



LANDMARK SCHOOL

Employee Handbook

**Landmark School Employee Handbook
2025-2026 TABLE OF CONTENTS**

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INTRODUCTION

Landmark School provides an educational environment in which students, faculty and staff work together in a spirit of goodwill, stressing mutual cooperation and consideration. Members of the Landmark community are committed to maintaining a positive learning and living environment in which friendliness and caring are consistently evident.

Landmark has developed a highly structured academic and residential program designed in large part to encourage students to understand and accept the need for such structure and to stretch toward fulfilling their maximum potential. It is in the interest of promoting a structured environment for staff as well as students that this Handbook is prepared as an informational guide describing the School's policies, procedures, and benefits, including the expectations and responsibilities of its employees.

As we issue this year's Handbook, we remain in uncertain times as the School works with its staff, students, parents and community members to offer its academic program in a manner as safely and effectively as possible. As a result of COVID-19, we are all increasingly aware that the School's policies, procedures and benefits may need to change over time in response to this pandemic or a future, unknown, risk to the ways in which the School conducts its business. Therefore, the School reserves the right to change, revise, supplement or eliminate any of the policies, procedures and/or benefits described herein other than the "at will" policy described below. Updated supplements will be distributed by email when a policy is revised or new material is added. The policies and practices contained within this Handbook supersede any policies or practices previously issued by the School, excluding benefit Summary Plan Descriptions, which describe the benefits offered by the School in greater detail than in this Handbook. If there is any inconsistency between the descriptions contained in this Handbook and/or the School's formal insurance plans or contracts, such plans or contracts take precedence. In addition, individual policies, procedures and benefit Summary Plan Descriptions may be distributed outside of the Handbook itself to cover subjects in detail.

Similarly, this Handbook is intended to be in compliance with relevant employment laws in effect on the date of publication, but cannot anticipate future changes in the law or regulations governing schools. It is the School's intent to be in full compliance with all federal and state employment laws at all times. If you have any questions about your employment, please do not hesitate to contact the Director of Human Resources or Human Resources Manager.

While employees can generally look to this Handbook for guidance about their employment, no handbook can anticipate every situation or answer every question. The School maintains the flexibility to deal with situations not directly covered in the Handbook. One of the School's goals is to treat employees fairly, and there may be situations in which the administration will provide individualized consideration.

Nothing in this Handbook creates any contractual obligation between the School and any of its employees. It is not a contract, and it does not create contractual rights and obligations except to the extent that provisions of this Handbook are incorporated into individual employment letters of agreement. Employees with employment letters of agreement should look first to those letters for the precise terms and conditions of their employment. To the extent that there are any inconsistencies between the employment letter and the Handbook, the terms of the employment letter shall govern. Employment at the School is employment at will, subject to termination at the will of the School or at the will of the employee at any time and for any lawful reason, or for no reason.

You are required to read this Handbook carefully. Your knowledge of its contents will be assumed. If you have any questions, the Director of Human Resources or the Human Resources Manager will be glad to answer them.

I. LANDMARK SCHOOL

THE LANDMARK MISSION

Landmark School's mission is to enable and empower students with language-based learning disabilities (LBD) to reach their educational and social potential through an exemplary school program complemented by outreach and training, assessment and research.

LANDMARK'S DIVERSITY, EQUITY, INCLUSION AND BELONGING MISSION & VALUES

DEIB Mission:

In pursuit of our mission to enable and empower all students to reach their full potential, Landmark School is committed to diversity, equity, inclusion, and belonging, as those values are critical to creating an environment where we affirm, embrace, and respect the dignity of all community members.

Values:

At Landmark School:

We strive for belonging, where all members of the community feel seen, supported, empowered, and affirmed, including any difference such as race, ethnicity, sex, age, body size, gender identity and expression, sexual orientation, religion, ability status, socioeconomic status, immigration status, genetic information or homelessness.

We will foster an environment where all members of the community can fully access and participate in the academic, social-emotional, extracurricular, and professional offerings of our institution.

We expect respectful dialogue between differing intellectual, ideological, or political ideas.

We know words and actions matter: we will respectfully respond when someone is negatively impacted by words or actions, or when lack of action leads to unfair or hurtful treatment. We also recognize that our varied lived experiences and vantage points can deepen and enrich our community when dialogue is respectful and inclusive.

We all share in these responsibilities to hold our institution to these standards.

Pronouns: The Landmark community recognizes and supports any individual's selection of pronouns specific to their identity.

II. EMPLOYMENT POLICIES

2.1 Equal Employment Opportunity

In order to provide equal employment and advancement opportunities to all individuals, employment decisions at Landmark School are based on merit, qualifications, and skills.

The School is committed to a policy of non-discrimination and equal opportunity for all employees and qualified applicants without regard to race, color, religion, sex, pregnancy, pregnancy-related conditions, sexual orientation, gender identity, national origin, ethnicity, ancestry, age, physical or mental disability, genetic information, veteran status, military service, application for military service, or any other characteristic protected by applicable law. The School will seek to make reasonable accommodations for qualified individuals with known disabilities, including pregnancy and pregnancy-related conditions, in accordance with applicable law.

This commitment is evident in all aspects of employment practices and policies, including recruiting, hiring, job assignment, promotion, compensation, discipline, termination, benefits, and training.

Employees with questions or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of their immediate supervisor, the Director of Human Resources, or the Head of School.

2.2 Hiring

In advance of filling an open position and/or hiring a new employee, the hiring manager or that person's supervisor will meet with the Director of Human Resources to review the job description, and with the Head of School (for faculty) or the Director of Finance (for staff) to seek budgetary approval for the position. Employment details that must be preapproved by the Campus Head or Head of School, and the Director of Finance or Director of Human Resources include the FTE, work hours, work weeks, wage, benefits, and credit for prior teaching experience/Step Scale placement.

Once the position has been approved, the hiring manager will work with the Director of Human Resources to create an ad, post the position internally on the School's website, and may notify employees by email. Positions may also be advertised outside the School through some combination of local and national publications.

The School believes that the talents and capabilities of its employees should be utilized to the fullest. Employees are encouraged to indicate their interest in open

positions and advance within the organization according to their skills, potential and experience. Job posting is a way to inform employees of openings and to identify qualified and interested applicants.

Applicants will typically be instructed to submit their materials (usually a resume and cover letter) electronically or by paper to the hiring manager.

Applicants for teaching positions should submit a written application to the Faculty Recruiter or Campus Director. In addition to the written application, teaching applicants are asked to provide a resume, a written personal statement, three written references, permission for the School to contact each of the references, official transcripts and evidence of certification(s) including but not limited to a current First Aid certification card. A personal interview may be scheduled based on a review of this information.

To ensure that individuals who join the School are well qualified and have a strong potential to be productive and successful, it is the School's policy to check employment references. The hiring manager will conduct oral reference checks on each finalist for the position including, where possible, the candidate's current or most recent manager, and will document all reference information in writing for inclusion in the new employee's personnel file. The School reserves the right to seek references from others beyond those people on the candidate's reference list.

In addition, applicants may be asked to take skills tests that the School deems appropriate to the position for which they are applying.

2.3 Job Descriptions

The purpose of job descriptions at the School is to define a job's duties, to set requirements for filling the job, and to establish criteria for evaluation of job performance.

Job descriptions for employee positions generally include the following information:

- Title of job
- Job summary or overview
- Essential job functions and responsibilities
- Job qualifications (minimum qualifications including job experience, skills, education)
- Physical requirements

2.4 Pre-employment checks

Pre-employment checks include:

1. Each person offered employment at the School must complete a CORI (Criminal Offender Record Information) check, a Massachusetts-mandated fingerprint-supported National Criminal History Record Information (CHRI) report, a SORI (Sexual Offender Record Information) check, and a background record check and agrees to reapply for a further CORI and SORI investigation every three years thereafter. No employee will be allowed unsupervised contact with children prior to a satisfactory completion of the CORI, CHRI and/or SORI investigations. An unsatisfactory investigation will result in withdrawal of the job offer or termination if the documentation arrives or is first reviewed after the employee has begun employment.
2. To help assure that employees in continuing positions are able to perform the essential functions of the job, each person offered continuing employment must attain a post-offer, pre-employment physical at no expense to them. Employment for these positions is contingent on successful completion of this physical.
3. In compliance with the Immigration Reform and Control Act of 1986, and subsequent laws, the School may only hire American citizens, non-Americans with permanent resident status, and those with visas authorizing them to work in the U.S. New employees must complete an Employment Verification Form (I-9) on or before their first day of employment, and must provide, by the third business day after their date of hire, two forms of acceptable identification to prove their eligibility for employment in the United States. Former employees who are rehired must complete a new I-9. Potential employees who are not authorized to work will not be permitted to perform volunteer (unpaid) services for the School while they are waiting to receive work authorization.
4. To ensure that individuals who join the School are well qualified and have a strong potential to be productive and successful, it is the School's policy to verify education and degrees.
5. New employees will be asked to provide documentation of a negative tuberculin screening test. If necessary, a TB test will be administered free of charge.
6. For employees who drive campus vehicles or who may drive students, a current driver's license must be provided so Landmark may complete a Registry of Motor Vehicle (RMV) driving record request. An unsatisfactory record may result in withdrawal of the job offer if driving is an essential element of the position.

The School relies upon the accuracy of information provided by applicants in connection with their application for employment with the School, as well as information provided by applicants and/or employees throughout the hiring process and during employment. Any misrepresentation, falsification, or material omission in any of this information or data, regardless of when or how it is discovered, may result in the exclusion from further consideration for employment or, if already employed, immediate discharge.

2.5 New Employee Forms

New employees will be required to complete necessary state and federal tax forms and the Form I-9, within three days of employment, in order to be placed on the payroll. A full summary of paperwork to be completed upon hire is available from the Human Resources Office.

2.6 Employment Appointments

Appointments to employment positions are confirmed by a Letter of Agreement from the Campus Director for Faculty appointments, by the Head of School for Administrative appointments or by the Department Head for all other appointments following receipt of a completed employment application and all pre-hire background check information. The Letter of Agreement includes the employee's date of employment, the initial compensation package, their job title and other pertinent information.

Terms of employment vary and will be explained to each new employee as part of the hiring process. While all employees are employees at-will, who are subject to termination at the will of the School or at the will of the employee at any time and for any lawful reason, or for no reason, without prior notice, the Landmark community relies on and values having professional employees, including Faculty, work for the full Academic Year for which they are hired.

Sudden resignations cause considerable disruption to the program, to the students, to other teachers and to the day-to-day operation of the School. Faculty who terminate their employment during the Academic Year may not receive a reference from the School. Salaried employees are expected to give one month's notice of their intention to resign from the School, and hourly employees are asked to give two weeks' notice.

2.7 Apportionment of Educational Personnel

Landmark recognizes that each individual program has a separate identity. The administration will make every effort to accommodate the personal teaching preferences of each new or returning faculty member with regard to age of student, curricular areas and campus/program. However, due to rolling admission and fluctuating enrollment from year to year, transfers from one program to another may be necessary. If such transfers are necessary, they will be made taking seniority into account, when operationally feasible, and will be announced as soon as possible.

2.8 Meals

In order to increase opportunities for communication between employees and between employees and students, all employees are entitled to meals without charge when their duties require them to be on campus.

2.9 Exempt and Non-Exempt Employees

All employees are classified either as exempt or non-exempt as defined by the Fair Labor Standards Act.

Exempt - Positions with an exempt status are executive, administrative, professional, certain computer positions and certain teaching positions, as defined by law. Exempt employees receive a specific salary and do not receive overtime pay.

Non-exempt - All positions not included in the above categories are classified as non-exempt. These employees are required to maintain a record of their time worked each day and are paid overtime in excess of 40 hours worked per week. All overtime worked must be approved in advance by the employee's supervisor. Overtime is not intended to be used on a routine basis, but as required during peak work periods or unusual circumstances of a temporary nature. A workweek is defined as Sunday through Saturday. Vacation, Holiday and Sick Leave do not constitute hours worked for the purposes of computing overtime.

2.10 Staff Attendance

All employees are responsible for maintaining a good attendance record and reporting to work on time. Absences and lateness affect the successful completion of one's responsibilities. Excessive absences or repeated lateness may result in termination of employment.

Employees are expected to follow established work schedules unless other arrangements are made in advance with their supervisors. If an employee has to be late or absent from work, the employee must notify the supervisor before the day's start time so that arrangements can be made to cover that employee's responsibilities. Supervisors and employees are expected to discuss and confirm the preferred notification process, including what the employee should do if unable to directly contact the supervisor in the event of an absence or late arrival.

Where reporting notification processes have not been identified, employees must notify their supervisor or Campus Attendance Coordinator in advance when possible - and in no case later than 30 minutes after their starting time - of their inability to report for work as scheduled. If a supervisor cannot be reached, employees should inform the secretary to the Campus Director as soon as possible that they will not be able to report for work. In providing this notification, employees should state the type of leave they are taking, such as Sick Leave or Vacation, for their absence and an estimate, if possible, of when they will return to work.

Routine doctor and dentist appointments for academic personnel are to be made after 2:50 on non-residential care days or during Vacation periods. Non-teaching employees should plan these appointments after their work hours and may make arrangements with their supervisors to make up lost time or use their Sick Leave for the absence.

Teacher Absences

Teacher absences may be either expected or unexpected. The procedure for notifying the School and covering the absence is different for each. The steps to follow in each case, as well as some additional general information, follow:

Scheduled Absences

Expected absences are defined as absences for reasons such as Personal Days, religious Holidays, or pre-approved School-sponsored activities such as professional workshops.

1. Obtain a "Scheduled Absence" form from
2. Request signatures of approval as specified on the form.
3. Seek final approval from the Campus Director.
4. Sign the form and return it to the Campus Director.
5. Leave a copy of the approved form with the Attendance Coordinator together with lesson plans for the day or days of your absence.

Unscheduled Absences

Unexpected absences are defined as reasons such as sickness, a death in the family, an accident or other unplanned event. To facilitate the conducting of classes when unplanned absences may occur, teachers are expected to have lesson plans on file.

Specific procedures are in place at each campus to facilitate teacher absences and lesson planning. Copies of these procedures are distributed to all teachers and are available from the offices of the Academic Deans.

Absences of More Than 3 Days

Failure to report to work and/or follow appropriate steps to notify the School or the employee's supervisor for three (3) consecutive days absent will be considered by the School to be a voluntary resignation effective on the fourth day of absence.

Before returning to work from a serious health condition absence of three (3) consecutive days or more, employees may be required, subject to applicable legal requirements, to provide a physician's verification that they are qualified to perform the essential functions of their job safely. The School reserves the right to have the employee seen by the School's designated occupational health care facility for a fitness-for-duty physical.

Nothing in this section changes the at-will nature of employment.

Family Medical Leave Act Leave and Massachusetts Parental Leave Act Leave

Employees who use Sick Leave/Personal Time to be absent from work may be eligible for leave under the School's Family and Medical Leave Act ("FMLA") Leave policy, or if not eligible for an FMLA Leave, for a Massachusetts Parental Leave Act ("MPLA") Leave, if applicable. The employee may be required to submit appropriate certification in support of the FMLA Leave and/or MPLA Leave, as set forth in those policies. For example, an employee may be required to submit medical certification pertaining to the employee or specific family member if the employee is seeking FMLA Leave for the employee's or family member's serious health condition. Please refer to the School's FMLA and Parental Leave policies for additional information.

2.11 Inclement Weather Policy

The School is a day/boarding school and employees should assume that it is operating even in inclement weather. In the unusual situation that school is canceled, notification will be posted on the School website as well as in an email notification to all employees. In the event of a closure of offices (e.g. due to a power outage), employees will be notified. Certain critical, emergency-response, employees may be asked to work on a day when operations are officially closed. In these circumstances, employees who work will receive regular pay. Please consult your supervisor if you are unsure whether you are an emergency response team member.

The School respects individual decisions about whether or not to travel to work in inclement weather. An employee who reasonably determines that travel is a safety risk may elect to not come to work or to delay coming to work as long as they notify their supervisor of their decision. The employee will not be reprimanded for making this decision.

In the unusual case that school is canceled or offices are closed, non-emergency response staff employees should not come to campus or should leave campus as instructed. In these instances, non-emergency response staff employees will be paid for the hours they were scheduled to work on the first work day School is closed. This time will not be counted toward overtime in a given pay period.

2.12 Performance Evaluations

The School believes that periodic performance evaluation is imperative for good employee development, strengthening individual skills, and general improvement of the School. Performance evaluation at Landmark School is intended to be positive in nature and should be viewed as an attempt to foster professional growth.

2.13 Personnel Files and Records

1. Personnel files are maintained in the Human Resources Office. These files include completed employment applications, other hiring-related documents, performance management reviews, information on other employment-related actions, and other relevant job-related information or documents deemed essential by the School, or as required by law.
2. The School must notify an employee within ten (10) days of any addition to their personnel record of any information that may negatively affect the employee's employment.
3. After making a written request, employees and former employees have the right within five (5) business days to inspect and copy information contained in their files or records. Individuals will be given access to their files only in the presence of the Director of Human Resources or the Human Resources Manager or a designee and at a mutually convenient time and place. State law states that an employee may request access not more than twice a calendar year.
4. No information in a personnel file will be disclosed to anyone outside the School without a signed consent from the employee or former employee specifically authorizing the release of the information, unless otherwise required by applicable law, court order or valid legal process. The School reserves the right, however, to verify basic information such as employment status and job title without notification to the individual involved.
5. Individuals who question the accuracy or completeness of information contained in their personnel file should bring such matters first to the attention of their supervisor. If the matter is not adequately resolved, the employee should discuss that matter with the Human Resources Manager. If the matter remains unresolved, the Head of School should be notified. The School will consider the employee's objections and may correct or remove erroneous or improper information. If the School decides to retain the disputed information in the file, the employee may place a brief statement in the record identifying the alleged errors or inaccuracies.

6. It is employees' responsibility to be sure that their personnel records are kept up to date relative to personal information or educational credentials, i.e., changes of address; updated phone contact numbers; changes in family status such as births, marriage, death, divorce; and new emergency contact information. Changes in family status which could impact benefits enrollment must be reported to the Human Resources Manager within thirty (30) days to avoid losing full benefits coverage.

