generally Nonexempt employees.

#### **XV. Change in Employment Status**

The School may change the employment classification of any employee at any time based on the nature of the employment assignment.

### **Hours of Work, Overtime and Pay Day**

#### **I. Hours of Work**

School business hours are from 7:45 am to 3:55 pm Monday through Friday. Full-time, certified employees are expected to be on campus between the hours of 7:45 a.m. to 3:45 p.m. for Elementary staff, and 7:55 a.m. and 3:55 p.m. for Secondary staff on school days. Classified full-time and part-time employees will report for duty at times agreed upon with their supervisor.

#### **II. Meal and Rest Periods**

## **A. Rest Periods**

The School authorizes and permits nonexempt employees a fifteen-minute, off-duty, uninterrupted paid rest period for each four hours worked or major fraction thereof. Employees should take their rest periods in the middle of each work period to the extent it is practicable to do so, and not combine them with meal periods or skip them to leave work early.

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Employees who feel they were not provided the opportunity to take all rest periods authorized and permitted under this policy should inform their supervisor or manager, and (if not corrected) Human Resources immediately.

## **B. Meal Periods**

Employees will be entitled to an unpaid, uninterrupted meal break of 30 minutes for every 5 consecutive hours worked. To the extent practical, meal periods must be at least one hour after starting and one hour before ending shifts.

Employees are entitled, encouraged, and expected to take all meal periods provided under this policy and not waived, and all rest periods provided under this policy. During meal periods and rest periods, the School will relieve employees of all duty and will not exercise control over employees' activities. Employees are free to spend their meal period and rest period time as they choose and are not required to remain on-premises or "on-call" during off-duty meal periods and rest periods. Employees who have work-issued pagers or phones should turn those devices off while taking meal periods and rest periods. No School manager or supervisor may impede or discourage employees from taking meal periods and rest periods provided under this policy.

## **III. Overtime Pay**

### **A. Overtime Definition and Rates of Pay**

All nonexempt employees will be paid overtime at time and one-half of their regular rate of pay for any hours worked in excess of:

1. 40 per workweek;
2. 2 hours per workday; or
3. 12 consecutive hours without regard to the starting and ending time of the workday (excluding duty-free meal periods), whichever calculation results in the greater payment of wages.

Overtime will be computed on actual minutes worked, adjusted to the nearest 15-minute increment. Only those hours that are actually worked are counted to determine an employee's overtime pay. Compensated holidays, for example, are not hours worked and therefore are not counted in making overtime calculations unless the employee actually worked on the holiday.

### **B. Workweek and Workday**

Unless otherwise provided, for purposes of calculating overtime, each workweek begins at 12:00 a.m. midnight on Sunday and ends at 11:59 p.m. on Saturday.

### **C. Pre-Authorization**

Nonexempt employees may not work overtime without the express prior approval of their supervisor, absent an emergency. During busy periods, the employer may require employees to work extended hours. Nonexempt employees who fail to obtain approval prior to working hours that extend beyond their normal 8-hour workday or 40-hour workweek will be subject to disciplinary action. Overtime offenses may result

in termination.

## **IV. Other Types of Pay**

### **A. Reporting Pay**

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Nonexempt employees who report to work at the School's request will be paid for the time they are required or permitted to remain at the workplace waiting for a decision on job assignment or when waiting to begin work.

### **B. Travel Time for Non-Exempt Employees**

Non-exempt employees are paid for travel time in accordance with state law.

### **C. Holiday Pay**

Eligible employees are paid their regular straight-time wages for School-paid holidays as set forth under the policy entitled "Holidays." To receive holiday pay, the employee generally must work the regularly scheduled workdays preceding and following the School holiday or receive prior approval from their supervisor to take the time off. Nonexempt employees who work during a School-paid holiday are paid as set forth under the policy entitled "Holidays" in this handbook.

### **D. Pay Advances**

Loans and pay advances are not permitted.

## **V. Safe Harbor Policy for Exempt Employees**

It is the School' policy and practice to accurately compensate employees and to do so in compliance with all applicable state and federal laws. To ensure employees are paid properly and no improper deductions are made, employees must review their pay stubs promptly to identify and to report all errors.

If the employee believes a mistake has occurred or if the employee has any questions, the employee should use the reporting procedure outlined below.

Exempt salaried employees receive a salary which is intended to compensate for all hours worked for the School. This salary will be established at the time of hire or when the employee becomes classified as an exempt employee. While it may be subject to review and modification from time-to-time, such as during salary review times, the salary will be a predetermined amount that will not be subject to deductions for variations in the quantity or quality of the work performed.

Under state law, salary is subject to certain deductions. For example, the employee's salary can be reduced for the following reasons:

- full-day absences for personal reasons;
- full-day absences for sickness or disability, if the available paid sick leave has been exhausted;
- intermittent absences, including partial-day absences, covered by the federal Family and Medical Leave Act, if other available paid leave has been exhausted;

- to offset amounts received as payment for jury and witness fees or military pay; ● during the first or last week of employment in the event the employee works less than a full week; and
- any work week in which the employee performs no work for the School.

Salary also may be reduced for certain types of deductions, such as the employee portion of health, dental or life insurance premiums; state, federal or local taxes, social security; or, voluntary contributions to a 401(k) or pension plan.

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In any workweek in which the employee performed any work, the employee's salary will not be reduced for any of the following reasons:

- partial-day absences for personal reasons, sickness or disability;
- absence on a holiday when the facility is closed or because the facility is otherwise closed on a scheduled workday;
- absences for jury duty, attendance as a witness or military leave in any week in which the employee has performed any work; and
- any other deductions prohibited by state or federal law.

If employees believe they have been subject to any improper deductions, they should immediately report the matter to the Human Resources Manager. If the Human Resources Manager is unavailable or if employees believe it would be inappropriate to contact that person (or if they have not received a prompt and fully acceptable reply), they should immediately contact an Executive Director.

Every report will be fully investigated, and corrective action will be taken where appropriate, up to and including termination for any employee who violates this policy. In addition, the School will not allow any form of retaliation against individuals who report alleged violations of this policy or who cooperate in the investigation of such reports. Retaliation is unacceptable, and any form of retaliation in violation of this policy will result in disciplinary action, up to and including termination.

## **VI. Place and Time for Payment of Wages**

### **A. Regular Pay Days**

Employees are paid monthly, on the last business day of the month. Non-exempt employees are paid for hours worked between the 16<sup>th</sup> of one month to the 15<sup>th</sup> of the next month. For example, hours worked between September 16<sup>th</sup> and October 15<sup>th</sup> will be paid to the employee on October 31<sup>st</sup>. Exempt, certified employees are paid their monthly salary rate where the payroll year runs from September through August. Exempt, administrative employees are paid their monthly salary rate where the payroll year runs from July through June.

Paychecks will automatically be deposited into employee accounts through direct deposit. The money will be deposited on the last banking business day of the month. Employees can view payroll information including gross pay, earnings, deductions, net pay, Sick time availability on their Self Serve Portal in Paylocity. If there are any questions, please ask the Human Resources Director. If the Human Resources Director is unavailable, they should contact the Executive Director of Operations.

**B. Payment on Resignation, Termination, or Completion of Assignment or Term** If an employee resigns, his or her paycheck will be available on the next regularly scheduled payday. Employees who are

terminated involuntarily will be paid on the day of the discharge.

### **C. Garnishments**

The School complies with applicable state and federal laws regarding the garnishment and assignment of wages. Repeated garnishments for multiple debts can be grounds for discharge or other discipline as provided by applicable laws.

### **D. Payroll Deductions**

Deductions for federal Income Tax and Medicare are required by federal law. State Income Tax and State Disability Insurance deductions as required by the State of Colorado. Other deductions for insurance or

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other benefits may be specifically authorized by the employee in writing or by electronic signature. Each paycheck stub itemizes amounts that have been withheld. It is the employee's responsibility to confirm the accuracy of payroll deductions and personal information and to the Human Resource Director immediately of any changes. It is important that employees keep this information for tax purposes. Questions about deductions should be directed to the Human Resources Director.

## **Non-Exempt Employees' Time Reporting**

(Use of time clocks/cards and Rounding Practices)

Accurate time recording is important for you and the School.

Do not punch "In" before starting a shift more than seven minutes before the normal start of that shift. For example, if your shift begins at 8:00 a.m., do not punch "In" before 7:53 a.m. unless instructed otherwise by your supervisor. Punch "Out" as soon as possible following the completion of your shift. Normally, this should not be more than seven minutes following the end of your shift, unless you are authorized to work overtime. If you miss a punch in Paylocity, you will need to go to your direct supervisor will approve the correction in the system.

Full-time, non-exempt employees who work five or more consecutive hours will be provided at least one unpaid 30-minute meal break. During the break, employees will be relieved of all duties and permitted to pursue personal activities. If, however, circumstances exist that make an uninterrupted meal period impractical, the employee may consume an "on-duty" meal while performing duties without any loss of time or compensation. Employees must comply with all applicable timekeeping requirements, including recording the beginning and end time of their meal breaks, and clocking "Out" and "In" using the Paylocity time clock system.

You should not punch another person's time card or permit anyone else to punch yours. Time card falsification will not be tolerated.

These records are used by the School to calculate your pay. It is very important that they are accurate and complete. Employees are expected to submit accurate and complete time records reflecting all hours worked. If you also chose to keep your own personal time records, you must provide them to the School if you find a discrepancy between the School's records and your records. Contact your supervisor with any questions about how your pay is calculated. Promptly notify your supervisor if you notice any mistakes in your time records or your pay. Also notify your supervisor if you perceive that anyone is interfering with your ability to record your time accurately and completely. All reports will be investigated, and appropriate corrective action will be taken. The School will not tolerate retaliation against employees for making a report or participating in an investigation.

## **Paid Holidays**

Currently all classified employees who are regularly scheduled to work twenty (20) or more hours per week shall receive the holidays as listed below. Part time, classified employees will receive 4 hours of holiday pay. Full time, classified employees will receive 8 hours of holiday pay. Employees must work the school day before and after the holiday in order to be eligible for holiday pay.

The following table contains the Federal Holidays observed by Stargate.

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Currently, nine-month (up to 199 work days) classified employees shall have paid holidays. The exact days are listed below:

- Labor Day
- New Year's Day
- Veterans Day (observed)
- Martin Luther King, Jr. Day
- Thanksgiving Day
- Presidents Day
- Friday after Thanksgiving
- Christmas Eve or day after Christmas
- Christmas Day

Currently, ten-month (200-219 work days) and eleven-month (220-246 work days) classified employees shall have, in addition to those specified for 9 month classified employees, the following paid holiday:

New Year's Eve or day after New Year's Day

Memorial Day (if scheduled to work the week following the holiday)

Currently, twelve-month (247-260 work days, including paid leave) classified/administrative employees shall have, in addition to those specified for 9 month classified employees, the following paid holidays:

New Year's Eve day or day after New Year's Day

Friday of Spring Break

Memorial Day

Independence Day (July 4)

Full-time certified employees receive a regular monthly salary that includes all of the foregoing paid holidays.

Part-time certified employees receive holiday pay at their usual rate based upon average hours worked per day.

## **Vacation Policy**

The School provides vacation benefits to eligible employees (full time, 12-month employees) to enable them to take paid time off for rest and recreation. The School believes that this time is valuable for employees in order to enhance their productivity and make their work experience with the School personally satisfying.

### **I. Vacation Accrual**

All regular full-time, 12-month employees are eligible to accrue vacation benefits. The accrual rate is 1.67 vacation days for each month worked (normal annual accrual - 20 working days).

Employees who work on a school-year basis do not receive vacation pay or leave, as they are given ample time off in school breaks during which they can schedule vacation.

### **II. Maximum Accrual**

A 12-month employee may carry forward 20 vacation days from one calendar year to the next. Vacation accruals in excess of 20 days are cashed out as of December 31st each year at the employee's current rate of pay. The payout will occur in the December paycheck.

### **III. Pay in Lieu of Vacation**

No employee will receive pay in lieu of vacation, unless the employee has deferred their vacation at the School's request.

### **IV. Vacation Accrual During Leaves of Absence**

Employees do not accrue vacation during an unpaid leave of absence or while on disability salary continuation. Vacation accruals recommence when the employee returns to work.

### **V. Vacation Pay on Termination**

On termination of employment, employees are paid all accrued but unused vacation through their last day worked at their base rate of pay at the time of termination.

### **VI. Vacation Approval**

All vacations must be approved in advance by the employee's immediate supervisor.

### **VII. Vacation Scheduling**

Scheduling of vacations is to be done in a manner consistent with the School's operational requirements. Employees should submit their vacation requests to their immediate supervisor for approval at least two weeks prior to the commencement of a vacation period. In the event that two or more employees have requested vacations covering the same period and may not be absent simultaneously, preference shall be given to the employee with the greater length of service. Subject to supervisor approval, an employee may otherwise schedule and take vacation at any time once it has accrued.

### **VIII. Vacation Use**

All vacation days generally should be taken not later than the calendar year immediately following the year in which they accrue, unless prior approval is obtained from the supervisor to carry over the vacation days to the subsequent year.

### **IX. Vacation Advances**

An employee is not permitted to borrow on future accrual of vacation benefits, except with the approval of the Human Resources Manager. In no case may new employees borrow or take vacation time before they become eligible to accrue vacation, as described in Paragraph A, above. Employees who use any vacation days before they have been accrued and then leave the employ of the School must repay any overdrawn amount to the School at the time of termination.

### **X. Holidays Occurring During Vacation**

If an observed School holiday (see guideline entitled "Holidays") occurs during an employee's scheduled

vacation, no deduction from accrued vacation will be made for the holiday. An employee may add to their vacation period by using the holiday in place of accrued vacation time.

### **XI. Vacation Increments**

Eligible employees must take accrued vacation in increments of at least four (4) hours.

### **XII. Vacation for Family Care and Medical Leave Purpose**

Employees who request family care or medical leave pursuant to the School's FMLA policy generally must apply any accrued vacation pay to the unpaid portion of their family or medical leave, as permitted by law; please see Human Resources for more information.

## **Sick Leave Policy**

The School's sick leave policy is designed to provide position and salary continuation in the event of illness or injury and to promote sick time leave conservation for extended protection. Regular full-time and part-time employees are eligible for sick time leave. Additionally, the accumulation of sick time leave allows continuation of base salary plus benefits when an eligible employee is required to be absent from work

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because of illness or medical conditions. If an employee has used allotted sick time for reasons listed below or otherwise, no additional time will be given to the employee.

### **I. Eligibility**

An employee qualifies to accrue paid sick leave under this policy upon the start of the employee's employment. In addition, employees may take paid sick leave accrued under this policy if they have worked for the School for as it is accrued.

### **II. Leave Benefit**

Beginning January 1, 2021, part time and temporary employees will accrue sick time leave at one (1) hour per thirty (30) hours of work, up to a maximum of forty-eight (48) hours per calendar year (January through December).

Beginning July 1, 2022, full time employees will accrue sick time leave at 6.67 hours per month, up to a maximum of eighty (80) hours per calendar year (January through December).

Paid sick leave not used in a year otherwise carries over from year to year.

### **III. Leave Usage**

Sick time leave benefits used intermittently or for three days or more due to a serious health condition shall run concurrently with the Family and Medical Leave (FMLA). The maximum amount of sick time leave to be used is forty-eight (48) hours per calendar year for part time employees and eighty (80) hours for full time employees per calendar year. Unused sick time leave will not be paid upon separation of employment.

Classified employees may use sick time to supplement their unpaid time during Thanksgiving Week, Winter Break, and Spring Break. Time allotted for this purpose is two (2) days per week.

Sick Time used will be charged against the employee's annual or accrued allotment. If the employee's sick time allocation has been exhausted, any time taken in excess of the allotment will be charged as unpaid



leave at the employee's current pay rate.

Employees may take paid sick leave per leave year for any of the qualifying reasons discussed below, as well as any reasons allowed for under an applicable local paid sick leave ordinance.

- When the employee has a mental, physical illness, injury, or health condition that prevents the worker from working; needs to obtain a medical diagnosis, care, or treatment for an illness, injury, or health condition; or needs to obtain preventive medical care;
- When the employee needs to care for a family member for the purposes described above; ● When the employee or employee's family member has been the victim of domestic abuse, sexual assault, or harassment, and the leave is to: seek medical attention or recover from a mental or physical illness, injury or health condition due to the violence/assault/harassment; obtain services from a victim services organization; obtain mental health or other counseling; seek relocation due to violence/assault/harassment; or seek legal services, including preparing or participating in a civil or criminal proceeding;
- When due to a declared public health emergency, a public official has ordered the closure of the employee's place of business or orders the closure of the school or place of care of the employee's child and the employee needs to be absent from work to care for the employee's child.

Employees may care for the following family members: a person related by blood, marriage, civil union or adoption; a child to whom the worker stands in loco parentis; or a person for whom the employee is responsible for providing or arranging health-or-safety-related care.

When permitted by law, a supervisor may request a doctor's note certifying the medical necessity for an absence.

Employees using sick time leave are prohibited from working either in the workplace or at any other location, including the employee's home, whether for the School or otherwise. The employee may be required to submit a return to work note from the treating physician prior to reporting back to the workplace.

To the full extent permitted by law, the School reserves the right to require that an employee submit to examinations by a health care provider of the Stargate's choosing for continuation of payments under this benefit.

Employees using paid sick leave may do so in minimum increments of one (1) hour. If an employee has exhausted all available sick leave under this policy, the School reserves the right to apply accrued Vacation for any absences related to the outlined sick leave usage above. Employees will be paid for sick leave not later than the payday for the next regular payroll period after the sick leave was taken.

#### **IV. Use During a Public Health Emergency**

On the date a public health emergency is declared, employers must supplement worker's existing earned paid sick time with additional time off. Employees who normally work at least 40 hours per week must be able to take at least 80 hours of paid sick time, including any existing accrued paid sick time; part time employees must be able to take an amount equal to how much they are scheduled to work or do work on average in a 14-day period. Covered employees have up to 80 hours of PHEL usable as of January 1,

2021, even if they had 80 hours of leave usable in 2020 under Colorado's FFCRA extension.

Supplemental paid leave for a public health emergency can be used – up until four weeks after the termination or suspension of the emergency – for the following absences from work: ● Employee’s need to: self-isolate and care for oneself because of a diagnosis or experiencing the symptoms of a communicable illness connected to the cause of the public health emergency, or to care for a family member who has to self-isolate for those reasons.

- To seek preventive care for – or medical diagnosis, care, or treatment for symptoms of – a communicable illness that is the cause of the public health emergency, or to care for a family member for those reasons;
- When a public official, health authority, or employer (of the worker or the worker’s family member) determined the employee’s or employee’s family member’s presence on the job or in the community would jeopardize the health of others because of the individual’s exposure to – or exhibiting symptoms of – the communicable illness that is the cause of the public health emergency (whether diagnosed or not);
- Care of a child or other family member when the individual’s childcare provider is unable due to a public health emergency, or if the child’s or family member’s school or place of care is closed by a public health emergency (including if it is physically closed but providing remote instruction);
  - An employee’s inability to work because the employee has a health condition that may increase susceptibility to or risk of a communicable illness that is the cause of the public health emergency.

## **V. Compensation For Sick Leave**

Paid sick days ordinarily are paid at the employee's normal rate of pay earned during regular work hours. Accrued, unused paid sick leave is not paid out upon termination or resignation. However, employees separating from employment who are rehired within one year from the date of separation will have their previously accrued and unused paid sick days reinstated. The employee also will begin accruing paid sick leave upon rehire (assuming the employee's bank is below the applicable cap). In addition, if the employee is rehired within one year from the date of separation, any number of days that the employee previously worked for the School will be credited toward the 90 calendar days that an employee must have worked for the School before being eligible to use paid sick leave under this policy.

