

8.03 SEXUAL AND OTHER UNLAWFUL HARASSMENT

Effective Date: 03/06/03

Santa Fe South Schools, Inc. is committed to providing a work environment that is free from all forms of discrimination and conduct that can be considered harassing, coercive, or disruptive, including sexual harassment. Actions, words, jokes, or comments based on an individual's sex, race, color, national origin, age, religion, disability, sexual orientation, or any other legally protected characteristic will not be tolerated.

Sexual harassment is defined as unwanted sexual advances, or visual, verbal, or physical conduct of a sexual nature (see §703, Title VII, U.S. Civil Rights Act of 1964; and Title IX of the Education Amendment of 1972). This definition includes many forms of offensive behavior and includes gender-based harassment of a person of the same sex as the harasser. The following is a partial list of sexual harassment examples:

- Unwanted sexual advances.
- Making or threatening reprisals after a negative response to sexual advances.
- Offering employment benefits in exchange for sexual favors.
- Visual conduct that includes leering, making sexual gestures, or displaying of sexually suggestive objects or pictures, cartoons or posters.
- Verbal conduct that includes making or using derogatory comments, epithets, slurs, or jokes.
- Verbal sexual advances or propositions.
- Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, or suggestive or obscene letters, notes, or invitations.
- Physical conduct that includes touching, assaulting, or impeding or blocking movements.

Unwelcome sexual advances (either verbal or physical), requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of employment; (2) submission or rejection of the conduct is used as a basis for making employment decisions; or, (3) the conduct has the purpose or effect of interfering with work performance or creating an intimidating, hostile, or offensive work environment.

If you experience or witness sexual or other unlawful harassment in the workplace, report it immediately to your supervisor. If the supervisor is unavailable or you believe it would be inappropriate to contact that person, you should immediately contact the Superintendent or any other designated staff or Governance Board member. You can raise concerns and make reports without fear of reprisal or retaliation.

All allegations of sexual harassment will be quickly and discreetly investigated. To the extent possible, your confidentiality and that of any witnesses and the alleged harasser will be protected against unnecessary disclosure. When the investigation is completed, you will be informed of the outcome of the investigation. (Please refer to Grievance Policy should you disagree with outcome of the investigation.)

Any supervisor, faculty member, or other staff member who becomes aware of possible sexual or other unlawful harassment must immediately advise the Superintendent or any other designated staff or Governance Board member so it can be investigated in a timely and confidential manner. Anyone engaging in sexual or other unlawful harassment will be subject to disciplinary action, up to and including termination.

Educational Programs

Educational programs to heighten sensitivity to the nature of sexual harassment are essential to establish an environment that is free from sexual harassment. SFS' educational efforts are designed to:

- Make widely known the prohibitions against sexual harassment,
- Ensure that all individuals are aware of their rights, and,
- Sensitize all individuals to the problems of sexual harassment.

6.13 WORKPLACE VIOLENCE PREVENTION

Effective Date: 03/06/03

Santa Fe South Schools, Inc. is committed to preventing workplace violence and to maintaining a safe work environment. Given the increasing violence in society in general, SFS has adopted the following guidelines to deal with intimidation, harassment, or other threats of (or actual) violence that may occur during school hours, business hours or on its premises.

All employees, including supervisors and temporary employees, and students should be treated with courtesy and respect at all times. Employees are expected to refrain from fighting, "horseplay," or other conduct that may be dangerous to others. Firearms, weapons, and other dangerous or hazardous devices or substances are prohibited from the grounds and all facilities of Santa Fe South Schools, Inc. without proper authorization.

Conduct that threatens, intimidates, or coerces another employee, a student, or a member of the public at any time, including off-duty periods, will not be tolerated. This prohibition includes all acts of harassment, including harassment that is based on an individual's sex, race, age, or any characteristic protected by federal, state, or local law.

All threats of (or actual) violence, both direct and indirect, should be reported as soon as possible to your immediate supervisor, Site Administrator, or any other designated staff or Governance Board member. This includes threats by employees, as well as threats by students, vendors, solicitors, or other members of the public. When reporting a threat of violence, you should be as specific and detailed as possible.

All suspicious individuals or activities should also be reported as soon as possible to a supervisor. ***Do not place yourself in peril.*** If you see or hear a commotion or disturbance near your workstation, err on the side of caution in determining whether or not to intervene. Call appropriate authorities in the event that the situation exceeds your training or expertise.

The School will promptly and thoroughly investigate all reports of threats of (or actual) violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as is practical. In order to maintain workplace safety and the integrity of its investigation, SFS may suspend employees, either with or without pay, pending investigation.

Anyone determined to be responsible for threats of (or actual) violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination of employment.