2.14 Personal Appearance

Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the business image the School presents to students, families, its clientele and visitors.

During business hours, employees are expected to present a clean and neat appearance and to dress according to the requirements of their positions. Clothes worn at work may not be in a tattered condition or in disrepair.

Employees who appear for work inappropriately dressed will be sent home and directed to return to work in proper attire. Under such circumstances, non-exempt employees will not be compensated for the time away from work.

Employees in departments where uniforms are supplied are expected to wear them during working hours, and should consult their supervisor or department head with any questions as to what constitutes appropriate attire.

Because employees work in close proximity and are in contact with members of the community, employees must maintain reasonable standards of personal hygiene.

2.15 Working from Home

The School does not offer employees the option of working from home except in unusual circumstances, and then, only following Head of School approval.

2.16 Outside Employment

You may hold another position, as long as it is determined by the School that the outside job does not interfere with your duties for the School. Your position at Landmark School will be assumed to be your primary position. When accepting outside employment, you should avoid any situation that will adversely affect performance at the School, such as being too tired to perform effectively.

2.17 Employment Information

Information about an employee is generally not released to individuals outside of the School without the employee's prior written authorization. Employees are not permitted to write letters of recommendation for current or separated employees without the approval of the Campus Director or the Director of Human Resources.

If an employee wants the School to provide information for a mortgage or other credit application, the employee must provide written authorization for the School to release the information. Unless an employee provides such authorization, the School will only provide routine information in response to this type of outside inquiry.

This policy does not prevent the School from using employee information in connection with its operating needs or from releasing such information to government agencies and others in appropriate circumstances as determined by the School in its sole discretion.

2.18 Employment of Relatives

The School may permit the employment of relatives and those in close personal relationships, so long as it is not under circumstances in which undue influence may be exerted, or in which a conflict of interest may arise, such as when there is a reporting relationship. The School has complete discretion to take whatever steps may be necessary to ensure that relatives and those in close personal relationships do not work under circumstances in which undue influence or a conflict of interest may arise.

Absolutely no hiring preference will be given to relatives of employees. Hiring decisions are based solely on the merit of an applicant's qualifications. Exceptions for this policy may be authorized by the Head of School or the Director of Human Resources for the benefit of the School.

For purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

2.19 Safety in the Workplace

The School provides information to employees about workplace safety and health issues through regular internal communication channels such as supervisor-employee meetings, emails, bulletin board postings, memos, or other written communications. Landmark health and safety policies (including, but not

limited to, vaccination or testing for COVID) may be implemented or modified during the school year as required by federal and state law or as determined by the School.

Many of the best safety improvement ideas come from employees. Those with ideas, concerns, or suggestions for improved safety in the workplace are encouraged to raise them with their supervisor or with another supervisor or manager. Reports and concerns about workplace safety issues may be made anonymously if the employee wishes. All reports can be made without fear of reprisal.

Each employee is expected to obey safety rules and to exercise caution in all work activities. Employees must immediately report any unsafe condition to an appropriate supervisor.

III. COMPENSATION POLICIES

3.1 Pay Procedures

Landmark School's standard pay period is bi-weekly. Employees will be paid every other Thursday. If a pay falls on a Holiday, paychecks will be distributed on the last working day prior to the Holiday.

With your paycheck you receive an on-line statement showing gross income as well as mandatory and requested deductions and reductions. While it is the School's policy to pay employees accurately, it is your responsibility to check your statement for accuracy. If you believe there is an error in your paycheck, please contact the Human Resources Manager as soon as possible.

Your paychecks will be deposited to your bank account after you complete the direct deposit form. You are responsible for providing and updating your personal and/or banking information in our payroll system to ensure the most up to date information is reflected.

3.2 Work Week Definition

The work week runs from Sunday to Saturday.

3.3 Employee Timekeeping

For faculty, a record of absences will be kept which will include dates, duration, reason for absence, quality of lesson plans when applicable, and amount of advance notice. This information may be used in connection with performance evaluations. A designee at each campus will maintain written records of employees' absences and tardiness, which will include the type of leave each employee is taking. These records will be submitted to the Human Resources Manager weekly.

For administration and staff, absences are recorded directly in the payroll system by the employee or their manager.

3.4 Overtime

All overtime worked must be approved in advance by the employee's supervisor. Overtime is not intended to be used on a routine basis, but as required during peak work periods or unusual circumstances of a temporary nature. A workweek is defined

as Sunday through Saturday. Vacation, Holiday and Sick Leave do not constitute hours worked for the purposes of computing overtime.

3.5 Employment of Minors

The School will adhere to applicable laws concerning the employment of minors (*i.e.*, individuals under the age of eighteen (18)). Supervisors of employees under the age of 18 will ensure that:

- Employment is not detrimental to the minor's health and/or welfare;
- The minor will be adequately supervised; and
- Employment does not interfere with the minor's education.

3.6 Meal Breaks

In accordance with state law, employees who work more than 6 hours in a day are required to have a 30-minute unpaid meal break.

3.7 Accommodations for Nursing Mothers

Employees who are nursing will be provided with reasonable breaks to express breast milk as frequently as needed for up to one year after the birth of a child. Landmark School will provide a place for the break, other than a bathroom, that is shielded from view and free from intrusion. Employees will not be retaliated against for exercising their rights under this policy.

3.8 Wage Assignments and Garnishment

The School is legally bound to comply with certain government orders requiring the reduction of payroll dollars for garnishments, IRS restraining notices and wage assignments.

IV. EMPLOYEE POLICIES

4.1 Introduction

Landmark's program is uniquely focused on intensive and individualized remediation of young people with special needs. In order to ensure the program's integrity, it is expected that all employees will apply the highest professional standards of conduct in all of their interactions with students. At all times, employees should exercise sound judgment, acting with discretion while maintaining appropriate professional boundaries.

The School expects its employees to establish themselves as appropriate role models and to stress clear, consistent expectations for student performance. Whether in one-to-one or group situations, employees are expected to balance structure and authority with empathy and compassion. Employees must be particularly sensitive to situations which may compromise effective working relationships between themselves and students.

Employee behavior with regard to students must be above suspicion; employees must be vigilant in assuring that their interactions with students remain professional. Unless an emergency is involved, employees shall not transport students in private vehicles. Students are not permitted in employee domiciles. Any exceptions must receive prior approval by the supervisor of the relevant activity.

Romantic relationships, sexual abuse or molestation, the grooming of a student for future sexual abuse or molestation, and/or relationships that could be considered romantic or dating in any form between students and employees, will be considered to be a breach of the employee's ethical and moral duties as an employee of this School community and will lead to the employee's immediate termination.

Employees are required to report any actions by employees toward students, by students toward employees, by students toward other students and by visitors toward any member of the community that could be interpreted as falling into one or more of the behaviors described above should be reported immediately by the employee to the Head of School (978-236-3275) or the Campus Director.

Landmark will investigate reports of inappropriate staff-student relationships or conduct following the procedures outlined in the School's Policy against Discrimination, Harassment, Bullying, Hazing and Retaliation below.

4.2 Landmark School Code of Conduct

This document is meant to assemble, clarify, and define behaviors and policies that apply to Landmark's general expectations of adult conduct, many of which can be found in the Policy & Procedure Manual, and this Employee Handbook.

All members of the Landmark community are expected to contribute to a caring, respectful, and structured environment by demonstrating:

- Commitment to self-discovery, dignity, and growth.
- Respect for the feelings, efforts, and physical well-being of others.
- Commitment to a safe, clean, congenial, and productive living and learning environment.
- Honesty in academic endeavors and in all aspects of campus life.
- Respect for the privacy, property, and materials of all members of the Landmark community.

Adults in our community are always presumed to be in a position of power in our relationship to our students and must therefore maintain the boundaries appropriate to this imbalance of power. All adult actions, written, verbal and electronic, must be weighed in the balance of law, school policy and the specific guidelines in published Landmark documents. In the spirit of being a good colleague, and while making the assumption of good will, it is our responsibility to help protect the safety and well-being of our students and to be attentive to the following expectations:

- All employees are expected to serve as role-models for our students at all times while scrupulously respecting adult/student boundaries.
- Sexual activity, including romantic behavior, between adults and students is prohibited. This activity includes, but is not limited to, actual physical conduct, unwelcome sexual advances, requests for sexual favors, verbal, written or electronic communications, and any other conduct of a sexual nature.
- Behavior that is or could lead to sexual abuse or molestation including the grooming of a student for future sexual abuse or molestation is prohibited.
- Employees must respect the student's right not to be touched. Casual touching such as a brief hug, pat on the back, hand on the shoulder, may be appropriate depending on the specific circumstances but only when it is open and not secretive and conducted in response to the student's needs, not those of the adult, with the student's permission (that is, resistance from the child should be respected), and for a purpose that is consistent with the institution's mission and culture, or for a clear educational or developmental purpose.
- Providing drugs, including legal drugs, any tobacco product including electronic cigarettes, or alcohol to students or using these substances with students or while supervising students is prohibited.
- Employees may not have firearms of any sort on campus at any time, including in their cars or homes.
- Employees shall not engage in conduct or behavior which is personally offensive or threatening or which has the effect of interfering with a student's life or learning, impairing morale, or creating an intimidating, hostile, or offensive living, learning or working environment.

- Contact with currently enrolled students, or those alumni or ex-students younger than 18 years of age, in any capacity in which the student(s) may perceive the relationship to be that of a “friend” rather than that of a mentor/adult.
- Employees **MUST** report suspected violations of this Code or other Landmark Handbooks to the Head of the Elementary/Middle School, Head of the High School or Head of School immediately upon learning of the behavior.
- Employees are required to cooperate and fully participate in any investigation of employee or student behavior.
- Retaliation against any individual for reporting a violation or cooperating in an investigation may be grounds for discipline up to and including termination.

Should an employee fail to uphold these expectations for personal conduct, Landmark's response may, after the conduct is thoroughly investigated, be disciplined up to and including immediate termination of employment.

4.3 Policy against, Discrimination, Harassment, Bullying, Hazing, and Retaliation

Students, faculty, staff, and others connected with the School should expect to be treated with respect and consideration. As a community enriched by its diversity, we recognize and celebrate differences in culture, race, age, ethnic origin, religion, gender, gender identity, sexual orientation and socio-economic level. It is extremely important, and a condition of every individual's employment, to ensure that no member of the community experiences any of the behaviors outlined below. Employees are required to become familiar with these policies. Failure to report any evidence of these behaviors involving a student, faculty or staff will be grounds for disciplinary action whether based on first-hand knowledge or otherwise.

There are several components of the School's Policy against Discrimination, Harassment, Bullying, Hazing, and Retaliation, also known as prohibited behaviors. Any form of discrimination is unacceptable at the School. The School prohibits any form of unlawful harassment by students, employees and visitors, including sexual harassment. Consistent with the School's Mission Statement, each student has the right to attend a school free of bullying and hazing. Furthermore, it is unlawful to retaliate against an individual for filing a complaint of unlawful discrimination or harassment including sexual harassment based on protected status, for filing a complaint of bullying or hazing, or for cooperating in an investigation of such a complaint.

Discrimination

The School supports employees' and students' right to work and learn in an environment free from all forms of discrimination, including discrimination based on an individual's sex, race, color, gender, gender identity, ancestry, national origin, age, religion, ethnicity, pregnancy or pregnancy-related condition, sexual orientation, disability, genetic information, veteran status, military service, participation in any group insurance plan, receipt of free medical care, or any other category protected by law. The School prohibits unlawful discrimination by and against any student, employee, faculty member, or other person, including visitors and vendors.

As an organization we are committed to ensuring a workplace and school that are safe, respectful, fair for every member of our community, and in alignment with our ongoing dedication to health and safety.

The Landmark School (Landmark) does not discriminate on the basis of race, ethnicity, religion, sexual orientation, homelessness, color, national origin, gender, gender identity, genetic information, disability, sex, or age in treatment or employment at Landmark, admission or access to Landmark, or any other aspect of the educational programs and activities that Landmark operates.

Landmark is required by Title VI of the Civil Rights Act of 1964 (Title VI), Section 504 of the Rehabilitation Act of 1973 (Section 504), Title IX of the Education Amendments of 1972 (Title IX), the Age Discrimination Act of 1975 (Age Act), and their respective implementing regulations at 34 C.F.R. Parts 100, 104, 106, and 110, not to discriminate in such a manner. Inquiries concerning the application of these statutes and their implementing regulations to Landmark may be referred to:

The U.S. Department of Education
Office for Civil Rights
5 Post Office Square, 8th Floor
Boston, Ma. 02109-3921
(617)-289-0111

Or to the applicable Landmark Coordinator:

Title VI Coordinator

Susan Madden
429 Hale Street
Prides Crossing, Ma. 01965
978-236-3232

Section 504 Coordinator

Susan Madden
429 Hale Street
Prides Crossing, Ma. 01965
978-236-3232

Title IX Coordinator

Susan Madden
429 Hale Street
Prides Crossing, Ma. 01965
978-236-3232

Age Act Coordinator

Susan Madden
429 Hale Street
Prides Crossing, Ma. 01965
978-236-3232

If you have any questions or need more information please contact Susan Madden, Director of Human Resources (smadden@landmarkschool.org).

Harassment and Sexual Harassment

Harassment is defined as verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of the individual's race, color, gender, gender identity, age, religion, national origin, ancestry, sexual orientation, disability, veteran status, military service, genetic information, participation in any group insurance plan, receipt of free medical care, or any other characteristic protected by law. Harassment seriously interferes with our goal of creating an atmosphere in which everyone is treated with respect and dignity, and will not be tolerated. Harassment includes any conduct when:

- Comments are made or actions are taken which are hostile, aversive or demeaning, based on the characteristics listed above, to a person's authentic self, and
- Such conduct has the intent or impact of unreasonably interfering with an individual's work or learning performance or creating a hostile or offensive working or learning environment

A form of harassment, sexual harassment, is sexual behavior directed at individuals on the basis of gender or orientation that is not welcome, is offensive, affects morale and/or interferes with the victim's ability to learn or work. Sexual harassment can occur when submission to such sexual behavior is made either explicitly or implicitly a term or condition of employment or education or otherwise is used as the basis for employment or education decisions affecting an individual. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature will not be tolerated. Examples of inappropriate behavior which could be or could lead to harassment include but are not limited to:

- Unwelcome sexual advances – whether they involve physical touching or not;
- Sexual epithets, jokes, written or oral references to sexual conduct, comments on an individual's body, comments about an individual's sexual activity, deficiencies, or prowess;
- Displaying sexually suggestive objects, pictures, cartoons;
- Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;
- Inquiries into one's sexual experiences;
- Discussion of one's sexual activities; and

- Public display of explicitly offensive or demeaning materials, including electronic forms of communication

Harassment is not to be confused with honest and constructive criticism or a respectful and even energetic expression of differences of opinion; such behavior is of value to the goals of the School.

Bullying

Consistent with the School's mission, which states that "Members of the Landmark community are committed to maintaining a positive learning and living environment in which friendliness and caring are consistently evident," each student has the right to attend a school free of bullying. Bullying undermines these objectives and will not be tolerated.

Bullying is prohibited by Massachusetts law. In certain circumstances, perpetrators of such behavior could find themselves subjected to criminal proceedings. All students have the right to attend a school free of bullying. Massachusetts law defines "bullying" broadly – as the repeated use by one or more students or by an employee of a written, verbal, or electronic expression, or a physical act or gesture, or any combination thereof, directed at another student that has the effect of:

- Causing physical or emotional harm to the other student or the employee or damage to the other student's or employee's property;
- Placing the other student or the employee in reasonable fear of harm to himself/herself or of damage to his/her property;
- Creating a hostile environment at school for the other student or the employee;
- Infringing on the rights of the other student or the employee at school; or
- Materially and substantially disrupting the education process or the orderly operation of a school.

"Cyber-bullying," defined as bullying undertaken through the use of technology or any electronic means, is explicitly prohibited under the law. (Please refer to the School's "Acceptable Use Policy" in the Employee Handbook and in the Student Handbook, as applicable.)

The School recognizes that certain students may be more vulnerable to becoming a target of bullying or harassment based on actual or perceived differentiating characteristics, including race, color, religion, ancestry, national origin, sex, socioeconomic status, homelessness, academic status, gender identity or expression, physical appearance, pregnancy or parenting status, sexual orientation, mental, physical, developmental or sensory disability or by association with a person who has or is perceived to have one or more of these characteristics. When made

aware of concerns, the School will take steps to support vulnerable employees or students and to provide them with the skills, knowledge and strategies needed to prevent or respond to bullying or harassment, in addition to taking the steps described below to hold the perpetrator responsible.

The proscription against bullying extends beyond school grounds to school-sponsored and school-related activities, functions and programs; school buses and other vehicles owned, leased or used by the school; and school computers and other technologies.

Bullying that occurs at a location that is not school-related or via an electronic device that is not owned, leased or used by the school, is also prohibited if the bullying creates a hostile environment for the victim while he or she is at school. Thus, a student who sends a harassing text message to another student will be considered to have engaged in bullying if the recipient of the text message is placed in reasonable fear of physical harm while at school, even if the message was sent and received outside of school hours and off school property.

An employee, parent or guardian who learns or suspects that a student is being bullied should report such information to a School administrator or to the Head of School as soon as possible.

Hazing

Hazing is a crime and is prohibited by law and by the School in any form that might be practiced by any School group, team, club, or organization. If hazing, as defined in Massachusetts General Laws, Chapter 269, Section 17 (see Student Handbook, page 32), has been practiced or condoned by any coach, faculty advisor to any School club or organization, or any other employee, it will be dealt with by the School in addition to (and regardless of) any action taken by law enforcement officials.

Any employee who believes that another person has been, or may have been, the victim of hazing as defined in Massachusetts General Laws, Chapter 269, Section 17, and is at the scene where hazing has occurred, is required by law to report the crime to the Head of School or other appropriate School official who will be responsible for reporting it to appropriate law enforcement officials as soon as reasonably practicable to the extent that he or she can do so without danger or peril to himself or others.