## **VI. Approval**

If the need for paid sick leave is foreseeable (e.g., scheduled routine medical appointments), the employee must provide reasonable advance notice. If the leave is not foreseeable, the employee must provide notice of the leave as soon as practical. When requesting sick leave, employees should not disclose any private medical information or any other confidential personal information. For paid sick leave of four or more consecutive workdays, the School may require reasonable documentation that the paid sick leave is for a covered purpose under the law; however, documentation is not required for leave under the law’s public health emergency provisions.

## **VII. Non-Retaliation or Discrimination**

The School strictly prohibits any form of retaliation or discrimination against an employee for attempting to use or using paid sick leave under this policy, and for any other reason prohibited by applicable law. Employees who believe they have been discriminated or retaliated against should report their concerns to

Human Resources.

## **Leaves of Absence**

### **I. Family and Medical Leave Act (FMLA)**

(includes qualifying exigency and military caregiver leave)

The School will provide Family and Medical Leave to its eligible employees. The school posts the mandatory FMLA Notice and upon hire provides all new employees with notices required by the U.S. Department of Labor (DOL) on Employee Rights and Responsibilities under the Family and Medical Leave Act in both Elementary and Secondary buildings near the mailboxes.

The function of this policy is to provide employees with a general description of their FMLA rights. In the event of any conflict between this policy and the applicable law, employees will be afforded all rights required by law.

If you have any questions, concerns, or disputes with this policy, you must contact KC DuPree, Human Resources Manager, at [kc.dupree@stargateschool.org](mailto:kc.dupree@stargateschool.org) in writing.

### **A. General Provisions**

Under this policy, the School will grant up to 12 weeks (or up to 26 weeks of military caregiver leave to care for a covered servicemember with a serious injury or illness) during a 12-month period to eligible employees. The leave may be paid, unpaid or a combination of paid and unpaid leave, depending on the circumstances of the leave and as specified in this policy.

### **B. Eligibility**

To qualify to take family or medical leave under this policy, the employee must meet all of the following conditions:

1. The employee must have worked for the school for 12 months or 52 weeks. The 12 months or 52 weeks need not have been consecutive. Separate periods of employment will be counted, provided that the break in service does not exceed seven years. Separate periods of employment will be counted if the break in service exceeds seven years due to National Guard or Reserve military service obligations or when there is a written agreement, including a collective bargaining agreement, stating the employer's intention to rehire the employee after the service break. For eligibility purposes, an employee will be considered to have been employed for an entire week even if the employee was on the payroll for only part of a week or if the employee is on leave during the week.
2. The employee must have worked at least 1,250 hours during the 12-month period immediately preceding the commencement of the leave. The 1,250 hours do not include time spent on paid or unpaid leave. Consequently, these hours of leave should not be counted in determining the 1,250 hours eligibility test for an employee under FMLA.
3. The employee must work in a worksite where 50 or more employees are employed by the school within 75 miles of that office or worksite. The distance is to be calculated by using available transportation by the most direct route.

### **C. Type of Leave Covered**

To qualify as FMLA leave under this policy, the employee must be taking leave for one of the reasons listed below:

1. The birth of a child and in order to care for that child.
2. The placement of a child for adoption or foster care and to care for the newly placed child.
3. To care for a spouse, child or parent with a serious health condition (described below).
  - a. Under the Colorado Family Care Act, this is expanded to recognize
    - i. Civil Unions under Colorado Law;
    - ii. Domestic Partnerships that are registered in the municipality in which the person resides or with the state; or
    - iii. Domestic Partnerships recognized by the employee's employer. These partners can be of the same or different sex.
4. The serious health condition (described below) of the employee.
  - a. An employee may take leave because of a serious health condition that makes the employee unable to perform the functions of the employee's position.
  - b. A serious health condition is defined as a condition that requires inpatient care at a hospital, hospice or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care or a condition that requires continuing care by a licensed health care provider.
  - c. This policy covers illnesses of a serious and long-term nature, resulting in recurring or lengthy absences. Generally, a chronic or long-term health condition that would result in a period of three consecutive days of incapacity with the first visit to the health care provider within seven days of the onset of the incapacity and a second visit within 30 days of the incapacity would be considered a serious health condition. For chronic conditions requiring periodic health care visits for treatment, such visits must take place at least twice a year.
  - d. Employees with questions about what illnesses are covered under this FMLA policy or under the school's sick leave policy are encouraged to consult with the Human Resource Director. If an employee takes paid sick leave for a condition that progresses into a serious

health condition and the employee requests unpaid leave as provided under this policy, the school may designate all or some portion of related leave taken as leave under this policy, to the extent that the earlier leave meets the necessary qualifications.

5. Qualifying exigency leave for families of members of the National Guard or Reserves or of a regular component of the Armed Forces when the covered military member is on covered active duty or called to covered active duty.
  - a. An employee whose spouse, son, daughter or parent either has been notified of an impending call or order to covered active military duty or who is already on covered active duty may take up to 12 weeks of leave for reasons related to or affected by the family member's call-up or service. The qualifying exigency must be one of the following:
    - i. short-notice deployment
    - ii. military events and activities
    - iii. child care and school activities
    - d. financial and legal arrangements
    - iv. counseling
    - v. rest and recuperation
    - vi. post-deployment activities, and
    - vii. additional activities that arise out of active duty, provided that the employer and employee agree, including agreement on timing and duration of the leave.

Eligible employees are entitled to FMLA leave to care for a current member of the Armed Forces, including a member of the National Guard or Reserves, or a member of the Armed Forces, the National

Guard or Reserves who is on the temporary disability retired list, who has a serious injury or illness incurred in the line of duty on active duty for which they are undergoing medical treatment, recuperation, or therapy; or otherwise in outpatient status; or otherwise on the temporary disability retired list. Eligible employees may not take leave under this provision to care for former members of the Armed Forces, former members of the National Guard and Reserves, and members on the permanent disability retired list.

In order to care for a covered servicemember, an eligible employee must be the spouse, son, daughter, or parent, or next of kin of a covered servicemember.

1. A “son or daughter of a covered servicemember” means the covered servicemember's biological, adopted, or foster child, stepchild, legal ward, or a child for whom the covered servicemember stood in loco parentis, and who is of any age.
2. A “parent of a covered servicemember” means a covered servicemember's biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the covered servicemember. This term does not include parents “in law.”
3. Under the FMLA, a “spouse” means a husband or wife, including those in same-sex marriages, which were made legal in all 50 United States as of June 26, 2015. d)
4. The “next of kin of a covered servicemember” is the nearest blood relative, other than the covered servicemember's spouse, parent, son, or daughter, in the following order of priority: blood relatives who have been granted legal custody of the servicemember by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered servicemember has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military caregiver leave under the FMLA. When no such designation is made, and there are multiple family members with the same level of relationship to the covered servicemember, all such family members shall be considered the covered servicemember's next of kin and may take FMLA leave to provide care to the covered servicemember, either consecutively or simultaneously. When such designation has been made, the designated individual shall be deemed to be the covered servicemember's only next of kin. For example, if a covered servicemember has three

siblings and has not designated a blood relative to provide care, all three siblings would be considered the covered servicemember's next of kin. Alternatively, where a covered servicemember has a sibling(s) and designates a cousin as his or her next of kin for FMLA purposes, then only the designated cousin is eligible as the covered servicemember's next of kin. An employer is permitted to require an employee to provide confirmation of covered family relationship to the covered servicemember pursuant to § 825.122(k).

“Covered active duty” means:

1. “Covered active duty” for members of a regular component of the Armed Forces means duty during deployment of the member with the Armed Forces to a foreign country.
2. (2) Covered active duty or call to covered active duty status in the case of a member of the Reserve components of the Armed Forces means duty during the deployment of the member with the Armed Forces to a foreign country under a Federal call or order to active duty in support of a contingency operation, in accordance with 29 CR 825.102.

The leave may commence as soon as the individual receives the call-up notice. (Son or daughter for this type of FMLA leave is defined the same as for child for other types of FMLA leave except that the person does not have to be a minor.) This type of leave would be counted toward the employee's 12-week maximum of FMLA leave in a 12-month period.

1. Military caregiver leave (also known as covered servicemember leave) to care for an injured or ill servicemember or veteran.

An employee whose son, daughter, parent or next of kin is a covered servicemember may take up to 26 weeks in a single 12-month period to take care of leave to care for that servicemember.

Next of kin is defined as the closest blood relative of the injured or recovering service member.

The term “covered servicemember” means:

1. a member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or
2. a veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of 5 years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.

The term “serious injury or illness means:

1. in the case of a member of the Armed Forces (including a member of the National Guard or Reserves), means an injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or existed before the beginning of the member’s active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member’s office, grade, rank, or rating; and
2. in the case of a veteran who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during a period when the person was a covered servicemember, means a qualifying (as defined by the Secretary of Labor) injury or illness incurred by a covered servicemember in the line of duty on active duty that may render the servicemember medically unfit to perform the duties of his or her office, grade, rank or rating.
3. Outpatient status, with respect to a covered servicemember, means the status of a member of the Armed Forces assigned to either a military medical treatment facility as an outpatient; or a unit

established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.

#### **D. Amount of Leave**

An eligible employee can take up to 12 weeks for the FMLA circumstances (1) through (5) above under this policy during any 12-month period. The school will measure the 12-month period as a rolling 12-month period measured backward from the date an employee uses any leave under this policy. Each time an employee takes leave, the school will compute the amount of leave the employee has taken under this policy in the last 12 months and subtract it from the 12 weeks of available leave, and the balance remaining is the amount the employee is entitled to take at that time. An eligible employee can take up to 26 weeks for the FMLA circumstance (6) above (military caregiver leave) during a single 12-month period. For this military caregiver leave, the school will measure the 12-month period as a rolling 12-month period measured forward. FMLA leave already taken for other FMLA circumstances will be deducted from the total of 26 weeks available.

If spouses both work for the school and each wishes to take leave for the birth of a child, adoption or placement of a child in foster care, or to care for a parent (but not a parent "in-law") with a serious health

condition, the spouses may only take a combined total of 12 weeks of leave. If spouses both work for the school and each wishes to take leave to care for a covered injured or ill servicemember, the spouses may only take a combined total of 26 weeks of leave.

#### **E. Employee Status and Benefits During Leave**

While an employee is on leave, the school will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work.

If the employee chooses not to return to work for reasons other than a continued serious health condition of the employee or the employee's family member or a circumstance beyond the employee's control, the School will require the employee to reimburse the School the amount it paid for the employee's share of the health insurance premium during the leave period.

Under current school policy, the employee pays a portion of the health care premium. While on paid leave, the employer will continue to make payroll deductions to collect the employee's share of the premium. While on unpaid leave, the employee must continue to make this payment, either in person or by mail. The payment must be received in the Accounting Department by the 15th day of each month. If the payment is more than 30 days late, the employee's health care coverage may be dropped for the duration of the leave.

The employer will provide 15 days' notification prior to the employee's loss of coverage.

If the employee contributes to a life insurance or disability plan, the employer will continue making payroll deductions while the employee is on paid leave. While the employee is on unpaid leave, the employee may request continuation of such benefits and pay his or her portion of the premiums, or the employer may elect to maintain such benefits during the leave and pay the employee's share of the premium payments. If the employee does not continue these payments, the employer may discontinue coverage during the leave. If the employer maintains coverage, the employer may recover the costs incurred for paying the employee's share of any premiums, whether or not the employee returns to work.

#### **F. Employee Status After Leave**

An employee who takes leave under this policy may be asked to provide a fitness for duty (FFD) clearance from the health care provider. This requirement will be included in the employer's response to the FMLA request. Generally, an employee who takes FMLA leave will be able to return to the same position or a position with equivalent status, pay, benefits and other employment terms. The position will be the same or one which is virtually identical in terms of pay, benefits and working conditions. The school may choose to exempt certain key employees from this requirement and not return them to the same or similar position.

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

An employee who is taking FMLA leave because of the employee's own serious health condition or the serious health condition of a family member must use all paid vacation, personal or sick leave prior to being eligible for unpaid leave. Sick leave may be run concurrently with FMLA leave if the reason for the FMLA leave is covered by the established sick leave policy.

Disability leave for the birth of the child and for an employee's serious health condition, including

workers' compensation leave (to the extent that it qualifies), will be designated as FMLA leave and will run concurrently with FMLA. For example, if an employer provides six weeks of pregnancy disability leave, the six weeks will be designated as FMLA leave and counted toward the employee's 12-week entitlement. The employee may then be required to substitute accrued (or earned) paid leave as appropriate before being eligible for unpaid leave for what remains of the 12-week entitlement. An employee who is taking leave for the adoption or foster care of a child must use all paid vacation, personal or family leave prior to being eligible for unpaid leave. An employee who is using military FMLA leave for a qualifying exigency must use all paid vacation and personal leave prior to being eligible for unpaid leave.

An employee using FMLA military caregiver leave must also use all paid vacation, personal leave or sick leave (as long as the reason for the absence is covered by the school's sick leave policy) prior to being eligible for unpaid leave.

#### **H. Intermittent Leave or a Reduced Work Schedule**

The employee may take FMLA leave in 12 consecutive weeks, may use the leave intermittently (take a day periodically when needed over the year) or, under certain circumstances, may use the leave to reduce the workweek or workday, resulting in a reduced hour schedule. In all cases, the leave may not exceed a total of 12 workweeks (or 26 workweeks to care for an injured or ill servicemember over a 12-month period).

The school may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule, in instances of when leave for the employee or employee's family member is foreseeable and for planned medical treatment, including recovery from a serious health condition or to care for a child after birth, or placement for adoption or foster care. For the birth, adoption or foster care of a child, the school and the employee must mutually agree to the schedule before the employee may take the leave intermittently or work a reduced hour schedule. Leave for birth, adoption or foster care of a child must be taken within one year of the birth or placement of the child.

If the employee is taking leave for a serious health condition or because of the serious health condition of a family member, the employee should try to reach agreement with the school before taking intermittent leave or working a reduced hour schedule. If this is not possible, then the employee must prove that the use of the leave is medically necessary.

#### **I. Certification for the Employee's Serious Health Condition**

The school will require certification for the employee's serious health condition. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Medical certification will be provided using the DOL Certification of Health Care Provider for Employee's Serious Health Condition.

The school may directly contact the employee's health care provider for verification or clarification purposes using a health care professional, an HR professional, leave administrator or management official. The school will not use the employee's direct supervisor for this contact. Before the school makes this direct contact with the health care provider, the employee will be given an opportunity to resolve any deficiencies in the medical certification. In compliance with HIPAA Medical Privacy Rules, the school



will obtain the employee's permission for clarification of individually identifiable health information.

The school has the right to ask for a second opinion if it has reason to doubt the certification. The school will pay for the employee to get a certification from a second doctor, which the school will select. The school may deny FMLA leave to an employee who refuses to release relevant medical records to the health care provider designated to provide a second or third opinion. If necessary to resolve a conflict between the original certification and the second opinion, the school will require the opinion of a third doctor. The school and the employee will mutually select the third doctor, and the school will pay for the opinion. This third opinion will be considered final. The employee will be provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinion.

#### **J. Certification for the Family Member's Serious Health Condition**

The school will require certification for the family member's serious health condition. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Medical certification will be provided using the DOL Certification of Health Care Provider for Family Member's Serious Health Condition.

The school may directly contact the employee's family member's health care provider for verification or clarification purposes using a health care professional, an HR professional, leave administrator or management official. The school will not use the employee's direct supervisor for this contact. Before the school makes this direct contact with the health care provider, the employee will be given an opportunity to resolve any deficiencies in the medical certification. In compliance with HIPAA Medical Privacy Rules, the school will obtain the employee's family member's permission for clarification of individually identifiable health information.

The school has the right to ask for a second opinion if it has reason to doubt the certification. The school will pay for the employee's family member to get a certification from a second doctor, which the school will select. The school may deny FMLA leave to an employee whose family member refuses to release relevant medical records to the health care provider designated to provide a second or third opinion. If necessary to resolve a conflict between the original certification and the second opinion, the school will require the opinion of a third doctor. The school and the employee will mutually select the third doctor, and the school will pay for the opinion. This third opinion will be considered final. The employee will be provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinion.

#### **K. Certification of Qualifying Exigency for Military Family Leave**

The school will require certification of the qualifying exigency for military family leave. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay.

Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the DOL Certification of Qualifying Exigency for Military Family Leave.

#### **L. Certification for Serious Injury or Illness of Covered Servicemember for Military Family Leave**

The school will require certification for the serious injury or illness of the covered servicemember. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the DOL Certification for Serious Injury or Illness of Covered

Servicemember.

### **M. Recertification**

The school may request recertification for the serious health condition of the employee or the employee's family member no more frequently than every 30 days unless circumstances have changed significantly, or if the employer receives information casting doubt on the reason given for the absence, or if the employee seeks an extension of his or her leave. Otherwise, the school may request recertification for the serious health condition of the employee or the employee's family member every six months in connection with an FMLA absence. The school may provide the employee's health care provider with the employee's attendance records and ask whether the need for leave is consistent with the employee's serious health condition.

### **N. Procedure for Requesting FMLA Leave**

All employees requesting FMLA leave must provide verbal or written notice of the need for the leave to the HR manager. Within five business days after the employee has provided this notice, the HR manager will complete and provide the employee with the DOL Notice of Eligibility and Rights.

When the need for the leave is foreseeable, the employee must provide the employer with at least 30 days' notice. When an employee becomes aware of a need for FMLA leave less than 30 days in advance, the employee must provide notice of the need for the leave either the same day or the next business day. When the need for FMLA leave is not foreseeable, the employee must comply with the school's usual and customary notice and procedural requirements for requesting leave, absent unusual circumstances.

### **O. Designation of FMLA Leave**

Within five business days after the employee has submitted the appropriate certification form, the HR manager will complete and provide the employee with a written response to the employee's request for FMLA leave using the DOL Designation Notice.

### **P. Intent to Return to Work From FMLA Leave**

On a basis that does not discriminate against employees on FMLA leave, the school may require an employee on FMLA leave to report periodically on the employee's status and intent to return to work.

## **II. Other Disability Leaves**

In addition to medical or pregnancy-related disability leaves described in Sections II and III, employees may take a temporary disability leave of absence if necessary to reasonably accommodate a workplace injury or a disability under the ADA. Any disability leave under this section will run concurrently with any medical leave to which the employee is entitled to.

Disability leaves under this section will be unpaid.

Employees taking disability leave must comply with the Family Care, Medical and Military Family Leave provisions regarding substitution of paid leaves, notice, and medical certification. For the purpose of applying these provisions, a disability leave will be considered to be a medical leave.

If a disability leave under this section extends beyond 12 weeks in a 12-month period, the employee will not be entitled to any continued employer contributions towards any employee benefit plan unless

otherwise required by law. An employee, however, may elect to continue participating in such benefit plans, at the employee's own expense, to the extent permitted by such plans.

The duration of a leave under this section shall be consistent with applicable law, but in no event shall the leave extend past the date on which an employee becomes capable of performing the essential functions of their position, with or without reasonable accommodation. For a full explanation of leave duration and reinstatement rights, employees should contact the Human Resources Department.

### **III. Other Leaves of Absence Military Leave of Absence**

The School will grant employees a military leave of absence up to 15 days of unpaid leave each calendar year for military training for members of the Colorado National Guard or US military reserve forces. Upon satisfactory completion paperwork presented to the School, the employee is entitled to be restored to his or her former or similar position with no loss of benefits.

