

Darnall Charter School

STAFF HANDBOOK



Employee Handbook 2020-2021

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ACKNOWLEDGMENT OF RECEIPT OF EMPLOYEE HANDBOOK

PLEASE READ THE EMPLOYEE HANDBOOK AND SUBMIT A SIGNED COPY OF THIS STATEMENT TO THE DIRECTOR.

EMPLOYEE NAME: _____

I ACKNOWLEDGE that I have received a copy of the Employee Handbook. I have read and understood the contents of the Handbook, and I agree to abide by its directions and procedures. I have been given the opportunity to ask any questions I might have about the policies in the Handbook. I understand that it is my responsibility to read and familiarize myself with the policies and procedures contained in the Handbook.

This Handbook is intended only as a guide to the School's personnel policies, outlining and highlighting those policies and practices. It is not, therefore, intended to create any expectations of continued employment, or an employment contract, express or implied. Negotiable employment right for all represented employees shall be governed by any applicable collective bargaining agreement. This Handbook supersedes any previously issued Handbooks or policies. Furthermore, should any provision of this Handbook contradict a provision of an applicable collective bargaining agreement at DCS, the applicable collective bargaining agreement shall be controlling.

I understand DCS reserves the right to depart from and modify the policies stated in the Employee Handbook consistent with any applicable collective bargaining agreement provisions and other legal requirements.

Employee's Signature: _____ Date: _____

Please sign/date, tear out, and return to the School.

INTRODUCTION TO HANDBOOK

This Handbook is designed to help employees get acquainted with Darnall Charter School (hereinafter referred to as “DCS” or the “School”). It explains some of our philosophies and beliefs, and describes in general terms, some of our employment guidelines. Although this Handbook is not intended to be an exclusive or comprehensive policies and procedures manual, we hope that it will serve as a useful reference document for employees throughout their employment at the School. Employees should understand, however, that this Handbook is not intended to be a contract (express or implied), nor is it intended to otherwise create any legally enforceable obligations on the part of the School or its employees. In no way does the Handbook replace any official plan documents (e.g., health insurance, retirement plan, etc.) or insurance contracts, which will govern in all cases. This Handbook supersedes and replaces all previous personnel policies, practices, and guidelines.

Due to the fact that the School is a growing and changing organization, it reserves full discretion to add to, modify, or delete provisions of this Handbook, or the policies and procedures on which they may be based, at any time without advance notice. DCS also reserves the right to interpret any of the provisions set forth in this Handbook in any manner it deems appropriate.

No individual other than the Board of Directors has the authority to enter into any employment or other agreement that modifies School policy. Any such modification *must* be in writing.

This Handbook is the property of the School, and it is intended for personal use and reference by employees of the School. Circulation of this Handbook outside of the School requires the prior written approval of the Leadership Team.

Should any provision in this Handbook be found to be unenforceable and invalid, such finding does not invalidate the entire Handbook, but only the subject provision. Furthermore, should any provision of this Handbook contradict a provision of an applicable collective bargaining agreement at DCS, the applicable collective bargaining agreement shall be controlling.

Employees must sign the acknowledgment form at the beginning of this Handbook, tear it out, and return it to the Leadership Team. This will provide the School with a record that each employee has received this Handbook.

CONDITIONS OF EMPLOYMENT

EQUAL EMPLOYMENT OPPORTUNITY IS OUR POLICY

DCS is an equal opportunity employer. It is the policy of the School to afford equal employment and advancement opportunity to all qualified individuals without regard to:

- Race (including traits historically associated with race, such as hair texture and hairstyle, including but not limited to braids, locks, and twists);
- Color;
- Gender (gender identity, gender expression, and transgender identity, whether or not the employee is transitioning or has transitioned);
- Sex (including pregnancy, childbirth, breastfeeding, and medical conditions related to such)
- Religious creed (including religious dress and grooming practices);
- Marital/registered domestic partner status;
- Age (forty (40) and over);
- National origin or ancestry (including native language spoken and possession of a driver's license issued to persons unable to prove the presence in the U.S. is authorized by federal law);
- Physical or mental disability (including HIV and AIDS);
- Medical condition;
- Taking of a leave of absence pursuant to the Family Medical Leave Act ("FMLA"), Pregnancy Disability Leave ("PDL") law, Americans with Disabilities Act ("ADA"), California Family Rights Act ("CFRA"), the Fair Employment and Housing Act ("FEHA"), or laws related to domestic violence, sexual assault and stalking;
- Genetic information;
- Sexual orientation;
- Military and veteran status; or
- Any other consideration made unlawful by federal, state or local laws.

This policy extends to all job applicants and employees and to all aspects of the employment relationship, including the hiring of new employees and the training, transfer, promotion, discipline, termination, compensation and benefits of existing employees.

To comply with applicable laws ensuring equal employment opportunities to qualified individuals with a disability, the School will make reasonable accommodations for the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or an employee unless undue hardship would result.

Any applicant or employee who requires an accommodation in order to perform the essential functions of the job should contact a School representative with day-to-day personnel responsibilities and request such an accommodation. The individual with the disability should specify what accommodation he or she needs to perform the job. DCS then will conduct an investigation to identify the barriers that interfere with the equal opportunity of the applicant or

employee to perform his or her job. DCS will identify possible accommodations, if any, that will help eliminate the limitation. If the accommodation is reasonable and will not impose an undue hardship, the School will make the accommodation.

EMPLOYMENT AT-WILL

Except if stated expressly otherwise by a collective bargaining agreement or individual employment contract, it is the policy of the School that all employees are considered “at-will” employees of the School. Accordingly, either the School or the employee can terminate this relationship at any time, for any reason, with or without cause, and with or without advance notice.

Nothing contained in this Handbook, employment applications, School memoranda or other materials provided to employees in connection with their employment shall require the School to have “cause” to terminate an employee or otherwise restrict the School’s right to release an employee from their at-will employment with the School. Statements of specific grounds for termination set forth in this Handbook or elsewhere are not all-inclusive and are not intended to restrict the School’s right to terminate at-will. No School representative, other than the Board of Directors or its designee, is authorized to modify this policy for any employee or to make any representations to employees or applicants concerning the terms or conditions of employment with the School that are not consistent with the School’s policy regarding “at-will” employment.

This policy shall not be modified by any statements contained in this Handbook or employee applications, School memoranda, or any other materials provided to employees in connection with their employment. Further, none of those documents whether singly or combined, or any employment practices, shall create an express or implied contract of employment for a definite period, nor an express or implied contract concerning any terms or conditions of employment.

CHILD ABUSE AND NEGLECT REPORTING

California Penal Code section 11166 requires any child care custodian who has knowledge of, or observes, a child in his or her professional capacity or within the scope of his or her employment whom he or she knows or reasonably suspects has been the victim of child abuse to report the known or suspected instance of child abuse to a child protective agency immediately, or as soon as practically possible, by telephone and to prepare and send a written report thereof within thirty-six (36) hours of receiving the information concerning the incident.

DCS will provide annual training on the mandated reporting requirements, using the online training module provided by the State Department of Social Services, to employees who are mandated reporters. Mandated reporter training will also be provided to employees hired during the course of the school year. This training will include information that failure to report an incident of known or reasonably suspected child abuse or neglect, as required by Penal Code section 11166, is a misdemeanor punishable by up to six (6) months confinement in a county jail, or by a fine of one-thousand dollars (\$1,000), or by both that imprisonment and fine.

All employees required to receive mandated reporter training must provide proof of completing

the training within the first six (6) weeks of each school year or within the first six (6) weeks of that employee's employment.

By acknowledging receipt of this Handbook, the Employee acknowledges he or she is a child care custodian and is certifying that he or she has knowledge of California Penal Code section 11166 and will comply with its provisions. (See Appendix A)

CRIMINAL BACKGROUND CHECKS

As required by law, all individuals working or volunteering at the School will be required to submit to a criminal background investigation. No condition or activity will be permitted that may compromise the School's commitment to the safety and the well-being of students taking precedence over all other considerations. Conditions that preclude working at the School include conviction of a controlled substance or sex offense, or a serious or violent felony. Additionally, should an employee, during his/her employment with the School, be charged or convicted of any offense, the employee must immediately report the charge or conviction to the Director.

TUBERCULOSIS TESTING

All employees of the School must submit written proof from a physician of a risk assessment examination for tuberculosis (TB) within the last sixty (60) days. If TB risk factors are identified, a physician must conduct an examination to determine whether the employee is free of infectious TB. The examination for TB consists of an approved TB test, which, if positive, will be followed by an x-ray of the lungs, or in the absence of skin testing, an x-ray of the lungs. All employees will be required to undergo TB risk assessments and, if risk factors are found, the examination at least once every four (4) years. Volunteers may be required to undergo a TB examination as necessary. The TB risk assessment and, if indicated, the examination is a condition of initial employment with the School and the cost of the exam will be borne by the applicant.

Food handlers may be required to have annual TB exams. Documentation of employee and volunteer compliance with TB risk assessments and examinations will be kept on file in the office. This requirement also includes contract food handlers, substitute teachers, and student teachers serving under the supervision of an educator. Any entity providing student services to the School will be contractually required to ensure that all contract workers have had TB testing that shows them to be free of active TB prior to conducting work with School students.

IMMIGRATION COMPLIANCE

DCS will comply with applicable immigration law, including the Immigration Reform and Control Act of 1986 and the Immigration Act of 1990. As a condition of employment, every individual must provide satisfactory evidence of his or her identity and legal authority to work in the United States. However, DCS will not check the employment authorization status of current employees or applicants who were not offered positions with the School unless required to do so by law.

The School shall not discharge an employee or in any manner discriminate, retaliate, or take any

adverse action (e.g., threatening to report the suspected citizenship or immigration status of an employee or a member of the employee's family) against any employee or applicant for employment because the employee or applicant exercised a right protected under applicable law. Further, the School shall not discriminate against any individual because he or she holds or presents a driver's license issued per Vehicle Code § 12801.9 to persons who have not established their federally-authorized presence in the United States. Finally, in compliance with the Immigrant Worker Protection Act, the School shall not allow a federal immigration enforcement agent to enter any nonpublic areas of the School without a judicial warrant, or voluntarily give consent to an agent to access, review or obtain employee records without a subpoena or judicial warrant.

PROFESSIONAL BOUNDARIES: STAFF/STUDENT INTERACTION POLICY

DCS recognizes its responsibility to make and enforce all rules and regulations governing student and employee behavior to bring about the safest and most learning-conducive environment possible.

Corporal Punishment

Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of, or willfully causing the infliction of, physical pain on a student.

For purposes of this policy, corporal punishment does not include an employee's use of force that is reasonable and necessary to protect the employee, students, staff or other persons or to prevent damage to property.