Retaliation

Retaliation of any sort by any person, including parents, will not be permitted. No adverse employment action will be taken against any employee or student making a good faith report of alleged discrimination, harassment, bullying or cyber-bullying, hazing or retaliation. Any individual who is found to have engaged in retaliation against a student or employee for filing a complaint, or participating in the

investigation of a complaint, may be subject to appropriate discipline, up to and including dismissal from School or termination of employment.

Registering Complaints & Investigation of Complaints

Any employee of the School who witnesses or otherwise becomes aware of a prohibited behavior, discrimination, harassment, bullying or cyber-bullying, hazing or retaliation, in violation of this policy **IS REQUIRED TO** report it immediately to the appropriate individual listed on page 24 of this handbook.

There are to be no exceptions. Promises of confidentiality may not be made, though victims may be assured that privacy will be maintained to the extent possible.

An employee may not make bullying or cyber-bullying reports under this policy anonymously.

Employees should know that any student who feels that he or she or any other student has been the subject of any of these prohibited behaviors should immediately report the matter to the Head of the Elementary/Middle School, the Head of the High School or the Head of School. Student reports of bullying may be made anonymously, although no disciplinary action will be taken against a student solely on the basis of an anonymous report.

Any employee who believes that a student has been, or may have been, the victim of hazing as defined in M.G.L. c. 269 § 17, and is present where hazing has occurred, is required by law to report the crime to one of the School administrators listed above as soon as possible, to the extent that the employee can do so without danger or peril to themselves or others. The person who receives the report will be responsible for reporting it to appropriate law officials, as soon as reasonably practicable,

Once the report has been filed, the employee will be asked to describe the situation in detail and provide documentation as appropriate. The employee will also be advised how to respond.

Response to Complaints

Any reported incident will be promptly and thoroughly investigated as the particular circumstances warrant. Generally, an investigation will involve an interview with the individual making the complaint and interviews with persons identified as witnesses or otherwise having knowledge of the incident or conduct. While confidentiality cannot be guaranteed, all persons will be requested to treat the internal investigation as confidential and not to discuss the allegations with other persons at the School, particularly those not involved in the incident or conduct. Also, all persons will be informed that retaliation against an individual who has complained in good faith is unlawful. The School will not tolerate any form of retaliation directed toward an individual who in good faith makes a complaint or participates or cooperates in an investigation.

All persons involved in an investigation should understand that false or exaggerated accusations can be extremely damaging to innocent persons; therefore, all claims require the honest and full disclosure of facts by all involved persons. False accusations will not be tolerated and may lead to disciplinary action.

Any supervisory employee to whom an employee brings a complaint of discrimination, harassment and/or retaliation and who fails to report it to Susan Madden, Campus Director or Head of School will be disciplined.

Disciplinary Action

If, as a result of the investigation, it is determined that any employee engaged in conduct that either constitutes discrimination, harassment and/or retaliation, or otherwise violates the School's policies or rules of conduct, appropriate remedial or disciplinary action will be taken up to and including termination of employment. The School will take any additional action necessary to appropriately remedy the situation. The School will meet with the complaining employee or student to make certain that any improper conduct has stopped, and that there has been no discrimination or retaliatory action. Either party in the complaint may ask the Head of School for a review of the decision.

The Head of School will see that the Department of Children and Families is notified, if necessary, in accordance with the policy below.

Please note that while this policy sets forth our goal of promoting an environment that is free of discrimination, harassment, bullying, hazing or intimidation, and retaliation, the policy is not designed or intended to limit our authority to discipline or take remedial action for conduct which we deem unacceptable, regardless of whether that conduct satisfies the definitions above.

External Resources

While we expect that any employee who believes that he or she has been discriminated against, harassed or retaliated against will immediately bring the matter to the attention of supervisors, the Director of Human Resources, the Head of School and/or the Board of Trustees, employees also have the right to contact the Massachusetts Commission Against Discrimination (MCAD) and the Equal Employment Opportunity Commission (EEOC). These agencies can be contacted at the phone numbers and addresses listed below:

Massachusetts Commission Against Discrimination

One Ashburton Place, Room 601
Boston, MA 02108
617-994-6000

436 Dwight Street – Suite
220
Springfield, MA 01103

413-739-2145

484 Main Street, Room 320
Worcester, MA 01608
(508) 543-9630

00 Purchase Street, Room
501
New Bedford, MA 02740
(508) 990-2390

Equal Employment Opportunity Commission
JFK Federal Building
475 Government Center
Boston, MA 02203
800-669-6820

If any employee needs further guidance on these procedures at any time, the Head of School and the Assistant Head of School are always available for advice and assistance.

4.4 Procedure and Training for Suspected Child Abuse or Neglect

Massachusetts law requires professionals responsible for the care of children (including, but not limited to, teachers, school administrators, guidance counselors, nurses, social workers, etc.) to initiate a report to the Department of Children and Families (DCF) when, in their professional capacity, they have reasonable cause to believe that a child under the age of eighteen (18) is suffering from abuse or neglect (defined below). Similarly, the law requires these professionals to initiate a report to the Disabled Persons Protection Commission (DPPC) when, in their professional capacity, they have reasonable cause to believe that a disabled student eighteen (18) years of age or older is suffering from abuse or neglect (defined below). The responsibility to report rests both on the School and all professionals responsible for the care of children who are associated with the School. The following procedure is established to ensure that reports are made in a timely and effective manner, and that information about students and their families is treated in a way which is respectful of their privacy.

Abuse and neglect are defined as follows:

- Abuse means the non-accidental commission of any act against a child that causes or creates a substantial risk of physical, emotional, or serious injury to a child or the commission of a sex offense against a child or any sexual contact between a parent, caretaker, or any member of the Landmark community.

- Neglect includes the failure by a caretaker either deliberately or through negligence or inability, to take actions necessary to provide a child with minimally adequate food, clothing, shelter, medical care, supervision, emotional stability and growth, and other essential care.

Abuse and neglect of individuals with disabilities who are over the age of 18 may be exhibited via the following indicators:

- Injuries, bruises, welts, burns, abrasions, cuts, lacerations, punctures, wounds, sprains, dislocations, fractures, broken bones, internal injuries, or signs of sexual abuse.
- Neglectful Conditions (related to living environment) or Action (by caretakers).

The first report to DCF will be by telephone call (Child-At-Risk Hotline at 1-800-792-5200). As required by law, a written report must follow within forty-eight (48) hours after making the oral report. The School generally files all written reports through the DCF Portal so that the report can be tracked. The first report to DPPC will be by telephone call to 800-426-9009. As required by law, a written report must follow within forty-eight (48) hours after making the oral report.

In the event it is not clear whether conduct reaches a level of reportable abuse or neglect or there is a disagreement between an employee and the School's administration, any party who believes that the incident rises to the threshold for making a report must make the report. Once again, the responsibility to report rests both on the individual professional and the School.

- If the employee elects to verbally report to the DCF or the DPPC, he or she must also make a written report to that organization within 48 hours.
- If the employee verbally reports to the Head of School or Campus Director, then the Head of School or Campus Director must immediately verbally notify the DCF or the DPPC followed by a written report to that organization within 48 hours.
- As required by the Department of Elementary and Secondary Education (DESE) regulations, Landmark also reports these suspicions pertaining to children with the Office of Child Care Services and the DESE..
- In all of the above instances, the School generally files the written reports through the agency Portals in order to both track and respond to agency questions and follow up procedures.

Employees may also confidentially share the suspicion of abuse or neglect with the child's academic advisor, a member of the counseling staff, and the Campus Director to determine whether follow up services should be arranged.

4.5 Whistleblower and Anti-Retaliation

General

The School is committed to maintaining its reputation for honesty, fairness, respect, responsibility, integrity, trust, and sound business judgment. To that end, the School has established policies, such as the Business Ethics and Standards of Conduct policies, that require trustees and employees to observe high standards of business and professional ethics in the conduct of their duties and responsibilities. As employees and representatives of the School, we must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws and regulations.

As part of its commitment to ethical and legal conduct, the School expects its trustees and employees to bring to the School's attention all information about any ethical, financial, or legal concerns about the School or about known or reasonably suspected violations of this commitment by other individuals. This policy is intended to ensure that employees of the School are encouraged to report any ethical or legal concerns about the School without fear of reprisal or retaliation.

Before an employee discloses a violation outside the School, the employee is urged (though not required) to provide notice to the School in accordance with this policy to allow the School the reasonable opportunity, when appropriate, to take corrective action.

The School expects all employees to report any suspected criminal activity regardless of the identity or position of the employee involved.

No Retaliation

No employee who in good faith reports a violation of the School's policies or applicable law shall suffer harassment, retaliation, or adverse employment consequence in connection with such report. It is a violation of this policy for anyone, whether acting alone or on behalf of the School, to retaliate against any individual who makes a good faith report in accordance with this policy. An employee who retaliates against someone who has reported a violation in good faith may be subject to discipline up to and including termination of employment.

Reporting Violations

The School suggests that trustees, officers, and employees initially report violations or suspected violations to someone who can address them properly. In most cases, an employee's supervisor is in the best position to address such matters. However, if an employee is not comfortable speaking with the supervisor or is not satisfied with the supervisor's response, then the employee is encouraged to speak with the Director of Human Resources, someone in the Business Office or anyone in administration whom they are comfortable in approaching. Supervisors are required to report suspected violations of the School's policies or applicable law to the Head

of School or Director of Human Resources, who has specific responsibility to investigate all reported violations. For suspected fraud, or when an employee is not satisfied or uncomfortable with speaking with someone in the Business Office or another administrator, the employee should directly contact the Head of School, Director of Human Resources, Director of Finance, or Chair of the Audit Committee of the Board of Trustees.

Acting in Good Faith

Anyone reporting a violation or suspected violation of the School's policies or applicable law must be acting in good faith and have reasonable grounds for believing the information indicates a violation. Employees found to have knowingly made false accusations may be subject to disciplinary action, up to and including termination of employment.

Confidentiality

To facilitate investigation, the School discourages the reporting individual from remaining anonymous; however, concerns reported anonymously will be investigated to the fullest extent possible under the circumstances.

Upon receipt of a report, the School will promptly conduct a thorough investigation in such a way as to maintain the confidentiality of the individuals involved to the extent possible under the circumstances.

4.6 Confidentiality of Student and Parent Information

Landmark School employees will frequently encounter confidential information about students and their families. All employees are expected to show the highest regard for the privacy of each student and the School. Confidentiality is essential to a sound relationship with our students; it is also a legal and ethical matter of the utmost importance. All information related to students and their families should be treated in a confidential manner and should only be shared with other employees on a legitimate "need to know" basis.

All student records are kept in locked, secure locations. Guidelines around access are posted and in-service sessions are held in the Fall to inform faculty of procedures. Aside from the Registrar's staff, only personnel at the middle management level and above (case managers, department heads, and administrators) have access to the files. Other employees must have a legitimate need to review the file and be supervised by approved personnel before they are allowed to view any file. There is a sign-in/sign-out procedure for each use of the files. Parental requests for information, up to and including use of the entire file, are regulated by DESE procedures that include written notice and specific timelines.

Access to student records is restricted to eligible students and parents and authorized School personnel consistent with FERPA requirements. Access to student records by a third party is only authorized when specific, informed written consent is provided by an eligible student or parent. Consistent with this policy, it is essential that prior to School employees having conversations with service providers including psychologists, testers and other educational professionals, parents or guardians sign permission slips authorizing such discussions.

4.7 Business Ethics

Introduction

The successful operation and reputation of the School are built upon the principles of fair dealing and the ethical conduct of its employees.

The School will comply with all applicable laws and regulations and expects its trustees, officers, and employees to conduct business in accordance with the letter, spirit, and intent of all relevant laws and to refrain from any illegal, dishonest, or unethical conduct. For example, the use of funds or assets of the School for any unlawful purpose, including embezzlement, is strictly prohibited.

The School expects employees to act in a manner that will merit the continued trust and confidence of the public, our students, and their family members. In general, the use of good judgment, based on high ethical principles, will guide an employee in determining what is acceptable conduct. If a situation arises in which it is difficult to determine the proper course of action, employees should consult the Head of School or the Director of Human Resources.

Guidelines to Prevent Violations

The School is committed to the highest standards of care for the School's students. The following policy is intended to ensure that children are protected from any inappropriate or hurtful actions by adults responsible for their care. In addition, under Massachusetts law, all professionals responsible for the care of children are required to report suspected abuse or neglect of children under the age of eighteen (18).

Protecting Confidential Information

The School possesses certain confidential, proprietary and business-sensitive information that has been and may be revealed to employees during their time at the School. The protection of confidential business information and trade secrets is vital to the interests and success of the School. The School expects that, as a condition of employment, employees will keep all proprietary information strictly confidential. Proprietary, confidential, and sensitive business information regarding the School, its students, families, volunteers, other educational institutions, suppliers, vendors, and anyone else doing business with the School, must be treated with sensitivity and discretion and only be disseminated on a need-to-know basis.

Employees who improperly use or disclose confidential business and proprietary information may be subject to disciplinary action, up to and including termination of employment and legal action, regardless of whether the employee actually benefits from the disclosed information.

Communicating Honestly and Responsibly

Employees are required to disclose and record all School-related business transactions in a timely manner, and to ensure that recording of all transactions is timely, accurate, and complete. No secret or unrecorded funds or records are permitted.

Protecting the School's Rights and Privileges

Employees are required to protect the School's rights and privileges. The School's rights, property and facilities will be used only for the School's benefit and purposes, and never for the personal benefit of individuals. For example, employees' School telephone numbers, job titles, addresses and business cards may not be used to promote an employee's personal business interests. Likewise, the School's name, logo and reputation may not be used to promote an employee's personal business interests.

Avoiding Any Actual or Potential Conflicts of Interest

Employees are required to avoid personal activities, commitments, ownership interests and other arrangements that may or will compromise their primary duty of loyalty and fidelity to the School.

Employees who feel that they may have a conflict of interest should bring this issue to their supervisor's attention. Where a conflict may arise, the School will use its sole discretion to resolve it. Employees who have participated in or are participating in personal activities, commitments, ownership interests and other arrangements that are found to be conflicts of interest may be subject to disciplinary action, up to and including termination of employment.

Entertainment, Gifts, and Favors

All gifts (monetary or non-monetary), including personal payments, favors, loans, meals, transportation, or services received by employees as a consequence of their employment at Landmark, and valued in excess of \$200, must be disclosed in writing to the Director of Finance. This requirement includes, but is not limited to, gifts from the following people or organizations:

- A prospective or current student, parent, or the business organization of a parent who has a child in the School; or

- A person, organization, contractors, suppliers, vendors, or summer camp operator who has a business relationship with the School or anyone else associated with the School.

The key consideration in accepting a gift is whether the person from whom the gift is received has the potential to benefit from the actions of the person receiving the gift. This does not include reasonable and reciprocal entertainment that is consistent with social and business customs.

The Director of Finance will report to the Audit Committee of the Board annually on disclosures made under this policy.

4.8 Landmark School Acceptable Use Policy for Technology Resources

Use of the School's computer network and email implies agreement with Landmark's Acceptable Use Policy as follows:

The timely use of employee mailboxes, electronic mail, and voicemail is essential. Please check your mailbox, e-mail, and voice mail at a minimum upon arrival and before departure each day. Make every effort to reply within 24 hours.

Appropriate Use of the Network

The School is committed to protecting its employees, business partners and itself from illegal or damaging actions by individuals, either knowingly or unknowingly, through the use of its computers, computer files, electronic mail, the Internet/Intranet and related systems, software, operating systems, storage media, network accounts, or other media made available by the School.

Computers and technology play a very important role at Landmark School. All users are reminded that the hardware and software which comprise the computing network, and the data on this network, are the property of Landmark School and that use of the School's network, and access to the Internet through that network, are privileges provided by the School to employees to aid in the performance of their duties consistent with the School's educational objectives. The rules concerning the appropriate use of the network may be more restrictive than those governing other forms of written communication. Limited personal use is permitted, provided that it is not excessive or inappropriate and does not interfere with the employee's duties to the School.

Security of Information Systems

Employees are responsible for ensuring that use of Landmark School's communication resources, especially those including Internet access and access to confidential, sensitive, or personal information, does not compromise the security of Landmark School's computer systems and networks or risk disclosure of such

confidential, sensitive, or personal information. These duties include taking reasonable precautions to prevent intruders from accessing Landmark School's network (e.g., logging off of the network and securing the employee's laptop before leaving the office, and following all password and user authentication protocols). All material received on disk or other magnetic or optical medium and all material downloaded from the Internet or from computers and networks not belonging to Landmark School must be scanned for viruses and other destructive programs before being placed on the computer system. In addition, home computers and laptops may contain viruses; disks transferred from home computers or laptops to Landmark School's network must be scanned for viruses.

In the event that an employee is made aware of inappropriate use of the systems, including information security violations or the possible introduction of a virus, he or she should notify immediately the Network Administrator or Director of Information Technology.

Personal Information Security Policy

Landmark School recognizes the importance of maintaining the security of personal information and therefore complies with all laws regulating the retention of such information. For purposes of this policy, "personal information" is defined as a person's name (either the person's first and last names, or the person's first initial and last name) in combination with the person's Social Security number, driver's license or state-issued identification number, financial account number, or credit or debit card number. Personal information may be found in printed documents and hard files, and may also be collected, accessed and stored electronically. Personal information is covered by this policy whether it is printed or electronically stored.

Employees are required to take all reasonable measures to limit access to personal information, and to limit the collection or retention of personal information, to only what is reasonably necessary to accomplish the legitimate purpose for which the personal information is collected, stored or accessed. Further, employees are required to comply with all information security laws and regulations, and any other policies and programs adopted by Landmark School to comply with Landmark School's obligations to maintain the security of personal information.

Policy Responsibility

The Director of Technology has responsibility for ensuring adherence to all technology-related policies summarized here and in other documents distributed to employees and students. This is inclusive of but not exclusive to The Landmark School Employee Laptop Program. Any questions concerning these policies should be directed to them.