Santa Fe South Schools, Inc. encourages employees to bring their disputes or differences with other employees to the attention of the Site Administrator or a designated member of the Management Team before the situation escalates into potential violence. SFS is eager to assist in the resolution of employee disputes, and will not discipline employees for raising such concerns. SFS is also committed to providing appropriate training for such events, in particular for faculty who may face such situations more regularly.

8.02 DRUG AND ALCOHOL USE

Effective Date: 03/06/03

Santa Fe South Schools, Inc. is resolved and determined to provide a drug-free, healthful, and safe environment for all employees, students, and their families. To promote this goal, employees are required to report to work in appropriate mental and physical condition to perform their jobs in a satisfactory manner. Criminal background checks are a condition of employment for all new and re-hired employees of the SFS in compliance with the Drug Free Workplace Act of 1988, PL 100-690 (100th Congress, 2d Sess. 1988), the federal Drug-Free Schools and Communities Act Amendments of 1989 (20 USC 3224a and 34 CFR 86.201), and any and all federal regulations promulgated thereunder.

While on school premises, on or in any SFS work/school site, during the use of any SFS equipment, vehicles, or trailers, and while conducting work-related activities off school premises, no employee may use, possess, manufacture, distribute, sell, or be under the influence of alcohol or illegal drugs. The legal use of prescribed drugs is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger other individuals in the workplace. An employee who is using prescription drugs or over-the-counter medications that could affect work performance must inform his/her supervisor. A doctor's statement may be required at the school's discretion.

Violations of this policy may lead to disciplinary action, up to and including immediate termination of employment, or required participation in a substance abuse rehabilitation or treatment program. Such violations may also have legal consequences. SFS may require, with reasonable cause, for an employee to submit to a drug test. An employee showing positive results for either alcohol or illegal drugs will be placed on immediate suspension. The Superintendent will meet with employee to discuss any positive test results and the enforcement procedures that will result. In no case will a suspension exceed three calendar days without further administrative action.

Employees with questions or concerns about substance dependency or abuse are encouraged to discuss these matters with the Superintendent to receive assistance or referrals to appropriate resources in the community.

In accordance with the Drug-Free Workplace Act, an employee receiving a criminal conviction for drug-related activity must report the conviction to the Superintendent within five days.

Employees with questions on this policy or issues related to drug or alcohol use in the workplace should raise their concerns with the Superintendent without fear of reprisal.

Workers Compensation

Neither SFS nor the insurance carrier shall be liable for payment of workers' compensation in the event that the injury to the employee was occasioned by the intoxication and/or impairment of the employee or willfully suffered by the employee or intentionally inflicted by the employee.

8.12 REPORTING CHILD ABUSE

Effective Date:

Santa Fe South Schools, Inc. is strongly committed to ensuring the protection and safety of all children. In support of this philosophy, all employees will comply with Public Law 93-247, the Child Abuse and Treatment Act of 1974. It is the responsibility of the Santa Fe South Schools, Inc. to provide annual training for all employees on child abuse and neglect and reporting procedures. It is the moral, ethical, and legal responsibility of each individual SFS employee to follow these procedures.

Questions about Public Law 93-247 can be directed to the Site Administrator. A copy of the Child Abuse and Treatment Act of 1974 can be located in the Appendices of this Employee Handbook or available in the administration office.

2.09 NON-DISCLOSURE

Effective Date:

The protection of confidential information is vital to the interests of Santa Fe South Schools, Inc. Such confidential information includes, but is not limited to, the following examples:

- student and family information
- personnel issues
- student or employee medical information
- background check results
- drug and alcohol test results

All employees will abide by the confidentiality requirements set forth by their respective funding sources and the Family Education Rights and Privacy Act. Supervisors will provide training to all pertinent employees regarding these requirements.

Employees who are exposed to confidential information may be required to sign a non-disclosure agreement as a condition of employment. Employees who improperly use or disclose confidential information will be subject to disciplinary action, up to and including termination of employment, even if they do not actually benefit from the disclosed information. (See 8.11.)

6.03 USE OF PHONE AND MAIL SYSTEMS

Effective Date:

Employees should practice discretion when making local personal calls and may be required to reimburse the School for any charges resulting from their personal use of the telephone. Long personal calls are best left to after hours. Employees will be asked to reimburse SFS for use of the telephone for long-distance and toll calls.

The use of SFS-paid postage for personal correspondence is not permitted.

To ensure effective telephone communications, employees should always use an appropriate greeting and speak in a courteous and professional manner. Please confirm information received from the caller, and hang up only after the caller has done so.

4.02 PAID TIME OFF (ANNUAL LEAVE/PERSONAL LEAVE)

Effective Date:

Santa Fe South Schools, Inc. believes that employees should have opportunities to enjoy time away from work to help balance their lives. SFS recognizes that employees have diverse needs for time off from work. SFS has established this Paid Time Off (PTO) policy to meet your needs. The policy is inclusive containing provisions for vacation time and sick leave. The benefits of PTO are that it promotes a flexible approach to time off. Employees are accountable and responsible for managing their own PTO hours to allow for adequate reserves if there is a need to cover vacation, illness or disability, appointments, emergencies, or other needs that require time off from work.