For clarification purposes, the following examples are offered for direction and guidance of School personnel:

A. Examples of PERMITTED actions (NOT corporal punishment)

1. Stopping a student from fighting with another student;
2. Preventing a pupil from committing an act of vandalism;
3. Defending yourself from physical injury or assault by a student;
4. Forcing a pupil to give up a weapon or dangerous object;
5. Requiring an athletic team to participate in strenuous physical training activities designed to strengthen or condition team members or improve their coordination, agility, or physical skills;
6. Engaging in group calisthenics, team drills, or other physical education or voluntary recreational activities.

B. Examples of PROHIBITED actions (corporal punishment)

1. Hitting, shoving, pushing, or physically restraining a student as a means of control;
2. Making unruly students do push-ups, run laps, or perform other physical acts that

- cause pain or discomfort as a form of punishment;
3. Paddling, swatting, slapping, grabbing, pinching, kicking, or otherwise causing physical pain.

Acceptable and Unacceptable Staff/Student Behavior

This policy is intended to guide all School faculty and staff in conducting themselves in a way that reflects the high standards of behavior and professionalism required of school employees and to specify the boundaries between students and staff.

Although this policy gives specific, clear direction, it is each staff member's obligation to avoid situations that could prompt suspicion by parents, students, colleagues, or school leaders. One viable standard that can be quickly applied, when you are unsure if certain conduct is acceptable, is to ask yourself, "Would I be engaged in this conduct if my family or colleagues were standing next to me?"

For the purposes of this policy, the term "boundaries" is defined as acceptable professional behavior by staff members while interacting with a student. Trespassing the boundaries of a student/teacher relationship is deemed an abuse of power and a betrayal of public trust.

Some activities may seem innocent from a staff member's perspective, but can be perceived as flirtation or sexual insinuation from a student or parent point of view. The objective of the following lists of acceptable and unacceptable behaviors is not to restrain innocent, positive relationships between staff and students, but to prevent relationships that could lead to, or may be perceived as, sexual misconduct.

Staff must understand their own responsibility for ensuring that they do not cross the boundaries as written in this policy. Disagreeing with the wording or intent of the established boundaries will be considered irrelevant for disciplinary purposes. Thus, it is crucial that all employees learn this policy thoroughly and apply the lists of acceptable and unacceptable behaviors to their daily activities. Although sincere, competent interaction with students certainly fosters learning, student/staff interactions must have boundaries surrounding potential activities, locations and intentions.

Duty to Report Suspected Misconduct

When any employee reasonably suspects or believes another staff member may have crossed the boundaries specified in this policy, he or she must immediately report the matter to a school administrator. All reports shall be confidential as possible under the circumstances. It is the duty of the administrator to investigate and thoroughly report the situation. Employees must also report to the administration any awareness or concern of student behavior that crosses boundaries or where a student appears to be at risk for sexual abuse.

Unacceptable Staff/Student Behaviors (Violations of this Policy)

- (a) Giving gifts to an individual student that are of a personal and intimate nature.

- (b) Kissing of any kind.
- (c) Any type of unnecessary physical contact with a student in a private situation.
- (d) Intentionally being alone with a student away from the school.
- (e) Making or participating in sexually inappropriate comments.
- (f) Sexual jokes.
- (g) Seeking emotional involvement with a student for your benefit.
- (h) Listening to or telling stories that are sexually oriented.
- (i) Discussing inappropriate personal troubles or intimate issues with a student in an attempt to gain their support and understanding.
- (j) Becoming involved with a student so that a reasonable person may suspect inappropriate behavior.

Unacceptable Staff/Student Behaviors without Parent and Supervisor Permission

(These behaviors should only be exercised when a staff member has parent and supervisor permission.)

- (a) Giving students a ride to/from school or school activities.
- (b) Being alone in a room with a student at school with the door closed.
- (c) Allowing students in your home.
- (d) Sending emails, text messages or letters to students if the content is not about school activities.

Cautionary Staff/Student Behaviors

(These behaviors should only be exercised when a reasonable and prudent person, acting as an educator, is prevented from using a better practice or behavior. Staff members should inform their supervisor of the circumstance and occurrence prior to or immediately after the occurrence)

- (a) Remarks about the physical attributes or development of anyone.
- (b) Excessive attention toward a particular student.
- (c) Sending emails, text messages or letters to students if the content is not about school activities

Acceptable and Recommended Staff/Student Behaviors

- (a) Getting parents' written consent for any after-school activity.
- (b) Obtaining formal approval to take students off school property for activities such as field trips or competitions.
- (c) Emails, text, phone and instant messages to students must be very professional and pertaining to school activities or classes (Communication should be limited to school technology).
- (d) Keeping the door open when alone with a student.
- (e) Keeping reasonable space between you and your students.
- (f) Stopping and correcting students if they cross your own personal boundaries.
- (g) Keeping parents informed when a significant issue develops about a student.
- (h) Keeping after-class discussions with a student professional and brief.
- (i) Asking for advice from fellow staff or administrators if you find yourself in a difficult situation related to boundaries.
- (j) Involving your supervisor if conflict arises with the student.

- (k) Informing your Executive Director about situations that have the potential to become more severe.
- (l) Making detailed notes about an incident that could evolve into a more serious situation later.
- (m) Recognizing the responsibility to stop unacceptable behavior of students or coworkers.
- (n) Asking another staff member to be present if you will be alone with any type of special needs student.
- (o) Asking another staff member to be present when you must be alone with a student after regular school hours.
- (p) Giving students praise and recognition without touching them.
- (q) Pats on the back, high fives and handshakes are acceptable.
- (r) Keeping your professional conduct a high priority.
- (s) Asking yourself if your actions are worth your job and career.

POLICIES AND PROCEDURES PROHIBITING UNLAWFUL HARASSMENT, DISCRIMINATION, AND RETALIATION

The School is committed to providing a workplace and educational environment free of sexual harassment, discrimination, and retaliation. DCS's policy prohibits unlawful harassment, discrimination, and retaliation based upon: race (including traits historically associated with race, such as hair texture and hairstyle, including but not limited to braids, locks, and twists); color; gender (gender identity, gender expression, and transgender identity, whether or not the employee is transitioning or has transitioned); sex (including pregnancy, childbirth, breastfeeding, and medical conditions related to such); religious creed (including religious dress and grooming practices); marital/registered domestic partner status; age (forty (40) and over); national origin or ancestry (including native language spoken and possession of a driver's license issued to persons unable to prove the presence in the U.S. is authorized by federal law); physical or mental disability (including HIV and AIDS); medical condition; taking of a leave of absence pursuant to the Family Medical Leave Act ("FMLA"), Pregnancy Disability Leave ("PDL") law, Americans with Disabilities Act ("ADA"), California Family Rights Act ("CFRA"), the Fair Employment and Housing Act ("FEHA"), or laws related to domestic violence, sexual assault and stalking; genetic information; sexual orientation; military and veteran status; or any other consideration made unlawful by federal, state or local laws.

Employees, volunteers, unpaid interns, individuals in apprenticeship programs, and independent contractors shall not be harassed, or discriminated or retaliated against, based upon the characteristics noted above.

The School does not condone and will not tolerate unlawful harassment, discrimination, or retaliation on the part of any employee (including supervisors and managers) or third party (including independent contractors or other person with which the school does business). Supervisors and managers are to report any complaints of unlawful harassment to the Associate Director of DCS or designee.

When DCS receives allegations of unlawful harassment, discrimination, or retaliation, the Board (if a complaint is about the Director) or the Director or designee will conduct a fair, timely and

thorough investigation that provides all parties an appropriate process and reaches reasonable conclusions based on the evidence collected. The investigation will be handled in as confidential a manner as possible, although complete confidentiality cannot be guaranteed. Complainants and witnesses shall not be subject to retaliation for making complaints in good faith or participating in an investigation. DCS is committed to remediating any instances where investigation findings demonstrate unlawful harassment, discrimination, or retaliation has occurred.

Prohibited Unlawful Harassment

- Verbal conduct such as epithets, derogatory jokes or comments or slurs;
- Physical conduct including assault, unwanted touching, intentionally blocking normal movement, or interfering with work because of sex, race or any other protected basis;
- Retaliation for reporting or threatening to report harassment; or
- Disparate treatment based on any of the protected classes above.

Prohibited Unlawful Sexual Harassment

DCS is committed to providing a workplace free of sexual harassment and considers such harassment to be a major offense, which may result in disciplinary action, up to, and including dismissal, of the offending employee.

Sexual harassment consists of sexual advances, request for sexual favors and other verbal or physical conduct of a sexual nature, regardless of whether or not the conduct is motivated by sexual desire, when: (1) submission to the conduct is either made explicitly or implicitly a term or condition of an individual's employment; (2) an employment decision is based upon an individual's acceptance or rejection of that conduct; and/or (3) that conduct interferes with an individual's work performance or creates an intimidating, hostile or offensive working environment.

It is also unlawful to retaliate in any way against an employee who has articulated a good faith concern about sexual harassment against him or her or against another individual.

All supervisors of staff will receive two (2) hours of sexual harassment prevention training within six (6) months of hire or their assumption of a supervisory position and every two (2) years thereafter. All other employees will receive one (1) hour of sexual harassment prevention training within (6) months of hire and every two (2) years thereafter. Such training will address all legally required topics, including information about the negative effects that abusive conduct has on both the victim of the conduct and others in the workplace, as well as methods to prevent abusive conduct undertaken with malice a reasonable person would find hostile, offensive, and unrelated to an employer's legitimate business interests. Abusive conduct includes but is not limited to repeated infliction of verbal abuse, such as the use of derogatory remarks, insults, and epithets, verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating, or the gratuitous sabotage or undermining of a person's work performance. Supervisors shall also be trained on how to appropriately respond when the supervisor becomes aware that an employee is the target of unlawful harassment. Other staff will receive sexual harassment prevention training as required by law.

Each employee has the responsibility to maintain a workplace free from any form of sexual harassment. Consequently, should any individual, in particular those with supervisory responsibilities, become aware of any conduct that may constitute sexual harassment or other prohibited behavior, immediate action should be taken to address such conduct. Any employee who believes they have been sexually harassed or has witnessed sexual harassment is encouraged to immediately report such harassment to the Director. See Appendix C for the “Harassment/Discrimination/Retaliation Complaint Form.” See Appendix D for the general “Internal Complaint Form.”