Social Networking and Other Electronic Communication Issues

Landmark School has the expectation that employees are not communicating or interacting with students, or recent graduates under the age of 18, via social networking sites and/or online gaming. There are inherent risks that one takes as an individual when communicating with students in this manner, including exposing the School to potential liability as well as potentially exposing oneself to personal liability for any information given or obtained outside of School norms. Employees are furthermore responsible for reporting to administrators any violations of School rules suggested by conversations, photographs, and videos seen on student web pages.

Landmark provides a School-based e-mail system and other mechanisms for School-sponsored electronic communication (e.g. blogs and other types of servers). Unless there is a compelling reason, the School expects that employees will only use these means for appropriate adult-student electronic communications. This also applies to not communicating with students via their personal mobile phones. To better protect students and adults, employees are expected to use the student's home phone number, as supplied by their parent(s) or guardian(s).

With respect to personal social networking, employees are directed not to accept students or alumni under the age of eighteen as "friends." Employees are urged to make sure that their personal social networking profiles are set to "private," thereby making it difficult for students, parents and others to access information about the employee's private life. Employees who consider creating an "Internet Presence" for personal and other reasons (blogging, personal websites, etc.), are asked to consider carefully the potential impact of having students and their parents viewing it.

Usage Expectations

All users should respect the dignity of others and avoid any offensive messages. Among those considered offensive are any messages that contain sexual implications, racial slurs, gender-specific comments, or any other comments that offensively address someone's age, sexual orientation, religious or political beliefs, national origin, or disability or other characteristic protected by applicable law.

Employees are not permitted to conduct any non-School related business activities using the School's computer system.

The School's technology resources shall not be used to send, receive, download or copy any copyrighted materials or similar materials without prior authorization. It is not acceptable to participate in accessing, printing, or distributing inappropriate or illegal materials. Inappropriate use includes, but is not limited to material that is profane or obscene (pornography), that advocates illegal acts, or that advocates violence or discrimination toward other people (hate literature). It is not acceptable to download any software off of the Internet. It is the employee's responsibility to honor all copyright laws involving text, images, sounds/music including MP3s, and video/movies.

Users should never assume that their work on the School's computer system is private. Files and messages that have been deleted by a user remain in the system.

until deleted by every user to whom they were sent or forwarded. (Even then, copies may remain on system backups). Similarly, users who browse the web should be aware that the network does keep track of the sites visited and pages browsed so employees should not assume that their web browsing is private. Network administrators reserve the right to access, monitor, review, and disclose all email and Internet use including incoming and outgoing messages and attachments, with or without notice. The School also reserves the right to track and monitor voicemail. The School will inspect the contents of computers, voice mail or electronic mail in its discretion, including but not limited to in the course of an investigation triggered by indications of unacceptable behavior or as necessary to locate needed information that is not more readily available by some other less intrusive means.

Password Policy

The purpose of having individual accounts and passwords is to provide security for one's own work and to provide access to appropriate software. Therefore, logging into others' accounts and/or changing their passwords are not acceptable.

Accountability

An employee who violates this policy or uses the electronic communication systems for improper or illegal purposes may be subject to discipline, up to and including termination. In addition, since the School's name is automatically connected with everything members of our community do over the Internet, users should remember that the School reserves the right to discipline employees who use the tool for any activity which is detrimental to the interests of the School.

4.9 Employee Behavior

Employees are expected to conduct themselves as "Good Citizens" and behave in a professional manner following all rules of conduct to protect all members of our community. While it is not possible to list all forms of behavior that are considered unacceptable in the workplace, the following are examples of actions that may result in discipline up to and including termination of employment. Employees should not presume any entitlement to progressive discipline.

1. PERSONAL CONDUCT

- Child abuse as defined in Section 4.4
- Endangering the safety of a child
- Conduct unbecoming to an employee
- Discourteous behavior toward students, parents, colleagues, members of the community, or the public
- Insubordination

- Violation of the School's policies against discrimination, harassment, bullying, hazing and retaliation
- Expressions of hate speech, whether verbal, written, or physical, are in direct conflict with the mission and values of Landmark school.
- Inappropriate conduct, including inappropriate friendships, romantic relationships, molestation, sexual relationships and socialization with students of the School
- Unethical, dishonest, or criminal conduct including but not limited to lying to a supervisor, theft of money or property from students, colleagues, or the School; falsifying or misrepresenting grades, student records, or business or personal information of any kind, including but not limited to employment applications, work records, or benefit forms, regardless of the time of the discovery
- Unauthorized disclosure or use of proprietary, confidential information or personal information (as defined in the Personal Information Security Policy herein) or violation of the School's policies that seek to protect such information
- Unauthorized use of telephones, the mail system, or any other School-owned equipment
- Deliberate or negligent misuse of or destruction or damage to property of the school, its students, or employees
- Use of School equipment for non-School related work without prior approval
- Fighting or threatening violence, or displaying physically or verbally abusive behavior, in the presence of students, parents, colleagues, members of the community, or the public
- Boisterous or disruptive activity that interferes with the functioning and flow of the workplace
- Slander towards a School employee or student
- Spreading malicious gossip and rumors
- Gambling, disorderly conduct, horseplay, or behavior that infringes upon common decency, including the use of vulgar or profane gestures or language
- Possession or transmission of sexually-graphic images
- Failure to participate fully in any School investigation
- Failure to comply with the School's policies
- Violation of a School policy on drugs, alcohol, and tobacco
- Possession of dangerous or unauthorized materials, such as explosives or firearms, in the workplace
- Publicly disparaging the School or its employees (but this shall not restrict employees from communicating with any government agency concerning matters under that agency's jurisdiction, or from advocating on workplace issues)
- Conduct on and off duty that results in criminal charges or convictions, or is deemed by the School, in its sole discretion, to be detrimental to its image regardless of the disposition of the charges.
- Conduct, including but not limited to speech, which harms or threatens harm to others or that is abusive or offensive.

2. ATTENDANCE

- Failure to show up on time for work
- Leaving work or a scheduled meeting without prior authorization, other than in an emergency situation in which obtaining prior authorization would not be possible
- Excessive absenteeism, tardiness, abuse of meal/break periods or any unauthorized absence or absence without notice
- Failure to comply with procedures for obtaining permission for time off

3. ATTENTION TO WORK

- Unsatisfactory job performance or conduct
- Failure to work in a manner consistent with the School's philosophy
- Conducting excessive personal business on the job
- Inefficiency, incompetence, low productivity, carelessness, or negligence

4. POLITICAL/ORGANIZATIONAL ACTIVITY

- Unauthorized solicitation, distribution, or display of written materials on School time or School property in violation of School policy
- Posting items without permission or defacing School property

5. HEALTH AND SAFETY

- Failure to use or improper use of safety devices or protective equipment
- Not complying with accident and injury reporting procedures
- Endangering the safety of oneself or others through horseplay or carelessness
- Violation of safety or health rules

Nothing in this section changes the at-will nature of employment.

4.10 The On-Review Process for Employees

A supervisor may, but is not required to, follow the On-Review Process when useful for helping an employee improve their unacceptable work performance.

Issue Definition with the Review Team

The Head of School or Campus, Director of Human Resources or Department Head will assemble a Review Team to define the issue(s) and determine if there is consensus that the On-Review Process is appropriate. If so, the Review Team will establish the criteria and the timetable for the employee's performance improvement including specific goals and actions the employee is expected to address and/or accomplish while On Review.

Communication with the Employee

Some or all of the Review Team members will meet with the employee to inform the employee of their performance failure, the expectations and timetable for improving their performance and the ramifications of their failure to meet the expectations of the Review Team. The employee may be permitted to have an individual (work colleague, etc.) join them for any On Review meetings for moral and informational support.

Documentation

All aspects of this process, including the performance failure which led to the On-Review process, the goals and timetable of the performance improvement plan, and the ramification of the employee's failure to meet the expectations of the Review Team, should be documented in writing. A copy of this documentation will be given to the employee and placed in their personnel file.

Reevaluation

Near the end of the time allotted for performance improvement, the Review Team will evaluate the employee's performance and determine whether they have met the expectations of the On-Review Process and what employment action, if any, will be recommended to the Head of School. One possible employment action is to continue the On-Review Process. Landmark maintains the right to make immediate decisions on continued employment during any part of the On Review process such as in the case of a significant policy violation or misconduct that may occur during the On Review period. This information should be shared, in writing, with the employee within three days of the decision. A copy will be placed in the personnel file.

4.11 Grievance Procedures

Differences and disputes among employees and between an employee and his or her employer may arise on occasion. An employee who is dissatisfied with an aspect of their employment, or the interpretation or administration of personnel policies or procedures, is encouraged to resolve the grievance informally with their Campus Director or with the Director of Human Resources. When the complaint cannot be resolved on this level, a formal review using a three-step process may be initiated in order to seek a reasonable resolution in a fair and timely manner. No employee will be discriminated or retaliated against because they elect to use the grievance process in good faith.

The three-step process is as follows:

1. A grievance must be reported within 10 days of the event. The grievance will be discussed with the employee's Campus Director, or the Director of Human Resources no later than 5 working days following receipt of the report. If no satisfactory settlement is reached within these 5 working days, the employee may request a formal review of the case. The grievance is then presented, in writing, to the Head of School.
2. The Head of School will hold a conference within 5 working days of his receipt of the grievance. The conference will include the aggrieved employee and their Campus Director and/or the Director of Human Resources. A written decision by the Head of School will be given to the employee within 3 working days of the conference. If the employee is dissatisfied with the decision, they may proceed to Step 3.
3. If the Head of School's decision is unsatisfactory to the employee, they may petition in writing that the grievance be placed before an ad hoc committee to rule on the grievance. The committee will consist of the Head of School as Chair, and four other members selected by the Chair (two from administration and two from the staff). No individual will participate on the committee if they have been involved in the grievance or if the aggrieved employee reasonably states a concern that the participation of such individual would be prejudicial. The aggrieved employee may be accompanied by one School employee for purposes of moral or informational support. Within 5 working days of the hearing, the Head of School will render the committee's decision to the employee. This decision is final.

4.12 Drug-Free Workplace

The possession, use, or sale of alcohol, marijuana, unauthorized or illegal drugs, or the misuse of legal drugs, while on School premises or business or while representing the School in any capacity is strictly prohibited. Reporting to work under the influence of alcohol or such drugs is similarly prohibited. An employee who violates these prohibitions may be subject to discipline, up to and including termination. The use of medical marijuana in the workplace is prohibited and may result in termination.

An employee who is found to be using alcohol, marijuana, unauthorized or illegal drugs, or misusing legal drugs while on School premises or business or while representing the School in any capacity may be, as a condition of continued employment, required to participate in an alcohol or drug abuse rehabilitation program approved for such purposes, and proof of participation will be required. Refusal to participate in a required program, or further evidence of alcohol or drug abuse on School premises or business, or while representing the School in any capacity, will be grounds for summary dismissal. Landmark maintains the right to make immediate decisions on continued employment if an employee's failure to

uphold the expectations of the Drug Free Workplace policy also results in other significant policy violations or misconduct including conduct that endangers the health and safety of anyone in the Landmark community.

Some school-sponsored social functions may be excluded from the prohibition on alcoholic beverage consumption. Regardless of whether such functions occur on or outside School premises, during or after normal working hours, School employees are expected to conduct themselves professionally. Such professional conduct includes, but is not limited to, the exercise of sound judgment, respect for the rights and feelings of others, and consideration of the School's reputation. The fact that alcoholic consumption may be allowed at certain School-sponsored functions in no way lessens a School employee's obligation to use alcohol in a responsible manner, and such employee's decision to consume alcohol will not excuse any departure from standards of professional conduct.

4.13 Tobacco-Free Environment

In compliance with state law and in keeping with the School's policy to maintain a smoke-free environment, no tobacco or nicotine products, including electronic cigarettes and hookah water pipes, may be used by students, employees or visitors within School buildings or facilities, on School grounds or in School vehicles. Furthermore, no employee may use tobacco or nicotine products in the presence of students on or off School property, including while on field trips and while conducting School business off campus with two exceptions: faculty members may use tobacco or nicotine in their School-owned housing if students are not present, and other employees may only smoke in their cars with the windows up or in a designated space during authorized breaks. "School grounds" is defined as all property owned, leased, or under the control of the School to include surrounding and adjacent areas such as sidewalks, walkways, driveways, fields, and parking lots.

4.14 Authorship Policy

The following policy applies to all materials written by Landmark School faculty and staff that are in the field of education, broadly defined. Such materials fall into the following categories:

Program Materials. This category includes pedagogical materials, broadly defined, in print, audiovisual, electronic, or any other medium, including but not limited to (i) curricular materials to be used in teaching, whether the class is for Landmark students, is part of Landmark's professional development program, or is available online to persons outside the Landmark community; (ii) student assessment materials; and (iii) computer software, Smartphone and tablet apps, and the like, designed primarily to assist the teaching or assessment process. This category also

includes materials of an administrative nature such as internal studies and memoranda, anything written for posting on Landmark's website, and computer software, Smartphone and tablet apps, and the like, designed primarily to assist the administrative process. Data derived in whole or in part from Landmark activities, or from any analysis of Landmark activities, and materials that analyze or describe Landmark programs (collectively, "Internal Research Materials"), regardless of the purpose for which they are prepared, fall in this category.

Independent Scholarly Materials. This category includes books. It also includes materials suitable for publication, articles written for external publication in periodicals, and datasets that derive exclusively from research outside Landmark. Any materials subject to this Copyright Policy that do not clearly qualify as Independent Scholarly Materials will be deemed to be Program Materials.

Ownership will be allocated as follows. Please note that these rules apply regardless of whether the materials concerned are created on Landmark time or premises or using Landmark resources.

Copyright in all Program Materials will be owned by Landmark School. These materials are considered to be within the scope of the author's employment. However, if a faculty member who has written curricular materials leaves the school, they may continue to use such materials in their own classes taught at any other institution.

Copyright in all Independent Scholarly Materials will be owned by the author. However, Landmark School will be given the first opportunity to publish any book, booklet, app, or video. If it chooses to do so, the author and the school will enter into a written agreement granting Landmark School all necessary or advisable rights and providing a royalty to the author. If Landmark School does not notify the author that it wishes to publish a book or booklet within two months after being provided the author's final draft for review, the author will be free to have it published elsewhere with no payment to the school.

Landmark School will consider any request an employee may make for permission to use Internal Research Materials in his or her Independent Scholarly Materials, but the decision of the school as to whether to grant such permission will be final and binding. All such requests should be referred to the Head of School.

4.15 Pets

Landmark does not permit employee pets on campus. However, Residential Advisors and residents of non-dorms wishing to have a pet in School-owned housing may submit a formal petition to the Dean of Students. If approved, the employee

assumes full responsibility for the care and conduct of, and any damage done by, the pet. The employee/owner must keep the pet under control at all times. This includes ensuring, for example, that dogs are on a leash or otherwise tethered when around others. Dog owners must comply with local ordinances related to leash usage and vaccinations.

Pets are not permitted in the workplace during the workday. The School reserves the right to request immediate removal of any pet from its premises, should it become an irritant or health hazard to the School community. Any animal present without the Dean of Student's prior approval will be removed from campus immediately.

As a condition of owning a pet on campus, employees agree to indemnify (hold harmless) the School from any costs or other liabilities associated with any damage or injuries caused by the pet. This means pet owners are financially responsible for all costs associated with any such damage to people or property, regardless of whether the pet was under control (leashed or tethered) at the time of the damage. Pet owners may wish to consider purchasing insurance to protect themselves in the event of such damage and should check with their insurance agent to be sure they have liability coverage for any damage caused by their pet.

Residential Advisors must fill out an application prior to acquiring a dog.

4.16 Solicitation and Distribution; Fundraising for Other Nonprofits

Non-Employees

In order to ensure a productive work environment, persons who are not employed by the School are prohibited from soliciting or distributing literature or other materials, for any purpose and at any time, within the School's premises or property.

Employees

The School recognizes that employees may have interests in events and organizations outside the workplace. In the event that non-work-related activities interfere with an employee's ability to perform his or her job during the work day, they are prohibited from soliciting or distributing literature or other materials regarding any non-work-related activities during their work time and during the work time of the employee(s) being solicited or receiving the distribution. This prohibition does not apply to School-sponsored programs.

Definitions for the Purposes of this Policy

- (a) “Soliciting” includes approaching anyone for any of the following purposes: offering anything for sale, asking for donations, collecting funds, canvassing or seeking to promote, encouraging or discouraging (i) participation in or support for any organization, activity or event or (ii) membership in any organization. Handing out or delivering membership cards or applications for any organization is considered soliciting.
- (b) “Distributing literature or other materials” includes handing out or delivering to anyone any literature or any other printed or written materials (except that handing out or delivering membership cards or applications for any organization is considered soliciting).
- (c) “Work time” does not include meal periods, coffee breaks or rest periods or other specified periods during the work day when employees are properly not engaged in performing their work duties.
- (d) “Work areas” includes School premises and property and any other location at which employees are performing work on behalf of the School.

4.17 Media Contact

If and when you are contacted by the media, please refer reporters to the Director of Communications and your Campus Director. You should not feel obligated to answer any questions posed to you. A simple “no comment” to questions posed by reporters will allow you to avoid putting yourself in a situation in which you appear to be speaking on behalf of the School.

4.18 Cell Phone Policy

Please arrange to use your cell phone or a calling card for all long-distance personal calls. Cell phones should not be used for non-School-related calls during the work day. If you must keep your cell phone on, set it to “vibrate” to reduce the disruption to others.

4.19 Parking

Parking at Landmark is limited; employees are asked to help ease congestion by observing the following:

- park your car between the painted lines so as not to take up two spaces;

- park only in employee-designated areas and not in the visitor parking lots, in fire lanes, in handicapped spaces, in areas designated for School-owned vehicles, such as vans and maintenance equipment, or on unpaved areas; and
- although an extreme measure, Landmark reserves the right to tow, at the owner's expense, any vehicle in non-compliance with the above.