This also applies to members of the National Guard who are absent for any length of time in order to engage in active service.

Private employees returning from state National Guard or US reserve training are entitled to reinstatement to their pre-leave, non temporary job or a job with similar status, pay and seniority, with full retention of benefits, provided the employee gives evidence of satisfactory completion of service and is still qualified to perform the duties of his or her job.

A private employee who is a member of the state National Guard and who is absent from work (regardless of the length of absence) for active service for state purposes must receive the same reinstatement rights described above, as long as the employee gives evidence of satisfactory completion of service and is still qualified to perform the duties of the job.

An employee's absence will not affect the employee's right to receive normal vacation, sick leave, bonus, advancement or other advantages of employment normally afforded to that employee's position.

The School prohibits discrimination against an employee because they take time off under this policy. **Volunteer Civil Air Patrol Mission Leave**

Employees who serve as volunteers for a qualified volunteer organization, who are requested to respond to a disaster emergency, or are members of the Civil Air Patrol, Colorado Wing, who are called to duty for a civil air patrol mission, are entitled to an unpaid leave of absence of up to 15 days in any calendar year. This leave is not available to temporary employees.

Upon return to work, the employee must provide the school with evidence of the satisfactory completion of the disaster response or civil air patrol service. Employees taking qualified leave under this policy will be restored to the same or similar position held prior to the leave of absence.

Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws.

The school is permitted to deny leave if more than 20% of the workforce requests it at one time.

## **Jury Duty**

The School supports employees in their civic duty to serve on a jury, and commit to provide income protection while an employee carries out their civic responsibility. The School provides regular pay for the first three days of jury duty if they were scheduled to work. Beginning the fourth day and thereafter, employees, as jurors, are paid \$50.00 per day by the State of Colorado for state, district, or county court jury duty.

Additional income-protected time away from the workplace for this purpose will be considered on a case-by-case basis.

However, exempt employees who work any portion of a workweek in which they also serve on jury duty or appear as a witness will receive their full salary for that workweek. Employees may elect to substitute accrued vacation during any unpaid leave due to jury duty or a witness appearance.

Employees are required to provide reasonable advance notice of the need for jury/witness leave. Employees also are expected to report to work each day or portion of a day they are not performing jury/witness duty.

## **Voting Time Off**

Voting is an important responsibility we all assume as citizens. We encourage employees to exercise their voting rights in all municipal, state, and federal elections.

Under most circumstances, it is possible for employees to vote either before or after work. If it is necessary for employees to arrive late or leave work early to vote in any election, employees should arrange with their supervisor/manager no later than the day prior to Election Day.

## **Bereavement Leave**

The Bereavement Leave Policy establishes uniform guidelines for providing paid time off to employees for absences related to the death of immediate family members and fellow employees or retirees of the School.

All full-time, active employees are eligible for benefits under this policy. An employee who wishes to take time off due to the death of an immediate family member should notify their supervisor as soon as possible. If an employee leaves work early on the day they are notified of the death, that day will not count as bereavement leave.

In addition to bereavement leave, an employee may, with their supervisor's approval, use any available vacation for additional approved time off as necessary. Employees under discipline for attendance issues may be required to provide documentation with regard to their bereavement leave.

Bereavement pay is calculated based on the base pay rate at the time of absence, and it will not include any special forms of compensation such as incentives, commissions, bonuses, overtime or shift differentials.

Paid bereavement leave will be granted according to the following schedule:

- Employees are allowed up to three consecutive days off from regularly scheduled duty with regular pay in the event of the death of the employee's current spouse or domestic/civil union partner, child, stepchild, parent, stepparent, current father-in-law, current mother-in-law, current son-in-law, current daughter-in-law, brother, sister, stepbrother, stepsister, grandparent, grandchild, or an adult who stood in loco parentis to the employee during childhood.
- Employees are allowed one day off from regular scheduled duty with regular pay in the event of death of the employee's brother-in-law, sister-in-law, aunt, uncle, niece, nephew, or current spouse's or domestic/civil union partner's grandparent.
- Employees are allowed up to four hours of bereavement leave to attend the funeral of a fellow regular employee or retiree of the school, provided such absence from duty will not interfere with normal operations of the school.

## **Leave for Professional Improvement and In-service**

The Governance Board of and Administration recognizes that professional improvement of employees during the academic year is desirable. This improvement can be achieved when an employee visits other schools or classrooms, attends in-service programs, or participates in conferences, workshops, or conventions. Such experiences will benefit not only the employee but also the School's educational program. Leave requests must be submitted to the individual's supervisor at least two weeks in advance of the leave day(s). The individual's supervisor shall respond to the leave request within five (5) school days whenever possible. Employee Vacation Time will not be charged for professional development once approved. Approved Professional Development will be recorded in Paylocity as PRO, any unapproved requests will be submitted as PTO/UPTO.

## **Employee Benefits**

The School recognizes the value of benefits to employees and their families. The School supports employees by offering a comprehensive benefits program. For more information regarding benefit programs, including the terms, conditions, or eligibility requirements, please refer to the [Stargate Staff Site](#) under Human Resources Information. If you have questions or need further information, contact the Human Resources Manager.

The School reserves the right to change providers and/or benefit plans as needed to maintain fiscal responsibility and continued coverage for employees of the School.

### **I. Insurance Benefits**

#### **A. Workers Compensation**

The School complies with applicable state and federal laws concerning leaves and benefits for work-related illness or injury. In the event of a work-related illness or injury, it is imperative that an employee complete and submit the required forms within 24 hours in order to preserve any rights they may have under the law. Forms are available at the Elementary and Secondary Front Desks and from the Human Resources Manager.

Any leave of absence due to a workplace injury runs concurrently with all other School leaves of absence. Employees who need to miss work due to a workplace injury must also request a formal leave of absence. See the Leave of Absence sections of this handbook for more information.

The School does not provide workers compensation benefits, or accept any liability, for any illness or injury that arises from an employee's voluntary participation in any off-duty recreational, social, or athletic activity or event that is not an expected or required as part of the employee's work-related duties. Employees who choose to participate in any such off-duty activities may be required to sign a written agreement to confirm that they are voluntarily assuming the risk of injury or illness and releasing the School from any such liability.

**B. Long-Term and Short-Term Disability Insurance (School-Provided Benefit)** Eligible employees are eligible to participate in the School's short- and long-term disability insurance plan. The insurance school makes all benefit and eligibility determinations.

**C. Medical, Dental, and Vision Insurance**

Eligible employees and their dependents currently are eligible to participate in the School's medical, dental, and vision insurance plans starting the first day of the month following the employee's hire date. The premium cost for eligible employees will be provided to you separately. You also may contact the Human Resources Department to obtain the current premium schedule.

**D. Life Insurance**

Eligible employees may participate in the group life insurance plan on the first day of the month following the employee's hire date. The premium cost will be provided to you separately. You also can contact the Human Resources Department to obtain the current premium schedule. You may be taxed on a portion of the value of this coverage under IRS rules.

**E. Accidental Death and Dismemberment**

Eligible employees may participate in the accidental death and dismemberment insurance plan the first day of the month following the employee's hire date. The premium cost will be provided to you separately. You also can contact the Human Resources Department to obtain the current premium schedule.

**F. Premium Payments for Employees on Leave**

The School will pay the employer's portion of premiums for continuation of School-sponsored group health plan benefits during the first 90 days of any authorized leave. Thereafter, the employee may only continue coverage under the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) and must pay the full cost of doing so.

If an employee is on an approved FMLA, the School will permit the employee to continue coverage under School-sponsored group health plans by paying only the amount charged to similarly situated active employees. If an employee does not return to work at the expiration of an FMLA leave, regardless of whether they continued coverage during the FMLA leave, they normally will be eligible to elect COBRA continuation coverage with respect to School-sponsored group health plans, with the COBRA qualifying event normally being the expiration of the leave.

**G. Conversion/Post-Employment Insurance Options**

Pursuant to COBRA eligible employees and their dependents may be entitled to continue certain benefit coverage after employment with the School ceases or certain other qualifying events occur. COBRA information is provided separately. In addition, you also can contact the Human Resources Department to obtain COBRA information.

## **H. Insurance Coverage Information**

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Eligibility requirements and further information concerning insurance coverage are fully explained in the applicable plan documents, summary plan descriptions, and any applicable summaries of material modification, available from the Human Resources Department. In all cases, however, the applicable plan document controls over any summary or other communication for purposes of determining your rights and benefits.

## **II. Retirement Programs**

### **A. PERA - Public Employees Retirement Association**

Employees contribute to the Public Employees Retirement Association of Colorado (PERA). PERA serves as a substitute for Social Security. PERA provides benefits to state employees when they retire or are disabled. Employees and the School will contribute a percentage of each employee's earnings to a PERA account for each employee. The current employee contribution rate is 10.5%, and the School's current rate of contribution is 20.9% of earnings. PERA members may take advantage of voluntary programs such as life insurance, a 401K Plan, and long-term disability. Employees will be enrolled with PERA during hire and will receive additional information from PERA. PERA Customer Service may be contacted directly at 303-832-9550.

### **B. 401(k) and 457 Retirement Plans**

PERA encourages employees to make additional savings toward their retirement needs. The PERA 401(k) and 457 retirement plans allows employees to obtain tax savings, retirement, and loan benefits in an investment package. Employees may enroll, discontinue contributions, or make changes in contributions or investment funds at any time. Additional information may be obtained on the [PERA Plus Information website](#).

### **C. 403(b) Retirement Plans**

Stargate School recognizes the importance of saving for retirement and works with Equitable to provide an 403(b) retirement plan option. Please contact Jamie Winger, Financial Consultant with Equitable for more information:

Email: [jamie.winger@equitable.com](mailto:jamie.winger@equitable.com)

Mobile: 303-908-3689

Direct: 303-305-5425

## **III. Employee Assistance Program**

The employee assistance program (EAP) is a resource designed to provide highly confidential and experienced help for employees in dealing with issues that affect their lives and the quality of their job performance. The School wants employees to be able to maintain a healthy balance of work and family that allows them to enjoy life. The EAP is a confidential counseling and referral service that can help employees successfully deal with life's challenges.

The School encourages employees to use this valuable service whenever they have such a need. Employees who choose to use these counseling services are assured the information disclosed in their sessions is confidential and not available to the School, and the School is not given any information on who chooses to use the services. For more information and to access EAP benefits, call toll free

800-854-1446 or visit [www.unum.com/lifebalance](http://www.unum.com/lifebalance) or employees may contact the Human Resources Manager.

#### **IV. Other Benefits**

In addition to the above, the School also provides or makes available the following benefits to eligible employees:

- Flexible Spending Accounts;
- Hospital GAP Insurance;

Additional information on these benefits can be obtained from the Human Resources Department.

### **Workplace Guidelines**

#### **I. Collegiality**

The School staff assumes a shared-responsibility to provide an atmosphere that engenders courtesy, respect, and genuine regard for others. In order to maximize the quality and effectiveness of our students' learning experiences, interpersonal interactions among students, staff, volunteers, and parents should model a collegial conduct that reflects the highest personal and professional standards.

#### **II. Conduct**

The School holds itself and its employees to the highest standards of professionalism, honesty, integrity, and public trust. All School employees are expected to serve as positive role models for our students. Accordingly, employees should conduct their actions in a professional, courteous, collegial and respectful manner. This requirement extends to each employee's general demeanor and willingness to accept and carry out assigned responsibilities and tasks. All employees must adhere to the adopted School policies.

The School absolutely prohibits any employee/student relationship that could lead to unprofessional conduct and/or the possibility of a staff member's judgment of job performance being affected.

Employees are also ambassadors in the community at large and are encouraged to positively communicate information to community members about our mission, programs, and operations in a supportive and constructive manner.

Employees should also conduct themselves in a law-abiding manner that replicates accepted professional competencies.

Occasionally performance or other behavior falls short of our standards and/or expectations. When this occurs, management takes action, which, in its opinion, seems appropriate.

Disciplinary actions can range from an informal discussion with the employee about the matter to immediate discharge. Action taken by management in an individual case does not establish a precedent in other circumstances.

#### **III. Code Of Business Conduct**



- All employees of the School must fully comply with the laws and regulations that apply to the School
- Employees are expected to report promptly any illegal or questionable activities to their supervisors
- No employee may ever use school funds or assets for any private use of gain or for any purpose that would be in violation of any applicable law(s) or regulation(s)

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- All required reports submitted to the School and/or any public authority concerning enrollment, attendance, and/or participation in our program must be completely accurate
- No fund or asset may exist which is not fully and properly recorded on the books and records of the School
- No funds or assets of the school may be used as payments, gifts, or favors to government officials or employees, including members of the School's Governance Board
- Gifts may be made to individuals representing entities with which the School has a business interest provided the following conditions are met:
  - Gifts in the form of cash or its equivalent are not given
  - Gifts are legal
  - Gifts to an individual do not exceed \$25.00 in any one-year period
  - Gifts are recorded accurately in the records of the school

Teachers and administrators should not accept gifts of more than nominal value from students and/or parents. Teachers and administrators should not accept any gift(s) that might create an appearance of a conflict of interest or otherwise create an appearance of favoritism.

This is in no way intended to be an exhaustive list. Failure to comply with any of these guidelines may result in corrective action, up to and including termination of employment.

#### **IV. Staff Attendance**

All employees are expected to be on time and punctual for work. In addition, regular attendance is considered an essential function and is necessary for the efficient operation of the business.

If an employee knows about an absence in advance, they should inform the supervisor as soon as possible. All employees must complete a time off request via Paylocity (includes Administration, Certified, and Classified staff). Certified Teaching staff must also procure a substitute via Frontline Absence Management (formerly AESOP) if needed using the instructions under the [Staff Site](#). It is a teacher's responsibility to procure a substitute teacher for any absence.

**If you must be absent from work for any reason that makes advance notice impossible, you must follow these steps:**

- Personally notify your supervisor as soon as you are aware that you will be absent and the reason for absence. This should be no later than 1 hour before school opens or your regular scheduled shift begins.
- If you cannot reach your supervisor, personally notify the Front Office Staff or Administration. **Leaving a voicemail is not sufficient.**
- You must call each day that you will be absent from work, unless prior arrangements have been made as to your date of return. An employee who fails to report to work for three (3) days and fails to provide notice as required will be terminated.

## **V. Early Release for Staff Meetings and Staff Development**

Early release from school for the purpose of staff development is provided each Wednesday. Certified employees are to be available from release of students until approximately 3:30 p.m. (K-5) and 4:00 p.m. (6-12) Meetings may extend beyond 3:30 p.m. or 4:00 p.m. when necessary. It is expected that all certified employees attend every team level meeting, every staff meeting, and every staff development. Any exceptions must be discussed in advance with the individual's direct supervisor and/or Administration.

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## **VI. Timely Communication**

It is the School's standard and expectation that employees will check voicemail and email messages each school day, at a minimum, in order to maintain effective student, parent, and public communications. Employees will return all communications within three school days or make appropriate arrangements when more time is needed. Clear and timely communications regarding assignment due dates or grade drop/changes is also a School expectation. Teachers are expected to further utilize other communication avenues, such as Infinite Campus, Google calendar, teacher web page and content blogs to regularly notify families of upcoming assignments, class projects, field trips, needed resources, etc.

## **Community Handbook**

The Stargate Community Handbook is the School's reference guide for parents, students and staff. All staff must be familiar with the rules and protocols discussed in the Community Handbook. The Community Handbook is available on the [Stargate School Website](#) and [Stargate Staff Site](#).

## **Stargate Staff Site**

The School provides a wide variety of communication tools and resources to employees for use in running day-to-day school business activities. Therefore, it is highly encouraged to view all the information found on the [Stargate Staff Site](#); school schedules, contact information, forms, helpful links, Human Resources information, etc.

## **Policy Against Harassment, Discrimination, and Retaliation**

### **I. Purpose of Policy**

The School is committed to providing a workplace free of unlawful harassment and discrimination. This includes sexual harassment (which includes harassment based on pregnancy, perceived pregnancy, childbirth, breastfeeding, or related medical conditions) and harassment based on actual or perceived gender, gender identity (including transgender identity, status and transitioning), gender expression and sex stereotyping, as well as harassment based on such factors as race (including hair texture and natural hair styles), color, religion, religious creed (including religious dress and religious grooming), national origin, ancestry, citizenship, age, physical or mental disability, legally-protected medical condition or information (including genetic information), family care or medical leave status, military caregiver status, military status, veteran status, marital status, domestic partner status, sexual orientation, status as a victim of domestic violence, sexual assault or stalking, enrollment in a public assistance program, engaging in protected communications regarding employee wages, requesting a reasonable accommodation on the basis of disability or bona fide religious belief or practice, or any other basis protected by federal, state, or local laws. The School strongly disapproves of and will not tolerate harassment of or discrimination against applicants, employees, interns, or volunteers by managers, supervisors, co-workers or third parties

with whom employees come into contact. Similarly, the School will not tolerate harassment by its employees of non-employees with whom the School employees have a business, service, or professional relationship.

## **II. Harassment Defined**

Harassment includes verbal, physical, and visual conduct that creates an intimidating, offensive, or hostile working environment or that interferes with an employee's work performance. Such conduct constitutes

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harassment when (1) submission to the conduct is made either an explicit or implicit condition of employment; (2) submission or rejection of the conduct is used as the basis for an employment decision; or (3) the harassment interferes with an employee's work performance or creates an intimidating, hostile, or offensive work environment.

Harassing conduct can take many forms and may include, but is not limited to, the following: slurs, jokes, insults, statements, gestures, teasing, assault, impeding or blocking another's movement or otherwise physically interfering with normal work, pictures, posters, symbols, drawings, or cartoons, violating someone's "personal space" (for example by blocking someone's way) foul or obscene language, leering, stalking, staring, unwanted or offensive letters or poems, offensive email or voicemail messages, or any kind of verbal, visual or physical conduct that denigrates or shows hostility or aversion towards an individual because of any protected characteristic.

Sexually harassing conduct in particular may include all of these prohibited actions, as well as other unwelcome conduct, such as requests for sexual favors, conversation containing sexual comments, and other unwelcome sexual advances. Sexually harassing conduct can be by a person of either the same or opposite sex. Sexually harassing conduct need not be motivated by sexual desire to be violative of this policy.

**III. Reporting and Investigating Harassing, Discriminatory and Retaliatory Conduct** All employees, independent contractors, interns, and volunteers of the School must promptly report any incidents of harassment, discrimination, and retaliation so that the School can take appropriate action.

### **A. Complaint Reporting Process**

It is the responsibility of all of us to contribute to a work environment that is free of unlawful bias, discrimination, harassment, and retaliation. Failure to bring forth a complaint prevents the School from having the opportunity to correct the situation.

Any incidents of discrimination, harassment, or retaliation, including work-related harassment by any School personnel or any other person, or any conduct believed to violate this policy, must be reported immediately to the Human Resources Manager, who is responsible for investigating harassment complaints. An individual is not required to bring a complaint to the Human Resources Manager if the individual is uncomfortable doing so for any reason. In that case, complaints should be reported to the Executive Director.

Managers and supervisors have a special responsibility under this policy. All levels of management and all supervisors are responsible for compliance with this Policy Against Harassment, Discrimination, and Retaliation AND for ensuring that everyone in their department is aware of, understands and adheres to this policy. Supervisors and managers who receive complaints or who observe or learn of discriminatory,

harassing, or retaliatory conduct must immediately inform the Human Resources Manager or other appropriate school official so that an investigation may be initiated.