Sexual harassment may include, but is not limited to:

- Physical assaults of a sexual nature, such as:
 - o Rape, sexual battery, molestation or attempts to commit these assaults and
 - o Intentional physical conduct that is sexual in nature, such as touching, pinching, patting, grabbing, brushing against another’s body, or poking another’s body.
- Unwanted sexual advances, propositions or other sexual comments, such as:
 - o Sexually oriented gestures, notices, remarks, jokes, or comments about a person’s sexuality or sexual experience.
 - o Preferential treatment or promises of preferential treatment to an employee for submitting to sexual conduct, including soliciting or attempting to solicit any employee to engage in sexual activity for compensation or reward or disparate treatment for rejecting sexual conduct.
 - o Subjecting or threats of subjecting an employee to unwelcome sexual attention or conduct or intentionally making performance of the employee’s job more difficult because of the employee’s sex.
- Sexual or discriminatory displays or publications anywhere at the workplace by employees, such as:
 - o Displaying pictures, cartoons, posters, calendars, graffiti, objections, promotional materials, reading materials, or other materials that are sexually suggestive, sexually demeaning or pornographic or bringing to work or possessing any such material to read, display or view at work;
 - o Reading publicly or otherwise publicizing in the work environment materials that are in any way sexually revealing, sexually suggestive, sexually demeaning or pornographic; and
 - o Displaying signs or other materials purporting to segregate an employee by sex in an

area of the workplace (other than restrooms or similar rooms).

The illustrations of harassment and sexual harassment above are not to be construed as an all-inclusive list of prohibited acts under this policy. Moreover, please note that while in most situations a personal relationship is a private matter, these relationships are not appropriate in a professional setting, particularly where one of the parties has management or supervisory responsibilities. As such, consensual relationships in the workplace may violate DCS policy.

WHISTLEBLOWER POLICY

DCS requires its directors, officers, employees, and volunteers to observe high standards of ethics in the conduct of their duties and responsibilities within the School. As representatives of the School, such individuals must practice honesty and integrity in fulfilling all responsibilities and must comply with all applicable laws and regulations. The purpose of this policy is to create an ethical and open work environment, to ensure that the School has a governance and accountability structure that supports its mission, and to encourage and enable directors, officers, employees, and volunteers of the School to raise serious concerns about the occurrence of illegal or unethical actions within the School before turning to outside parties for resolution.

All directors, officers, employees, and volunteers of the School have a responsibility to report any action or suspected action taken within the School that is illegal, unethical or violates any adopted policy of the School. Anyone reporting a violation must act in good faith, without malice to the School or any individual at the School and have reasonable grounds for believing that the information shared in the report indicates that a violation has occurred. A person who makes a report does not have to prove that a violation has occurred. However, any report which the reporter has made maliciously or any report that the reporter has good reason to believe is false will be viewed as a serious disciplinary offense. No one who in good faith reports a violation, or who, in good faith, cooperates in the investigation of a violation shall suffer harassment, retaliation, or adverse employment action.

DRUG-AND ALCOHOL-FREE WORKPLACE

DCS is committed to providing a drug and alcohol free workplace and to promoting safety in the workplace, employee health and well-being, stakeholder confidence and a work environment that is conducive to attaining high work standards. The use of drugs and alcohol by employees, whether on or off the job, jeopardizes these goals since it adversely affects health and safety, security, productivity, and public confidence and trust. Drug or alcohol use in the workplace is extremely harmful to employees and to other DCS stakeholders.

The bringing to the workplace, possession or use of intoxicating beverages or drugs on any School premises is prohibited and will result in disciplinary action up to and including termination.

CONFIDENTIAL INFORMATION

All information relating to students, personal information, schools attended, addresses, contact

numbers and progress information is confidential in nature, and may not be shared with or distributed to unauthorized parties. All records concerning special education pupils shall be kept strictly confidential and maintained in separate files. Failure to maintain confidentiality may result in disciplinary action, up to and including release from at-will employment.

CONFLICTS OF INTEREST

All employees must avoid situations involving actual or potential conflicts of interest. An employee involved in any relationships or situations that may constitute a conflict of interest should immediately and fully disclose the relevant circumstances to the Director, or the Board of Directors, for a determination about whether a potential or actual conflict exists. If an actual or potential conflict is determined, the School may take whatever corrective action appears appropriate according to the circumstances. Failure to disclose facts shall constitute grounds for disciplinary action.

SMOKING

DCS facility is a no smoking facility.

THE WORKPLACE

WORK SCHEDULE

Business hours are normally 7:30 a.m. – 4:00 p.m. Monday through Friday. DCS recognizes the principle of an eight (8) hour work day, and a forty (40) hour workweek for persons employed on a full-time basis during the school year.

The work day shall begin twenty (20) minutes prior to the first bell and shall end fifteen (15) minutes after the final bell of a regular schedule.

SIGN-IN AND OUT

All staff members are expected to sign in and out each day using the electronic system (Frontline) with their own device (cell phone, class computer). This is necessary for the accuracy of timesheets and to allow other staff members to know and employee is on campus. When leaving campus during instructional hours, employees must sign out and back in when they return.

MEAL AND REST PERIODS

Nonexempt employees working at least five (5) hours are provided with a thirty (30) minute meal period, to be taken approximately in the middle of the workday but by no later than the end of the 5th hour of work. An employee may waive this meal period if the day's work will be completed in no more than six (6) hours, provided the employee and DCS mutually consent to the waiver in writing.

Nonexempt employees are also provided with a ten (10) minute rest period for every four (4) hours worked which should be scheduled towards the middle of the four (4) hour work period as practicable. Employees are prohibited from combining meal and rest period time.

An employee's supervisor must be aware of and approve scheduled meal and rest periods. Employees must immediately inform their supervisor if they are prevented from taking their meal and/or rest periods. Employees are expected to observe assigned working hours and the time allowed for meal and rest periods.

Employees may leave the premises during the meal period, but must sign out and back in upon return. Meal and rest periods observed on campus must take place at employer-designated areas. Designated meal and rest period areas are: Staff Lounge, classroom where no students are present, and Staff Picnic Tables.

Cafeteria

Due to COVID19, the cafeteria has discontinued the services below.

The cafeteria orders assorted salads, sandwiches, chips, and water for the staff each day. Soup and cookies are also available but must be ordered at least one day in advance. Staff may pick up

their school lunch at the area designated by the cafeteria staff. The prices are listed and payment should be made at the time of purchase. An account may also be set up with the Cafeteria Supervisor to pay for lunches. Please see the Cafeteria Supervisor for more information.

LACTATION ACCOMMODATION

DCS accommodates lactating employees by providing a reasonable amount of break time to any employee who desires to express breast milk for an infant child. The break time shall, if possible, run concurrently with any break time already provided to the employee. Any break time provided to express breast milk that does not run concurrently with break time already provided to the nonexempt employee shall be unpaid.

DCS will make reasonable efforts to provide employees who need a lactation accommodation with the use of a room or other private location that is located close to the employee's work area. Such room/location shall not be a bathroom, and shall have electricity. Employees shall also be given access to a sink with running water and a refrigerator. Employees with private offices will be required to use their offices to express breast milk. Employees who desire lactation accommodations should contact their supervisor to request accommodations.

ATTENDANCE AND TARDIES

All employees whether exempt or nonexempt are expected to arrive at work consistently and on time. Absenteeism and tardiness negatively affects the School's ability to implement its educational program and disrupts consistency in students' learning.

If it is necessary to be absent or late, employees are expected to telephone the Leadership Team as soon as possible but no later than one-half hour before the start of the workday. If an employee absent from work longer than one day, he or she is expected to keep the Director sufficiently informed of the situation.

As noted in the section of this Handbook concerning prohibited conduct, excessive or unexcused absences or tardiness may result in disciplinary action up to and including release from at-will employment with the School. Absences for more than three (3) consecutive days without notifying the School will be considered a voluntary resignation from employment.

TIMECARDS/RECORDS

By law, the School is obligated to keep accurate records of the time worked by nonexempt employees. Such employees shall be required to utilize the School's time card system.

Nonexempt employees must accurately clock in and out of their shifts, as this is the only way the payroll department knows how many hours each employee has worked and how much each employee is owed. The time card indicates when the employee arrived and when the employee departed. All employees must clock in and out for arrival and departure, along with lunch and for absences like doctor or dentist appointments. All employees are required to keep the office advised of their departures from and returns to the school premises during the workday.

All employees are solely responsible for ensuring accurate information on their time cards and remembering to record time worked. If an employee forgets to mark their time card or makes an error on the time card, the employee must contact the Leadership Team to make the correction.

Nonexempt employees are prohibited from performing off-the-clock work, including but not limited to checking emails before/after work hours, performing work in the morning before logging in, and running School errands after logging out.

No one may record hours worked on another's worksheet. Any employee, who tampers with his/her own time card, or another employee's time card, may be subjected to disciplinary action up to and including dismissal from employment

USE OF EMAIL, VOICEMAIL AND INTERNET ACCESS

DCS will permit employees to use its electronic mail, voicemail systems and Internet access subject to the following:

1. Minimal personal use as long as it does not interfere with timely job performance and is consistent with law and appropriate protocols.
2. The email system and Internet access is not to be used in any way that may be disruptive, offensive to others, or harmful to morale. For example, sexually explicit images, ethnic slurs, racial epithets, or anything else that may be construed as harassment or disparagement of others based on their race, national origin, sex, sexual orientation, age, religious beliefs or political beliefs may not be displayed or transmitted.
3. Employees should not attempt to gain access to another employee's personal file of E-mail or voicemail messages without the latter's express permission.
4. School staff will not enter an employee's personal email files or voicemail unless there is a business need to do so. DCS retains a copy of all passwords; passwords unknown to the School may not be used. System security features, including passwords and delete functions, do not neutralize the School's ability to access any message at any time. Employees must be aware that the possibility of such access always exists.
5. Befriending students on social media platforms including but not limited to Instagram, Facebook, and Twitter is prohibited.
6. Employees should not use personal devices or email accounts for School-related communications. Such communications should take place using only School-issued devices and via the employee's email account.

Personal Business

DCS's facilities for handling mail and telephone calls are designed to accommodate School

business. Employees should have their personal mail directed to their home address and limit personal telephone calls to an absolute minimum. Personal calls should not be made outside the immediate dialing area. Do not use School material, time or equipment for personal projects.

Social Media

If an employee decides to post information on the Internet (i.e., personal blog, Facebook, Instagram, Twitter, etc.) that discusses any aspect of his/her workplace activities, the following restrictions apply:

- School equipment, including School computers and electronics systems, may not be used for these purposes;
- Student and employee confidentiality policies must be strictly followed;
- Employees must make clear that the views expressed in their blogs are their own and not those of the School;
- Employees may not use the School's logos, trademarks and/or copyrighted material and are not authorized to speak on the School's behalf;
- Employees are not authorized to publish any confidential or proprietary information maintained by the School;
- Employees are prohibited from making discriminatory, defamatory, libelous or slanderous comments when discussing the School, the employee's supervisors, co-workers and competitors;
- Employees must comply with all School policies, including, but not limited to, rules against unlawful harassment and retaliation.

The School reserves the right to take disciplinary action against any employee whose social media postings violate this or other School policies.

See Appendix D – Staff Acceptable Use Policy.

PERSONAL APPEARANCE/STANDARDS OF DRESS FOR FACULTY MEMBERS

The Board of Directors believes that teachers serve as role models. They should therefore maintain professional standards of dress and grooming. Just as overall attitude and instructional competency contribute to a productive learning environment, so do appropriate dress and grooming.