PROCEDURE:

Eligibility

PTO begins upon hire or transfer into a benefit eligible position. Eligible employees must be scheduled to work at least twenty hours per week on a regular basis. Employees working less than 20 hours per week on a regular basis are eligible pro rata; on-call and temporary employees are not eligible for PTO.

Availability

PTO is available for use in the pay period following completion of 60 days of employment

12 month full-time employees (July 01 – June 30):	20 days PTO annually
11 month full-time employees (July 01-June 30):	15 days PTO annually
School term full-time employees (i.e., faculty):	10 days PTO annually
School term part-time employees:	Pro rata

Use and Scheduling of PTO

Whenever possible, PTO must be scheduled in advance for time off for vacations, personal leave appointments or other foreseeable reasons. PTO is subject to supervisory approval, staffing needs and established SFS procedures. Unscheduled absences will be monitored. An employee will be counseled when the frequency of unscheduled absences adversely affect SFS operations. The Site Administrator may request the employee provide a statement from their health care provider at any time concerning the justification for an unscheduled absence. PTO may not be used for missed time because an employee reports late to work, except during inclement weather. PTO scheduled immediately before or after a holiday or break must receive prior approval from the Site or Lead Administrator.

PTO is paid at the employee's straight time rate. PTO is not part of any overtime calculation. PTO may be taken in increments as low as four hours. When PTO is used, an employee is required to request payment of PTO hours according to his/her regularly scheduled workday. For example, if an employee works a 6-hour day, he/she would request 6 hours of PTO when taking that day off.

Paid time off must be used in the year in which it is earned.

Eligible employees who anticipate an absence from employment related to the serious health condition of a child, spouse, parent, or themselves that will extend longer than 10 sick days should refer to Sections 7.01, Family Medical Leave (FML) in this employee handbook

6.11 COMPUTER AND E-MAIL USAGE

Effective Date: 03/06/03

Computers, computer files, the e-mail system, and software furnished to employees are SFS property and intended for school/business use. Employees should only access files that are directly related to their work responsibilities. ***Employees are expected to refrain from accessing personal e-mail and chat rooms during instructional time.***

Santa Fe South Schools, Inc. strives to maintain a workplace free of harassment and sensitive to the diversity of its employees. Therefore, SFS prohibits the use of computers and the e-mail system in ways that are disruptive, offensive to others, or harmful to morale.

For example, the display or transmission of sexually explicit images, messages, and cartoons is not allowed. Other such misuse includes, but is not limited to, ethnic slurs, racial comments, off-color jokes, or anything that may be construed as harassment or showing disrespect for others.

In almost every case, e-mail may not be used for blanket solicitation for commercial ventures, religious or political causes, outside organizations, or other non-business matters. A possible exception to this constraint on employees' use of e-mail would be if employees were to notify others in the organization about legislation that might directly affect SFS. For all such solicitations, contact the Superintendent for approval. In every case approved for blanket solicitation, individuals should be offered the option of being removed from further notices.

The School purchases and licenses the use of various computer software for business purposes and does not own the copyright to this software or its related documentation. Unless authorized by the software developer, SFS does not have the right to reproduce such software for use on more than one computer.

Employees may only use software on local area networks or on multiple machines according to the software license agreement. SFS prohibits the illegal duplication of software and its related documentation. ***Personal or non-SFS sanctioned disks or software may not be loaded onto SFS computers without prior approval.***

Employees should notify the Superintendent or any designated member of SFS staff or Governance Board upon learning of violations of this policy. Employees who violate this policy will be subject to disciplinary action according to policy 8.11, up to and including termination of employment.

8.04 ATTENDANCE AND PUNCTUALITY

Effective Date: 03/06/03

To maintain a safe and productive work environment, Santa Fe South Schools, Inc. expects employees to be reliable and to be punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on other employees and on the school. In the rare instances when employees cannot avoid being late to work or are unable to work as scheduled, they should notify their supervisor as soon as possible in advance of the anticipated tardiness or absence.

Instructional staff are required to be on site 15 minutes prior to class and may not leave less than 15 minutes after class. During the instructional day, all instructors must report to their location's administration office before leaving any SFS campus and advise the Principal or designee of expected time of return and how he/she may be reached.

Poor attendance and excessive tardiness are disruptive. Either may lead to disciplinary action, up to and including termination of employment. An employee failing to report for duty or remain at work as scheduled without proper notification, authorization, or excuse shall be considered absent without leave and shall not be paid for the period involved. Absence without leave for two (2) consecutive working days constitutes abandonment of duties, which may result in dismissal.