If you believe there has been a violation of this policy or the [Nondiscrimination/Equal Opportunity Policy](#) or have experienced harassment based on a protected class, including sexual harassment, please report this immediately to your supervisor and/or Human Resources. You may also complete a Reporting Form that can be found on the [Stargate School website](#). The School expects employees to make a timely complaint to enable the School to investigate and correct any behavior that may be in violation of this policy. Anyone who believes a student, parent, guardian, or employee has been discriminated against on the basis of race,

color, creed, ancestry, national origin, citizenship, sex or gender (including pregnancy, childbirth, and pregnancy-related conditions), gender identity or expression (including transgender status), sexual orientation, marital status, religion, age, disability, genetic information, service in the military, or any other characteristic protected by applicable federal, state, or local laws and ordinances may file a complaint/report with the School.

Report the incident to:

Compliance Officer/Title IX Coordinator

[titleixcoordinator@stargateschool.org](mailto:titleixcoordinator@stargateschool.org)

Stargate Charter School

14530 Washington Street

Thornton, CO 80023

(303)450-3936

#### **IV. Corrective Action**

The School prohibits retaliation against an employee for filing a complaint under this policy or for assisting in a complaint investigation. If you perceive retaliation for making a complaint or for your participation in the investigation, please follow the complaint procedure outlined above. The situation will be investigated.

As a result, the School will take prompt, appropriate, and effective corrective action (e.g., remedial measures) any time it is established that discrimination, harassment, or retaliation in violation of this policy has occurred—whether or not such violation also violates the law. If the School determines that an employee’s behavior is in violation of this policy, disciplinary action will be taken, up to and including termination of employment.

The school will not tolerate retaliation again any employee for making a good faith complaint of harassment, discrimination, or retaliation, or for cooperating in an investigation.

#### **V. Zero Tolerance**

The School does not tolerate and prohibits discrimination, harassment or retaliation of or against job applicants, contractors, interns, volunteers or employees by another employee, supervisor, vendor, customer or any third party on the basis of race, color, creed, religion, age, sex or gender (including pregnancy, childbirth and related medical conditions), sexual orientation, gender identity or gender expression (including transgender status), national origin, ancestry, marital status, protected medical condition as defined by state law (cancer or genetic characteristics), physical or mental disability, military and veteran status, genetic information, or any other characteristic protected by applicable federal, state or

local laws and ordinances. The School is committed to a workplace free of discrimination, harassment and retaliation.

Our management team is dedicated to ensuring the fulfillment of this policy as it applies to all terms and conditions of employment, including recruitment, hiring, placement, promotion, transfer, training, compensation, benefits, employee activities and general treatment during employment.

## **Bullying**

[District Policy 5110](#) addresses the negative impact that bullying has on student health, welfare and safety and on the learning environment. Bullying, as defined by state law, is any written or verbal expression, or physical act or gesture, or a pattern thereof, intended to cause distress upon one or more students.

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Bullying based upon a student's race, gender, religion or creed, national origin, sexual orientation, or disability may actually constitute harassment. Harassment is specifically prohibited by [District Policy 8400 \(Nondiscrimination/Harassment\)](#), a summary of which may be found elsewhere in this handbook.

All administrators, teachers, classified staff, parents and students shall take all reasonable steps to prevent and/or address bullying.

- Students who have been bullied should report the situation to an administrator or teacher.
- Students who witness bullying should report it to a staff member.
- Staff who witness bullying should take action to stop the bullying and to report the situation for appropriate administrative intervention.
- Administrators should promptly investigate and respond to bullying reports.

Students who bully others will be subject to disciplinary action as described in [District Policy 5000](#), Student Code of Conduct. In addition to discipline sanctions, schools may implement intervention strategies as appropriate.

## **Guidelines Regarding Students With Diabetes**

### **I. Nondiscrimination**

The School is committed to a policy of nondiscrimination/harassment in relation to race, color, sex, religion, creed, national origin, marital status, sexual orientation and disability. This policy extends to all students with disabilities and includes students with diabetes. The School has adopted policies on nondiscrimination aligned with Adams 12 Five Star Schools District ("District") Policy 8400. For further reference regarding the School's policies regarding nondiscrimination, please refer to the Stargate Community Handbook. Consistent with these policies, students with diabetes are entitled to appropriate educational opportunities consistent with their individualized needs. The School will provide students with diabetes who are eligible for an IEP or Section 504 plan with a free appropriate public education (FAPE) as that term is defined by law. In addition the School will comply with Section 504's procedural requirements and all other rights and obligations of any student with a disability, including provision of FAPE, and specifically including students with diabetes, regardless of whether the student is or is not on a health care plan, a Section 504 plan, and/or an IEP.

### **II. Services for Students with Diabetes**

The School also works to ensure a learning environment for students with diabetes that is consistent with individual student needs as well as state and nationally recognized standards of practice. A student with diabetes may have an IEP, a Section 504 Plan, and/or a Health Care plan that addresses student needs.

Health Care Plans may be developed by the registered nurse under the District training manual for school health aides. Health Care Plans are written to address a student's particularized healthcare needs within the school environment after consultation with the student's family, healthcare providers, and occasionally the student themselves. In drafting a suitable healthcare plan for a student with diabetes, the registered nurse used as a guideline [Standards of Care for Diabetes Management in the School Setting & Licensed Child Care Facilities – Colorado 2020](#)

A Section 504 plan (or IEP) details any accommodations, modifications, and educational or related services needed to ensure the student's access to a free and appropriate public education (FAPE). Section 504 plans (or an IEP) and Health Care Plans may both be required to meet the needs of a particular

student. Section 504 plans will be written for any qualified student, including students with diabetes. Common plan provisions include:

- Multiple staff members trained to check blood glucose levels and administer insulin and glucagon.
- Staff who interact regularly with the student learn to recognize high and low blood glucose levels and respond appropriately.
- Capable students are allowed to self-manage anywhere, anytime, and keep their diabetes supplies with them.
- Needed assistance may be provided in the classroom to increase safety and decrease missed class time.
- Participation in sports, extracurricular activities, and field trips, with the necessary diabetes care assistance and/or supervision.
- Students are permitted to eat whenever and wherever necessary, including eating lunch at an appropriate time with enough time to finish eating.
- Permission to take extra trips to the bathroom or water fountain.
- Permission for extra absences for medical appointments and sick days without penalty. • Alternate arrangements for classroom time missed for medical appointments, because of periods of high or low blood glucose, or illness related to diabetes.

School staff or parents may also reference the [American Diabetes Association sample 504 Plan](#) for possible accommodations.

### **III. Staff Training**

The School is committed to maintaining appropriate staff, such as ensuring the availability of a school registered nurse, to meet the needs of students with disabilities, including students with diabetes. The School will ensure that all relevant staff are trained to meet the needs of students with diabetes in the school environment and at school-sponsored events (such as field trips) by requiring staff to comply with all school, District, state, and federal regulatory requirements, as well as completing approved, diabetes-specific training as provided by the American Diabetes Association.

#### **IV. Records**

Health records for students with diabetes will be kept in accordance with District policy pertaining to health records. Student health records are maintained for individual students are considered part of the student's educational record and are subject to the confidentiality and parental access requirements of The Family Education Rights & Privacy Act (FERPA). Sharing health record information among appropriate staff may only be conducted for "legitimate educational interests." Such records will be maintained in the school health office under the direction of the school nurse. All staff will work to ensure the confidentiality of such records.

Health records of students with diabetes will be maintained as appropriate in accordance with the individual student's 504 and/or healthcare plan. Such records may include tracking of blood glucose, carbohydrates, and insulin administration, including necessary interventions and parental contacts, on the School Health Office Diabetes Record and/or Diabetes Care Log. Appropriate releases, such as a parent release to allow a student to carry diabetes-related supplies, will also be maintained as required.

#### **V. Contact**

The contacts for these guidelines are the Stargate School Secondary Section 504 coordinator, Miranda Lamonski, at [miranda.lamonski@stargateschool.org](mailto:miranda.lamonski@stargateschool.org); and K-12 Director of Special Populations, Angela Fundaro, at [angela.fundaro@stargateschool.org](mailto:angela.fundaro@stargateschool.org). Stargate School Nurse, Justine Begley BSN, RN-BC, at [justine.begley@stargateschool.org](mailto:justine.begley@stargateschool.org).

#### **Physical Restraint/Force**

Physical restraint means the use of bodily, physical force to involuntarily limit a student's freedom of movement. Seclusion is a form of restraint in which the student is placed alone in a room and the student's egress is involuntarily prevented.

Physical restraint or seclusion are to be used only in an emergency and with extreme caution: when there appears to be imminent danger of injury to the student, other students, or staff; to obtain possession of weapons or other dangerous objects upon a student or within the control of a student; and when alternative interventions are determined to be inappropriate or are unlikely to be effective under the circumstances. Alternative interventions shall include the use of positive behavior supports; constructive, non-physical de-escalation; and restructuring of the environment. Only trained staff should initiate and assist in the application of student restraint.

Staff should use no more force than necessary to limit the student's freedom of movement, should impose restraint for no longer period of time than necessary to accomplish its purpose, and will prioritize the prevention of harm to the student. Any instances of physical restraint must be documented and submitted to the appropriate administrator. (Consistent with [District Policy 5150](#))

#### **Reporting Child Abuse**

When reporting abuse or potential abuse as required by law, the school employee having knowledge of the matter shall immediately make a report to the appropriate county Child Protective Services and local law enforcement agency with the support of a school counselor or Administration. The reporting individual shall promptly follow any oral reports with a written report setting forth, in as much detail as possible, information required by statute or the appropriate agency. Should the suspected abuse involve a School employee, the Human Resources Manager should be notified as well.

## **Colorado Equal Pay for Equal Work Act (EPEWA)**

In compliance with the Colorado Equal Pay for Equal Work Act (EPEWA), The law aims to increase pay equity and transparency, imposes new notice and recordkeeping requirements, and encourages companies to regularly self-audit their compensation practices.

### **I. Pay Equity, Transparency Protections**

Employees are protected against sex-based pay discrimination for work requiring similar skill, effort and responsibility. However, the law permits pay differences arising from:

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- A seniority system
- A merit system
- A system that measures earnings by quantity or quality of production
- The geographic location where the work is performed
- Education, training, or experience reasonably related to the work
- Travel that is a regular and necessary condition of the job

Employers can't prevent employees from discussing their own compensation information with other employees or require employees to sign a waiver preventing them from discussing their compensation. The law also prohibits employers from asking about job candidates' wage history or relying on wage history to determine a wage rate. Employers can't discriminate or retaliate against a prospective employee for failing to disclose wage history.

### **II. Job-Posting Notices and Recordkeeping**

New notice requirements will help current and prospective employees learn about job opportunities: ● Employers will have to make reasonable efforts to “announce, post, or make known all opportunities worldwide for promotion” to all current employees on the same calendar day. ● Each job-vacancy posting will have to disclose the hourly wage or salary, or the hourly wage or salary range, along with a general description of all benefits and other compensation offered. A “promotional opportunity” exists when an employer has or anticipates a vacancy in an existing or new position that could be considered a promotion for one or more employee(s) in terms of compensation, benefits, status, duties, or access to further advancement. Even where a promotion is specific to an individual employee's career trajectory (e.g., from junior to senior positions, or from training to full positions), notice of such advancement lets others similarly qualified, who may not know the employer is open to promotion requests, seek the same advancement.



Employees can report posting violations to the Colorado Department of Labor and Employment within one year of learning of the violation.

## **Proof of Right To Work**

Under federal law, all new hires must produce original documentation establishing their identity and right to work in the United States, and complete INS Form I-9, swearing that they have a right to work in the United States. New hires may establish their identity and right to work in the United States by (1) providing documentation that establishes both their identity and employment authorization ("List A" documents) or (2) providing documentation that separately establishes their identity ("List B" documents) and their employment authorization ("List C" documents). All documents must be unexpired. Documentation must be produced within three business days of hire, or on the first day of any employment that is less than three business days. Required documentation must be presented to the Human Resources Department, which will be responsible for processing the documents.

Any one of the following documents may be used to establish both identity and employment authorization ("List A" documents):

1. United States passport;
2. Permanent Resident Card (Form I-551); Alien Registration Receipt Card (I-551); 42  
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3. Foreign passport that contains a temporary I-551 stamp or temporary I-551 printed notation on a machine-readable immigrant visa;
4. An Employment Authorization Document that contains a photograph (Form I-766); 5. In the case of a nonimmigrant alien authorized to work for a specific employer incident to status, a foreign passport with (Form I-94 or Form I-94A) bearing the same name as the passport and containing an endorsement of the alien's nonimmigrant status, as long as the period of endorsement has not yet expired and the proposed employment is not in conflict with any restrictions or limitations identified on the form; or
6. Passport from the Federated States of Micronesia or Republic of the Marshall Islands with Form I-94A indicating non-immigrant admission under the Compact of Free Association between the U.S. FSM or RMI.

If an applicant cannot produce one of the documents listed above, two documents are required: one to prove identity and another to prove employment authorization.

The following documents are acceptable as proof of identity, but not employment authorization ("List B" documents):

1. A driver's license or I.D. card issued by a state or outlying possession of the United States, provided it contains a photograph or identifying information such as name, date of birth, gender, height, eye color, and address;
2. I.D. card issued by federal, state, or local government agencies or entities provided it contains a photograph or identifying information such as name, date of birth, gender, height, eye color, and address;
3. School I.D. card with photograph;
4. Voter's registration card;

5. U.S. military card or draft record;
6. Military dependent's ID card;
7. Merchant Mariner Card issued by the United States Coast Guard;
8. Native American tribal document;
9. Canadian driver's license; or
10. Individuals under the age of 18 who are unable to produce any of the identification documents listed in (1)-(9) may present a: a) school record or report card, b) daycare or nursery school record, or c) clinic doctor or hospital record only.

The following documents are acceptable to establish employment authorization, but not identity ("List C" documents):

1. A social security card, other than one that specifies on the face that the issuance of the card does not authorize employment in the U.S.;
2. A Certification of Birth Abroad issued by the Department of State (Form FS-545); 3. A Certification of Report of Birth issued by the Department of State (Form DS-1350); 4. An original or certified copy of a birth certificate issued by a state, county, municipal authority, or outlying territory of the United States, and bearing an official seal;
5. A Native American tribal document;
6. A United States Citizen Identification Card (INS Form I-197);
7. An Identification card for use of resident citizen in the United States (INS Form I-179); or 8. An employment authorization document issued by the Department of Homeland Security.

Authorization documents will be copied and placed with the employee's Form I-9 in a special file separate from the employee's Personnel File. These documents will be retained at least three years after the date of hire or one year after an employee's employment terminates, whichever is later.

## **Employment of Relatives**

Relatives of present employees may be hired by the School only if (1) the individuals concerned will not work in a direct supervisory relationship with one another, and (2) the employment will not pose difficulties for supervision, security, safety, or morale. "Relatives" are defined as spouses, children, sisters, brothers, mothers, or fathers, and persons related by marriage. Present employees who marry or who become related by marriage will be permitted to continue employment with the School only if they do not work in a direct supervisory relationship with one another, or otherwise pose difficulties for supervision, security, safety, or morale. If employees who marry or who become related by marriage do work in a direct supervisory relationship with one another, the School will attempt to reassign one of the employees to another position for which they are qualified, if such a position is available. If no such position is available, then one of the employees will be required to leave the School. The decision as to which employee leaves will be left solely to the employees. In the event that no alternative position is available and neither employee voluntarily leaves the School, the employee with lesser seniority will be terminated.

## **Employment Applications**

The School relies upon the accuracy of information provided by an applicant in the employment

application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentation, falsification, or material omission by an applicant in any of this information or data may result in revocation of any offer or immediate termination of employment, regardless of when it is discovered.

## **Rehire Eligibility and Service Recognition**

Where business needs dictate, it is the policy of School to rehire former employees who: a) voluntarily left school employment or b) were laid off due to business slowdown(s). To be eligible for rehire, former employees must have possessed a satisfactory record of service. This policy sets forth the school's philosophy governing eligibility for reemployment and associated bridging of service (service recognition), where appropriate.

### **I. Eligibility for Rehire**

Employees who completed their school introductory period and who were part of a reduction in force, as well as those employees who voluntarily resigned, will be eligible for rehire as long as they had a satisfactory work record while employed by the School.

### **II. Ineligibility for Rehire**

Former employees who had a less-than-satisfactory work record appropriately noted at termination as not being eligible for rehire are excluded from rehire consideration. Employees who were involuntarily 44

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terminated by the School or who were laid off (with a less-than satisfactory work record) or who failed to complete their school introductory period (90 days) will not be considered for rehire.

## **Non-Fraternization**

In order to promote the efficient operation of the School's business and to avoid misunderstandings; complaints of favoritism; other problems of supervision, security and morale; and possible claims of sexual harassment, managers and supervisors are forbidden from dating or pursuing romantic or sexual relationships with employees whom they supervise, directly or indirectly. Employees who violate this guideline will be subject to discipline, up to and including termination of employment.

## **Conflict of Interest**

Conflict of interest occurs whenever an employee permits the prospect of direct or indirect personal gain to improperly influence her or his judgment or action in conflict with the best interests of the School. The following are representative, but not inclusive;

- No employee shall do business with a member of their family on behalf of the School, unless the circumstances of the proposed relationship have been clearly reviewed by Administration and Governance Board and have been deemed to have no potential or inherent conflict of interest qualities.
- All employees must deal with suppliers, contractors, customers, and all other persons doing business with the School in the best interest of the school without favor or preference based on personal consideration.
- No employee shall misuse privileged information or reveal confidential data to outsiders for the

purpose of personal gain or for any reason other than legitimate school purposes as defined in the School's Confidentiality Policy.

- No employee shall deal with the School or with parents, students, or suppliers as a representative of another firm or for their own account.
- No employee shall misappropriate school funds for personal or other use, including the use of school credit card(s) for personal use.
- No employee shall participate in the selection, award or administration of a contract which to the employee's knowledge they, or the employee's immediate family has a financial interest.
- No employee shall individually solicit or receive gifts, money, services, or gratuities from students, parents, vendors, contractors, or other persons doing business with the School for personal gain. It is important to avoid any possible conflict of interest or unfair benefit to an individual employee or to a specific group of employees. Questions regarding specific circumstances should be referred to the Administration for a determination. The School welcomes donations of cash, services, or equipment to benefit the School and its programs.
- No employee or immediate family member shall benefit by gaining or expanding outside employment through the referral of students, parents, or associated service needs. Outside employment during the school year must be approved by the Administration and must not conflict with the employee's duties within the School. In this regard, employees are prohibited from holding outside employment during normal working hours. Employees are reminded that the work of the School may require attendance at evening meetings and occasional attendance at weekend meetings.
- An employee's job at the School must take precedence over outside employment.

- Outside employment should not conflict with the use, purpose, or intent of the School's employment policies. Questions regarding specific circumstances should be referred to the Administration for a determination.
- During hours of employment, on school property, or with the use of school funds, employees of the School are prohibited from the following:
  - Participation in any partisan or non-partisan political activity or any other political activity associated with a candidate, or contending faction or group, for an election for public or party office.
  - Participation in any activity to provide voters or prospective voters with transportation to the polls or similar assistance in connection with any such election.
  - Participation in any voter registration activity.
  - Attempts to solicit, proselytize or encourage religious activity.

## **Confidentiality**

This Confidentiality Policy has been adopted to assure confidentiality and protection of individual rights to privacy for students, families, employees of the School and the business interests of the School. The individual dignity of students, families, and employees shall be respected and protected at all times in accordance with legitimate educational purposes and applicable laws, as defined by FERPA, HIPAA, and associated regulations, all of which can have significant consequences for the School. In addition, appropriate respect for confidentiality is an ethical standard in teacher licensing.