4.20 School Vehicles

The use of Landmark vehicles is essential to the health and safety of students and the smooth daily operation of the School. In order for these objectives to be met, employees must:

- submit their RMV driving record and a copy of their driver's license to the School upon hire and whenever so requested;
- report any loss of their driver's license to the Campus Director immediately. The School will work with the employee to determine whether driving School vehicles is an essential element of his or her position and whether the School can accommodate the change in the employee's responsibilities;
- understand that loss of license as a result of a DUI/CUI will result in the employee not being permitted to drive other passengers for up to three years following the reissuance of the license;
- not drive any School vehicle for his or her personal use;
- use seat belts and enforce seat belt use when seat belts are available;
- not talk or text on a cell phone while driving. If a cell phone conversation is necessary, employees must pull to the side of the road to have the conversation;
- report any mechanical difficulties to the Dean of Students or the mechanics department without delay;
- observe load limitations;
- learn safe and efficient vehicle operation, be familiar with DESE regulations regarding the transportation of students, and attend training sessions as necessary;
- park and lock vehicles safely in the appropriate area when not in use; sign out and return keys; complete mileage form;
- instruct and monitor students' appropriate behavior in and treatment of vehicles (see residential training handbook);
- charge fuel and check oil and other fluid levels where the School maintains accounts; obtain receipts; and
- report and file documentation with the Business Office in case of School vehicle damage, staff accident, or motor vehicle violation.

4.21 Reimbursement of Travel Expenses

Employees will be reimbursed for reasonable personal expenses incurred while in the performance of School business. Employees using their own cars on School business must follow the safety protocols listed above and will be reimbursed on an administratively determined mileage basis. Receipts for additional expenses such as tolls, meals and parking should be submitted to the Business Office for reimbursement.

4.22 Personal Use of Landmark Equipment and Facilities

All employees are asked to use professional judgment in the personal use of photocopiers and other office equipment. Maintenance equipment cannot be borrowed for personal use.

Facilities of the School may be used by employees during normal hours provided such use does not interfere with the students' use of the same facilities (and students are not waiting to use such facilities) or with other uses approved by the School. Employees are at times permitted to use facilities for personal events, and must seek prior approval through the Facilities Department.

4.23 Visitors on Campus

We are committed to having our campus be a safe place for students and adults. Employees should be attentive to the presence of visitors on campus and should not hesitate to address visitors directly. People visiting the School are encouraged to call ahead to make appointments. We ask all visitors to report to the receptionist, sign in, and obtain a visitor identification badge at the front office upon their arrival. Employees should converse with visitors who do not have an identification badge displayed and discern whether they have legitimate business on campus. In the event that you are uncomfortable with a visitor, do not hesitate to call x3010 (HS and Admin Campuses) to speak with the receptionist, or X3100 (EMS Campus). You may also call (5)-911 if you feel a member of the community is at risk.

4.24 Prevention of Violence in the Workplace

The School aims to create a workplace free from violence, threats of violence, harassment, intimidation, and other disruptive behavior. Employees play a major role in the School's efforts by complying with this policy, contributing to a respectful atmosphere, treating all threats seriously, and reporting incidents immediately. The

School treats reports of threatening behavior or violence seriously and will take appropriate action in response and may search any area or property, including personal property, in order to investigate reports of workplace violence.

It is everyone's responsibility to prevent violence in the workplace. Employees are required to immediately report odd or aberrant behavior to their supervisor, or to the appropriate individual listed on page 18 of this document. In the event that an employee encounters a threatening or violent situation, 911 should be called immediately.

4.25 Crisis Management

The School has instituted a crisis management plan in recognition that a coordinated response is essential to handling a crisis. Members of the Administration work in concert with the local Police on crisis management. The Plan defines a crisis situation, general goals for managing a crisis, procedures to follow when a crisis occurs, and internal and external communications. During a crisis, the Head of School's designee will serve as the spokesperson for the School. No other person is permitted to speak publicly on behalf of the School under these circumstances (though this does not restrict an employee from communicating with a government agency concerning matters within that agency's jurisdiction).

V. EMPLOYEE BENEFITS

5.1 Introduction

Landmark is pleased to be able to offer its employees a complete employment benefit package. Benefits that you are eligible for begin on the date of hire, upon a change in employment status or when the School changes its benefits offerings. What follows is only a general introduction to the School's benefits. Written information and Summary Plan Descriptions on some of the following benefits are available in the Human Resources Office. In order to ensure that you are taking full advantage of the employee benefit program, it is important that you take the time to acquaint yourself with the benefits available to you and that you complete all necessary forms in a timely manner.

Employees will need to complete certain forms in a timely manner to ensure they have the coverage they desire. Enrollment in the School's benefits is not automatic. The terms and conditions of the School's benefit plans are governed at all times by the complete provisions of the contracts or agreements under which the plans are administered. The School, as plan administrator of its benefit plans and programs, has full discretion to administer them in all of their details, subject to the requirements of applicable law. If there is a conflict between this document and the actual Plan documents, the Plan documents will prevail. The School reserves the right to revise, modify or eliminate any benefits at any time. For more information on the benefits summarized below, please contact the Human Resources Manager.

Except where noted, employees who work 27 or more hours a week (20 hours for teaching faculty), are eligible to participate in many of Landmark's benefit programs. Full-time employees, those budgeted to work 40 hours a week, receive a premium benefit determined and published annually by the School. Part-time eligible employees, those budgeted to work less than 40 hours a week but more than the hours listed above, pay a prorated percentage of the premium benefit. The premium cost to the employee will vary depending upon the cost of the plan selected by the employee.

With the exception of accruing sick time, seasonal, substitute and per-diem employees are not eligible for benefits. If employed for more than 90 consecutive days, medical benefits will be offered if they meet the eligibility requirements.

5.2 Medical Insurance

Eligibility

The School offers eligible employees (non-faculty employees must work at least 27 hours per week, and faculty members must work at least 20 hours per week) the opportunity to participate in its Medical Insurance Plan. Employees may also enroll a spouse and/or dependents. Enrollment is permitted on the date of hire, annually during open enrollment in advance of the July 1 Plan Year, and within 30 days of when the employee experiences a qualified life event such as, but not limited to, the birth of a child, a change in employment status of a spouse (resulting in the loss of coverage) and other qualified reasons. Please contact Human Resources with any questions on eligibility relating to qualified life events.

Description

The School offers individual, two-person and family options. Coverage is provided for the pay period in which the reduction occurs. Information on the School's premium contribution to each medical insurance plan and its contribution to the plan's deductible is provided to employees each spring in advance of the July 1 Plan Year. For more information on the premiums where both spouses are employees of Landmark or where a part-time employee is eligible for coverage, please see the Human Resources Manager.

The School deducts from each paycheck the employee's premium costs and expends that amount through the Cafeteria Plan on the employee's behalf to pay his or her portion of the cost of the employee's School insurance.

For more information please read the Plan Document, Summary Plan Description and various medical insurance brochures available in the Human Resources Office.

An employee may also elect to be covered under a spouse's plan and decline the School's coverage. Employees who choose not to enroll in the School's medical insurance plan will be required to complete a waiver form.

The School does not discriminate against employees based on their participation in the School's medical insurance plan, their receipt of free medical care from the

Commonwealth of Massachusetts, or their disclosure of information regarding their participation or receipt of free medical care.

5.3 Dental Insurance

Eligibility

The School offers eligible employees the opportunity to participate in its Dental Insurance Plan. Employees may also enroll a spouse and/or dependents. Enrollment is permitted on the date of hire, annually during open enrollment in advance of the July 1 Plan Year, and within 30 days of when the employee experiences a qualified life event.

Description

The School offers individual, two-person and family options. Coverage is provided for the pay period in which the reduction occurs. Information on the School's predetermined amount of premium contribution for each of the three tiers is provided to employees each spring in advance of the July 1 Plan Year. For more information on the premiums where both spouses are employees of Landmark or where a part-time employee is eligible for coverage, please see the Human Resources Manager.

The School deducts from each paycheck the employee's premium costs and expends that amount through the Cafeteria Plan on the employee's behalf to pay his or her portion of the cost of the employee's School insurance.

For more information please read the Plan Document, Summary Plan Description and various medical dental insurance brochures available in the Human Resources Office.

5.4 Voluntary Vision Insurance

Eligibility

The School offers eligible employees the opportunity to participate in its Vision Insurance Plan. Employees may also enroll a spouse and/or dependents. Enrollment is permitted on the date of hire, annually during open enrollment in advance of the July 1 Plan Year, and within 30 days of when the employee experiences a qualified life event.

Description

The School offers individual, two-person and family options. Coverage is provided for the pay period in which the reduction occurs. Landmark does not contribute to the vision insurance premiums.

The School deducts from each paycheck the employee's premium costs and expends that amount through the Cafeteria Plan on the employee's behalf to pay the cost of the employee's School insurance.

For more information please read the Plan Document, Summary Plan Description and various medical dental insurance brochures available in the Human Resources Office.

5.5 Cafeteria Plan

Eligibility

The School offers eligible employees the opportunity to participate in its Cafeteria Plan. Enrollment is permitted on the date of hire, annually during open enrollment in advance of the July 1 Plan Year, and within 30 days of when the employee experiences a qualified life event.

Description

The Plan permits the employee to pay for his or her premiums on medical, dental and vision insurance offered through the School, qualified uninsured medical or health care expenses, and/or qualified child care expenses on a pre-tax basis through payroll reduction. The portion of salary set aside, through salary reduction, for FSA Plan expenses is not included in your gross income for federal, state or FICA taxes. In essence it is like receiving a discount on the cost of the employee's medical care and child care. If the employee decides to participate, his or her taxable compensation will be reduced by the amount of his or her contribution to these benefits. The employee's actual income will not be reduced in any way.

The IRS governs the School's limits on maximum annual contributions for qualified uninsured medical expenses and qualified child care expenses. These limits are subject to change during the School's annual open enrollment.

Participants direct the School to withhold a specified amount from pre-tax salaries and are reimbursed through the use of a personalized Debit Card or upon submission of receipts for qualified day care and healthcare expenses. The IRS places certain restrictions on the amount of money an employee can reserve, and what this money can be used for.

In considering enrollment in this benefit, please note the following: for dependent care expenses, it may be to the employee's advantage to use the deduction on the

1040 tax form; For more information please read the Plan Document, Summary Plan Description and various benefit brochures available in the Human Resources Office.

Flexible Spending Account (FSA)

The School's FSA Plan allows employees to set aside a portion of their salary to pay for qualified uninsured medical or health care expenses (including co-payments at the physician's office and at the pharmacy, eyeglasses, chiropractic care, and orthodontia). These expenses are "out of pocket" expenses not covered by another reimbursement or insurance plan. Uninsured health care expenses in a Flexible Spending Account are managed by Landmark School, in a tax-subsidized manner, thereby reducing the cost of these expenses to the employee. You should be aware that participation in this plan may reduce your potential Social Security benefits. To the extent funds are not used in the Plan Year, July 1 through June 30, an amount established each year (please refer to Plan documents) will be carried over into the next year. All claims must be filed by September 30 following the end of the June 30 Plan Year. It is important to note any unused funds revert to Landmark School.

For more information, please read the Plan document, Summary Plan Description and various benefit brochures. There is a 30-day deadline to enroll in the FSA plan each plan year. For those who have an HSA (Health Savings Account), Landmark offers a limited purpose FSA which may be used for non-medical expenses, such as dental and vision.

Health Savings Account (HSA)

An HSA is an account that reimburses employees for specific health care expenses. You must be enrolled in a qualifying high-deductible health insurance plan in order to open up an HSA account. HSAs can be funded by the BCBS company member, an employer or anyone else. The money contributed to your HSA belongs to you and can be used to cover eligible current or future medical expenses. If the HSA meets rules under the Internal Revenue Code, contributions, earnings and withdrawals for eligible expenses are not subject to federal income taxes or employment taxes. For more information about qualifying expenses and the HSA regulation, Section 213(d) of the IRS Tax Code, visit the IRS website. The HSA plan is administered by Health Equity.

Medical, Dental and Vision Insurance Premiums

The School, at your request, will reduce your salary by the amount of your premium costs and expends that amount through the Cafeteria Plan on the employee's behalf to pay the employee's portion of the cost of his or her School insurance. This accounting device saves the employee taxes on their insurance premiums. Participation in this portion of the Cafeteria Plan is mandatory for employees.

Dependent Care Expenses

Employees enroll in the Plan and choose how much money they want to contribute to their Dependent Care Spending Account by completing a salary reduction agreement based on their anticipated unreimbursed child care expenses for the period remaining in the Plan Year (July to June). The School reduces the employee's salary by the agreed amount each pay period. Once the amount is selected for the Plan year, it cannot be changed unless there is a change in the employee's family status.

The Dependent Care portion of the Plan is administered by the School for those at Tot Spot. For employees who do not have children at Tot Spot, EBPA administers the plan.

5.6 Landmark School Retirement Plans

School Contributions

The Landmark School Retirement Plan is a 401(k) Plan. Landmark contributes a percentage to the Plan on your behalf once you have completed one year of service and have worked at least 1,000 hours in that year. Participation in the Plan is mandatory. The contribution is subject to change at the discretion of the Board of Trustees. The School deposits its contributions into the Plan annually. Information on the available investments is available from the Human Resources Manager.

Employee Contributions

A. All continuing employees who want to invest additional pre-tax money into federal and state tax-deferred retirement savings may make regular contributions into this Plan. The maximum allowable contributions are determined by federal law. These contributions are deposited after each payroll.

B. Employees who contribute to the Plan will receive up to 1% match. There is no waiting period for this match. The 1% match is reported to Empower Retirement each pay period.

Investment Options

Participants in this Plan may manage their accounts by allocating their funds to a variety of investment options available under the Plan.

Loan Feature

In addition, this Plan offers employees a loan feature. Under certain circumstances, employees may borrow up to 50% of their vested 401(k) account balance, up to

\$50,000. Expenses incurred in taking such a loan will be the employee's responsibility.

Access to Funds

Over the course of 6 years, employees become progressively "vested" in the Plan. This means that employees own the value of the vested portion of the School's contributions to their account with full vesting after 6 years. (15% the first year-30%-45%-60%-80%-100%). Contributions made by employees are immediately vested at 100%.

The employee's contributions will remain with Empower Retirement Services until the employee retires or terminates employment, at which time the employee has a variety of ways to access those funds which have vested or keep them invested.

Information

For more information and to learn about the investment decisions you will make, please read the Plan Document, Summary Plan Description and various Empower brochures available in the Business Office or visit www.empower-retirement.com/participant. You can also access your Empower account on-line to view activity, check account balances and change investment options and allocations. The Plan's Summary Annual Report (SAR) is sent to participants annually. The Fee Disclosure document is sent to participants annually. Please see the Human Resources Manager if you have any questions.

5.7 Life Insurance

All employees who work at least 30 hours per week are covered by School-provided group term life insurance in the amount of 1 x their annual contracted salary, with accidental death and dismemberment protection, in an amount equal to their annual contracted salary. The amount of coverage decreases after the age of 70. Landmark pays 100% of the cost of this coverage. Employees pay imputed taxes on the School-paid premiums for insurance purchased in excess of \$50,000.

5.8 Workers' Compensation

If you are injured at work, no matter how minor the injury may seem, you MUST immediately report the incident to your Supervisor or if he or she is not available, to the Human Resources Manager and to the School nurse. In life-threatening situations, (5) 9-1-1 should be called. Otherwise, your supervisor should drive you to

Quadrant Health Strategies, at 550 Cummings Center in Beverly, or the School Nurse for treatment.

You will be required to complete and deliver to the Human Resources Manager an incident report form, available from the School Nurse or Human Resources, within 24 hours of your accident. You may also be required to complete Family and Medical Leave Act leave (FMLA) paperwork when you begin receiving benefits.

The first five days of absence under Workers' Compensation are unpaid. The employee may elect to use accrued Sick Leave, Vacation or Personal Days to remain in paid status with benefits for those five days. Similarly, the employee may use accrued Sick Leave, Vacation and Personal Days to make up the difference between the 60% wage replacement paid by law and their full salary, with benefits, for any applicable FMLA leave period. Wages paid by Workers' Compensation are not taxable.

If your physician or workers' compensation case worker determines that you are capable of working, but only on a limited basis, the School may offer you a temporary "light duty" assignment.

5.9 Short-Term Disability

All employees who work 30 hours or more per week are covered by the School's Short-Term Disability policy. If an employee is unable to work due to illness or injury, he or she may be eligible for Short-Term Disability payments after being out from work for 7 calendar days. Mutual of Omaha manages the School's Short-Term Disability policy in coordination with its management of the School's Massachusetts Paid Family and Medical Leave (PFML). For employees working 30 or more hours, PFML is the primary payer and the Short-Term Disability policy is the secondary payer. Such payments are conditional upon the furnishing of documentation from the employee's health care provider to Mutual of Omaha indicating that the employee's health condition precludes the employee from performing his or her duties.

The Short-Term Disability payment will be 60% of the employee's salary up to the maximum weekly benefit amount (please refer to Plan documents) minus all PFML payments. This income will be taxable income to the employee. Such payments will continue for up to 90 days as long as the employee is unable to work, after which the employee may be eligible for Long-Term Disability payments. The cost of this insurance is paid by Landmark School. If an employee becomes disabled during the summer months or has a disability that begins before summer months and is not

scheduled to work during the summer months, the employee is not eligible for Short-Term Disability benefits during these summer months.

For more information on this insurance, please read the Plan Document, Summary Plan Description and information available from the Human Resources Manager or the Director of Human Resources.

5.10 Long-Term Disability

All employees who work 30 hours or more per week are covered by the School's Long-Term Disability policy. In the event of an illness or injury, following 90 calendar days of either partial or total disability, the employee will receive 60% of their final salary up to a maximum of \$6,000 a month, less any PFML payments. Such payments are conditional upon the furnishing of documentation from the employee's health care provider to Mutual of Omaha indicating that the employee's health condition precludes the employee from performing his or her duties. You may also be required to complete Massachusetts Paid Family and Medical Leave (PFML) and Family and Medical Leave Act Leave (FMLA) paperwork.