DCS also recognizes that the matters of dress are individual expressions of taste, provided that clothing presents a professional image and fits within generally accepted standards of decency. Darnall employees are expected to dress appropriately and professionally. A standing member of the Leadership Team will address any concerns regarding dress.

HEALTH AND SAFETY POLICY

DCS is committed to providing and maintaining a healthy and safe work environment for all employees.

Employees are required to know and comply with the School's General Safety Rules and to follow safe and healthy work practices at all times. You are required to report immediately to the Director any potential health or safety hazards, and all injuries or accidents.

In compliance with Proposition 65, the School will inform employees of any known exposure to a chemical known to cause cancer or reproductive toxicity.

SECURITY PROTOCOLS

DCS has developed guidelines to help maintain a secure workplace. Be aware of unknown persons loitering in parking areas, walkways, entrances and exits and service areas. Report any suspicious persons or activities to the Director. Employee desk or office should be secured at the end of the day. When an employee is called away from his or her work area for an extended length of time, valuable or personal articles should not be left around you're a workstation that may be accessible. The security of facilities as well as the welfare of our employees depends upon the alertness and sensitivity of every individual to potential security risks. Employees should immediately notify the Director when keys are missing or if security access codes or passes have been breached.

OCCUPATIONAL SAFETY

DCS is committed to the safety of its employees, vendors, contractors and the public and to providing a clear safety goal for management.

The prevention of accidents is the responsibility of every School supervisor. It is also the duty of all employees to accept and promote the established safety regulations and procedures. Every effort will be made to provide adequate safety training. If an employee is ever in doubt how to perform a job or task safely, assistance should be requested. Unsafe conditions must be reported immediately.

It is the policy of the School that accident prevention shall be considered of primary importance in all phases of operation and administration. DCS's management is required to provide safe and healthy working conditions for all employees and to establish and require the use of safe practices at all times.

Failure to comply with or enforce School safety and health rules, practices and procedures could result in disciplinary action up to and including possible termination.

Accident/Incident Reporting

It is the duty of every employee to immediately or as soon as is practical report any accident or injury occurring during work or on School premises so that arrangements can be made for medical or first aid treatment, as well as for investigation and follow-up purposes.

Reporting Fires and Emergencies

It is the duty of every employee to know how to report fires and other emergencies quickly and accurately. Employees should report any such emergency by calling management. In addition, all employees should know the local emergency numbers such as 911.

EMPLOYEE WAGES AND HEALTH BENEFITS

PAYROLL WITHHOLDINGS

As required by law, the School shall withhold Federal Income Tax, State Income Tax, Social Security (FICA) and State Disability Insurance from each employee's pay as follows:

1. Federal Income Tax Withholding: The amount varies with the number of exemptions the employee claims and the gross pay amount.
2. State Income Tax Withholding: The same factors which apply to federal withholdings apply to state withholdings.
3. Social Security (FICA): The Federal Insurance Contribution Act requires that a certain percentage of employee earnings be deducted and forwarded to the federal government, together with an equal amount contributed by the School.
4. State Disability Insurance (SDI): This state fund is used to provide benefits to those out of work because of illness or disability.

Every deduction from an employee's paycheck is explained on the check voucher. If an employee does not understand the deductions, he or she should ask the Director to explain them.

Employees may change the number of withholding allowances claimed for Federal Income Tax purposes at any time by filling out a new W-4 form and submitting it to the Director. The office maintains a supply of these forms.

All Federal, State, and Social Security taxes will be automatically deducted from paychecks. Federal Withholding Tax deduction is determined by the employee's W-4 form. The W-4 form should be completed upon hire and it is the employee's responsibility to report any changes in filing status to the Director and to fill out a new W-4 form.

At the end of the calendar year, a "withholding statement" (W-2) will be prepared and forwarded to each employee for use in connection with preparation of income tax returns. The W-2 shows Social Security information, taxes withheld and total wages.

OVERTIME PAY

Whether an employee is exempt from or subject to overtime pay will be determined on a case-by-case basis and will be indicated in the employee's job description. Generally, teachers and administrators are exempt. Nonexempt employees may be required to work beyond the regularly scheduled workday or workweek as necessary. Only actual hours worked in a given workday or workweek can apply in calculating overtime for nonexempt employees. DCS will attempt to distribute overtime evenly and accommodate individual schedules. All overtime work must be previously authorized by the Director. DCS provides compensation for all overtime hours

worked by nonexempt employees in accordance with state and federal law as follows:

For employees subject to overtime, all hours worked in excess of eight (8) hours in one workday or forty (40) hours in one workweek shall be treated as overtime. Compensation for hours in excess of forty (40) for the workweek or in excess of eight (8) and not more than twelve (12) for the workday, and for the first eight (8) hours on the seventh consecutive day in one workweek, shall be paid at a rate of one and one-half times the employee's regular rate of pay. Compensation for hours in excess of twelve (12) in one workday and an excess of eight (8) on the seventh consecutive workday of the workweek shall be paid at double the regular rate of pay.

Exempt employees may have to work hours beyond their normal schedules as work demands require. No overtime compensation will be paid to these exempt employees.

PAYDAYS

Paydays are scheduled twice per month. If an employee observes any error in his or her check, it should be reported immediately to the Director.

WAGE ATTACHMENTS AND GARNISHMENTS

Under normal circumstances, the School will not assist creditors in the collection of personal debts from its employees. However, creditors may resort to certain legal procedures such as garnishments, levies or judgments that require the School, by law, to withhold part of an employee's earnings in their favor.

Employees are strongly encouraged to avoid such wage attachments and garnishments. If the School is presented a second garnishment request concerning an employee, the Director will discuss the situation with the employee.

MEDICAL BENEFITS

Eligibility

An employee is eligible for medical coverage if he or she is a regular employee working for the School at least thirty (30) hours per week.

Employees who go from part-time to full-time employment become eligible for full benefits on the first day of the month following the effective date of the change.

When Coverage Starts

Employee coverage will begin on the first day of employment or if hired mid-month it will start on the first day of the next month. An enrollment form must be submitted to the Director as soon as possible. This form serves as a request for coverage, and authorizes any payroll deductions

necessary to pay for coverage.

DCS reserves the right to change or terminate medical plans or other benefits at any time consistent with any applicable collective bargaining agreements.

COBRA BENEFITS

When coverage under the School's medical and/or dental plans ends, employees or their dependents can continue coverage for eighteen (18) or thirty-six (36) months, depending upon the reason benefits ended. To continue coverage, an employee must pay the full cost of coverage – the employee contribution and the School's previous contribution plus a possible administrative charge.

Medical coverage for an employee, his/her spouse, and eligible dependent children can continue for up to eighteen (18) months if coverage ends because:

- Employment ends, voluntarily or involuntarily, for any reason other than gross misconduct; or
- Hours of employment are reduced below the amount required to be considered a full-time employee or part-time, making an employee ineligible for the plan.

This eighteen (18) month period may be extended an additional eleven (11) months in cases of disability subject to certain requirements. This eighteen (18) month period may also be extended an additional eighteen (18) months if other events (such as a divorce or death) occur subject to certain requirements.

An employee's spouse and eligible dependents can continue their health coverage for up to thirty-six (36) months if coverage ends because:

- The employee dies while covered by the plan;
- The employee and his/her spouse become divorced or legally separated;
- The employee becomes eligible for Medicare coverage, but his/her spouse has not yet reached age sixty-five (65); or
- The employee's dependent child reaches an age which makes him or her ineligible for coverage under the plan.

Rights similar to those described above may apply to retirees, spouses and dependents if the employer commences a bankruptcy proceeding and those individuals lose coverage.

DCS will notify employees or their dependents if coverage ends due to termination or a reduction in work hours. If an employee becomes eligible for Medicare, divorced or legally separated, dies, or when a dependent child no longer meets the eligibility requirements, the

employee or a family member are responsible for notifying the School within thirty (30) days of the event. DCS will then notify the employee or his/her dependents of the employee's rights.

Health coverage continuation must be elected within sixty (60) days after receiving notice of the end of coverage, or within sixty (60) days after the event causing the loss, whichever is later.

There are certain circumstances under which coverage will end automatically. This happens if:

- Premiums for continued coverage are not paid within thirty (30) days of the due date;
- The employee (or his/her spouse or child) become covered under another group health plan which does not contain any exclusion or limitation with respect to any pre-existing condition the employee (or the employee's spouse or child, as applicable) may have;
- DCS stops providing group health benefits;
- The employee (or the employee's spouse or child) become entitled to Medicare; or
- The employee extended coverage for up to twenty-nine (29) months due to disability and there has been a final determination that the employee is no longer disabled.

PERSONNEL EVALUATION AND RECORD KEEPING

EMPLOYEE REVIEWS AND EVALUATIONS

Each employee will receive periodic performance reviews conducted by their supervisor. Performance evaluations will be conducted annually. The frequency of performance evaluations may vary depending upon length of service, job position, past performance, changes in job duties, or recurring performance problems.

Performance evaluations may review factors such as the quality and quantity of the work performed, knowledge of the job, initiative, work attitude, and attitude toward others. The performance evaluations are intended to make employees aware of their progress, areas for improvement, and objectives or goals for future work performance. Favorable performance evaluations do not guarantee increases in salary or promotions. Salary increases and promotions are solely within the discretion of the School and depend upon many factors in addition to performance. After the review, an employee will be required to sign the evaluation report simply to acknowledge that it has been presented to them, that they have discussed it with the Director, and that they are aware of its contents.

Newly hired employees may have their performance goals reviewed by the supervisor within the first ninety (90) days of employment.

Salary and potential for advancement will be based largely upon job performance. On a periodic basis, the supervisor will review employee job performance with an employee in order to establish goals for future performance and to discuss current performance. DCS' evaluation system will in no way alter the at-will employment relationship.

PERSONNEL FILES AND RECORD KEEPING PROTOCOLS

At the time of employment, a personnel file is established for each employee. It is each employee's responsibility to keep the Director advised of changes that should be reflected in their personnel file. Such changes include: change in address, telephone number, marital status, number of dependents and person(s) to notify in case of emergency. Prompt notification of these changes is essential and will enable the School to contact an employee should the change affect their other records.

Employees have the right to inspect documents in their personnel file, as provided by law, in the presence of a School representative, at a mutually convenient time. Employees also have the right to obtain a copy of their personnel file as provided by law. Employees may add comments to any disputed item in the file. DCS will restrict disclosure of personnel files to authorized individuals within the School. A request for information contained in the personnel file must be directed to the Director. Only the Director or designee is authorized to release information about current or former employees. Disclosure of information to outside sources will be limited. However, the School will cooperate with requests from authorized law enforcement or local, state or federal agencies conducting official investigations or as otherwise legally required.

Credible complaints of substantiated investigations into or discipline for egregious misconduct will not be expunged from an employee's personnel file unless the complaint is heard by an arbitrator, administrative law judge, or the Board and the complaint is deemed to be false, not credible, unsubstantiated or a determination was made that discipline was not warranted.