Information about students, families, or employees should not be divulged to anyone other than persons who are authorized to receive such information. This policy extends to both internal and external

disclosure. It applies to employees, parents/family members, and volunteers.

### **I. Confidentiality of Student and Family Information**

- All student records must be maintained in a secure location.
- Access to student records is limited to appropriate employees.
- Student records must not be removed from the secure location where they are maintained. ● Student records must never be left unattended on desks, tables, etc. where other people may have access to them.
- Student or family private information must never be discussed among employees except on a “need-to-know” basis. Employees must be particularly aware of their surroundings when discussing this information. Special caution must be taken to be sure that other students, families, or employees do not overhear information which is private.
- Discussion of student or family information with volunteers, other families, friends, or community members is prohibited.
- Information and documents which are considered confidential are medical records, educational records, special needs records, family records, financial records, and any other private information about the students or their families.
- All requests for release of information will be coordinated by the Administration. ● External requests for information will only be released with the express written consent of the student’s parent or legal guardian.

### **II. Confidentiality of Employee Information**

- All employee records must be maintained in a secure location.

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- Access to an employee’s records is limited to employees with a need to know. ● An employee’s records must not be removed from the secure location where they are maintained. ● An employee’s records must never be left unattended on desks, tables, etc. where other people may have access to them.
- An employee’s private information must never be discussed among employees except on the “need-to-know” basis. Employees must be particularly aware of their surroundings when discussing this information. Special caution must be taken to be sure that other children, families, or employees do not overhear information which is private.
- Discussion of an employee’s information with volunteers, families, friends, or community members is prohibited.
- Information and documents which are considered confidential are medical records, educational records, employment records, criminal history records, financial or pay records, and any other private information about the employee.
- All requests for release of information will be coordinated by the Human Resources Manager. ● Apart from references; standard requests for verification of employment; or information requested by governmental agencies or under subpoena, freedom of information request or court order; employee information will only be released with the express written consent of the employee.

Failure to maintain confidentiality could be a violation of federal or state law or district policy. Breach of confidentiality will not be tolerated. With this in mind, all School employees should remember to conduct need-to-know conversations in a location that provides complete privacy.

### **Intellectual Property**

All curricula, writing, lesson plans, or research prepared by an employee within the scope of employment is owned by the School. In the language of copyright law, such work is called “work made for hire”. Such work prepared by a teacher who is employed by the School is owned by the School. That the work was done outside normal working hours or outside of the employee’s office or classroom does not affect the employer’s ownership of the work. If the School chooses to publish such work, the teacher or team which developed the work shall be credited. Accordingly, when a teacher departs the School, an original or copy of all curriculum and lesson plans developed by that teacher, while at the School, shall remain at the School.

## **Open Door Policy**

The School has a specific procedure detailed in the separate Policy Against Harassment, Discrimination and Retaliation that should be used to report concerns or complaints related to possible sexual harassment, or other forms of harassment, discrimination, or retaliation based on a protected category. Separately, the School has an Open Door Policy that encourages employees to participate in decisions affecting them and their daily professional responsibilities. Employees who have job-related concerns or complaints are encouraged to discuss them with their supervisor or any other management representative with whom they feel comfortable. The School believes that employee concerns are best addressed through this type of informal and open communication.

Employees are encouraged to raise work-related concerns with their immediate supervisor, or with a supervisor or other management representative of their choice, as soon as possible after the events that cause concern. Employees are further encouraged to pursue discussion of their work-related concerns until the matter is fully resolved. Although the School cannot guarantee that in each instance the employee will be satisfied with the result, the School will attempt in each instance to explain the result to the employee if the employee is not satisfied. The School will also attempt to keep all such expressions of concern, the results of

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any investigation, and the terms of the resolution confidential. In the course of investigating and resolving the matter, however, some dissemination of information to others may be necessary or appropriate. No employee will be disciplined or otherwise penalized for raising a good-faith concern.

Employees who conclude that work-related concerns should be brought to the attention of the School by written complaint and formal investigation may avail themselves of the "Employee Complaint Reporting Procedure" set forth in this Handbook/Manual.

## **Problem Resolution - Communication and Complaint Board Policy**

The School supports voluntary resolution of work-related conflicts, problems, and concerns as initial measures for immediate resolution for all parties. In addition, the School believes that any employee who feels they have been treated unfairly or unjustly with respect to their supervision or the application of a school policy should have recourse to have the issue(s) heard internally.

To address concerns at the root level, employees are encouraged to raise their work-related concerns with the appropriate colleague as soon as is practical. The School however, has adopted a formal procedure for internal problem resolution when informal discussion is not possible, or the outcome is not satisfactory to the employee.

This procedure does not apply to concerns involving allegations of unlawful employment discrimination, sexual harassment, wage and hour violations or other perceived, unlawful treatment. Such issues should be addressed using the EEO Policy or Harassment Complaint Procedure outlined above.

The School will not retaliate against, discharge or otherwise discipline employees solely for raising issues in good faith under this procedure. An employee is not exempt from the corrective action process, however, if their complaint is found to be knowingly frivolous, false, or malicious.

The [Communication Pathways](#) and [Communication and Complaint Board Policy](#) can be found on the School website.

## **Performance Evaluation Process – Certified and Classified Employees**

An annual performance evaluation is recognized as an effective measure of satisfactory job performance and as a means of continuous growth. Certified Employees will be evaluated bi-yearly based on Colorado Teacher Quality Standards and school-wide initiatives and goals. Classified employees will be evaluated annually utilizing the procedures of the School. Evaluations will be conducted by direct supervisors and may include input from other personnel with first-hand knowledge of the required duties and/or the employee's performance. The adherence to federal, state, district, or the School policies is an essential component of a satisfactory or exemplary job performance. The School utilizes a written improvement procedure designed to offer the employee a reasonable opportunity to rectify performance deficiencies. No actions taken in the implementation of the performance evaluation process shall be deemed to change the at-will status of employment.

## **Record Retention**

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The School acknowledges its responsibility to preserve information relating to litigation, audits and investigations. Failure on the part of employees to follow this policy can result in possible civil and criminal sanctions against the School and its employees and possible disciplinary action against responsible individuals (up to and including discharge of the employee). Each employee has an obligation to contact an Executive Director to inform them of potential or actual litigation, external audit, investigation or similar proceedings involving the School that may have an impact on record retention protocols.

## **Business Expense Reporting**

Employees will be reimbursed for all approved business-related expenses upon submission to the Finance Department of accurate receipt reports along with a Reimbursement Form, which can be found on the [Stargate Staff Site](#). Employees are requested to submit these reports in a timely manner to ensure proper accounting and prompt reimbursement.

## **Classroom/Department Budget**

Teachers/Departments are responsible for managing their budgets. Orders will not be placed by the Finance Department and reimbursement will not be made for overspending of the budget. Individual

reports of your budget are available from the Finance Department. All non-consumable items ordered within classroom/department budgets are to be labeled or stamped as Property of the School upon receipt and shall remain with the School upon employee departure.

## **Educational Assistance and Professional Memberships**

Requests for payment of expenses related to educational programs and professional organizations must be approved in advance by Administration or designee. Please complete and submit the Request for Staff Development/Professional Improvement form. To maintain fiscal responsibility, limitations may apply.

## **Personnel Records**

The information in an employee's personnel file is permanent and confidential and must be kept up to date. Employees should update Paylocity and inform the Human Resources Manager immediately whenever there are changes in personal data such as address, telephone number, marital status, number of dependents, and person(s) to notify in case of emergency. Employees also should inform the Human Resources Manager of any specialized training or skills they acquire. Employees are also responsible for maintaining a current group life insurance beneficiary designation. Unreported changes of address, marital status, etc. can affect withholding tax and benefit coverage.

Current employees have the right to inspect and copy their personnel files at reasonable times and on reasonable notice once a year, upon request. An employee may inspect only his or her own personnel file and only in the presence of the Human Resources Manager on School property.

Personnel files are the property of the School and may not be removed from the School's premises without written authorization from the Human Resources Manager.

## **Lactation Accommodation**

In compliance with the Workplace Accommodations for Nursing Mothers Act, the School will provide a reasonable amount of break time to accommodate an employee desiring to express breast milk for the employee's infant child for up to two years after the child's birth. Employees needing breaks for lactation purposes may use ordinary paid rest breaks or may take other reasonable break time when needed. The School will provide a room or other location in close proximity to the work area, other than a toilet stall, where the employee can express breast milk in privacy. If possible, the lactation break time should run concurrently with scheduled meal and rest breaks already provided to the employee. If the lactation break time cannot run concurrently with meal and rest breaks already provided or additional time is needed for the employee, the lactation break time will be unpaid for nonexempt employees.

Should you require lactation accommodations, please advise the Human Resource Director so that accommodations may be made.

## **Pregnancy Accommodation**



Employees have the right to be free from discriminatory or unfair employment practices because of pregnancy, a health condition related to pregnancy, or the physical recovery from childbirth.

Employees who are otherwise qualified for a position may request a reasonable accommodation related to pregnancy, a health condition related to pregnancy or the physical recovery from childbirth. If an employee requests an accommodation, the School will engage in a timely, good-faith, and interactive process with the employee to determine whether there is an effective, reasonable accommodation that will enable the employee to perform the essential functions of her position. A reasonable accommodation will be provided unless it imposes an undue hardship on the School's business operations.

The School may require that an employee provide a note from her health care provider detailing the medical advisability of the reasonable accommodation. Employees who have questions about this policy or who wish to request reasonable accommodation under this policy should contact the Human Resources Manager. If the Human Resources Manager is not available, contact an Executive Director.

The School will not deny employment opportunities or retaliate against an employee because of an employee's request for a reasonable accommodation related to pregnancy, a health condition related to pregnancy, or the physical recovery from childbirth. An employee will not be required to take leave or accept an accommodation that is unnecessary for the employee to perform the essential functions of the job.

## **Termination, Discipline, and Rules of Conduct**

### **I. Termination**

#### **A. Voluntary Termination**

The School will consider an employee to have voluntarily terminated their employment if an employee does any of the following:

1. Elects to resign from the School;
2. Fails to return from an approved leave of absence on the date specified by the School;
- or 3. Fails to report for work without notice to the School for three (3) consecutive days.

#### **B. Involuntary Termination**

An employee may be terminated involuntarily for reasons that may include poor performance, misconduct, or other violations of the School's rules of conduct as set forth below. Notwithstanding this list of rules, the School reserves the right to discharge or demote any employee with or without cause and with or without prior notice.

#### **C. Termination Due to Reorganizations, Economics, or Lack of Work**

From time to time, the School may need to terminate an employee as a consequence of reorganizations, job eliminations, economic downturns in business, or lack of work. Should the School consider such terminations necessary, the School will attempt to provide all affected employees with advance notice when practical. Layoff benefits associated with such terminations, if any, will be as specified in the notice.

### **II. Discipline and Rules of Conduct**

Employees are expected to observe certain standards of job performance and good conduct. When performance or conduct does not meet School standards, the employee will be subject to discipline up to

and including termination.

The rules set forth below are intended to provide employees with notice of what is expected of them. Necessarily, however, such rules cannot identify every type of unacceptable conduct and performance. Therefore, employees should be aware that conduct not specifically listed below but which the School determines adversely affects or is otherwise detrimental to the interests of the School, other employees, or customers, may also result in disciplinary action.

### **A. Job Performance**

Employees may be disciplined for poor job performance, including but not limited to the following:

1. Unsatisfactory work quality or quantity;
2. Excessive absenteeism, tardiness, or abuse of rest break and meal period policies;
3. Failure to follow instructions or School procedures; or
4. Failure to follow established safety regulations.

### **B. Misconduct**

The following are examples of some, but not all, conduct which can be considered unacceptable:

1. Obtaining employment on the basis of false or misleading information.
2. Stealing, removing or defacing School property or a co-worker's property, and/or disclosure of confidential information.
3. Completing another employee's time records.
4. Violation of safety rules and policies.
5. Violation of the School's Drug and Alcohol-Free Workplace Policy.
6. Fighting, threatening or disrupting the work of others or other violations of the School's Workplace Violence Policy.
7. Failure to follow lawful instructions of a supervisor.
8. Failure to perform assigned job duties.
9. Violation of the Punctuality and Attendance Policy, including but not limited to irregular attendance, habitual lateness or unexcused absences.
10. Gambling on School property.
11. Willful or careless destruction or damage to School assets or to the equipment or possessions of another employee.
12. Wasting work materials.

13. Performing work of a personal nature during working time.
14. Violation of the Solicitation and Distribution Policy.
15. Violation of the School's Harassment or Equal Employment Opportunity Policies.
16. Violation of the Communication and Computer Systems Policy.
17. Unsatisfactory job performance.
18. Any other violation of School policy.

Obviously, not every type of misconduct can be listed. Note that all employees are employed at-will, and the School reserves the right to impose whatever discipline it chooses, or none at all, in a particular instance. The School will deal with each situation individually and nothing in this handbook should be construed as a promise of specific treatment in a given situation. However, the School will endeavor to utilize progressive discipline but reserves the right in its sole discretion to terminate the employee at any time for any reason.

The observance of these rules will help to ensure that our workplace remains a safe and desirable place to work.

### **C. Attendance**

In addition to the general rules stated above, employees may be disciplined for failing to observe the following specific requirements relating to attendance:

1. Reporting to work on time, observing rest break and meal period policies, recording all time worked, and obtaining approval to leave work early; and
2. Notifying the supervisor in advance of anticipated tardiness or absence.

### **D. Discipline Procedure**

Except as set forth below, discharge or demotion for poor performance ordinarily will be preceded by an oral warning and a written warning.

The School reserves the right to proceed directly to a written warning, demotion, or termination for misconduct or performance deficiency, without resort to prior disciplinary steps, when the School deems such action appropriate.

### **III. Employment Departure - Security of School Inventory**

Upon departure from the School for any reason, the employee shall inventory their office, classroom, or work area with the Facilities Manager. Nothing is to be removed from the building without the Facilities Manager's approval. Only the departing employee's personal belongings may be removed from Stargate School. No departing employee shall remove any items from the building after school hours or on weekends.

### **IV. Exit Interview**

Employees who leave the School for any reason may be asked to participate in an exit interview. This interview is intended to permit terminating employees the opportunity to communicate their views regarding their work with the School, including job duties, job training, job supervision, and job benefits. At the time of the interview, employees are expected to return all School-furnished property, such as uniforms, tools, equipment, I.D. cards, keys, credit cards, documents, and handbooks. Arrangements for clearing any outstanding debts with the School and for receiving final pay also will be made at this time.

### **V. Employment at Will**

Nothing in this Guideline is intended to alter the at-will status of employment with the School. Either you or the School may terminate the employment relationship at any time with or without cause and with or without prior notice. The School reserves the right to terminate any employment relationship, to demote, or to otherwise discipline an employee without resort to the above disciplinary procedures.

## **Drug-Free Workplace**

### **I. Purpose of Guideline**

It is the intent of the School to maintain a workplace that is free of drugs and alcohol and to discourage drug and alcohol abuse by its employees. Employees who are under the influence of a drug or alcohol on

the job compromise the School's interests and endanger their own health and safety and the health and safety of others. Substance abuse in the workplace can also cause a number of other work-related problems, including absenteeism and tardiness, substandard job performance, increased workloads for co-workers, behavior that disrupts other employees, and inferior quality in products or service.

To further its interest in avoiding accidents, to promote and maintain safe and efficient working conditions for its employees, and to protect its business, property, equipment, and operations, the School has established this Guideline concerning the use of alcohol and drugs. As a condition of continued employment with the School, each employee must abide by this Guideline.

## **II. Definitions**

For purposes of this Guideline:

- "Illegal drugs or other controlled substances" means any drug or substance that (a) is not legally obtainable; or (b) is legally obtainable but has not been legally obtained; or (c) has been legally obtained but is being sold or distributed unlawfully.
- "Legal drug" means any drug, including any prescription drug or over-the-counter drug, that has been legally obtained and that is not unlawfully sold or distributed.
- "Abuse of any legal drug" means the use of any legal drug (a) for any purpose other than the purpose for which it was prescribed or manufactured; or (b) in a quantity, frequency, or manner that is contrary to the instructions or recommendations of the prescribing physician or manufacturer.
- "Reasonable suspicion" includes a suspicion that is based on specific personal observations such as an employee's manner, disposition, muscular movement, appearance, behavior, speech or breath odor; information provided to management by an employee, by law enforcement officials, by a security service, or by other persons believed to be reliable; or a suspicion that is based on other surrounding circumstances.
- "Possession" means that an employee has the substance on their person or otherwise under their control.

## **III. Prohibited Conduct**

### **A. Scope**

The prohibitions of this section apply whenever the interests of the School may be adversely affected, including any time an employee is:

1. On School premises;
  2. Conducting or performing School business, regardless of location;
  3. Operating or responsible for the operation, custody, or care of School equipment or other property;
- or

4. Responsible for the safety of others in connection with, or while performing, School-related business.

### **B. Alcohol**

The following acts are prohibited and will subject an employee to discharge:

1. The unauthorized use, possession, purchase, sale, manufacture, distribution, transportation, or dispensation of alcohol; or
2. Being under the influence of alcohol from unauthorized consumption.

### **C. Illegal Drugs**

The following acts are prohibited and will subject an employee to discharge:

1. The use, possession, purchase, sale, manufacture, distribution, transportation, or dispensation of any illegal drug or other controlled substance; or
2. Being under the influence of any illegal drug or other controlled substance.

Despite many states' recent legalization of medical and/or recreational marijuana, the School's zero tolerance policy prohibits any employee from having marijuana in their system while working and also prohibits any employee from possessing marijuana while on school property.

### **D. Legal Drugs**

The following acts are prohibited and will subject an employee to discharge:

1. The abuse of any legal drug;
2. The purchase, sale, manufacture, distribution, transportation, dispensation, or possession of any legal prescription drug in a manner inconsistent with law; or
3. Working while impaired by the use of a legal drug whenever such impairment might:
  - a. Endanger the safety of the employee or some other person;
  - b. Pose a risk of significant damage to School property or equipment; or
  - c. Substantially interfere with the employee's job performance or the efficient operation of the School's business or equipment.

## **IV. Disciplinary Action**

### **A. Discharge for Violation of Guideline**

A first violation of this Guideline will result in immediate discharge whenever the prohibited conduct:

1. Caused injury to the employee or any other person, or, in the sole opinion of management, endangered the safety of the employee or any other person;
2. Resulted in significant damage to School property or equipment, or, in the sole opinion of management, posed a risk of significant damage;
3. Involved the sale or manufacture of illegal drugs or other controlled substances;
4. Involved the possession, distribution, or dispensation of illegal drugs or other controlled substances or alcohol in a quantity greater than for personal use;
5. Involved an employee who was a casual, seasonal, or temporary employee; or
6. Involved the failure of an employee to report a criminal conviction, as required by below policy.

### **B. Discretion Not to Discharge**

In circumstances other than those described above, the School, in the discretion of management, may choose not to discharge an employee for a first violation of this Guideline if the employee satisfactorily participates in and completes an approved drug or alcohol abuse 'assistance' or rehabilitation program when recommended by the School or the employee contacts the Employee Assistance Department within two

working days after being referred there by management and follows the recommendations made by the Employee Assistance Department, including satisfactory participation in and completion of an approved drug or alcohol abuse, assistance, or rehabilitation program.

### **C. Effect of Criminal Conviction**

An employee who is convicted under a criminal drug statute for a violation occurring in the workplace or during any School-related activity or event will be deemed to have violated this Guideline.