This income will be taxable income to the employee. Payments under the plan, or from the Social Security Administration, will continue as described in the plan as long as the employee remains disabled and requires the regular attendance of a healthcare provider.

For more information on this insurance, please read the Plan Document, Summary Plan Description and information available from the Human Resources Manager or Director of Human Resources.

5.11 Personal Insurance Coverage

The School does not carry property insurance on the personal belongings located in employee offices and on-campus housing. It does not cover insurance to protect your belongings when you are traveling on behalf of the School. Employees should consider purchasing coverage for any personal belongings they have brought to work or take on School-related travel. Faculty who live on campus should work with their insurance agent to purchase the amount of property insurance and personal liability insurance that the agent thinks is appropriate.

5.12 Employee Dependent Tuition Coverage

Full-time employees who have worked for Landmark full time for three years may enroll their children in Landmark's programs after obtaining acceptance through prescribed admission procedures, and are entitled to a 50% discount on summer and academic year tuition as long as they remain full time employees of the School.

5.13 Professional Development Subsidy

Landmark will review the requests of employees who desire to advance professionally through further education including coursework, seminars, workshops and conferences. Participation in any other course, conference, seminar, workshop or organization which is required as a condition of employment will be reimbursed in full. The School will approve only professional development which has a relevant and direct benefit to its students. Proposals for other professional development involving tuition reimbursement must be approved by the Campus Director, Head of School, or the In-reach Program Director. Requests may be granted on a pro-rata basis related to the employee's percent of full-time work. Tuition reimbursement may be a taxable event.

1. Tuition for any course in the Landmark Certification/Master's Degree Program through Boston University/Wheelock will be subsidized in its entirety by Landmark School. The program represents the only subsidized program of professional study leading to special needs certification available to Landmark faculty. Landmark pays the employee's tuition directly.
2. Certain other specialized personnel (e.g., speech pathologists, librarians) of whom the state also requires appropriate certification may be required to enroll in graduate programs. Their programs of study and levels of subsidization must be approved by the Head of School. These employees will receive tuition reimbursement for successfully completed courses.
3. Other education opportunities require prior approval of the employee's Campus Director, Head of School, or In-reach Program Director subject to that program's budget for professional development. It is further understood that staff members may be asked to share knowledge and material gained from these experiences with those staff members who may express an interest and have not been able to participate.

5.14 Special Needs Certification, Waivers and Teacher Tests

All teaching faculty who have not achieved Special Needs Certification are required to both apply for a waiver of certification with the DESE and be enrolled in the aforementioned Boston University/Wheelock graduate Special Needs Certification program, taking a sufficient number of courses per contract year to maintain their

waived status. Faculty members who are not enrolled in this program and are not waived by the DESE may experience termination of employment. Exceptions to these requirements will be permitted only as state regulations allow, and must be approved by the Head of School.

Employees who complete the Special Needs Graduate Program and obtain Massachusetts Certification in Moderate Special Needs will receive a salary increase of \$5,000.

All new teachers are required to take and pass the Massachusetts Education Licensure Tests (MTELs) administered by the DESE. Teachers enrolled in or taking courses in the Boston University/Wheelock Program must take and pass these tests in order to enroll in practicum and earn their license as a Teacher of Students with Moderate Disabilities in Massachusetts. New teachers not in the program must also take the MTELs and must retake them if they do not achieve a passing score. Landmark School reimburses faculty for the cost of taking the MTELs required for certification in Moderate Special Needs.

VI. LEAVE PLANS

6.1 Eligibility

Employee eligibility for particular leaves varies based on the specific definition of each leave plan.

Employees may need to complete certain forms in a timely manner to be sure they have the documentation necessary for their leaves. The terms and conditions of some of the School's leave plans are governed at all times by the complete provisions of the contracts or agreements under which the plans are administered. The School, as plan administrator of its leave plans and programs, has full discretion to administer them in all of their details, subject to the requirements of applicable law. If there is a conflict between this document and the actual Plan documents, the Plan documents will prevail. The School reserves the right to revise, modify or eliminate any of these leave plans at any time. For more information on the leaves summarized below, please contact the Human Resources Manager.

The School provides many options for employees to take leave to attend to personal matters. In general, if you are eligible for more than one type of leave and the leave qualifies under more than one program, that leave will count toward every qualifying leave program. That is, a work absence will reduce your available leave allotment under all leave programs for which the absence qualifies.

6.2 Massachusetts Paid Family and Medical Leave (PFML) Act

The School offers Paid Family and Medical Leave (PFML) benefits consistent with Massachusetts law. Because the School will offer PFML benefits which are equal to or greater than those required by the Massachusetts PFML law, the School has been approved for an exemption from the Commonwealth's Department of Family and Medical Leave, and will administer its own benefits plan through Mutual of Omaha.

Eligibility Requirements

Coverage in this program is not optional. Employees who have met the earnings test established by the State (which is currently \$6,300) in the last 4 quarters of work prior to leave at the School or a previous Massachusetts employer are covered by the PFML. PFML eligibility is portable from one MA employer to another. Employees can continue to apply for PFML benefits for up to 26 weeks after terminating

employment at the School. Each individual's benefit year begins the first time an employee uses leave for a qualifying reason.

Insurance Premiums

The School's PFML plan is funded by employee and employer contributions. Employee contributions are made post-tax through payroll deductions. The total contribution for the Landmark PFML program is 0.88% of wages. The Family Leave contribution is 0.18% of your gross earnings and is 100% employee paid. The Medical Leave contribution is 0.70% of the 0.88%. The School is responsible for 60% of the Medical Leave contribution and covered employees are responsible for the remaining 40%. Covered employee contributions are capped by the Social Security income limit. These rates may be adjusted annually.

Total Leave Available

Employees may be entitled to up to:

- 12 weeks of paid Family Leave in a benefit year for the birth, adoption, or foster care placement of a child.
- 12 weeks of paid Family Leave in a benefit year to care for a family member with a serious health condition.
- 12 weeks of paid Family Leave in a benefit year because of a qualifying exigency arising out of the fact that a family member is on active duty or has been notified of an impending call to active duty in the Armed Forces.
- 20 weeks of paid Medical Leave in a benefit year if they have a serious health condition that incapacitates them from work, including giving birth.
- 26 weeks of paid Family Leave in a benefit year to care for a family member who is a covered service member undergoing medical treatment or otherwise addressing consequences of a serious health condition relating to the family member's military service.
- 26 total weeks, in the aggregate, of paid Family Leave and Medical Leave in a single benefit year.

Intermittent Leave

Intermittent or reduced schedule leave is available to:

- Bond with a new child (only by agreement between the School and the employee); or
- For Family Leave to care for a family member with a serious health condition or an injured service member when the healthcare provider certifies that intermittent leave is needed; or
- For Medical Leave when the healthcare provider certifies that intermittent leave is needed; or
- For Family Leave due to a qualifying exigency arising out of a family member's active duty or impending call to active duty in the armed forces.

The employee and Landmark School should work out a schedule for such leave that meets the employee's needs without unduly disrupting the employer's operations, subject to the approval of the healthcare provider. **Intermittent Leave must be taken in increments of 4 hours.**

Former employees may take leave intermittently or on a reduced leave schedule.

Notice of Leave

Employees are required to provide at least 30 days' notice to their employer of the anticipated starting date of any leave, the anticipated length of the leave and the expected date of return. An employee who is unable to provide 30 days' notice due to circumstances beyond his or her control is required to provide notice as soon as practicable.

PFML Documentation and Medical Certification

Employees must provide sufficient information in advance of an anticipated leave for Mutual of Omaha, the School's insurance provider, to determine if the leave requested by the employee qualifies as PFML.

- If an employee requests PFML for the employee's own serious health condition, a Medical Leave, the employee must submit a medical certification from their health care provider to Mutual of Omaha that establishes the employee is eligible for PFML. "Serious Illness" is defined as an illness, injury, impairment, or physical or mental condition that involves: inpatient care in a hospital, hospice, or residential medical facility; or continuing treatment by a health care provider. Medical Leave to give birth is typically a 6 to 8 week leave depending on whether the employee has had a C-section.
- If an employee requests PFML for Family Leave, the employee must submit a medical certification from their family member's health care provider, including an estimate regarding the frequency and anticipated duration of the leave, to Mutual of Omaha. "Family" is defined as spouse, child, parent or parent of spouse, person who was "in-loco parentis" for employee, grandparent, grandchild or sibling.
- If the employee requests PFML for Family Leave to bond with a child, the employee must complete documentation required by Mutual of Omaha including a birth certificate and a statement from the health care provider attesting to the birth/adoption/placement date.
- If the employee requests PFML for Family Leave for a covered service member, the employee will need to complete documentation required by Mutual of Omaha including that the condition is connected to the service member's service.

Covered Service Member Leave is defined as a need arising out of a covered employee's family member's active duty service or notice of an impending call or order to active duty in the Armed Forces, including, but not limited to, providing for the care or other needs of the military member's child or other family member, making financial or legal arrangements for the military member, attending counseling, attending military events or ceremonies, spending time with the military member during a rest and recuperation leave or following return from deployment or making arrangements following the death of the military member.

Pay for PFML Leaves

There are 3 ways in which employees can stay in paid status when they are on PFML approved by Mutual of Omaha. All leave absences, regardless of the employee's paid status, will run concurrently and be governed by the leave limits in the Handbook. All paid status arrangements, and leave allocations described below will be prorated based on the eligible employee's Full Time Equivalency (FTE). All payments noted below are taxable income to the employee.

What is the paid benefit for MA PFML?

The benefit percentage is based on the state's average weekly wage and an employee's own qualified wages.

- Step 1 – The part of an employee's average weekly wage that is less than or equal to 50% of the average weekly wage in the Commonwealth of Massachusetts will be paid at a rate of 80%.
- Step 2 – The part of an employee's average weekly wage that is greater than 50% of the average weekly wage in the Commonwealth of Massachusetts will be paid at a rate of 50% up to the maximum allowable benefit² (as established by the Commonwealth of Massachusetts). The maximum allowable weekly benefit amount is \$1,230.39 as of January 1, 2026. Note that based on the state calculation methodology, most individuals will not receive the maximum allowable benefit amount.
- The first seven days (five workdays) of the approved benefit will be paid by the School. After the first seven days for a duration approved by Mutual of Omaha, the benefit will be paid by Mutual of Omaha.
- The weekly benefit amount is prorated for intermittent leave or reduced leave schedules.
- FICA tax will be deducted from payments from Mutual of Omaha and the employee will receive a W-2 reporting all payments from Mutual of Omaha.

1. Payments from the School's Short-Term Disability Insurance

In addition to the PFML amount paid by Mutual of Omaha, employees who work 30 hours or more per week are covered by the School's Short-Term Disability insurance, also administered by Mutual of Omaha (See Section 5.9). This policy will pay employees the difference between their PFML payment and what would be 60% of their salary, for a maximum combined payment not to exceed 60% of the employee's salary.

2. Sick Leave, Personal Days and Vacation

Employees who are approved by Mutual of Omaha for PFML Medical Leave may use their accrued Sick Leave, Personal Days and/or their accrued Vacation to stay in full pay status. Employees approved for Family Leave may use their Personal Days and/or their accrued Vacation to stay in full pay status. In these cases, the available Sick Leave, Personal Days and Vacation will be prorated to supplement the amounts Mutual of Omaha pays through the PFML and, for eligible employees, the Short-Term Disability insurance, so the employee may receive in the aggregate, based on their available time, full pay.

Benefits

During an approved PFML leave, your health plan coverages, medical, dental and/or vision, will remain in force if you continue timely paying your share of the premiums. When receiving PFML and pay from Sick Leave, Personal Days and/or Vacation, employees may be able to pay health plan premiums through payroll. In some cases, employees may choose to prepay their premiums so they are tax-free. Otherwise, payment may be made by personal check or other means to maintain the coverage. Employees should work with the Human Resources Manager in advance of their PFML leave to finalize all premium payment arrangements.

During an approved PFML leave, the School will continue paying its premiums for the employee's life and ADD insurance, Long-Term Disability insurance and Short-Term Disability insurance.

Consistent with the School's policy for all types of leave, you will not accrue Sick Leave or Vacation while you are on leave. Additionally, you will not be paid for holidays that occur during leave.

Return to Work

Before returning to work at the conclusion of a leave due to the employee's own serious health condition, the employee will be required to provide a certification from the employee's health care provider regarding the employee's fitness for duty. The employee must provide the required medical certification to Mutual of Omaha for approval in a timely manner to avoid a delay in his or her return to work.

An eligible employee who takes leave under PFML and returns to work on or before the approved PFML end date will be entitled to return to their former job or to an

equivalent job with the same benefits, pay, length-of-service credit and seniority as of the date of leave. Taking PFML won't result in the loss of any employment benefit accrued prior to the date the leave began.

Applying for PFML

Employees seeking PFML should meet as soon as possible with the Director of Human Resources or Human Resources Manager to receive Mutual of Omaha PFML application paperwork (via One Digital, Landmark's leave management partner), which will need to be submitted for PFML approval. The documents and certifications needed to support the PFML application vary, depending on the type of leave requested.

When planning a PFML leave, employees must consult with the Campus Head and the Director of Human Resources or Human Resources Manager and make a reasonable effort to schedule the absence, including medical treatments, so as not to unduly disrupt operations.

Intersection of Leaves

The School provides many options for employees to take leave to attend to personal matters. In general, if you are eligible for more than one type of leave and the leave qualifies under more than one program, that leave will count toward every qualifying leave program. That is, a work absence will reduce your available leave allotment under all leave programs for which the absence qualifies.

6.3 Family and Medical Leave Act (FMLA) Leave

In accord with federal law, the School provides to eligible employees a leave of absence pursuant to the provisions under the Family and Medical Leave Act ("FMLA").

Reasons for FMLA Leave

Eligible faculty and staff are able to use up to a total of 12 weeks of leave with proper medical or other documentation for the following types of absences:

- An employee's own serious health condition
- The serious health condition of an employee's immediate family member
- Caring for a newborn or newly-placed adopted child or foster child
- Qualifying exigency arising out of an employee's immediate family member who is a covered service member on covered active duty. Eligible faculty and staff who are immediate family members or next of kin of covered service members are able to use up to a total of 26 weeks of leave during a single 12-month period to care

for the service member with a serious illness or injury incurred or aggravated in the line of duty.

Eligible Employees

To be eligible, employees must have worked at least 1,250 hours in the 12 months preceding commencement of the leave. Employees returning from Uniformed Services Employment and Reemployment Rights Act (USERRA) covered service are credited with hours of service that would have been performed but for the USERRA-covered service. FMLA runs on a “rolling” calendar year (or “look back” method). FMLA begins after three days out of work.

Total Leave Available

Employees may use up to twelve (12) weeks of FMLA Leave per year (measured from the twelve (12) months prior to the commencement of the Leave), regardless of the reason for the Leave. This may be extended to twenty-six (26) weeks in order to care for a covered service member with a serious injury or illness. Thus, for example, if an employee uses eight (8) weeks of FMLA Leave for childcare, and eight months later suffers a serious health condition, the employee would be entitled to only four (4) weeks of additional FMLA Leave. The employee may, in some circumstances, be entitled to additional Leave through the Massachusetts Parental Leave Act (MPLA), as a reasonable accommodation under the Americans with Disabilities Act, or pursuant to other School policies and procedures governing Leave.

All Leaves for which an employee is eligible run concurrently. For example, if an employee’s absence is eligible for PFML, MPLA and FMLA, the School will credit such absence against the time available for all Leaves. There are four (4) types of FMLA Leave:

FMLA Parental Leave

Parental Leave must be completed within twelve (12) months of the birth or placement of a child for adoption or foster care. An eligible employee, regardless of gender, will be granted child care Leave for up to twelve (12) weeks for the birth and care of a newborn child or for the care of a child placed with the employee for adoption or foster care. If an employee and spouse both work for the School, they are jointly entitled to a combined total of 12 weeks of FMLA Parental Leave.

FMLA Parental Leave may begin as early as the date of the child’s date of birth or adoption/foster placement. If an employee who is an expectant mother is incapacitated due to pregnancy, requires prenatal care, or suffers a serious health condition following the birth of a child, FMLA Medical Leave may be used for this purpose. The School may require medical documentation to substantiate FMLA Medical Leave taken for prenatal care or an employee’s serious health condition. Similarly, an employee who is needed to care for a spouse who is

incapacitated by pregnancy, undergoing prenatal care, or suffering a serious health condition following the birth of a child may use FMLA Family Care Leave. Care of a newborn child with a serious health condition is also considered FMLA Family Care Leave, and may require substantiation with medical documentation.

FMLA Medical Leave

An eligible employee will be granted up to twelve (12) weeks of Leave if unable to work because of the employee's own serious health condition (whether work-related or not). Broadly speaking, a serious health condition is an illness, injury, impairment, or physical or mental condition that involves inpatient care (*i.e.*, an overnight stay in a medical care facility), or continuing treatment by a health care provider. Specific qualifications, restrictions and exclusions for establishing a serious health condition are set forth in FMLA regulations. For more information, the employee should consult the Human Resources Manager.

FMLA Family Care Leave

If an eligible employee is needed to care for an immediate family member (meaning a spouse, child or parent, excluding in-laws) with a serious health condition (as defined above), the employee will be granted FMLA Family Care Leave of up to twelve (12) weeks.

Family Military/Injured Service Member Leave

In certain circumstances, eligible employees are entitled to take up to twelve (12) work weeks of unpaid Family Military Leave within a "rolling" backward twelve (12) month period when an employee's spouse, child or parent is on, or called to, active duty (including a foreign deployment requirement) with the U.S. Armed Forces (including the National Guard or Reserves) to address certain qualifying exigencies. An employee is required to provide written certification of the family member's military service.