HOLIDAYS AND LEAVES

HOLIDAYS

DCS calendar reflects any and all holidays observed by the School. The following holidays are generally observed by public entities, including public schools:

- New Year's Day
- Martin Luther King Jr. Birthday
- President's Day
- Memorial Day
- Independence Day
- Labor Day
- Veteran's Day
- Thanksgiving
- Friday after Thanksgiving
- Day before Christmas
- Christmas Day

Other days during the school year, such as days during the School's calendared breaks, shall not be paid time for nonexempt employees in active status. Recognized religious holidays may be taken off by an employee whose religion requires observance of the particular day. Employees must request the day off in advance by written notice to the Director. The employee will be paid if the religious holiday is taken as an earned paid leave day (i.e. vacation, personal necessity day, etc., as applicable). The employee will not be paid if the religious holiday is taken as a personal leave of absence day. Employees on any leave of absence do not earn holiday pay.

VACATION

While the School recognizes the importance of vacation time as a period of rest and rejuvenation away from the job, vacations must be scheduled with due consideration for "peak traffic periods" in the school. With this in mind, it is expected that vacation time will be taken when school is not in session.

Regular full-time employees are entitled to vacation terms based upon date of hire, length of service and status with the School. Paid vacation time for administrators will be established in the administrator's employment contract. Employees working on part-time basis (less than full-time) shall not earn vacation days.

Any vacation time taken during the school year or otherwise should be coordinated and cleared by the Director subject to scheduling and seniority. No vacation time may be taken by clerical staff during the last two weeks of August unless specifically authorized by the Director.

For clerical employees, vacation days should be taken when school is not in session, preferably between July 1 to August 15. Vacation time is figured on a school year beginning with the

opening of school rather than on a fiscal year.

Vacation time may not be utilized before it is earned. An employee whose employment terminates will be paid for accrued unused vacation days. Vacation can accrue up to a maximum amount of days dependant on years of service. Once this cap is reached, no further vacation will accrue until some vacation is used. When some vacation is used, vacation compensation will begin to accrue again. There is no retroactive grant of vacation compensation for the period of time the accrued vacation compensation was at the cap.

UNPAID LEAVE OF ABSENCE

DCS recognizes that special situations may arise where an employee must leave his or her job temporarily. At its discretion, the School may grant employees leaves of absence. Any unpaid leave of absence must be approved in advance by the School.

The granting of a leave of absence always presumes the employee will return to active work by a designated date or within a specific period.

During a Family and Medical Leave Act, California Family Rights Act leave, and/or Pregnancy Disability Leave, the employee's medical and dental benefits will remain in force, provided the employee pays the appropriate premiums. Otherwise, benefits are terminated the month any other type of leave begins. If an employee fails to return from a leave and is subsequently terminated, the employee is entitled to all earned but unused vacation pay, provided that the vacation pay was earned prior to the commencement of leave. No vacation time is accrued during any type of unpaid leave of absence.

SICK LEAVE

To help prevent loss of earnings that may be caused by accident or illness, or by other emergencies, the School offers paid sick leave to its employees. Sick leave may be taken to receive preventive care (including annual physicals or flu shots) or to diagnose, treat, or care for an existing health condition. Employees may also use sick leave to assist a family member (i.e., children, parents, spouses/domestic partners, grandparents, grandchildren, or siblings) who must receive preventative care or a diagnosis, treatment, or care for an existing health condition. Employees may also take paid sick leave to receive medical care or other assistance to address instances of domestic violence, sexual assault, or stalking. Sick leave may also be taken for public health emergencies resulting in closure of the employee's worksite, childcare provider, or child's school.

Paid sick leave is available to all School employees who work at least two (2) hours in one or more calendar weeks at DCS.

Unless specified otherwise in an individual employment agreement or collective bargaining agreement, paid sick days are accrued at the rate of one (1) hour for every thirty (30) hours worked. Any unused accrued earned sick leave will be carried forward to the following year. The total accrual of sick leave will be capped at eighty (80) hours. Employees may use up to forty

(40) hours of accrued sick leave in one year. Upon termination, the School does not pay employees in lieu of unused sick leave.

Employees cannot use paid sick leave until the ninetieth (90th) calendar day following the employee's start date. Sick leave must be taken by eligible employees in increments of two (2) hours.

If an employee is absent longer than three (3) days due to illness, medical evidence of their illness and/or medical certification of their fitness to return to work satisfactory to the School may be required. The School will not tolerate abuse or misuse of the sick leave privilege. If the School suspects abuse of sick leave, the School may require a medical certification from an employee verifying the employee's absence.

Once an employee has exhausted sick leave, the employee may continue on an unpaid medical leave depending upon the facts and circumstances of the employee's basis for leave beyond accrued sick leave. Employee requests for unpaid medical leave must be approved in advance by the School.

FAMILY CARE AND MEDICAL LEAVE

This policy explains how the School complies with the federal Family and Medical Leave Act ("FMLA") and the California Family Rights Act ("CFRA"), both of which require the School to permit each eligible employee to take up to twelve (12) workweeks (or twenty-six (26) workweeks where indicated) of FMLA leave in any twelve (12) month period for the purposes enumerated below. For purposes of this policy, all leave taken under FMLA or CFRA will be referred to as "FMLA leave."

- **Employee Eligibility Criteria**

To be eligible for FMLA leave, the employee must have been employed by the School for a total of at least twelve (12) months, worked at least 1,250 hours during the twelve (12) month period immediately preceding commencement of the FMLA leave, and work at a location where the School has at least fifty (50) employees within seventy-five (75) miles, (except for purposes of baby-bonding where the threshold is twenty (20) employees).

- **Events That May Entitle an Employee To FMLA Leave**

The twelve (12) week (or twenty-six (26) workweeks where indicated) FMLA allowance includes any time taken (with or without pay) for any of the following reasons:

1. To care for the employee's newborn child or a child placed with the employee for adoption or foster care. Leaves for this purpose must conclude twelve (12) months after the birth, adoption, or placement. If both parents are employed by the School, they will be entitled to a combined total of twelve (12) weeks of leave for this purpose.
2. Because of the employee's own serious health condition (including a serious health

condition resulting from an on-the-job illness or injury) that makes the employee unable to perform any one or more of the essential functions of his or her job (other than a disability caused by pregnancy, childbirth, or related medical conditions, which is covered by the School's separate pregnancy disability policy).

- a. A "serious health condition" is an illness, injury (including, but not limited to, on-the-job injuries), impairment, or physical or mental condition of the employee or a child, parent, or spouse of the employee that involves either inpatient care or continuing treatment, including, but not limited to, treatment for substance abuse.
 - b. "Inpatient care" means a stay in a hospital, hospice, or residential health care facility, any subsequent treatment in connection with such inpatient care, or any period of incapacity. A person is considered an "inpatient" when a health care facility formally admits him/her to the facility with the expectation that he/she will remain at least overnight and occupy a bed, even if it later develops that such person can be discharged or transferred to another facility and does not actually remain overnight.
 - c. "Incapacity" means the inability to work, attend school, or perform other regular daily activities due to a serious health condition, its treatment, or the recovery that it requires.
 - d. "Continuing treatment" means ongoing medical treatment or supervision by a health care provider.
3. To care for a spouse, domestic partner, child, or parent with a serious health condition or military service-related injury. When an employee is providing care to a spouse, son, daughter, parent, or next of kin who is a covered Armed Forces servicemember with a serious injury or illness, the employee may take a maximum of twenty-six (26) weeks of FMLA leave in a single twelve (12) month period to provide said care.
 4. For any "qualifying exigency" because the employee is the spouse, son, daughter, or parent of an individual on active military duty, or an individual notified of an impending call or order to active duty, in the Armed Forces.
- Amount of FMLA Leave Which May Be Taken
 1. FMLA leave can be taken in one (1) or more periods, but may not exceed twelve (12) workweeks total for any purpose in any twelve (12) month period, as described below, for any one, or combination of the above-described situations. "Twelve workweeks" means the equivalent of twelve (12) of the employee's normally scheduled workweeks. For a full-time employee who works five (5) eight-hour days per week, "twelve workweeks" means sixty (60) working and/or paid eight (8) hour days.
 2. In addition to the twelve (12) workweeks of FMLA leave that may be taken, an employee who is the spouse, son, daughter, parent, or next of kin of a covered Armed Forces servicemember shall also be entitled to a total of twenty-six (26) workweeks of FMLA

leave during a twelve (12) month period to care for the servicemember.

3. The “twelve month period” in which twelve (12) weeks of FMLA leave may be taken is the twelve (12) month period immediately preceding the commencement of any FMLA leave.
 4. If a holiday falls within a week taken as FMLA leave, the week is nevertheless counted as a week of FMLA leave. If, however, the School’s business activity has temporarily ceased for some reason and employees are generally not expected to report for work for one or more weeks, such as the Winter Break, Spring Break, or Summer Vacation, the days the School’s activities have ceased do not count against the employee’s FMLA leave entitlement. Similarly, if an employee uses FMLA leave in increments of less than one (1) week, the fact that a holiday may occur within a week in which an employee partially takes leave does not count against the employee’s leave entitlement unless the employee was otherwise scheduled and expected to work during the holiday.
- Pay during FMLA Leave
 1. An employee on FMLA leave because of his/her own serious health condition must use all accrued paid sick leave at the beginning of any otherwise unpaid FMLA leave period. If an employee is receiving a partial wage replacement benefit during the FMLA leave, the School and the employee may agree to have School-provided paid leave, such as vacation or sick time, supplement the partial wage replacement benefit unless otherwise prohibited by law.
 2. An employee on FMLA leave for child care or to care for a spouse, domestic partner, parent, or child with a serious health condition may use any or all accrued sick leave at the beginning of any otherwise unpaid FMLA leave.
 3. If an employee has exhausted his/her sick leave, leave taken under FMLA shall be unpaid leave.
 4. The receipt of sick leave pay or State Disability Insurance benefits will not extend the length of the FMLA leave. Sick pay accrues during any period of unpaid FMLA leave only until the end of the month in which unpaid leave began.
 - Health Benefits

The provisions of the School’s various employee benefit plans govern continuing eligibility during FMLA leave, and these provisions may change from time to time. The health benefits of employees on FMLA leave will be paid by the School during the leave at the same level and under the same conditions as coverage would have been provided if the employee had been continuously employed during the leave period. When a request for FMLA leave is granted, the School will give the employee written confirmation of the arrangements made for the payment of insurance premiums during the leave period.

If an employee is required to pay premiums for any part of his/her group health coverage, the School will provide the employee with advance written notice of the terms and conditions under which premium payments must be made.