#### **D. Written Warning**

An employee who is not discharged for a first violation of this Guideline may receive a final written warning and/or immediate suspension without pay for a period up to 10 calendar days.

#### **E. Effect of Second Violation**

A second violation of this Guideline at any time will result in immediate discharge.

#### **F. Effect of Discharge on Eligibility for Rehire**

Employees who are discharged for a violation of this Guideline will not be eligible for rehire by the School.

### **V. Drug-Free Awareness**

#### **A. Management Awareness**

Managers and supervisors should be attentive to the performance and conduct of those who work with them and should not permit an employee to work in an impaired condition or to otherwise engage in conduct that violates this Guideline. When management has reasonable suspicion to believe that an employee or employees are working in violation of this Guideline, prompt action will be taken. If the employee occupies a designated safety-sensitive position, such action may include drug testing in accordance with the procedures outlined in this policy.

#### **B. Criminal Convictions**

Employees must notify the School of any conviction under a criminal drug statute for a violation occurring in the workplace or during any School-related activity or event. Employees must notify the School within five days after any such conviction. When required by federal law, the School will notify any federal agency with which it has a contract of any employee who has been convicted under a criminal drug statute for a violation occurring in the workplace.

### **VI. Use of Legal Drugs**

The School recognizes that employees may, from time to time, be prescribed legal drugs that, when taken as prescribed or according to the manufacturer's instructions, may result in impairment. Employees may not work while impaired by the use of legal drugs if the impairment might endanger the employee or someone else, pose a risk of significant damage to School property, or substantially interfere with the employee's job performance. If an employee is so impaired by the appropriate use of legal drugs, they may not report to work. To accommodate the absence, the employee may use accrued sick leave, or vacation time. The employee may also contact the Human Resources Manager to determine whether or not they qualify for an unpaid leave of absence, such as family care or medical leave. Nothing in this Guideline is intended to sanction the use of accrued sick leave or vacation time to accommodate absences due to the abuse of legal drugs. Further, nothing in this Guideline is intended to diminish the School's commitment to employ and reasonably accommodate qualified disabled individuals. The School will reasonably accommodate qualified disabled employees who must take legal drugs because of their disability.

### **VII. Unregulated or Authorized Conduct**

#### **A. Customary Use of Over-the-Counter Drugs**

Nothing in this Guideline is intended to prohibit the customary and ordinary purchase, sale, use, possession, or dispensation of over-the-counter drugs, so long as that activity does not violate any law or

result in an employee being impaired by the use of such drugs in violation of this Guideline.

### **B. Off-the-Job Conduct**

Unless an employee is in a designated safety-sensitive position, this Guideline is not intended to regulate off-the-job conduct, so long as the employee's off-the-job use of alcohol or drugs does not result in the employee being under the influence of or impaired by the use of alcohol or drugs in violation of this Guideline. If an employee is in a designated safety-sensitive position, they will be subject to drug testing as described in Section X of this Guideline.

### **C. Authorized Use of Alcohol**

The School may provide alcohol for consumption at certain events, such as social functions. The consumption of alcohol at these events does not violate this Guideline.

## **VIII. Confidentiality**

Disclosures made by employees to the Human Resources Manager concerning their use of legal drugs will be treated confidentially and will not be revealed to managers or supervisors unless there is an important work-related reason to do so in order to determine whether it is advisable for the employee to continue working. Disclosures made by employees to the Human Resources Manager concerning their participation in any drug or alcohol rehabilitation program will be treated confidentially.

## **IX. Counseling/Employee Assistance**

The School maintains an Employee Assistance Program, administered by Unum, which provides help to employees who seek assistance for drug or alcohol abuse, as well as for other personal or emotional problems. Employees who suspect that they may have alcohol or drug problems, even in the early stages, are encouraged to voluntarily seek diagnosis and to follow through with the treatment as prescribed by qualified professionals. Employees should be aware that participation in the Employee Assistance Program will not necessarily shield them from disciplinary action for a violation of this Guideline, particularly if discipline is imposed for a violation occurring before the employee seeks assistance.

## **X. Drug Testing**

### **A. Reasonable Suspicion Testing**

If a supervisor or manager has a reasonable suspicion that the employee is working in an impaired condition or otherwise engaging in conduct that violates this Guideline, the employee will be asked about any observed behavior and offered an opportunity to give a reasonable explanation. If the employee is unable to explain the behavior, they will be asked to take a drug test in accordance with the procedures outlined below. If the employee refuses to cooperate with the administration of the drug test, the refusal will be handled in the same manner as a positive test result.

### **B. Procedures for Drug Testing**

The School will refer the applicant or employee to an independent, National Institute on Drug Abuse (NIDA)-certified medical clinic or laboratory, which will administer the test. The School will pay the cost of

the test and reasonable transportation costs to the testing facility. The employee will have the opportunity to alert the clinic or laboratory personnel to any prescription or non-prescription drugs that they have taken that may affect the outcome of the test. All drug testing will be performed by urinalysis. Initial

screening will be done by EMIT II. Positive results will be confirmed by gas chromatography/mass spectrometry.

The clinic or laboratory will inform the School as to whether the applicant passed or failed the drug test and may include a detailed testing report. If an employee fails the test, they will be considered to be in violation of this Guideline and will be subject to discipline accordingly.

### **C. Acknowledgment and Consent**

Any employee subject to testing under this policy will be asked to sign a form acknowledging the procedures governing testing and consenting to (1) the collection of a urine sample for the purpose of determining the presence of alcohol or drugs, and (2) the release to the School of medical information regarding the test results. Refusal to sign the agreement and consent form, or to submit to the drug test, will result in the revocation of an applicant's job offer, or will subject an employee to discipline up to and including termination.

### **D. Confidentiality**

All drug testing-records will be treated as confidential.

## **Business Related Events and Functions**

Alcoholic beverages may be available for consumption at certain business-related events, meetings and social occasions, as well as industry meetings and conferences, which an employee may attend in the course and scope of his/her employment. In addition, alcohol may be available for consumption at certain business-related special events and functions that are authorized or sponsored by The School.

The purchase and/or consumption of alcohol at these events does not violate The School's Drug and Alcohol Use policy. However, being under the influence of alcohol such that judgment and/or job performance is impaired, which results in offensive and/or unprofessional conduct, and/or behavior that endangers and/or compromises the welfare and/or safety of the employee or others, or is harmful to The School's business relationships, is specifically prohibited by this policy. Violation of the above rules and standards of conduct will not be tolerated. Employees may be disciplined, up to and including discharge, for violating these policies without prior notice or warning. The School also may bring the matter to the attention of appropriate law enforcement authorities.

## **Smoking**

State law prohibits smoking and the use of tobacco on all school property. This prohibition includes the use of any tobacco products (including chewing tobacco), electronic smoking devices, and e-cigarettes. Violators are subject to penalty.

## **Inspections and Searches on School Premises**

### **I. Purpose of the Guideline**

School believes that maintaining a workplace that is free of drugs, alcohol, and other harmful materials is vital to the health and safety of its employees and to the success of the School's business. The School also

intends to protect against the unauthorized use and removal of School property. In addition, the School



intends to assure its access at all times to School premises and School property, equipment, information, records, documents, and files. At times, it may be necessary for the School to provide records, information or assistance to a government entity in accordance with the terms of a warrant, court order, or other order issued by law. Accordingly, the School has established this Guideline concerning inspections and searches on School premises. This Guideline applies to all employees of the School.

## **II. Definitions**

For purposes of this Guideline:

1. "Prohibited materials" means firearms or other weapons; explosives and/or hazardous materials or articles; illegal drugs or other controlled substances as defined in the School's Drug-Free Workplace Guideline; drug-related paraphernalia; the unauthorized use or consumption of alcoholic beverages on School property; or School property and/or proprietary and confidential information belonging to a third party that an employee is not authorized to have in their possession.
2. "School property" includes all documents, records, software, electronic codes, data, and files, in both hard copy and electronic form, relating to the School's business; and all equipment, hardware, and other property of any kind, whether owned, leased, rented, or used by the School.
3. "School premises" includes all premises and locations owned or leased by the School or under the control of the School, including parking lots, lockers, and storage areas.
4. "Reasonable suspicion" includes a suspicion that is based on specific personal observations such as an employee's manner, disposition, muscular movement, appearance, behavior, speech or breath odor; information provided to management by an employee, by law enforcement officials, by a security service, or by other persons believed to be reliable; or a suspicion that is based on other surrounding circumstances.
5. "Possession" means that an employee has the prohibited material or School property on their person or otherwise under their control.

## **III. Inspections and Searches**

### **A. Access to School Property**

1. In order to ensure access at all times to School property, and because employees properly in possession of School property or information related to School business may not always be available to produce the property or information when needed in the ordinary course of the School's business, the School reserves the right to conduct a routine inspection or search at any time for School property on School premises. In addition, the School reserves the right to access at all times information and communications stored in School computer files, on School mobile devices and in employee voicemail boxes and electronic-mail systems.
2. Routine searches or inspections for School property may include an employee's office, desk, file cabinet, closet, computer files, voice mail, electronic mail, School-issued mobile device or similar places where employees may store School property or school-related information, whether or not the places are locked or protected by access codes and/or passwords.
3. Because even a routine search for School property might result in the discovery of an employee's personal possessions, all employees are encouraged to refrain from bringing into the workplace any item of personal property that they do not wish to reveal to the School.

### **B. Inspections and Searches for Prohibited Materials**

1. Inspections or searches for prohibited materials in or on School premises also will be conducted whenever the School has reasonable suspicion to believe that a particular employee or group of employees may be in possession of materials in violation of this Guideline.
2. Inspections or searches for prohibited materials may be conducted by an independent security service or by School personnel.
3. Inspections or searches for prohibited materials may be conducted on a regular or random basis at locations where employees enter or exit School premises, without regard to whether there is reasonable suspicion that any employee may be in possession of prohibited materials in violation of this Guideline.
4. Inspections or searches for prohibited materials may be conducted from time to time even when there is no immediate reason to suspect the presence of the materials. In such cases, the School may announce the inspection in advance, except for inspections or searches conducted at locations where employees enter or exit School premises.
5. Inspections or searches for prohibited materials may include an employee's office, desk, file cabinet, closet, computer, school-issued mobile device or similar places where employees may place personal possessions or information, whether or not the places are locked or password protected. Inspections or searches for prohibited materials also may include an employee's locker, or an employee's pockets, purse, briefcase, lunch box, or other item of personal property that is being worn or carried by the employee while on School premises.
6. In cases involving an inspection or search of an employee's pockets, purse, briefcase, or other item of personal property that is being worn or carried by the employee, the employee will be requested to conduct a self-search (i.e., by turning out or emptying pockets, purses, etc.) in the presence of an observer who will be a person of the same gender.
7. Employees who refuse to cooperate during an inspection or search will not be forcibly detained or searched. They will be informed, however, that the School will base any disciplinary decision on the information that is available, including their refusal to consent to the search as well as the information that gave rise to a reasonable suspicion that the employees were in possession of prohibited materials, if applicable, and that their failure or refusal to cooperate could deprive the School of information that may clear them of suspicion. In addition, the School reserves the right to take appropriate action to prevent the unauthorized removal from School premises of School property.

#### **IV. Approvals for Inspections**

1. In instances in which the inspection or search is conducted because there is reasonable suspicion that a particular employee or group of employees may be in possession of prohibited materials in violation of this Guideline or may be using School property in an unauthorized manner, and in instances in which an item of the employee's personal property will be searched, the inspection or search will be approved in advance by the highest ranking member of management in the Division who is available at the time the inspection or search is to be conducted and by the Human Resources Manager or their designated alternate(s) in the event of unavailability.
2. All inspections or searches that are conducted as part of the School's program of periodic (and unannounced) inspections will be approved in advance by the Human Resources Manager, who will inform the Executive Directors of the impending inspection prior to its occurrence.

#### **V. Disciplinary Action**

Employees who are found to be in possession of prohibited materials in violation of this Guideline and/or in violation of School Property; Proprietary and Confidential Information Guideline, the Technology Use

and

Privacy Guideline, and the Drug-Free Workplace Guideline, or employees who are found to have used School property in an unauthorized manner, will be subject to discipline, up to and including discharge, regardless of the School's reason for conducting the search or inspection.

## **VI. Confidentiality**

Managers and supervisors will make their best effort to restrict communications concerning a violation or possible violation of this Guideline to persons who have an important work-related reason to know.

## **Cooperation with Investigations**

From time to time, the School and/or a duly authorized outside agency (or agencies) may investigate allegations of misconduct and/or violations of school policy, applicable laws, and/or regulations. Employees must cooperate fully with any investigation the School may conduct at its sole discretion. Employees are also expected to cooperate fully with any investigation conducted by a duly authorized external agency.

This requires employees in such circumstances to be fully truthful and forthcoming. It also requires that no employee attempt to induce another person to be less than fully truthful and forthcoming with the School and/or the outside agency.

An employee under investigation by the School and/or any duly authorized external agency may be transferred at their regular rate of pay to a position within the School whose responsibilities do not include unsupervised contact with students, or may be suspended with or without pay and benefits until the School makes a final determination concerning the employee's status. If the employee is found not to have engaged in misconduct, they will be reinstated with pay and benefits retroactive to the date of suspension.

## **Workplace Safety**

### **I. Anti-Violence-Public Employer with Searches**

Employees must not engage in intimidation, threats, or hostile behaviors, physical/verbal abuse, vandalism, arson, sabotage, bullying, or any other act, which, in the School's opinion, is inappropriate to the workplace. In addition, bizarre or offensive comments regarding violent events and/or behavior are not tolerated.

The School prohibits the possession or use of weapons, whether unconcealed or concealed, on school property, except as required by law. This guideline applies to all school employees, contract and temporary employees, visitors and customers on school property, regardless of whether they are licensed to carry a concealed weapon.

"School property" covered by this guideline includes all school-owned or leased buildings and surrounding areas such as sidewalks, walkways, driveways, and parking lots under the school's ownership or control. This guideline also applies to all school-owned or leased vehicles and all vehicles that come onto school property.

"Weapons" include, but are not limited to, handguns, firearms, explosives, and knives. If employees have a question regarding whether an item is covered by this guideline, they should call Human Resources. Employees have a responsibility to make sure that any item not specifically listed above that is possessed

by the employee is not prohibited by this guideline.

The School reserves the right at any time and at its discretion to search all school-owned or leased vehicles, and all vehicles, packages, containers, briefcases, purses, lockers, desks, enclosures, and persons entering its

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property, for the purpose of determining whether any weapon has been brought onto its property or premises in violation of this guideline. Any employee failing or refusing to promptly permit a search under this guideline will be subject to discipline up to and including discharge.

Any behavior listed above should be immediately reported to a supervisor, Administration, or Human Resources. Complaints will receive attention and the situation will be investigated. Based on the results of the inquiry, action will be taken which management believes is appropriate. Employees should directly contact law enforcement personnel if they believe there is an imminent threat to the safety and health of employees or property.

## **II. Emergency Procedures**

It is imperative that employees read and familiarize themselves with the contents of the red Adams 12 Five-Star District Emergency Handbook by the classroom door or front office. Please refer to this Handbook for all emergency procedures and let the Administration know immediately if you do not have access to this Handbook.

## **III. Emergency School Closures or Delays**

Based on the District Policy 5710, the Adams 12 Five-Star District Superintendent will determine when it is necessary to close or delay district schools or dismiss students early in the event of hazardous conditions which threaten the safety or health of students or staff members. Please refer to the major news channels or the district website at [www.adams12.org](http://www.adams12.org) for closure information.

## **Natural Disasters**

In the event of a facility disaster such as earthquake, flood, hurricane, tsunami, tornado, fire, explosion, etc., the facility may be closed if the building is damaged or highways leading to the office or facility are damaged. For instructions on reporting to another location, contact the office or facility immediately.

## **Safety Program**

The School is committed to providing and maintaining a healthy and safe work environment for all employees. Every employee will receive health and safety training.

You are required to know and comply with the School's General Safety Rules and to follow safe and healthy work practices at all times. You may be subject to discipline for engaging in any unsafe or unhealthy work practice or for violating established safety rules. You also are required to report immediately to your supervisor any potential health or safety hazards, and all injuries or accidents. First aid supplies are located at Health Aide Offices in both Elementary and Secondary Buildings.

## **Infectious Disease Control Policy**

The School will ensure a clean workplace, including the regular cleaning of objects and areas that are frequently used, such as bathrooms, break rooms, conference rooms, door handles and railings. A committee will be designated to monitor and coordinate events around an infectious disease outbreak, as well as to create work rules that could be implemented to promote safety through infection control.

We ask all employees to cooperate in taking steps to reduce the transmission of infectious disease in the workplace. The best strategy remains the most obvious—frequent hand washing with warm, soapy water; covering your mouth whenever you sneeze or cough; and discarding used tissues in wastebaskets. We will also install alcohol-based hand sanitizers throughout the workplace and in common areas.

Unless otherwise notified, our normal attendance and leave policies will remain in place. Individuals who believe they may face particular challenges reporting to work during an infectious disease outbreak should take steps to develop any necessary contingency plans. For example, employees might want to arrange for alternative sources of child care should schools close and/or speak with supervisors about the potential to work from home temporarily or on an alternative work schedule.

### **I. Staying Home When Ill**

Many times, with the best of intentions, employees report to work even though they feel ill. We provide certain time off benefits to compensate employees who are unable to work due to illness. Information on time off benefits can be found in the time off policies in this handbook.

During an infectious disease outbreak, it is critical that employees do not report to work while they are ill and/or experiencing the following symptoms: Examples include fever, cough, sore throat, runny or stuffy nose, body aches, headache, chills and fatigue. Currently, the Centers for Disease Control and Prevention recommends that people with an infectious illness such as the flu remain at home until at least 24 hours after they are free of fever (100 degrees F or 37.8 degrees C) or signs of a fever without the use of fever-reducing medications. Employees who report to work ill will be sent home in accordance with these health guidelines.

### **II. Requests for Medical Information and/or Documentation**

If you are out sick or show symptoms of being ill, it may become necessary to request information from you and/or your healthcare provider. In general, we would request medical information to confirm your need to be absent, to show whether and how an absence relates to the infection, and to know that it is appropriate for you to return to work. As always, we expect and appreciate your cooperation if and when medical information is sought.

### **III. Confidentiality of Medical Information**

Our policy is to treat any medical information as a confidential medical record. In furtherance of this policy, any disclosure of medical information is in limited circumstances with supervisors, managers, first aid and safety personnel, and government officials as required by law.

**IV. Social Distancing Guidelines for Workplace Infectious Disease Outbreaks** In the event of an infectious disease outbreak, the School may implement these social distancing guidelines to minimize the

spread of the disease among the staff.

### **A. During the Workday**

Employees are requested to:

1. Avoid meeting people face-to-face. Employees are encouraged to use the telephone, online conferencing, e-mail or instant messaging to conduct business as much as possible, even when participants are in the same building.

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2. If a face-to-face meeting is unavoidable, minimize the meeting time, choose a large meeting room and sit at least one yard from each other if possible; avoid person-to-person contact such as shaking hands.
3. Avoid any unnecessary travel and cancel or postpone nonessential meetings, gatherings, workshops and training sessions.
4. Do not congregate in work rooms, pantries, copier rooms or other areas where people socialize.
5. Bring lunch and eat at your desk or away from others (avoid lunchrooms and crowded restaurants).
6. Encourage members and others to request information and orders via phone and email in order to minimize person-to-person contact. Have the orders, materials and information ready for fast pick-up or delivery.

### **B. Outside activities**

Employees might be encouraged to the extent possible to:

1. Avoid public transportation (walk, cycle, drive a car) or go early or late to avoid rush-hour crowding on public transportation.
2. Avoid recreational or other leisure classes, meetings, activities, etc., where employees might come into contact with contagious people.