Additionally, in certain circumstances, eligible employees are entitled to take up to twenty six (26) work weeks of unpaid Injured Service Member Leave within a single twelve (12)-month period to care for a spouse, child, parent or next of kin (meaning that the employee is the service member's closest living blood relative) who is: (1) a current service member and suffers a serious injury or illness or aggravation of a preexisting condition in the line of duty for the U.S. Armed Forces (including the National Guard or Reserves), rendering the member medically unfit to perform the duties of the member's office, grade, rank or rating; or (2) a veteran of the U.S. Armed Forces (including the National Guard or Reserves) who was discharged or released under conditions other than dishonorable at any time during the five (5)-year period prior to the first date the eligible employee takes Leave and is undergoing medical treatment, recuperation, or therapy for a serious injury or illness suffered in the line of duty, including aggravation of a preexisting condition.

Eligible employees are also entitled to take up to fifteen (15) days of unpaid Family Military Leave to bond with a military member on rest or recuperation Leave. This Leave must correspond to the length of rest or recuperation Leave given to the military member.

Intermittent Leave

When medically necessary, employees may take Leave for any of the reasons listed above intermittently (that is, in blocks of time or by reducing their normal weekly or daily work schedule), rather than continuously, in accordance with the conditions provided for such intermittent Leave under the FMLA. Employees must make reasonable efforts to schedule Leave for planned medical treatment so as not to unduly disrupt the School's operations. Parental Leave may only be taken intermittently with the School's consent.

If this type of leave would best meet the needs of the employee, it is important that the employee speak with the Director of Human Resources or Human Resources Manager, and with One Digital to specify their exact needs for medical care. Ideally, the employee will be able to schedule their absences at a time when the disruption to students may be reduced. The School may require the employee to either take the leave for a particular duration or transfer temporarily to an alternative position, with equivalent pay and benefits, better suited to accommodating recurring periods of leave. Landmark will make this decision while thoughtfully considering the balance between the employee's personal needs and the operational requirements of the School and the best interests of its students.

Requests for Leave – Employee Responsibilities

All requests for leave should be made in writing to the Campus/Department Head and the Director of Human Resources or Human Resources Manager, along with One Digital (Landmark's leave management partner) at least thirty (30) days in advance of the leave, stating the purpose of the leave. Employees may obtain copies of Request for Leave forms from OneDigital. If the need for the leave is not foreseeable, you are still required to notify the Director of Human Resources or Human Resources Manager, along with One Digital, as soon as possible. The request should state the reason(s) for the requested leave, the anticipated length of the leave, the estimated date of return to work, and must be accompanied by (when submitted to One Digital) appropriate certification, including certification of active military duty or certification from the health care provider in the case of Parental Disability Leave, Medical Leave, Family Care or Injured Service member Leave. One Digital and/or the School may, in some instances, request second or third opinions or recertification during the period of leave. Certification forms to be completed by a health care provider may be obtained from One Digital. The School may also request that you report periodically on your status and intention to return to work.

If you believe that an absence would qualify for FMLA leave, you should notify the School as soon as possible, but in any event, not later than two (2) business days after returning to work from such absence.

Employees seeking leave due to a family member's serious health condition will be required to submit a completed "Certification of Health Care Provider for Family Member's Serious Health Condition" form. Employees seeking FMLA leave due to the employee's own serious health condition will be required to submit a completed "Certification of Health Care Provider for Employee's Serious Health Condition" form. These medical certifications are submitted to One Digital.

Landmark School's Responsibilities

The School (through One Digital) will inform an employee requesting leave whether the employee is eligible for FMLA leave. The notice will specify any additional information required, as well as the employee's rights and responsibilities. If the employee is not eligible for FMLA, the School (through One Digital) will provide a reason for the ineligibility.

The School (through One Digital) will inform an employee if leave will be designated as FMLA leave and the amount of leave counted against the employee's leave entitlement. If the School (through One Digital) determines that the leave does not qualify as FMLA leave, the School (through One Digital) will notify the employee.

Pay for FMLA Parental Leave

- Employees who give birth, adopt, or foster a child should apply to Mutual of Omaha for pay through the Massachusetts Paid Family and Medical Leave (PFML), and in some cases the School's Short-Term Disability (STD) insurance, if they are unable to work for medical reasons, either prior to, and/or following the birth of a child. The typical Parental Leave, also called the PFML Medical Leave, is 6 to 8 weeks depending on whether or not the employee has had a C-section. The employee will be paid in full by the School for the 7-day PFML and Short-Term Disability (Please see Section 5.9) waiting period (5 work days).
- Employees who are approved by Mutual of Omaha for PFML Medical Leave, and in some cases the School's Short-Term Disability insurance, may use their accrued Sick Leave, Personal Days and/or their accrued Vacation to stay in full pay status. In this situation, the available Sick Leave, Personal Days and Vacation will be prorated to supplement the amounts Mutual of Omaha pays through the PFML and, for eligible employees, the Short-Term Disability insurance, so the employee may receive in the aggregate, based on their available time, full pay.
- Unpaid leave for Parental Leave available through the FMLA, or Medical Leave available through the PFML, will be deemed to run concurrently with

paid leave granted for these purposes. FMLA Leaves are calculated and paid in increments of one week. Vacation and/or shut down weeks are not included in the 12-week total.

- Any portion of the Leave not covered by the foregoing will be unpaid.

Pay for FMLA Medical, Family Care and/or Family Military Leaves

- Employees who take FMLA Medical Leave, FMLA Family Care Leave or FMLA Family Military Leave should apply to Mutual of Omaha for pay through the Massachusetts Paid Family and Medical Leave (PFML), and in some cases the School's Short-Term Disability (STD) insurance, if they are unable to work for medical reasons. The employee will be paid in full by the School for the 7-day PFML and Short-Term Disability (Please see Section 5.9) waiting period (5 work days).
- Employees who are approved by Mutual of Omaha for PFML Medical Leave, and in some cases the School's Short-Term Disability insurance, may use their accrued Sick Leave, Personal Days and/or their accrued Vacation to stay in full pay status. In this situation, the available Sick Leave, Personal Days and Vacation will be prorated to supplement the amounts Mutual of Omaha pays through the PFML and, for eligible employees, the Short-Term Disability insurance, so the employee may receive in the aggregate, based on their available time, full pay.
- Employees on FMLA Family Leave or Family Military Leave who are approved by Mutual of Omaha for PFML Family Leave will receive PFML pay. They may use their Personal Days and/or their accrued Vacation to stay in full pay status. In these cases, the available Personal Days and Vacation will be prorated to supplement the amounts Mutual of Omaha pays through the PFML so the employee may receive in the aggregate, based on their available time, full pay.
- Any portion of the Leave not covered by the foregoing will be unpaid.
- Unpaid leave for Leave available through the FMLA, and Leave available through the PFML, will be deemed to run concurrently with paid leave granted for these purposes. FMLA Leaves are calculated and paid in increments of one week. Vacation and/or shut down weeks are not included in the 12-week total.

Benefits and Leaves

During an approved FMLA leave, your health plan coverages, medical, dental and/or vision, will remain in force if you continue timely paying your share of the premiums. When receiving PFML and pay from Sick Leave, Personal Days and/or Vacation, employees may be able to pay health plan premiums through payroll. In some cases, employees may choose to prepay their premiums so they are tax-free. Otherwise, payment may be made by personal check or other means to maintain the coverage. Employees should work with the Human Resources Manager in advance of their PFML leave to finalize all premium payment arrangements.

To the extent any FMLA Leave is unpaid, the employee must promptly reimburse the School for the employee portion of premiums no later than the date that a payroll deduction would have been made had the employee remained in paid status. Where permitted by law, if the employee fails to return to work at the School at the conclusion of an FMLA Leave, the employee may be required to reimburse the School for the employer's portion of any insurance premium payments made during any unpaid portion of an FMLA Leave.

During an approved PFML leave, the School will continue paying its premiums for the employee's life and ADD insurance, Long-Term Disability insurance and Short-Term Disability insurance.

Consistent with the Landmark policy for all types of leave, you will not accrue Sick Leave or Vacation while you are on leave. Additionally, you will not be paid for holidays that occur during leave.

Returning to Work

If Leave is taken due to the employee's own medical condition, the employee is required to provide medical certification stating the ability to resume work, before returning. A "Return to Work" Medical Certification form (available from One Digital) must be completed by the employee and the health care provider. Employees failing to provide medical certification will not be permitted to resume work until such notice is provided. Upon returning from FMLA Leave that has not exceeded twelve (12) weeks, or twenty six (26) weeks in the case of Injured Service Member Leave or Injured Service Member Leave combined with Leave for any other purpose under the FMLA, the employee will be returned to the same position held when the Leave began or to an equivalent position with equivalent pay, benefits and other terms and conditions of employment without loss of employment rights or benefits that earned or accrued prior to the beginning of the Leave, except to the extent such benefits were used or paid during the Leave.

If the employee decides not to return to the School from an FMLA Leave, the employee is requested to inform the School of that decision as soon as possible. The School may then end the Leave and employment will terminate. If the employee fails to return to work at the end of an approved Leave (or any approved period of

additional leave) and/or fails to notify the School of employment status, the School may treat this as a voluntary resignation or may discharge the employee.

Special Rules Applicable to Instructional Employees of Schools

The School may, if relevant, apply the Special Rules Applicable to Instructional Employees of Schools, 29 C.F.R. § 825.600 et seq., to FMLA Leaves taken by instructional employees. Instructional employees are defined as those whose principal function is to teach and instruct students in a class, a small group, or an individual setting. Under the Special Rules Applicable to Instructional Employees of Schools:

- a. Leave taken for a period that ends with the school year and begins the next semester is Leave taken consecutively rather than intermittently. The period during the summer Vacation when the employee would not have been required to report for duty is not counted against the employee's FMLA Leave entitlement.
- b. If an eligible instructional employee needs Intermittent Leave or Leave on a Reduced Leave schedule to care for a family member with a serious health condition, to care for a covered service member, or for the employee's own serious health condition, which is foreseeable based on planned medical treatment, and the employee would be on Leave for more than 20 percent of the total number of working days over the period the Leave would extend, the School may require the employee to choose either to:
 - i. Take Leave for a period or periods of particular duration, not greater than the duration of the planned treatment; or
 - ii. Transfer temporarily to an available alternative position for which the employee is qualified, which has equivalent pay and benefits and which better accommodates recurring periods of Leave than does the employee's regular position.

Duration of Leave

For all leaves except Injured Service member Leave, you are not entitled to a total of more than twelve (12) weeks of FMLA leave for all FMLA purposes per year, meaning a "rolling" twelve (12)-month period measured from the first day the employee takes any such leave. With respect to Injured Service member Leave only, the maximum duration of such leave is twenty-six (26) weeks during a single twelve (12) month period, measured from the first day an employee takes Injured Service member Leave and ending 12 months later, including the time spent on leave taken for any other reason(s) under the FMLA.

The School at its discretion, may extend or waive any limitation on the duration of any leave under this policy, including the limitation applicable to any twelve (12)

month period. Use of accrued Sick Leave, Vacation and Personal Days does not extend the length of any leave; it only allows you to receive pay during periods of FMLA leave which would otherwise be without pay. Employees do not accrue time while out on leave.

Limitations on Leave

Use of FMLA leave for purposes other than as set forth by the FMLA is strictly prohibited and may result in disciplinary action, up to and including termination of employment. Employees on FMLA leave are prohibited from working for another employer while on leave, unless the employee has received prior written approval from the Campus Director and the employee's administrator.

Key Employees

Certain key employees may not be eligible to be returned to the same or a similar position upon returning from FMLA leave, if such denial is necessary to prevent substantial and grievous economic injury to the School. A key employee is a salaried employee who is among the highest paid ten percent (10%) of the employees employed by the School.

Intersection of Leaves

The School provides many options for employees to take leave to attend to personal matters. In general, if you are eligible for more than one type of leave and the leave qualifies under more than one program, that leave will count toward every qualifying leave program. That is, a work absence will reduce your available leave allotment under all leave programs for which the absence qualifies.

6.4 Massachusetts Parental Leave Act (MPLA) Leave

Employees are eligible for eight (8) weeks of unpaid leave per child for the purpose of the birth of a child, adopting a child under the age of eighteen (18), or adopting a child under the age of twenty-three (23) if the child is mentally or physically disabled, in accordance with the Massachusetts Parental Leave Act ("MPLA").

MPLA Leave must be taken at the time of the birth or adoption. In order to be eligible for this Leave, employees must provide their supervisor with notice of the anticipated date of departure and intention to return from Leave at least two (2) weeks in advance or as soon as practicable if the delay is for reasons beyond the employee's control. Any two (2) employees of the School will only be entitled to eight (8) weeks of MPLA Leave in the aggregate for the birth or adoption of the same child, but may be eligible for additional Leave under the School's FMLA Leave policy, if applicable.

If the absence would otherwise qualify for use of Sick Leave under the School's policies and procedures, employees budgeted to work 30 hours or more each week

may apply for Short-Term Disability pay. Thereafter the employee on Short-Term Disability and all other employees may choose whether to use accrued Sick Leave, accrued Vacation, and/or Personal Days in order to receive pay during such a Leave. The employee has the right to take MPLA as unpaid leave.

During a MPLA Leave, the School will continue the employee's participation in its medical, dental, vision, long term disability and life insurance plans and will continue to make its usual contributions to the premium costs of the plans, provided that the employee pays their personal share of the cost. The employee may continue participation in, or contributions to, other School benefit plans, to the extent provided under the terms of the applicable plans. To the extent an employee uses available paid time off concurrently with MPLA Leave, employee premium costs will continue via payroll deduction. To the extent any MPLA Leave is unpaid, the employee must promptly reimburse the School for the employee portion of premiums no later than the date that a payroll deduction would have been made had the employee remained in paid status. Where permitted by law, if the employee fails to return to work at the School at the conclusion of a Leave, the employee may be required to reimburse the School for the employer's portion of any insurance premium payments made during any unpaid portion of an MPLA Leave. Vacation will accrue during a MPLA Leave only when the employee is in paid status.

Employees who return to work at the end of eight (8) weeks (per child) or any additional Leave period that is approved in writing in advance by the Director of Human Resources or the Human Resources Manager will be restored to their previous position as of the start of the Leave, or a similar position, unless the same or similar position is unavailable due to economic conditions or other changes in operating conditions. Employees who do not return to work at the end of eight (8) weeks (per child) or any approved additional Leave period will not be entitled to reinstatement, and their employment may be terminated.

FMLA, PFML, and MPLA Leaves

In most situations, leaves granted under this policy are considered to run concurrently with qualified FMLA and PFML leaves in accordance with the FMLA and PFML. MPLA Leave is granted for each child; therefore, an employee who gives birth or adopts twice in one year may be eligible for separate eight (8)-week periods of Leave, even if FMLA and PFML Leave has been exhausted.

6.5 Domestic Violence Leave

Employees who are victims of domestic violence, or whose family member is a victim of domestic violence, may take up to fifteen (15) days of unpaid Leave within a twelve (12)-month period to deal with the violence. Covered family members of domestic violence victims are also eligible for this Leave. Covered family members include husbands; wives; those in a "substantive" dating or engagement relationship and who live together; persons having a child in common regardless of whether they

have ever married or lived together; a parent, stepparent, child, stepchild, sibling, grandparent, or grandchild; and guardians. This Leave policy applies to all employees regardless of how many hours they work in a week, and there is no waiting period for eligibility.

Leave may be taken for any of the following reasons:

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

The perpetrator of the abusive behavior against a family member is not eligible for Domestic Violence Leave.

Employees must notify their supervisors and/or the Director of Human Resources in advance of a need to take Domestic Violence Leave, unless there is a threat of imminent danger. If there is such a threat, the employee must provide notice within three (3) workdays following the absence.

In addition to notice of the need for Leave, employees must provide documentation of the reason for the Leave, including any of the following: a protective order; a document printed on the official letterhead of a court or other agency or other official letterhead from which the employee sought assistance related to abusive behavior; a police report or statement to police; official adjudication documents showing the perpetrator's involvement in the criminal justice system; documentation of medical treatment; a sworn statement from a professional advocate; or the employee's own sworn statement, executed under penalty of perjury.

Employees are required to use all available Sick Leave, in some cases the School's Short-Term Disability insurance, Personal Days and Vacation before taking unpaid Leave. To the extent an employee is eligible for Leave under the federal Family and Medical Leave Act (FMLA), the Massachusetts Paid Family and Medical Leave (PFML), and the Massachusetts Domestic Violence Leave Act, such leaves will run concurrently.

6.6 Small Necessities Leave Act (SNLA) Leave

Eligible employees may take up to 24 hours of unpaid leave annually in order to meet family obligations such as:

- participating in School activities for the employee's child such as parent teacher conferences or interviewing for a child's new School,

- accompanying the employee's child to routine medical or dental appointments, or
- accompanying an elderly relative to routine dental or medical appointments or to appointments for other professional services related to the elder's care, such as interviewing at nursing or group homes.

Employees are eligible for small necessities leave if they have completed twelve (12) months of service prior to the commencement of leave, and have worked at least one thousand two hundred fifty (1,250) hours in the twelve (12) months prior to the commencement of leave.

To be eligible for the leave, employees must provide seven days' notice when leave is foreseeable. If the leave could not be anticipated, the employee must notify their supervisor or Campus/Department Head as soon as practicable.

Staff and administrators eligible for SNLA leave currently receive Vacation and Personal Days which may be used to receive pay for the above purposes as applicable. Faculty may ask their Campus Director for time away from class to attend to these obligations. Such requests should be made well in advance of the requested absence.

6.7 Sick Leave

Regular, reliable attendance and timeliness are expected of all employees. All employees taking Sick Leave should make a good faith effort to call or email their supervisors as soon as possible, but at least fifteen (15) minutes prior to their scheduled start time on each day that they will be absent, unless other arrangements have been agreed to with the employee's supervisor. This will enable the supervisor to arrange coverage of responsibilities in the employee's absence. In the event a multi-day absence is anticipated, the employee should inform the supervisor of the expected duration of the leave.

Whenever possible, routine medical or dental appointments should be scheduled for non-work hours. If not possible, employees should inform supervisors of routine appointments or planned medical treatment during work hours several days in advance.