DCS may recover the health benefit costs paid on behalf of an employee during his/her FMLA leave if:

1. The employee fails to return from leave after the period of leave to which the employee is entitled has expired. An employee is deemed to have “failed to return from leave” if he/she works less than thirty (30) days after returning from FMLA leave; and
2. The employee’s failure to return from leave is for a reason other than the continuation, recurrence, or onset of a serious health condition that entitles the employee to FMLA leave, or other circumstances beyond the control of the employee.

- Seniority

An employee on FMLA leave remains an employee and the leave will not constitute a break in service. An employee who returns from FMLA leave will return with the same seniority he/she had when the leave commenced.

- Medical Certifications

1. An employee requesting FMLA leave because of his/her own or a relative’s serious health condition must provide medical certification from the appropriate health care provider on a form supplied by the School. Absent extenuating circumstances, failure to provide the required certification in a timely manner (within fifteen (15) days of the School’s request for certification) may result in denial of the leave request until such certification is provided.
2. The School will notify the employee in writing if the certification is incomplete or insufficient, and will advise the employee what additional information is necessary in order to make the certification complete and sufficient. The School may contact the employee’s health care provider to authenticate a certification as needed.
3. If the School has reason to doubt the medical certification supporting a leave because of the employee’s own serious health condition, the School may request a second opinion by a health care provider of its choice (paid for by the School). If the second opinion differs from the first one, the School will pay for a third, mutually agreeable, health care provider to provide a final and binding opinion.
4. Recertifications are required if leave is sought after expiration of the time estimated by the health care provider. Failure to submit required recertifications can result in termination of the leave.

- Procedures for Requesting and Scheduling FMLA Leave

1. An employee should request FMLA leave by completing a Request for Leave form and submitting it to the Director. An employee asking for a Request for Leave form will be given a copy of the School's then-current FMLA leave policy.
 2. Employees should provide not less than thirty (30) days' notice for foreseeable childbirth, placement, or any planned medical treatment for the employee or his/her spouse, domestic partner, child, or parent. Failure to provide such notice is grounds for denial of a leave request, except if the need for FMLA leave was an emergency or was otherwise unforeseeable.
 3. Where possible, employees must make a reasonable effort to schedule foreseeable planned medical treatments so as not to unduly disrupt the School's operations.
 4. If FMLA leave is taken because of the employee's own serious health condition or the serious health condition of the employee's spouse, domestic partner, parent or child, the leave may be taken intermittently or on a reduced leave schedule when medically necessary, as determined by the health care provider of the person with the serious health condition.
 5. If FMLA leave is taken because of the birth of the employee's child or the placement of a child with the employee for adoption or foster care, the minimum duration of leave is two (2) weeks, except that the School will grant a request for FMLA leave for this purpose of at least one day but less than two (2) weeks' duration on any two (2) occasions.
 6. If an employee needs intermittent leave or leave on a reduced leave schedule that is foreseeable based on planned medical treatment for the employee or a family member, the employee may be transferred temporarily to an available alternative position for which he or she is qualified that has equivalent pay and benefits and that better accommodates recurring periods of leave than the employee's regular position.
 7. The School will respond to an FMLA leave request no later than five (5) business days of receiving the request. If an FMLA leave request is granted, the School will notify the employee in writing that the leave will be counted against the employee's FMLA leave entitlement. This notice will explain the employee's obligations and the consequences of failing to satisfy them.
- Return to Work
 1. Upon timely return at the expiration of the FMLA leave period, an employee (other than a "key" employee whose reinstatement would cause serious and grievous injury to the School's operations) is entitled to the same or a comparable position with the same or similar duties and virtually identical pay, benefits, and other terms and conditions of employment unless the same position and any comparable position(s) have ceased to exist because of legitimate business reasons unrelated to the employee's FMLA leave.

2. When a request for FMLA leave is granted to an employee (other than a “key” employee), the School will give the employee a written guarantee of reinstatement at the termination of the leave (with the limitations explained above).
 3. Before an employee will be permitted to return from FMLA leave taken because of his/her own serious health condition, the employee must obtain a certification from his/her health care provider that he/she is able to resume work.
 4. If an employee can return to work with limitations, the School will evaluate those limitations and, if possible, will accommodate the employee as required by law. If accommodation cannot be made, the employee will be medically separated from the School.
- Limitations on Reinstatement
 1. DCS may refuse to reinstate a “key” employee if the refusal is necessary to prevent substantial and grievous injury to the School’s operations. A “key” employee is an exempt salaried employee who is among the highest paid 10% of the School’s employees within seventy-five (75) miles of the employee’s worksite.
 2. A “key” employee will be advised in writing at the time of a request for, or if earlier, at the time of commencement of, FMLA leave, that he/she qualifies as a “key” employee and the potential consequences with respect to reinstatement and maintenance of health benefits if the School determines that substantial and grievous injury to the School’s operations will result if the employee is reinstated from FMLA leave. At the time it determines that refusal is necessary, the School will notify the “key” employee in writing (by certified mail) of its intent to refuse reinstatement and will explain the basis for finding that the employee’s reinstatement would cause the School to suffer substantial and grievous injury. If the School realizes after the leave has commenced that refusal of reinstatement is necessary, it will give the employee at least ten (10) days to return to work following the notice of its intent to refuse reinstatement.
 - Employment during Leave

No employee, including employees on FMLA leave, may accept employment with any other employer without the School’s written permission. An employee who accepts such employment without the School’s written permission will be deemed to have resigned from employment at the School.

PREGNANCY DISABILITY LEAVE

This policy explains how the School complies with the California Pregnancy Disability Act, which requires the School to give each female employee an unpaid leave of absence of up to four (4) months per pregnancy, as needed, for the period(s) of time a woman is actually disabled by pregnancy, childbirth, or related medical conditions.

- Employee Eligibility Criteria

To be eligible for pregnancy disability leave, the employee must be disabled by pregnancy, childbirth, or a related medical condition and must provide appropriate medical certification concerning the disability.

- Events That May Entitle an Employee to Pregnancy Disability Leave

The four (4) -month pregnancy disability leave allowance includes any time taken (with or without pay) for any of the following reasons:

1. The employee is unable to work at all or is unable to perform any one or more of the essential functions of her job without undue risk to herself, the successful completion of her pregnancy, or to other persons because of pregnancy or childbirth, or because of any medically recognized physical or mental condition that is related to pregnancy or childbirth (including severe morning sickness); or
2. The employee needs to take time off for prenatal care.

- Duration of Pregnancy Disability Leave

Pregnancy disability leave may be taken in one or more periods, but not to exceed four months total. "Four months" means the number of days the employee would normally work within four months. For a full-time employee who works five (5) eight (8) hour days per week, four (4) months means 693 hours of leave (40 hours per week times 17 1/3 weeks).

For employees who work more or less than forty (40) hours per week, or who work on variable work schedules, the number of working days that constitutes four (4) months is calculated on a pro rata or proportional basis. For example, for an employee who works twenty (20) hours per week, "four months" means 346.5 hours of leave entitlement (20 hours per week times 17 1/3 weeks). For an employee who normally works forty-eight (48) hours per week, "four months" means 832 hours of leave entitlement (48 hours per week times 17 1/3 weeks).

At the end or depletion of an employee's pregnancy disability leave, an employee who has a physical or mental disability (which may or may not be due to pregnancy, childbirth, or related medical conditions) may be entitled to reasonable accommodation. Entitlement to additional leave must be determined on a case-by case basis, taking into account a number of considerations such as whether an extended leave is likely to be effective in allowing the employee to return to work at the end of the leave, with or without further reasonable accommodation, and whether or not additional leave would create an undue hardship for the School. The School is not required to provide an indefinite leave of absence as a reasonable accommodation.

- Pay during Pregnancy Disability Leave

1. An employee on pregnancy disability leave must use all accrued paid sick leave and may use any or all accrued vacation time at the beginning of any otherwise unpaid leave period.
2. The receipt of vacation pay, sick leave pay, or state disability insurance benefits, will not extend the length of pregnancy disability leave.
3. Vacation and sick pay accrues during any period of unpaid pregnancy disability leave only until the end of the month in which the unpaid leave began.

- Health Benefits

DCS shall provide continued health insurance coverage while an employee is on pregnancy disability leave consistent with applicable law. The continuation of health benefits is for a maximum of four (4) months in a twelve (12)-month period. DCS can recover premiums that it already paid on behalf of an employee if both of the following conditions are met:

1. The employee fails to return from leave after the designated leave period expires.
2. The employee's failure to return from leave is for a reason other than the following:
 - The employee is taking leave under the California Family Rights Act.
 - There is a continuation, recurrence or onset of a health condition that entitles the employee to pregnancy disability leave.
 - There is a non-pregnancy related medical condition requiring further leave.
 - Any other circumstance beyond the control of the employee.

- Seniority

An employee on pregnancy disability leave remains an employee of the School and a leave will not constitute a break in service. When an employee returns from pregnancy disability leave, she will return with the same seniority she had when the leave commenced.

- Medical Certifications

1. An employee requesting a pregnancy disability leave must provide medical certification from her healthcare provider on a form supplied by the School. Failure to provide the required certification in a timely manner (within fifteen (15) days of the leave request) may result in a denial of the leave request until such certification is provided.
2. Recertifications are required if leave is sought after expiration of the time estimated by the healthcare provider. Failure to submit required recertifications can result in termination of the leave.

- Requesting and Scheduling Pregnancy Disability Leave

1. An employee should request pregnancy disability leave by completing a Request for Leave form and submitting it to the Director. An employee asking for a Request for Leave form will be referred to the School's then current pregnancy disability leave policy.
2. Employee should provide not less than thirty (30) days' notice or as soon as is practicable, if the need for the leave is foreseeable. Failure to provide such notice is grounds for denial of the leave request, except if the need for pregnancy disability leave was an emergency and was otherwise unforeseeable.
3. Where possible, employees must make a reasonable effort to schedule foreseeable planned medical treatments so as not to unduly disrupt the School's operations.
4. Pregnancy disability leave may be taken intermittently or on a reduced leave schedule when medically advisable, as determined by the employee's healthcare provider.
5. If an employee needs intermittent leave or leave on a reduced leave schedule that is foreseeable based on planned medical treatment, the employee may be transferred temporarily to an available alternative position for which he or she is qualified that has equivalent pay and benefits that better accommodates recurring periods of leave than the employee's regular position.
6. The School will respond to a pregnancy disability leave request within ten (10) days of receiving the request. If a pregnancy disability leave request is granted, the School will notify the employee in writing and leave will be counted against the employee's pregnancy disability leave entitlement. This notice will explain the employee's obligations and the consequences of failing to satisfy them.

- Return to Work

1. Upon timely return at the expiration of the pregnancy disability leave period, an employee is entitled to the same position unless the employee would not otherwise have been employed in the same position at the time reinstatement is requested. If the employee is not reinstated to the same position, she must be reinstated to a comparable position unless one of the following is applicable:
 - a. The employer would not have offered a comparable position to the employee if she would have been continuously at work during the pregnancy disability leave.
 - b. There is no comparable position available, to which the employee is either qualified or entitled, on the employee's scheduled date of reinstatement or within sixty (60) calendar days thereafter. The School will take reasonable steps to provide notice to the employee if and when comparable positions become available during the sixty

(60) day period.