### **Telephones, Cellphones, and School Email**

Most employees are provided with a telephone and email account. These tools are intended to be used primarily for instruction and for communication with stakeholders. However, they may be used for communication between the office and classrooms or among classrooms. Teachers are required to answer the classroom phone if the call originates from the office or an administrator. We appreciate everyone's efforts to prevent interruptions of instructional time. Email may not be used to proselytize personal viewpoints, for solicitation purposes as described above under solicitation, or any unlawful or unprofessional manner.

Employees with School-issued cell phones are reminded that occasional, personal use of School cell phones shall in no way increase the expense to the School for the cell phone account. All cell phones are to be turned off or placed in "silent" mode during meetings and instructional settings.

### **Visitors to Stargate School**

Visitors must check in and sign in at the front office before continuing on campus. They must wear a visitor badge. If a visitor does not have a badge, employees must direct them to the front office.

### **Mailboxes**

Boxes for notes, packages, and phone messages are located in the front offices of both the Elementary and Secondary buildings. Employees with mailboxes are expected to check these boxes daily (at minimum) to assure timely communications.

## **Master Calendar of Events**

The Master Calendar of Events is communication to parents. It notifies them of upcoming school activities. To include information on the Master Calendar of Events, please notify the Office Manager once the activity has been approved by the Administration.

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## **Staff Children on Premises During Working Hours**

At the School we understand that it is sometimes difficult for employees to find childcare for their children. The School will allow children of employees in the school before and after school with prior approval of Administration. Staff children should not be brought to school during an instructional day. Employees are responsible for making appropriate arrangements for the care and supervision of their children. The School would ask for employees to be thoughtful of the confidentiality of other students and staff members while their children are present. At any time Administration reserves the right to revoke these privileges as they deem necessary due to safety, confidentiality, or any other applicable concern. Before and after school care and child care during staff meetings will be provided at no cost to staff, providing that this does not negatively impact the ratio of adults to children.

## **Pets in the Building**

Recognizing that animal care is a valid learning experience, please survey students for animal allergies prior to having classroom pets. Staff pets will not be allowed in the building due to the Health Department standards. Please consider carefully the health/sanitation implications of classroom pets and other possible parent concerns before bringing these into your classroom.

Any employee choosing to have a classroom pet must first complete a hygiene plan as prescribed by the Adams 12 Guidelines for Classroom Pets. This plan must be submitted to Administration and all other guidelines must be met prior to the introduction of the pet(s) in the classrooms. It is the building administrator's decision to allow or not allow pets in their building.

## **School Property; Confidential and Personal Information**

The security of School property is of vital importance to the School. School property includes not only tangible property, like desks and computers, but also intangible property such as confidential information. It is critical for the School to preserve and protect its confidential information, as well as the confidential information of customers, suppliers, and third parties. All employees are responsible for ensuring that proper security is maintained at all times.

Nothing in this policy or in related policies is intended to interfere with an employee's right to discuss working conditions within the organization or with members of the public nor is there any restriction on an employee's right to labor organize.

## **I. Confidential and Personal Information**

"Confidential Information" means all information, not generally known, belonging to, or otherwise relating to the business of the School or its students, customers, suppliers, vendors, affiliates or partners, regardless of the media or manner in which it is stored or conveyed, that the School has taken reasonable steps to protect from unauthorized use or disclosure. Confidential Information includes but is not limited to trade secrets as well as other proprietary knowledge, information, and know-how; non-public intellectual property rights, including business plans and strategies; manufacturing techniques; formulae; processes; designs; drawings; discoveries; improvements; ideas; conceptions; test data; compilations of data; and developments, whether or not patentable and whether or not copyrightable.

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"Personal Identification Information" includes individually identifiable information about employees, students, consultants, or other individuals, such as Social Security numbers, background information, credit card or banking information, health information, or other non-public information entrusted to the School regarding an individual's personal identity. There are laws in the United States and other countries that protect certain types of Personal Identification Information, and employees should not disclose such protected Personal Identification Information that has been acquired and retained by the School about other individuals to any third party or from one country to another without prior managerial approval.

Given the nature of the School's business, protecting Confidential Information and Personal Identification Information is of vital concern to the School. This information is one of the School's most important assets. It enhances the School's opportunities for future growth, and indirectly adds to the job security of all employees.

Failure to take reasonable measures to protect the School's Confidential Information may jeopardize its status as a trade secret. While employed by the School, employees must not use or disclose any Confidential Information or Personal Identification Information that they produce or obtain during employment with the School, except to the extent such use, or disclosure is required in connection with performing their jobs. Employees may not use or disclose Confidential Information or Personal Identification Information for any reason after the employment relationship with the School ends. Misuse or unauthorized disclosure of Confidential Information or Personal Identification Information may result in immediate termination, as well as potential personal and criminal liability. Nothing in this Guideline restricts an employee from discussing their wages or other terms and conditions of employment with coworkers or others, to the extent protected by law.

## **II. Obligations on Termination**

On termination of employment, whether voluntary or involuntary, all tangible and intangible School property must be returned to the School immediately. This includes documents, materials, data files, and records of any kind, including any that contain Confidential Information or Personal Information, and any copies thereof. Also, the terminating employee must immediately notify the School if the employee has Confidential Information or Personal Information stored in the employee's personal computer, or in a mobile, cloud, or other storage medium, and work with the School to identify all such Information and its location and help ensure it is retrieved and/or permanently deleted by the School (or the School's designated agent).

## **III. Security**



To avoid loss of School property, the Operations and Facilities Teams maintains and promulgates security procedures, which include maintaining control of entrances, exits, restricted areas, document control, and record keeping. Specific procedures regarding the protection of School property, traffic throughout the facilities, and designation of restricted areas are issued by the Operations and Facilities Teams and posted on School bulletin boards. In addition, employees are expected to comply with School policies regarding the authorized and secure use of the School's computer technology, as described in the School's Security Regulations and in the Technology Use and security guideline of this Manual. Employees are expected to abide by all of the school's security procedures.

Avoiding loss or theft of Confidential Information or Personal Identification Information is an important part of each employee's job. Accordingly, employees must observe good security practices. Employees are expected to keep Confidential Information secure from outside visitors and all other persons who do not

have legitimate reason to see or use such information. Employees are not to remove School property without authorization. Failure to adhere to School policies regarding Confidential Information and Personal Identification Information will be considered grounds for dismissal.

Given the sensitivity of Confidential Information and Personal Identification Information, employees may only dispose of such information by secure methods approved by the School. If an employee has any doubt or question about how to handle Confidential Information or Personal Identification Information, the employee should consult with the School's Operations and Facilities Teams.

#### **IV. Lost and Found**

Employees should not bring large sums of money, jewelry, or other valuables to work. The School will not be responsible for personal property that is lost, damaged, stolen, or destroyed. If an employee finds personal belongings that have been lost by another person, please give them to the school office. Failure to adequately protect school property may result in disciplinary action.

#### **V. Employee Parking**

Employees park at their own risk, and the School will not be responsible for theft or damage to any vehicles parked on or near School property. Also, the School will not be responsible for personal property left in vehicles that are lost, damaged, stolen, or destroyed. Staff parking permits will be issued.

#### **VI. Access to School Property**

It is important that the Governance Board, Administration, and designated operations staff have access at all times to the School property, as well as to records, documents, and files. As a result, the School reserves the right to access teacher classrooms, offices, workstations, filing cabinets, desks, and any other school property at its discretion, with or without advance notice or consent.

### **Personal and School-Provided Portable Communication Devices**

School-provided portable communication devices (PCDs), including cell phones and personal digital assistants, should be used primarily for business purposes. Employees have no reasonable expectation of privacy in regard to the use of such devices, and all use is subject to monitoring, to the maximum extent permitted by applicable law. This includes, as permitted, the right to monitor personal communications as necessary.

Some employees may be authorized to use their own PCD for business purposes. These employees should work with the IT department to configure their PCD for business use. Communications sent via a personal PCD also may be subject to monitoring if sent through the School's networks and the PCD must be

provided for inspection and review upon request.

All conversations, text messages and e-mails must be professional. When sending a text message or using a PCD for business purposes, whether it is a School-provided or personal device, employees must comply with applicable School guidelines, including policies on sexual harassment, discrimination, conduct, confidentiality, equipment use and operation of vehicles. Using School-issued PCD to send or receive personal text messages is prohibited at all times and personal use during working hours should be limited to emergency situations.

Please note that whether employees use their personal PCD or a School -issued device, the School's electronic communications policies, including but not limited to, proper use of communications and computer systems, remain in effect.

## **Use of Computers, the Internet, and Electronic Communications Policy**

To review full board policy, go to [Stargate School Governance Board Policies Shared Folder](#).

### **I. Purpose**

The purpose of the Employee Use of Computers, the Internet and Electronic Communications Policy is to establish employee guidelines for acceptable use of computers, the Internet, and electronic communications.

### **II. Scope**

This policy applies to all School employees and any individual with a School eMail address, excluding Students covered by [District Policy 5035, Student use of District Technology and the Internet](#).

### **III. Policy**

The School supports the use of the Internet and electronic communications by all employees to improve teaching and learning through interpersonal communication, access to information, research, training and collaboration and dissemination of successful educational practices, methods and materials.

The Internet is a fluid environment in which information is constantly changing. the School will make every reasonable effort to ensure that this educational resource is used appropriately and responsibly. Administrators, teachers, and staff have a professional responsibility to work together to help students develop the intellectual skills needed to evaluate and choose information sources, to identify information appropriate to their age and developmental levels, create effective and appropriate information, and to evaluate and use information to meet their educational goals.

Employees shall take responsibility for their own use of the School computers and computer systems. Employees shall use the School computers and computer systems in a responsible, efficient, ethical and legal manner. Employees are responsible for exercising good judgment when utilizing the School resources and should be wary of unknown email solicitations, pop-up boxes or writing anything in an email message that is inappropriate to say to others face-to-face.

#### **A. Employee Use is a Privilege**

Use of the School computers, the Internet and electronic communications demands personal responsibility and an understanding of the acceptable and unacceptable uses of such tools. Employee use of the School computers, the Internet and electronic communications is a privilege, not a right. Violations of this policy

will not be tolerated. The School may deny, revoke or suspend access to the School technology or close accounts at any time and without notice.

### **B. No Expectation of Privacy**

The School computers and computer systems are owned by the School and are intended for educational purposes and the School business at all times. Employees shall have no expectation of privacy when using the School computers, the Internet or electronic communications. The School reserves the right to monitor, inspect, copy, review and store, at any time and without prior notice, all usage of the School computers and computer systems, including all Internet and electronic communications access and transmission/receipt of materials and information. All material and information accessed/received through the School computers and computer systems shall remain the property of the School. Electronic messages sent or received by the Board, the School's employees or students, including electronic mail on School-owned equipment, as well as other documents generated through use of the School's system may be considered a public record subject to disclosure or inspection under the Colorado Open Records Act.

### **C. Accounts and Passwords**

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Employees are expected to protect personal login and password information, and should not share access with anyone, including a co-worker, student, parents/guardian or volunteer. When necessary to conduct the business affairs of the School, Administrators or designee may grant permission to share access. Employees may be directed to disclose login and password information by a supervisor.

### **D. Prohibited Use**

Because technology and methods of using technology are constantly evolving, every unacceptable use of the School computers and computer systems cannot be specifically described in policy. Therefore, examples of unacceptable uses include, but are not limited to, the following. No employee shall access, create, transmit, retransmit or forward material or information that:

1. Promotes violence or advocates destruction of property including, but not limited to, access to information concerning the manufacturing or purchasing of destructive devices or weapons.
2. Contains pornographic, obscene or other sexually oriented materials, either as pictures or writings, or material that is harmful to minors.
3. Harasses, bullies, intimidates, threatens, demeans, or promotes violence or hatred against another person or group of persons with regard to race, color, sex, age, religion, creed, national origin, ancestry, genetic information, marital status, sexual orientation, gender identity, disability, or any other status protected by state or local law.
4. Plagiarizes the work of another.
5. Uses inappropriate or profane language or depictions.
6. Is knowingly false.
7. Violates any federal or state law, including but not limited to copyright or material that contains personal information, including information protected by confidentiality laws.
8. Impersonates another person.
9. Is intended to solicit, proselytize, advocate, or communicate the views of a non- school sponsored organization.

The following activities are also prohibited:

- Using information systems or resources for personal gain or outside the scope of employment.
- Attempting to gain unauthorized access to any other computer, network or security account including attempts to log in as a system administrator.

- Any malicious attempt to harm or destroy Stargate School data, data of another user, or other the School computing facilities.
- Using or attempting to use proxy servers, or otherwise evade, disable, or "crack" passwords or other security provisions of the systems on the network or intercepting or altering network packets. ● Downloading, installing, storing or using malicious software, viruses, "cracking," and keystroke monitoring software.
- Intentionally interfering with or disrupting another information technology user's work as well as the proper function of information processing and network services or equipment.
- Leaving an active system unattended, thereby allowing an unauthorized person to gain access to the School resources through the user's login session.
- Using a computer for unlawful purposes.
- Altering technology equipment (hardware or software) without permission from the I.T. department.
- Taking home technology equipment (hardware or software) without permission of the employee's supervisor or designee.

## **E. Electronic Communications**

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The School may provide electronic communication services for employees. The School reserves the right to monitor, inspect, copy, review and store (at any time and without prior notice) all electronic communication content composed, sent over, by, or through the School computers or computer systems or with a the School-provided account, even if composed and sent during non-work/school hours or from a non-School site, and to disclose the information to law enforcement or other third parties, as appropriate.

1. Employees shall use School-provided electronic communications accounts and not personal accounts when acting in the course and scope of employment and conducting business on behalf of School.
2. Employees are permitted to affix a signature block to email messages that contains name, job title and departmental information and contact information.
3. The School has a hard code confidentiality disclaimer footer block in email messages.

## **F. Security**

Security and integrity of the School computer systems and information is a high priority and requires participation of all employees. Employees who identify a security problem while using the Internet or electronic communications should immediately notify IT Support at [support@stargateschool.org](mailto:support@stargateschool.org) and avoid demonstrating the problem to other users. Student or employee information stored in electronic format shall not be taken home on a laptop or transferred to an external device for home or outside use unless the School data security and encryption procedures are followed.

1. To protect hardware, software, and information, employees must follow security procedures and standards created by the School's Information Technology Department when working at home or an alternative workplace.

## **G. Confidentiality**

Employees shall only access, receive, transmit or retransmit material regarding students, parents or the School employees that is protected by confidentiality laws in accordance with law and the School Policy. Employees shall handle all employee, student and the School records in accordance with Adams 12 Policies [8300 RECORDS MANAGEMENT](#), [5300 STUDENT SCHOOL RECORDS](#), and [1800 PUBLIC RECORDS REQUESTS](#).

## **H. Unauthorized Software**

Employees are prohibited from using or possessing any software that has been downloaded or is otherwise in the user's possession without appropriate registration and payment of any fees owed to the software owner.

## **I. Social, Collaborative, Interactive, and Responsive Technologies**

The School supports the use of technologies such as blogs, wikis, podcasts, and online photo management software for educational purposes and communicating with the community. These technologies are considered an extension of the classroom and are approved for use to convey information about the School services; promote and raise awareness of School; and communicate with employees, students, and community members. Use of School electronic communication resources to participate in activities including, but not limited to, news groups, wikis, blog discussions, and social networking must be for bona fide educational purposes only.

1. The School also acknowledges that employees may choose to utilize these technologies – such as Twitter, Instagram and Facebook on their own time as well as during work time for educational purposes. Personal social networking sites must not be used to encourage inappropriate personal nonprofessional relationships with current or recent students. When utilizing personal social

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networking sites, School employees are strongly encouraged to consider whether what is posted will impair the employee's professional effectiveness or reputation.

2. Employees are responsible for content shared by students when the employee is supervising students engaged in educational activities or sponsoring a student organization pursuant to Adams 12 Policies [5260 CHOICE OF SCHOOLS AND SCHOOL TRANSFERS](#), [5650 DISTRIBUTION OF MATERIALS ON SCHOOL PREMISES](#) or [6260 STUDENT PRESS](#).

## **J. Stargate School Makes No Warranties**

The School makes no warranties of any kind, whether express or implied, related to the use of School computers and computer systems, including access to the Internet and electronic communications services. Providing access to these services does not imply endorsement by the School of the content, nor does the School make any guarantee as to the accuracy or quality of information received. Stargate School shall not be responsible for any damage, loss or cost incurred by an employee in using the Internet and electronic communications, including loss of data and service interruptions. Use of any information obtained via the Internet and electronic communications is at the employee's own risk.

## **Temporary Telecommuting**

In the event of an emergency such as a weather disaster or pandemic, the School may allow or require employees to temporarily work from home to ensure organization and student learning continuity.

These employees will be advised of such requirements by their direct supervisor and/or the Executive Directors. Preparations should be made by employees and supervisors well in advance to allow remote work in emergency circumstances. This includes appropriate equipment needs, such as hardware, software, phone and data lines. The IT department is available to review these equipment needs with employees and to provide support to employees in advance of emergency telework situations.

For voluntary telework arrangements, either the employee or supervisor can initiate a temporary telecommuting agreement during emergency circumstances. The employee and supervisor will discuss the job responsibilities and determine if the job is appropriate for a telecommuting arrangement, including

equipment needs, workspace design considerations and scheduling issues.

Employees should not assume any specified period of time for emergency telework arrangements, and the School may require employees to return to regular, in-office work at any time.

### **I. Telecommuting Location and Workspace**

The employee should have a suitable work space at the telecommuting location. A desk, chair, lighting, access to reliable internet and phone service are expected to be provided by the employee. Costs incurred by an employee to create a worksite space to telecommute are at the employee's expense and will not be reimbursed, such as remodeling, furniture or lighting, nor for repairs or modifications to the home office space.

### **II. Technology**

The School will determine the equipment needs for each employee on a case-by-case basis. Equipment supplied by the organization is to be used for business purposes only.

Consistent with the organization's expectations of information security for employees working on the school premises, telecommuting employees will be expected to ensure the protection of proprietary organization and student or staff information accessible from their home office.

### **III. Telecommuting Schedule**

Unless otherwise agreed to or required by the supervisor, an employee's work schedule shall be the same as the employee's schedule in the customary worksite, including meal breaks and rest periods. Employees shall conform to established school policies and procedures as they relate to work hours, including leave usage. Non-exempt employees will get prior approval from the supervisor regarding how to clock in and clock out while telecommuting. While the employee is telecommuting, the employee must be available via telephone, email or virtually/by teleconference or videoconference. At the discretion of the supervisor, an employee may be asked to work from their customary worksite if needed. Virtual meetings conducted while telecommuting using Stargate software are to be used for business and operational purposes only.

### **IV. Work Performance**

The quantity and quality of work performed while telecommuting should be comparable to the work completed at the school. In situations where a comparison cannot be made, the employee must adhere to deadlines and meet established objectives. Supervisors may require employees to provide reports, artifacts or other work products that demonstrate work performed or accomplished on telecommuting work days.

### **V. Standards of Conduct**

Employee expectations within the Staff Handbook, school and district policies, standard practices for Colorado Educators continue to apply when providing remote learning and in virtual meetings. In addition, all staff are expected to maintain student confidentiality in accordance with FERPA during remote learning.

### **VI. Reimbursement and Property Damage**

The School will not be responsible for operating costs, home maintenance, or any other incidental costs (e.g., utilities, insurance, telephone, internet connections, travel mileage, etc.) associated with the use of employees' residences. Employees should consult with their supervisors if they have additional questions or concerns. Employees agree that Stagate shall not be liable for damages to employees' personal or real property while employees are working at the off-site work location.