All employees may use their annual accrued Sick Leave, up to 12 days (based on an employee's standard scheduled hours) for:

1. Caring for their own physical or mental illness, injury, or medical condition that requires home care, professional medical diagnosis or care, or preventative medical care;
2. Attending routine medical appointments or routine medical appointments for their child, spouse, parent, or parent of spouse; or care for the employee's own physical or mental illness, injury, or medical condition that requires home care, professional medical diagnosis or care, or preventative medical care;

3. Care for the employee's child, spouse, parent or parent of a spouse, who is suffering from a physical or mental illness, injury, or medical condition that requires home care, professional medical diagnosis or care, or preventative medical care;
4. Addressing the psychological, physical or legal effects of domestic violence; or
5. Travel to and from an appointment, a pharmacy, or other location related to the purpose for which the time was taken.

COVID-19.

1. Employees who test positive for COVID must consult with the health center regarding any current School policies regarding COVID which may include testing, isolation, and masking requirements.
2. As directed by the health center, the employee must not attend school and must isolate for 5 days and then come back (once cleared by the Health Center) with a mask during days 6-10.
3. When an employee cannot attend school due to a positive COVID test, then those absence days will be counted as sick days.
4. In the event an employee reaches their limit of sick days and a portion of those sick days are attributable to a COVID absence day, then the School may extend the number of employee sick days.

Employees budgeted to work 20 hours or more

Eligible employees, who work 20 hours or more per week, accrue one sick day per month (based on their standard scheduled hours), prorated to length of their employment year (e.g., ten days for ten months). An employee who works a short-week (four days or less), will have their Sick Leave pro-rated to the percentage of hours worked per week. An absence from residential obligations on a weekly duty day will count as a .5 sick day and an absence from School and residential obligations will be counted as 1.5 sick days.

Unused sick days in an employment year may be carried over for use in a subsequent year to a total maximum amount of sick time of 20 to 24 days (prorated based on scheduled hours worked) at any given time. Unearned Sick Leave may not be taken, but accrued Vacation time may be used once one's accrued Sick Leave is exhausted. Landmark does not offer pay in lieu of Sick Leave.

Season, Part-Time (under 20 hours), Temporary and per-diem Employee Sick Leave

Part-Time and Temporary employees will accrue one hour of Sick Leave for each thirty (30) hours worked to a maximum of forty (40) hours a year, beginning with the

first day of employment, and are eligible to use Sick Leave after ninety (90) days of employment. Sick Leave taken in the first 90 days will be unpaid. These employees:

- May carry over into the subsequent school year their accrued Sick Leave up to a maximum of forty (40) hours of Sick Leave.
- With a break in service of up to four (4) months (inclusive of summer break and school Vacation periods) will retain all accrued Sick Leave.
- With a break in service between four (4) and twelve (12) months (inclusive of summer break and school Vacation periods) will retain all accrued earned Sick Leave so long as the employee had at least ten (10) hours of accrued Sick Leave.
- With a break in service of up to twelve (12) months (inclusive of summer break and school Vacation periods) will maintain their original vesting date and need not start a new ninety (90) day period before using Sick Leave.

Pay

The total hours an employee records for Sick Leave depends upon the employee's scheduled hours. The total hours recorded for Sick Leave equals the number of hours normally worked during the time of the absence, not counting unpaid lunch breaks. Employees budgeted to work 30 hours or more each week may apply for Short-Term Disability pay.

Any qualifying absence of up to one (1) hour will be recorded as use of one hour of Sick Leave. Absences lasting beyond one hour will be tracked in ½ hour increments.

Unused Sick Leave is not paid out at the end of the benefit year, is not counted when calculating overtime, and is not paid to employees upon termination.

Medical Certification

The School may require written documentation, to the extent permitted by law, signed by a health care provider, for an employee's use of earned Sick Leave that: a) exceeds twenty four (24) consecutively scheduled work hours; b) exceeds three (3) consecutive days on which the employee was scheduled to work; c) occurs within two (2) weeks prior to an employee's final scheduled day of work before termination of employment, except in the case of Temporary employees; d) occurs after four (4) unforeseeable and undocumented absences within a three (3)-month period; or for any other reason.

Failure to provide medical certification of the need for Sick Leave may result in the School deducting the sum paid for Sick Leave from future pay as an overpayment.

Fraud and Abuse

If an employee commits fraud or abuse by engaging in an activity that is not consistent with allowable purposes for Sick Leave, the employee may be subject to

disciplinary action. If an employee exhibits a clear pattern of taking leave on days just before or after a weekend, Vacation, or Holiday, they may be subject to discipline for misuse of Sick Leave, unless verification of authorized use is provided.

Interaction with Other Types of Leave

If any time off covered under this policy is also covered under the School's Family Medical Leave Act Leave, Massachusetts Paid Family and Medical Leave, Massachusetts Parental Leave Act Leave, Domestic Violence Leave, Small Necessities Leave Act Leave, or other leave of absence policies, Sick Leave will run concurrently with that leave. The employee may be required to submit appropriate certification in support of these leave policies.

6.8 Vacation

Employees are eligible for Vacation based on their employment category and their years of service. Employees in Category A do not earn paid Vacation. Employees in Categories B and C employed 20 hours or more per week but less than full-time earn paid Vacation at a rate equal to the percentage equivalent of their employment (e.g., a 10-month employee earns 5/6 or 83% of a full year's Vacation benefit); those employed less than 20 hours per week do not earn paid Vacation. Employees who work a short-week (four days or less, will have their Vacation time prorated to the percentage of hours worked each week). Vacation is accrued on a biweekly basis, beginning July 1 each year, and may be taken in advance of accrual with the permission of an employee's Campus/Department Head or supervisor. Vacation days must be taken during the fiscal year ending June 30 or forfeited.

Faculty

The following employees in employment **Category A** have as their vacations the periods when School is not in session, including intersessions and summer, notwithstanding the requirements of specific jobs. All assigned work must be completed before a faculty member begins Vacation.

Teaching Faculty
Academic Advisors
Department Heads
Residential Team Leaders
Residential Advisors
Full Time Residential Staff
Librarians
Faculty Department Heads
Guidance & Vocational
Counselors

Athletic Director
Counseling Services Staff
Speech Therapists
Crossing Guards

Administrators

The following employees in employment **Category B** earn 4 weeks of Vacation.

Director of Enrollment Management	Academic Deans
Director of Communications & Marketing	Director of Facilities
Director of Outreach	Director of Daycare Center
Director of Finance and Operations	In-house Legal Counsel
Director of Human Resources	Director of the Health Center
Director of Institutional Advancement	
Campus Directors	
Director of Faculty Recruiting	
Deans of Students	
Director of Technology	

Staff

All other employees are employed in **Category C** and earn 2 weeks of Vacation per full fiscal year worked for less than 2 years of service, 3 weeks of Vacation per full fiscal year worked for more than 2 and less than 7 years of service and 4 weeks of Vacation per full fiscal year worked for 7 or more years of service.

Employees in Categories B and C above are requested annually in June to submit to their supervisors their Vacation plans for the ensuing 12-month period, when possible.

Beginning in 2024, all eligible regular employees working 20 hours or more per week in Categories B and C receive Christmas Day holiday (or the day it is observed if Christmas falls on a weekend) plus special non-vacation bonus days (prorated based on hours worked) for the week the school is closed between Christmas and New Years. These bonus days are in addition to the vacation time noted above, and must be taken during the Christmas/New Years Holiday break period when Landmark is closed.

A terminating employee who has taken Vacation in advance of having accrued it will have that time deducted from his or her final paycheck. Category B and C employees who leave employment will be entitled to be paid accrued, but unused Vacation time.

Tot Spot Employees

Have as their vacations the periods when Tot Spot is not in session, including 1 week at the end of the school year, 1 week at the end of the summer program, 2.5 days for

Thanksgiving break, and the winter intersession break. In addition, employees will have 5 floating vacation days (prorated based on hours worked) to use during the school year and 2 personal days.

6.9 Personal Days

Eligible employees who work 20 hours or more per week are allowed to take 2 Personal Days (prorated based on percent of full-time) each year between July 1 and June 30. Employees should notify their supervisor as early as possible that they would like to use a personal day or part of a personal day. One half of a day, or three teaching periods, is the smallest fraction of a day one may take as a personal day. If approval is not granted for a personal day, the employee may appeal the request to the Campus Director or the Head of School. Unused Personal Days may not be carried over into the next year. Employees may not receive pay in lieu of taking their Personal Days.

6.10 Holidays

Paid Holidays for employees working 20 hours or more per week in Categories B and C (non-teaching staff) include:

- Independence Day
- Labor Day
- Indigenous Peoples/Columbus Day
- Veterans' Day (1/2 day)
- Thanksgiving Day and the Friday following
- Christmas Day
- New Year's Day
- Martin Luther King, Jr. Day
- Presidents' Day
- Patriots' Day
- Memorial Day
- Juneteenth (1/2 day)*

*dependent upon the HS and EMS campus schedules each year - and whether or not school is in session.

Employees who formally observe religious holidays that are not included in this holiday schedule, are encouraged to reach out to their Campus Head or Head of School.

For employees working less than full-time (but at least 20 hours per week), holidays are provided based on a percentage of hours worked in comparison to full-time (40 hours), 12 months per year. For instance, an employee regularly scheduled to work 30 hours per week, 10 months per year, would be eligible for 62% of allotted holiday per year (i.e., 75% of holidays based on 30 versus 40

hours, and 83% of that based on 10 months versus 12 months = 62% of holidays that year.)

6.11 Bereavement Time

In the event of the death of an immediate family member, three bereavement days may be taken. Immediate family members include mother, father, child, spouse, sibling, grandparents, mother-in-law, father-in-law, or other person with whom the employee currently and regularly lives. If the funeral is more than 250 miles from Landmark, an extra paid day is available. If more time is required, an employee may use Vacation or Personal Days.

6.12 Jury Duty and Legal Appearances

An employee called to serve on jury duty, grand jury and/or subpoenaed to testify in court will receive a temporary leave of absence for the time actually spent serving on jury duty or testifying in court. Landmark will pay for the first three days. After three days, the employee's salary will be reduced by \$50 per day to offset the \$50 per day the court will compensate the employee. The School expects reasonable cooperation of an employee on jury duty in working part-time, if possible, when released early or excused. Written notice to serve on jury duty or testify in court must be brought to the attention of your supervisor or Campus Director as soon as possible.

An employee who is required to serve jury duty beyond the period of paid jury duty may use any available paid time off (for example, Vacation) or request an unpaid jury duty. Jury duty days are not considered hours worked for the purpose of computing overtime pay.

Additionally, employees whose appearance is requested or required in any legal proceedings connected with their employment, or with School business, shall be paid their regular pay for time spent in such appearance. This policy, however, shall not apply to any hearings, disputes, or litigation, subject to or arising out of an employee's dispute resolution process or processes relative to that employee's employment with the School.

6.13 School Events

If an employee attends a School event as a guest and is not working for the School, the employee will not be paid for the time spent at the event. For example, if an employee decides to attend graduation as a guest, he or she will not be paid for this time.

6.14 Military Leave of Absence

The School complies with the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) (as revised) and applicable state laws which protect job rights and benefits for veterans and members of the reserves. For more information on your USERRA rights, please see the Human Resources Manager.

6.15 Leave for Religious Observances

Time off may be granted for religious observances other than those that are observed by the School. An employee should give at least one (1) weeks' notice to the supervisor of the need for time off for a religious observance.,. The School may deny the request if it will cause undue hardship in the conduct of the School's business.

6.16 Emergency Responder Leave

Employees who serve as volunteer firefighters or emergency medical technicians may take time off from work to respond to emergencies that occurred prior to the time employees are scheduled to report to work.

In advance of emergencies, employees should notify their supervisor if they are volunteer firefighters or EMTs and may occasionally need time off from work to respond to emergencies. In the event of emergencies, employees must notify their supervisor as soon as practical of their need to take Emergency Responder leave.

For more information on this leave, please contact the Human Resources Office.

VII. FACULTY AND DORMITORY HOUSING

Housing for faculty exists in several locations: (1) the Youngman House on Highland Avenue in Manchester for approximately 20 single residents and two couples; (children under the age of 6 may not reside in Youngman), (2) at 46 Abbott Street in the Dane Street Beach area of Beverly, (3) 447 Hale Street (4) Governor's Landing and (5) in on-campus dormitories. Rent is charged for all non-dormitory living space. Youngman housing and occupancy at other off-campus sites are determined by the Campus Directors.

The following policies and procedures are designed to ensure and protect the best interests of the occupants of faculty housing. A violation of these policies will be brought to the attention of the occupant and a reasonable amount of time given to correct the situation. If the occupant's response is deemed inadequate, dilatory, or uncooperative, the School reserves the right to revoke housing. Such a decision will be made by the Head of School.

1. Faculty housing is awarded based upon a variety of considerations which include institutional need, specific employee's qualifications and needs, space availability, and seniority/tenure. Housing is available only to educational personnel, unless approval has been granted by the Head of School.
2. The occupant is responsible for any and all damage he/she may cause to the area and, if provided, its School-provided furnishings. The School will not assume responsibility for personal property. Resident faculty members are urged to self-insure their personal property, particularly if they have items and furnishings of value. The School reserves the right to inspect an occupant's premises with prior notice of at least four hours. All occupants must comply with state and municipal codes and regulations as they relate to fire, safety, and health and respond promptly to administrative requests to bring their quarters into regulatory compliance.
3. Prior to occupancy of faculty housing, an employee may be subject to pay a \$200 room maintenance deposit with the Business Office, and a pre-occupancy inspection will be conducted by the Director of Facilities. This deposit may be refundable, in whole or in part, based upon an exit inspection when the room is vacated. Alterations of any kind, including paint color changes, may not be made without pre-approval in writing by the Director of Facilities. Door locks may not be changed.
4. Housing agreements are required from all staff living in Landmark housing. Monthly rental charges, where appropriate, will be assessed through regular payroll

deductions. Rent increases will be announced to coincide with the School's fiscal year (July 1 to June 30). Staff living in non-dormitory housing will pay the base rental rate for the apartment that they occupy, during the first four years. Base rental rates are established at 50% of estimated fair market value. For staff who remain in Landmark housing beyond a four-year period, the rent will increase to 65% of the fair market value in five years, 75% in year six, 87.5% in year seven, and 100% thereafter.

5. Housing is awarded for use as a primary residence only and is intended solely for the occupancy of the employee(s) to whom it is assigned. Employees may host guests, but if visits are to exceed five consecutive days, the visits must be approved in advance by the Campus Director.

6. Faculty who elect not to work for the School during the summer, but who are under agreement to return to employment in the fall, may retain their housing, but monthly rents will continue to be assessed during July and August, and employees must make arrangements with the Business Office to pay rents for those months in a timely manner. Employees who are terminating their employment with Landmark must vacate School housing within one week following their termination date. An employee may, at his or her discretion, sublet his/her quarters to a summer employee for July and August. Space may not be sublet to anyone other than another Landmark employee.

7. Changes in housing assignments in all above listed properties must be approved by the Campus Director. Changes within dormitory housing must be approved by the appropriate campus Dean of Students.

8. Employees living in student dormitories must be familiar with policies and procedures in the residential care manual specific to their campus.

9. There exist only a limited number of residential spaces in Youngman and at other residential sites that are suitable for couples, and those spaces are so designated. "Couples" is defined as a legally married couple or two persons, regardless of sex, who have lived together well before their request for couples housing, one of whom is employed full-time and the other at least half-time by the School. Under any shared-living arrangements, when either member of a couple ceases to comply with the aforementioned employed time requirements, that couple's quarters must be relinquished within three months. Notwithstanding this policy, a married couple seeking to live in a student dormitory, one member of which is not employed by the School but agrees to contribute in a pre-approved manner with the employed member to the general welfare of the building, and if a dormitory, its residents, may be given permission to occupy quarters. Unmarried couples may not share living quarters in student dormitories without the permission of the appropriate Campus Director.

10. If a faculty member living in Landmark housing changes his or her status from Individual to part of a COUPLE, with one member of the couple not an employee of Landmark, they may petition to remain in Landmark Housing for up to one year, with approval of the Campus Director.

11. Residents of School housing will be personally responsible for the cleanliness and order of their living areas. This includes the timely disposal of refuse from kitchen, bath, storage, and other common areas.
12. Employees are expected to report any maintenance or safety issues observed in their buildings to the Director of Facilities. The School will make every effort to respond in a timely manner to such reports.
13. The Head of School reserves the right to restrict or evict any pet from campus housing.

VIII.TERMINATION

8.1 Termination Procedures

Sudden resignations cause considerable disruption to the program, to the students, to other teachers and to the day-to-day operation of the School. Faculty who terminate their employment during the Academic Year may not receive a reference from the School. Faculty who anticipate resigning mid-year are expected to discuss their plans at least one month in advance of their planned termination. In the event of an employee looking for another job during the summer months, not giving proper notice will result in termination. Salaried members of the non-teaching faculty are expected to give one month's notice of their intention to resign from the School, and hourly employees are asked to give two weeks' notice.

Before your last day of work, the School will seek to obtain your feedback on such issues as: (a) reason(s) for leaving; (b) review of benefits issues including COBRA (discussed below); (c) settling of debts, reimbursement of expenses, and other such School-related matters; (d) return of School property (including keys, computers, and any other items), and a mutually convenient time for removal of personal property and belongings; and (e) any other issues, such as suggestions, complaints, and resolution of any questions.

8.2 Job Abandonment

An employee who fails to report for work for three consecutive days, and who does not communicate with their supervisor during that time and provide a legitimate reason for the absence, is presumed to have abandoned their job and will be terminated.

8.3 Continuation of Coverage under Group Health Plan (COBRA)

Continued coverage under Landmark's medical, dental and vision plans may be available to employees under applicable law following separation from employment from Landmark and in certain other circumstances.

Continuation of coverage may also be available to an employee's spouse and eligible dependents at the time of separation from employment and in certain other circumstances. Unless otherwise provided by applicable law, the cost of such continued coverage is paid entirely by the employee, and is subject to a 2% administrative fee. Employees should contact the Human Resources Manager for additional information.