A “comparable” position is a position that involves the same or similar duties and responsibilities and is virtually identical to the employee’s original position in terms of pay, benefits, and working conditions.

2. When a request for pregnancy disability leave is granted to an employee, the School will give the employee a written guarantee of reinstatement at the end of the leave (with the limitations explained above).
3. In accordance with DCS policy, before an employee will be permitted to return from a pregnancy disability leave of three (3) days or more, the employee must obtain a certification from her healthcare provider that she is able to resume work.
4. If the employee can return to work with limitations, the School will evaluate those limitations and, if possible, will accommodate the employee as required by law. If accommodation cannot be made, the employee will be medically separated from the School.

- **Employment during Leave**

No employee, including employees on pregnancy disability leave, may accept employment with any other employer without the School’s written permission. An employee who accepts such employment without written permission will be deemed to have resigned from employment.

INDUSTRIAL INJURY LEAVE (WORKERS’ COMPENSATION)

DCS, in accordance with State law, provides insurance coverage for employees in case of work-related injuries. The workers’ compensation benefits provided to injured employees may include:

- Medical care;
- Cash benefits, tax-free to replace lost wages; and
- Vocational rehabilitation to help qualified injured employees return to suitable employment.

To ensure employees receive any worker’s compensation benefits to which they may be entitled, employees will need to:

- Immediately report any work-related injury to the Director;
- Seek medical treatment and follow-up care if required;
- Complete a written Employee’s Claim Form (DWC Form 1) and return it to the Director;

and

- Provide the School with a certification from a health care provider regarding the need for workers' compensation disability leave as well as the employee's eventual ability to return to work from the leave.

It is the School's policy that when there is a job-related injury, the first priority is to ensure that the injured employee receives appropriate medical attention. DCS, with the help of its insurance carrier has selected medical centers to meet this need. Each medical center was selected for its ability to meet anticipated needs with high quality medical service and a location that is convenient to the School's operation.

- If an employee is injured on the job, he/she is to go or be taken to the approved medical center for treatment. If injuries are such that they require the use of emergency medical systems ("EMS") such as an ambulance, the choice by the EMS personnel for the most appropriate medical center or hospital for treatment will be recognized as an approved center.
- All accidents and injuries must be reported to the Director and to the individual responsible for reporting to the School's insurance carrier. Failure by an employee to report a work-related injury by the end of his/her shift could result in loss of insurance coverage for the employee. An employee may choose to be treated by his/her personal physician at his/her own expense, but he/she is still required to go to the School's approved medical center for evaluation. All job-related injuries must be reported to the appropriate State Workers' Compensation Bureau and the insurance carrier.
- When there is a job-related injury that results in lost time, the employee must have a medical release from the School's approved medical facility before returning to work.
- Any time there is a job-related injury, the School's policy requires drug/alcohol testing along with any medical treatment provided to the employee.

MILITARY AND MILITARY SPOUSAL LEAVE OF ABSENCE

DCS shall grant a military leave of absence to any employee who must be absent from work due to service in the uniformed services in accordance with the Uniformed Services Employment and Re-Employment Rights Act of 1994 ("USERRA"). All employees requesting military leave must provide advance written notice of the need for such leave, unless prevented from doing so by military necessity or if providing notice would be impossible or unreasonable.

If military leave is for thirty (30) or fewer days, the School shall continue the employee's health benefits. For service of more than thirty (30) days, employee shall be permitted to continue their health benefits at their option through COBRA. Employees are entitled to use accrued vacation or paid time off as wage replacement during time served, provided such vacation/paid time off accrued prior to the leave.

Except for employees serving in the National Guard, DCS will reinstate those employees returning from military leave to their same position or one of comparable seniority, status, and pay if they have a certificate of satisfactory completion of service and apply within ninety (90) days after release from active duty or within such extended period, if any, as required by law. For those employees serving in the National Guard, if he or she left a full-time position, the employee must apply for reemployment within forty (40) days of being released from active duty, and if he or she left part-time employment, the employee must apply for reemployment within five (5) days of being released from active duty.

An employee who was absent from work while fulfilling his or her covered service obligation under the USERRA or California law shall be credited, upon his or her return to the School, with the hours of service that would have been performed but for the period of absence from work due to or necessitated by USERRA-covered service. Exceptions to this policy will occur wherever necessary to comply with applicable laws.

DCS shall grant up to ten (10) days of unpaid leave to employees who work more than twenty (20) hours per week and who are spouses of deployed military servicemen and servicewomen. The leave may be taken when the military spouse is on leave from deployment during a time of military conflict. To be eligible for leave, an employee must provide the School with (1) notice of intention to take military spousal leave within two (2) business days of receiving official notice that the employee's military spouse will be on leave from deployment, and (2) documentation certifying that the employee's military spouse will be on leave from deployment during the time that the employee requests leave.

BEREAVEMENT LEAVE

Exempt employees are entitled to a leave of up to three (3) days without loss of pay due to a death in the immediate family (parent, spouse, son/daughter, sister/brother, parents-in-law, son/daughter-in-law, grandparents, grandchild). Bereavement pay will not be used in computing overtime pay. Any scheduled days off (including weekends, holidays and vacations) falling during the absence will be counted as both bereavement leave and scheduled days off.

JURY DUTY OR WITNESS LEAVE

For all exempt employees, the School will pay for time off if an employee is called to serve on a jury provided the employee continues to perform work duties as assigned. For all nonexempt employees, the School will pay for up to three (3) days if an employee is called to serve on a jury.

VOTING TIME OFF

If an employee does not have sufficient time outside of working hours to vote in an official state-sanctioned election, the employee may take off enough working time to vote. Such time off shall be taken at the beginning or the end of the regular working shift, whichever allows for more free time and the time taken off shall be combined with the voting time available outside of working hours to a maximum of two (2) hours combined. Under these circumstances, an employee will be

allowed a maximum of two (2) hours of time off during an election day without loss of pay. When possible, an employee requesting time off to vote shall give the Director at least two (2) days notice.

SCHOOL APPEARANCE AND ACTIVITIES LEAVE

As required by law, DCS will permit an employee who is a parent or guardian (including a stepparent, foster parent, or grandparent) of school children, from kindergarten through grade twelve (12), or a child enrolled with a licensed child care provider, up to forty (40) hours of unpaid time off per school year (up to eight (8) hours in any calendar month of the school year) to participate in activities of a child's school or child care. If more than one (1) parent or guardian is an employee of DCS, the employee that first provides the leave request will be given the requested time off. Where necessary, additional time off will also be permitted where the school requires the employee(s) appearance.

The employee requesting school leave must provide reasonable advanced notice of the planned absence. The employee must use accrued but unused paid leave (e.g., vacation or sick leave) to be paid during the absence.

When requesting time off for school activities, the employee must provide verification of participation in an activity as soon as practicable. When requesting time off for a required appearance, the employee(s) must provide a copy of the notice from the child's school requesting the presence of the employee.

BONE MARROW AND ORGAN DONOR LEAVE

As required by law, eligible employees who require time off to donate bone marrow to another person may receive up to five (5) workdays off in a 12-month period. Eligible employees who require time off to donate an organ to another person may receive up to sixty (60) workdays off in a twelve (12) month period.

To be eligible for bone marrow or organ donation leave ("Donor Leave"), the employee must have been employed by the School for at least ninety (90) days immediately preceding the Donor Leave.

An employee requesting Donor Leave must provide written verification to the School that he or she is a donor and that there is a medical necessity for the donation of the organ or bone marrow.

Up to five (5) days of leave for bone marrow donation, and up to thirty (30) days of leave for organ donation, may be paid provided the employee uses five (5) days of accrued paid leave for bone marrow donation and two (2) weeks of accrued paid leave for organ donation. If the employee has an insufficient number of paid leave days available, the leave will otherwise be paid.

Employees returning from Donor Leave will be reinstated to the position held before the leave began, or to a position with equivalent status, benefits, pay and other terms and conditions of

employment. The School may refuse to reinstate an employee if the reason is unrelated to taking a Donor Leave. A Donor Leave is not permitted to be taken concurrently with an FMLA/CFRA Leave.

VICTIMS OF ABUSE LEAVE

DCS provides reasonable and necessary unpaid leave and other reasonable accommodations to employees who are victims of domestic violence, sexual assault, or stalking. Such leave may be taken to attend legal proceedings or to obtain or attempt to obtain any relief necessary, including a restraining order, to ensure the employee's own health, safety or welfare, or that of the employee's child or children. Employees may also request unpaid leave for the following purposes:

- Seek medical attention for injuries caused by domestic violence, sexual assault, or stalking.
- Obtain services from a domestic violence shelter, program, or rape crisis center.
- Obtain psychological counseling for the domestic violence, sexual assault, or stalking.
- Participate in safety planning, such as relocation, to protect against future domestic violence, sexual assault, or stalking.

To request leave under this policy, an employee should provide DCS with as much advance notice as practicable under the circumstances. If advance notice is not possible, the employee requesting leave under this policy should provide DCS one (1) of the following certifications upon returning back to work:

1. A police report indicating that the employee was a victim of domestic violence, sexual assault, or stalking.
2. A court order protecting the employee from the perpetrator or other evidence from the court or prosecuting attorney that the employee appeared in court.
3. Documentation from a licensed medical professional, domestic violence or sexual assault counselor, licensed health care provider, or counselor showing that the employee's absence was due to treatment for injuries or abuse from domestic violence, sexual assault, or stalking.

Employees requesting leave under this policy may choose to use accrued paid leave. In addition, DCS will provide reasonable accommodations to employees who are victims of domestic violence, sexual assault or stalking for the employees' safety while at work. To request an accommodation under this policy, an employee should contact the Director.

RETURNING FROM LEAVE OF ABSENCE

Employees cannot return from a medical leave of absence without first providing a sufficient doctor's return to work authorization.

When business considerations require, the job of an employee on leave may be filled by a temporary or regular replacement. An employee should give the Director thirty (30) days' notice

before returning from leave. Whenever the School is notified of an employee's intent to return from a leave, the School will attempt to place the employee in his former position or in a comparable position with regard to salary and other terms and conditions for which the employee is qualified. However, re-employment cannot always be guaranteed. If employees need further information regarding Leaves of Absence, they should be sure to consult the Director.

DISCIPLINE AND TERMINATION OF EMPLOYMENT

RULES OF CONDUCT

The following conduct is prohibited and will not be tolerated by the School. This list of prohibited conduct is illustrative only and applies to all employees of the School; other types of conduct that threaten security, personal safety, employee welfare and the School's operations also may be prohibited. Further, the specification of this list of conduct in no way alters the at-will employment relationship as to at-will employees of the School. If an employee is working under a contract with the School which grants procedural rights prior to termination, the procedural terms in the contract shall apply.