## **Electronic Surveillance**

The School reserves the right to install security cameras in work areas for specific business reasons, such as security, theft protection or protection of proprietary information. The School may find it necessary to monitor work areas with security cameras when there is a specific job or business-related reason to do so. The School will do so only after first ensuring that such action is in compliance with state and federal laws. Employees should not expect privacy in work-related areas. Employee privacy in nonwork areas will be respected to the extent possible. The School's reasonable suspicion of an onsite drug use, physical abuse, theft or similar circumstances would be possible exceptions. Employees should contact their supervisor or the Human Resources Department if they have questions about this policy.

## **External Communications**

Occasionally employees may be contacted by outside sources requesting information about School matters, including information regarding current or former employees, School projects, or other workplace issues. In order to avoid providing inaccurate or incomplete information to outside sources, and the possible negative exposure that may result from providing information about the School to outside sources, any employee asked to speak for or on behalf of the School by any outside source should immediately contact the appropriate School official, as detailed below.

Employees violating this policy may be subject to discipline, up to and including termination of employment.

This policy is in no way intended to prohibit an employee from documenting and speaking with outside third parties regarding perceived or alleged unacceptable or illegal working conditions. The policy is also in no way intended to deter any employee from speaking with any individual regarding labor organizing.

### **I. Media Contacts**

The School will respond to media inquiries in a timely and professional manner only through the designated spokesperson. If an employee is contacted by a representative from any media organization (e.g., television, radio, or newspaper reporters) to speak for or on behalf of the School, the employee should notify the media representative that they are not authorized to make a public comment on behalf of the School and immediately refer the media representative to the Executive Directors. No employee may communicate with media agents on behalf of the School without prior authorization from the Executive Directors.

### **II. Outside Attorneys and Investigators**

If an employee is contacted by an outside attorney or investigator regarding School business, including information regarding current or former employees, School projects, or other workplace issues, the employee should inform the inquiring party that they are not authorized to speak on behalf of the School and immediately obtain the individual's name and telephone number. The individual's name and telephone number should then be provided to the Executive Directors and Human Resources Department. Nothing in this policy restricts an employee from discussing their wages or other terms and conditions of employment with coworkers or others, to the extent protected by law.

### **III. References and Verifications of Employment**

To protect the rights to privacy of current and former employees, and the School and its authorized supervisors and managers from legal liability, the School strictly limits information provided to outside parties.

The School will provide verifications of employment to prospective employers, financial institutions, mortgage and credit agencies and employment references to prospective employers concerning past or current employees, only if the school receives a written authorization and release signed by the employee or former employee.

The Human Resources Manager is authorized to respond to requests for verification of employment. Such verifications will be limited to: confirmation of employment, dates of hire and termination of employment, job title(s), and verification of base pay.

Persons authorized to provide an employment reference include the direct supervisor, Human Resources Manager, and Administration. Every effort will be made to reflect a fair and factual accounting of job content and performance, conduct, attendance, and dates of employment. If a former employee was involuntarily discharged due to misconduct, the authorized, inquiring party will be informed that the individual is ineligible for rehire. The School will not limit its response to ineligibility for rehire, however, where an adverse impact on the safety and security of children in a potential work environment might result.

If a co-worker is contacted by a potential employer to provide a reference, they are expected to refer the call to the employee's direct supervisor, Human Resources Manager, or Administration. A co-worker who wishes to provide a personal reference must do so on their own time and must clearly inform the prospective employer that they are not or was not the employee's direct supervisor and that they are not representing the School in any authorized capacity. Any co-worker providing such a personal reference does so at their own

risk. If employees receive a call inquiring about a former employee, please refer it to the Human Resources Manager. Only the Human Resources Manager or designee has the authority to respond to such inquiries. This restriction includes recommendations on social media sites.

### **Professional Dress**

Appropriate employee appearance should generate a professional image for the individual staff member and the School educational community as a whole. Employees are expected to take pride in their professional dress and strive to achieve a positive educational and business-like appearance in the work environment; hence, the minimum standard established for the student dress code is not sufficient for the School professionals. Employees should use good judgment in their choice of appearance for work or related activities by always appearing in a manner:

Appropriate to the situation as a professional educator/staff member;

Reflects community-accepted standards and guidelines to which we hold students; Provides appropriate and professional role modeling for students;

Promotes a working and learning environment that is free from unnecessary interruption or distraction;

Consistent with [Adams 12 Five Star District's District Policy 4100](#), Staff Dress, Accessories and



## Grooming.

Additionally, all employees are required to wear a school-issued identification card at all times while on School or district property, or when acting as a school employee. School staff members have the option of purchasing and wearing attire/gear which includes the School logo. Please wear it with pride. Remember you are a representative of the School when wearing school attire. We require all employees associated with School to conduct themselves in a professional manner that results in a favorable impression by the community and be respectful when representing the School in public at all times.

The School recognizes that some classroom activities and field trips may require alternative teacher attire that would not normally meet School standards.

Nothing in this dress code is intended or should be construed to violate, restrict or discriminate against any employee's actual or perceived race (including hair texture and natural hair styles), religion, religious creed, sex, sexual orientation, gender, gender identity or status, gender expression, national origin, ancestry, age, nursing mothers, or any other basis protected by local, state, or federal laws. If any employee believes that their protected rights based upon a protected class are being restricted or violated in some manner by the dress code, please contact your manager or human resources so that these concerns can be addressed. Any employee who needs a medical or religious accommodation to the School's dress and grooming standards should contact the Human Resources Department.

## **Solicitation on School Property or Using School Systems**

Employees, parents, and students should not be put in a position of feeling compelled to donate money or participate in unwanted solicitation. Accordingly, the School does not allow solicitation on school property or using school operated systems by employees:

- In any work area in which work is in progress
- During the work time of the soliciting employee or of the employee being solicited (work time does not include authorized breaks or meal time)
- Using school email, Google applications, or any other school operated system

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- When such solicitation may result in violence, damage to school property, the disruption of work, or the orderly operation of school activities

An employee who wishes to take up a collection from other employees on school property or using school operated systems, must first get permission from Administration, and then must conduct the activity on their own time. The only collections that may be approved are those for the benefit of other employees; for example: anniversary of an employee's service to the School, or to honor the occasion of an employee's retirement or voluntary departure from the service of the School.

If an employee seeks school participation (direct or indirect) in solicitation for, or cooperation with, an organized charity, they must first obtain the approval of the Administration. Such activities will generally be limited on school premises because of the large number of non-profit agencies in the community and to ensure that school operations are not disrupted.

Parents may engage in fundraising activities on school property to benefit the School and/or its foundation at times and in a manner that does not disrupt school operations and with the prior approval of the Administration.

Non-employees, with the sole exception of parents engaging in approved fundraising activities to benefit the School and/or its foundation, may not solicit on school property at any time.

Any violation of this policy may result in corrective action, including termination of employment and/or the lawful ejection from school property of the offending individual(s).

## **Bulletin Boards**

Posted information on bulletin boards (common work areas) is for the benefit of all employees. Employees will find posters that explain state and federal law, as well as updated information about Stargate policy and procedures in the front office near the mailboxes. Employees are responsible for checking bulletin boards on a regular basis and for reading all posted materials.

## **Certified Staff Guidelines**

### **I. Substitute System**

Please refer to the [Stargate Staff Site](#) for information regarding the use of Frontline Absence Management (School's substitute system.) It is the teacher's responsibility to procure a substitute teacher for any absence. Teachers are reminded to place the job on the substitute system and then ensure that the job has been filled.

### **II. Substitute Folder**

Each teacher shall have a folder on file with the front office, which consists of the

- following:
1. Current seating chart
  2. List of dependable students
  3. List of Health Concerns, Food Allergies, Special Needs or ELL students receiving services/accommodations
  4. Disciplinary procedures for the classroom and school
  5. Procedures for all routines: opening of class, recess and lunch supervision schedules, etc.
  6. Classroom rules
  7. Daily academic schedule

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8. Location of plan book, teacher manuals, grade book, etc.
9. Location of classroom safety plan book

### **III. Bring Your Own Device**

#### **A. Certified Staff Stipend:**

Certified Staff are expected to use their own device/s (laptop/desktop), and the School will give a stipend of \$200 at the time of hire and every 3 years thereafter with proof of new purchase of a BYOD device. Stipend request and proof of purchase must be received by the Finance Department by September 15th to be paid in September's paycheck and March 15th to be paid in March's paycheck.

#### **B. General Stargate BYOD requirements:**

The BYOD laptop you purchase may be a Mac, PC, Cloudbook or Chromebook. The device must meet the following requirements:

- WiFi Capable - The device must be able to connect to the internet through the school's wireless

network

- Memory: 2 GB RAM or greater, and at least 100 GB of storage
- Google Apps Compatible - The device must be able to support Google Apps (Gmail, Google Docs, Google Calendar, Google Classroom, etc.)
- Operating System - Windows 10 or newer, Mac OS 10.8 or newer, Chrome OS. *Windows 7 will not be supported as of July 2019.*
- Screen Resolution - 1024 x 768 resolution or better
- Anti-virus software

Some School laptops are available for substitute teachers' short-term use only (no more than 5 days) and can be provided as needed. All device requests must be made by emailing IT at [support@stargateschool.org](mailto:support@stargateschool.org) (do not email or call office staff for this request). Please request devices 24 hours or more in advance. Staff will **not** be allowed to use Chromebooks designated as student devices for any reason.

All School-owned computers will be returned to the IT department by end of the day on the last day for teachers. School devices will not be permitted to be kept over the summer.

### **C. The Responsibilities of Staff Members:**

Individuals who make use of BYOD must take responsibility for their own devices and how they use it. They must:

- Familiarize themselves with their device and its security features so that they can ensure the safety of School information (as well as their own information)
- Maintain the device themselves and ensure it is regularly updated

While School IT staff will always attempt to assist wherever possible, the School cannot take responsibility for supporting devices it does not provide.

Staff using BYOD must take all reasonable steps to:

- Prevent theft and loss of data
- Keep information confidential where appropriate
- Maintain the integrity of data and information, including that on campus
- Take responsibility for any software they download onto their device

Staff using BYOD must:

- Set up passwords, passcodes, passkeys or biometric equivalents. These must be of sufficient length and complexity for the particular type of device.
- Not hold any information that is sensitive, personal, confidential or of commercial value on personally owned devices.
- Where it is essential that information belonging to School is held on a personal device, it should be deleted as soon as possible once it is no longer required. This includes information contained within emails.
- Ensure that no School information is left on any personal device indefinitely. Particular care must be taken if a device is disposed of/sold/transferred to a third party.
- Connect laptop device to the Staff wifi signal; all other devices (cell phones, tablets, iPads, smart devices like Echo, etc.) must be connected to the Guest wifi.

The School will provide for staff members' access to Office 365 (online). Any other programs will need to be purchased by the device owner. For details on accessing your Office365 account, please email [support@stargateschool.org](mailto:support@stargateschool.org).

#### **IV. Teacher Duty**

To maintain the School's mission, vision, and goals, it is sometimes necessary to ask teachers and other employees to provide additional student supervision. Please arrange for and assist with adult supervision of children at all times and in all areas. Specific duty and rotation rosters are distributed at the beginning of each school year.

#### **V. Elementary Google Classroom-Grades K-5**

Clear communication is vital to our parents. Each Elementary teacher will set up Google Classroom for their Content areas and make the Google Calendar available on the website. This should communicate academics, upcoming events, volunteer needs, and will be updated by 4pm every Monday.

#### **VI. Secondary Google Classroom/Calendar**

Each Secondary teacher will post assignments and assessments on Google Classroom and make the Google Calendar and Course Syllabus available on the website.

#### **VII. Parent Notification Of Grades**

As per District Policy Code 6310, parents/guardians shall be notified when a student's academic progress declines from "C" to "D" or "D" to "F" during the course of the trimester. The notice to the parent/guardian shall be provided within five school days after the student's performance has declined to a "D" or an "F". The notice shall be provided by means of personal conference, telephone conversation, a weekly email and/or by means of a written report sent home to the parent/guardian with the student. Notice shall not be required if the student's progress has improved to satisfactory status within the five-day period. A written record of this communication shall be maintained by the teacher following the notification. It is not sufficient to rely on the Infinite Campus Parent Portal as a notification of unsatisfactory grade progress.

At any time during a grading period, students and parents/legal guardians have the right to contact the teacher to request a student's grade(s). This request shall be honored within 48 hours.

**The School's teachers are expected to maintain weekly updates of student's progress on Infinite Campus.** This affords parents the opportunity to track student progress on a regular, consistent basis.

#### **VIII. Homework Guidelines**

In general, the amount of homework should correlate developmentally to the grade level: ● Kindergarten - 10 minutes daily

- First Grade - 10-20 minutes daily
- Second Grade -20-30 minutes daily
- Third Grade - 30-40 minutes daily
- Fourth Grade - 40-60 minutes daily
- Fifth Grade - 50-70 minutes daily
- Middle School - 60-90 minutes daily
- High School - varies depending on courses taken

Homework is meant to be a reinforcement, as well as communication with families, as to the weekly skills and topics covered in class. Teaching teams should collaborate as a unit to ensure that the overall homework assignments between all content areas do not exceed the general guidelines.

### **IX. Academic Support**

When a student performs below expectations in their content area courses, intervention becomes vital to reinforce the skills necessary for their academic success. This is accomplished by academic support with a coordinated effort from the student, their classroom teacher, parents, and other staff professionals. A parent/guardian can request interventions by first speaking with the classroom teacher, and the school counselor. If more intensive support is needed, the students will be referred to the Multi-Tiered Systems of Support (MTSS) process for their student by speaking with their student's counselor. MTSS may be implemented prior to consideration for special education. If the student is identified for special education services through the evaluation process, then the terms of the student's Individualized Education Plan (IEP) or 504 Plan supersede the intervention plan developed through the MTSS process.

Interventions for student success may be implemented and used consistently for a period of time, usually six weeks. Families are encouraged to understand the timing required to internalize the supports and to participate in the end of support cycle review to determine further actions, if necessary.

### **X. Conferences**

The School believes it is important to meet with parents and guardians to discuss student goals and evaluations. In addition, time during the conferences may be used for the development and monitoring of ALPs. Our schedule allows two days for fall conferences and two days for spring conferences for all grade levels. Parents will receive information about conference times a few weeks before the conference dates. In most cases, the student's presence is welcome at the conference. Even at the younger grades, we feel it is important for the student to be aware of their progress and take responsibility for learning. Conferences between teachers and parents may be requested anytime during the school year.

### **XI. Classroom Environment**

Teachers are responsible for the entire environment in their classrooms. In every respect, rooms must be kept clean, orderly, attractive, and stimulating in a general environment. Teachers and staff should hold the students accountable for maintaining a clean and safe learning environment—especially at the end of the school day.

### **XII. Student Supervision**

All students must be supervised at all times by an adult. Individual classroom teachers are responsible to assure effective supervision. Students are to be held accountable for their cooperation with teachers and other supervising adults. Students should not be placed in the hallway without supervision.

### **XIII. Student Discipline**

The School is compliant with [District Policy 5000 through 5015](#), Student Conduct, Discipline, and Due Process. Employees are responsible to be familiar with these policies as well as the Student Discipline Procedures in each building. Teacher/staff contact with parents/guardians will be recorded in the PLP tab in Infinite Campus.

Office managed student discipline is guided by the Student Code of Conduct. Disciplinary measures are guided by the District Discipline Matrix.

#### **XIV. Student Attendance**

Attendance is to be taken by the K-5 teachers every morning and afternoon in Infinite Campus. Teachers are responsible for keeping accurate records. All Secondary teachers are responsible for period-by-period attendance of students in Infinite Campus. Attendance records are legal documents and must be accurate.

#### **XV. Use of Rooms or Space**

Please complete the Facilities Usage form to request use of a room or space outside of regular class activities. Requests will be reviewed and authorized by the Administration. (See forms on the [Stargate Staff Site](#))

#### **XVI. Field Trips/Assemblies/Guest Speakers**

Please coordinate with grade-level team members and specials teachers, and then complete a Request for Field Trip/Guest Speaker form for submission to the Principal for approval. Once approved, this Field Trip form goes to the Secondary Front Office for bus scheduling and student fees. Advance notice of at least three weeks is recommended for best results in obtaining transportation, locations, dates, and times desired. Students will be assessed a fee for each field trip which must be paid in order for them to attend. Students who qualify for Free/Reduced lunch will have their field trip fees waived or reduced by the accounting department.

Once the field trip is scheduled, the teacher will distribute student permission forms. Teachers should seek missing permission slips for field trips. Teachers will coordinate with the Community Development Manager to schedule vetted chaperones for the field trip; plan on a ratio of no more than ten children per adult. It will be the teacher's responsibility to assign the students and chaperones to buses. Please make a list of the students who are participating in the field trip (keep a copy for yourself and give one to the front office). Connect with the Health Aide for any student medications to transport. Remember to take all permission slips on the field trip in case of an emergency. Staff attending the field trip must receive Medication Delegation training from the school nurse.

Teachers, staff and additional parent chaperones should be spread throughout the buses and venues at a ratio allowing for direct supervision of all students at all times.

#### **XVII. Outdoor Education/Overnights**

Students in grades 3 through 12 may participate in a curricular-related, overnight field trip or activity. Costs for these trips will vary. Financial aid may be available for qualified families; contact the Finance Department to discuss financial assistance. Overnights must be approved through the Administration and will be scheduled through the Business Office.

### **Acknowledgment of Receipt of Handbook**

I acknowledge that I have received a copy of the School's Employee Handbook. I understand that I am responsible for reading the Handbook and for knowing and complying with the policies set forth in the Handbook during my employment with the School.

I further understand, however, that the guidelines contained in the Handbook are guidelines only and are not intended to create any contractual rights or obligations, express or implied, and shall not be construed to create any type of right to a "fair procedure" prior to termination or other disciplinary action. I also

understand that, except for the School's at-will employment policy, the School may amend, interpret, modify, or withdraw any of the provisions of the Handbook at any time in its sole discretion, with or without notice. Furthermore, I understand that, because the School cannot anticipate every issue that may arise during my employment, if I have any questions regarding any of the School's guidelines or procedures, I should consult the School's Human Resources Department.

I understand and agree that my relationship with the School is "at-will," which means that my employment is for no definite period and may be terminated by me or by the School at any time and for any reason, with or without cause or advance notice. I also understand that the School may demote or discipline me or otherwise alter the terms of my employment at any time at its sole discretion, with or without cause or advance notice.

I understand and agree that the terms of this Acknowledgment may not be modified or superseded except by a written agreement signed by the President of the Governance Board, that no other employee or representative of the School has the authority to enter into any such agreement, and that any agreement to employ me for any specified period of time or that is otherwise inconsistent with the terms of this Acknowledgment will be unenforceable unless in writing and signed by the President of the Governance Board. I further understand and agree that if the terms of this Acknowledgement are inconsistent with any guideline or practice of the School now or in the future, the terms of this Acknowledgement shall control.

Finally, I understand and agree that this Acknowledgment contains a full and complete statement of the agreements and understandings that it recites, that no one has made any promises or commitments to me contrary to the foregoing, and that this Acknowledgment supersedes all previous agreements, whether written or oral, express or implied, relating to the subjects covered in this Acknowledgment.

I have carefully read this Acknowledgement of Receipt.

\_\_\_\_\_  
Staff Member's Name

\_\_\_\_\_  
Member's Signature Date

\_\_\_\_\_  
Staff