1. Insubordination - refusing to perform a task or duty assigned or act in accordance with instructions provided by an employee's manager or proper authority.
2. Inefficiency - including deliberate restriction of output, carelessness or unnecessary wastes of time or material, neglect of job, duties or responsibilities.
3. Unauthorized soliciting, collecting of contributions, distribution of literature, written or printed matter is strictly prohibited on School property by non-employees and by employees. This rule does not cover periods of time when employees are off their jobs, such as lunch periods and break times. However, employees properly off their jobs are prohibited from such activity with other employees who are performing their work tasks.
4. Damaging, defacing, unauthorized removal, destruction or theft of another employee's property or of School property.
5. Fighting or instigating a fight on School premises.
6. Violations of the drug and alcohol policy.
7. Using or possessing firearms, weapons or explosives of any kind on School premises.
8. Gambling on School premises.
9. Tampering with or falsifying any report or record including, but not limited to, personnel, absentee, sickness or production reports or records, specifically including applications for employment and time cards.
10. Recording the clock card, when applicable, of another employee or permitting or arranging for another employee to record the clock card.
11. Use of profane, abusive or threatening language in conversations with other employees and/or intimidating or interfering with other employees.
12. Conducting personal business during business hours and/or unauthorized use of telephone lines for personal calls.
13. Excessive absenteeism or tardiness excused or unexcused.
14. Posting any notices on School premises without prior written approval of management, unless posting is on a School bulletin board designated for employee postings.
15. Immoral or indecent conduct.
16. Conviction of a criminal act.
17. Engaging in sabotage or espionage (industrial or otherwise)
18. Violations of the sexual harassment policy.
19. Failure to report a job-related accident to the employee's manager or failure to take or follow prescribed tests, procedures or treatment.

20. Sleeping during work hours.
21. Release of confidential information without authorization.
22. Any other conduct detrimental to other employees or the School's interests or its efficient operations.
23. Refusal to speak to supervisors or other employees.
24. Dishonesty.
25. Failure to possess or maintain the credential/certificate required of the position.

For employees who possess an employment contract which provides for other than at-will employment, the procedures and process for termination during the contract shall be specified in the contract.

OFF-DUTY CONDUCT

While the School does not seek to interfere with the off-duty and personal conduct of its employees, certain types of off-duty conduct may interfere with the School's legitimate business interests. For this reason, employees are expected to conduct their personal affairs in a manner that does not adversely affect the School or its own integrity, reputation, or credibility. Illegal or immoral off-duty conduct by an employee that adversely affects the School's legitimate business interests or the employee's ability to perform his or her work will not be tolerated.

While employed by the School, employees are expected to devote their energies to their jobs with the School. For this reason, second jobs are strongly discouraged. The following types of additional employment elsewhere are strictly prohibited:

- Additional employment that conflicts with an employee's work schedule, duties, and responsibilities at our School.
- Additional employment that creates a conflict of interest or is incompatible with the employee's position with our School.
- Additional employment that impairs or has a detrimental effect on the employee's work performance with our School.
- Additional employment that requires the employee to conduct work or related activities on the School's property during the employer's working hours or using our School's facilities and/or equipment; and
- Additional employment that directly or indirectly competes with the business or the interests of our School.

Employees who wish to engage in additional employment that may create a real or apparent conflict of interest must submit a written request to the School explaining the details of the additional employment. If the additional employment is authorized, the School assumes no responsibility for it. DCS shall not provide workers' compensation coverage or any other benefit for injuries occurring from or arising out of additional employment. Authorization to engage in

additional employment can be revoked at any time.

TERMINATION OF EMPLOYMENT

Should it become necessary for an employee to terminate their at-will employment with the School, employees should notify the Director regarding their intention as far in advance as possible. At least two (2) weeks' notice is expected whenever possible.

When an employee terminates their at-will employment, they will be entitled to all earned but unused vacation pay. If an employee is participating in the medical and/or dental plan, they will be provided information on their rights under COBRA.

INTERNAL COMPLAINT REVIEW

The purpose of the “Internal Complaint Review Policy” is to afford all employees of the School the opportunity to seek internal resolution of their work-related concerns. All employees have free access to the Director or Board of Directors to express their work-related concerns.

Specific complaints of unlawful harassment, discrimination, and retaliation are addressed under the School’s “Policy Prohibiting Unlawful Harassment, Discrimination, and Retaliation.”

Internal Complaints

(Complaints by Employees Against Employees)

This section of the policy is for use when a School employee raises a complaint or concern about a co-worker.

If reasonably possible, internal complaints should be resolved at the lowest possible level, including attempts to discuss/resolve concerns with the immediate supervisor. However, in the event an informal resolution may not be achieved or is not appropriate, the following steps will be followed by the Director or designee:

1. The complainant will bring the matter to the attention of the Director as soon as possible after attempts to resolve the complaint with the immediate supervisor have failed or if not appropriate; and
2. The complainant will reduce his or her complaint to writing, indicating all known and relevant facts. The Director or designee will then investigate the facts and provide a solution or explanation;
3. If the complaint is about the Director, the complainant may file his or her complaint in a signed writing to the President of the School’s Board of Directors, who will then confer with the Board and may conduct a fact-finding or authorize a third party investigator on behalf of the Board. The Board President or investigator will report his or her findings to the Board for review and action, if necessary.

This policy cannot guarantee that every problem will be resolved to the employee’s satisfaction. However, the School values each employee’s ability to express concerns and the need for resolution without fear of adverse consequence to employment.

Policy for Complaints Against Employees

(Complaints by Third Parties Against Employees)

This section of the policy is for use when a non-employee raises a complaint or concern about a School employee.

If complaints cannot be resolved informally, complainants may file a written complaint with the

office of the Director or Board President (if the complaint concerns the Director) as soon as possible after the events that give rise to the complainant's concerns. The written complaint should set forth in detail the factual basis for the complaint.

In processing the complaint, Director (or designee) shall abide by the following process:

1. The Director or designee shall use his or her best efforts to talk with the parties identified in the complaint and to ascertain the facts relating to the complaint.
2. In the event that the Director (or designee) finds that a complaint against an employee is valid, the Director (or designee) may take appropriate disciplinary action against the employee. As appropriate, the Director (or designee) may also simply counsel/reprimand employees as to their conduct without initiating formal disciplinary measures.
3. The Director's (or designee's) decision relating to the complaint shall be final unless it is appealed to the Board of Directors. The decision of the Board shall be final.

General Requirements

1. Confidentiality: All complainants will be notified that information obtained from the complainants and thereafter gathered will be maintained in a manner as confidential as possible, but in some circumstances absolute confidentiality cannot be assured.
2. Non-Retaliation: All complainants will be advised that they will be protected against retaliation as a result of the filing of any complaints or participation in any complaint process.
3. Resolution: The Board (if a complaint is about the Director) or the Director or designee will investigate complaints appropriately under the circumstances and pursuant to the applicable procedures, and if necessary, take appropriate remedial measures to ensure effective resolution of any complaint.

AMENDMENT TO EMPLOYEE HANDBOOK

This Employee Handbook contains the employment policies and practices of the School in effect at the time of publication.

DCS reserves the right to amend, delete or otherwise modify this Handbook at any time provided that such modifications are in writing and duly approved by the employer.

Any written changes to the Handbook will be distributed to all employees. No oral statements can in any way alter the provisions of this Handbook.

OPERATING POLICIES AND PROCEDURES

ATTENDANCE PROCEDURES

Attendance is to be taken no later than 10 minutes after the 2nd bell. Follow directions for entering present or absent in the attendance system.

If a student has been marked absent, they **MUST** get a tardy slip from the office before entering the class. Rosters **MUST** be dated and signed no later than Friday. **NO EXCEPTIONS!**

Student Tardy

When a student arrives late, they must check in at the front of the school or office for a tardy slip. **DO NOT** admit students to your classroom without a tardy slip.

Permit to Leave School Grounds

In the event that a student needs to leave school early at the request from a parent, the school secretary will notify the teacher that the student is leaving for the day. The teacher should send the student directly to the outer office to meet their parent(s). Do not release a student from your classroom directly to the parent.

Independent Student Contracts

When there is prior knowledge of a student's absence, the student may be given a contract to complete during their absence. These can be picked up at the nurse's office. Contracts, from 2 – 20 days, with attached, completed work need to be returned to the teacher for evaluation and signature and then returned to the office.

ATTENDANCE BONUS

An attendance bonus will be awarded to full-time certificated staff that meet the following criteria:

- Certificated staff who have perfect attendance during the teaching year and who have worked at least 75% of the work year will receive a bonus of one thousand dollars (\$1,000.00).
- Certificated staff using only one day of leave will receive a bonus of seven hundred fifty dollars (\$750).
- Certificated staff using only two days of leave will receive a bonus of three hundred fifty dollars (\$350.).
- Certificated staff using only three days of leave will receive a bonus of one hundred fifty dollars (\$150).

Taking two-hour absences during PD or Instructional time a total of four times will account for 1

missed day in calculating attendance incentive (8+ times = 2 days missed). Taking two-hour absences during student-free Independent Prep Planning shall not negatively impact the Attendance Incentive.

Use of the comp day awarded as a result of participation in the Outdoor Education Program shall not negatively impact the Attendance Incentive. In addition, members using personal necessity leave for religious holiday observances (maximum of three (3) per school year), or leave for court appearances as a non-litigant or subpoenaed witness, jury duty, conferences, and/or bereavement leave shall remain eligible for the Attendance Incentive. Absence on student-free Prep Days shall not negatively impact the Attendance Incentive but absence on a Staff Development Day will impact the Attendance Incentive.

Attendance Incentive pay will be paid in August of each year.

BEGINNING TEACHER SUPPORT & ASSESSMENT (BTSA)

DCTA members participating in a New Teacher Induction program (e.g. BTSA) will be reimbursed one third of the program each year enrolled in the program. Upon completion of their probationary period and beginning their fourth year at Darnall, they will be reimbursed the balance of funds paid for the program. See a member of the Leadership Team for more information.

BUDGET

Reimbursements

To ensure the Charter School pays for only authorized business expenses, use the following guidelines for purchasing reimbursable supplies.

1. An employee must get approval via email from the designated Leadership Team member **prior** to purchasing reimbursable expenses.
2. To receive reimbursement, Expense Reimbursement Forms must be submitted within 30 days of the expenditure.
3. An employee who seeks reimbursements for authorized expenses must complete an Employee Reimbursement Form detailing the expenses incurred and attach **originals** of supporting documentation (receipts, invoices, etc).
4. The employee's Employee Reimbursement Form and invoices are reviewed and approved by the designated Leadership Team member.
5. Reimbursements will be processed through the Charter School's accounts payable procedures.
6. Reimbursement will be in compliance with Darnall Board Fiscal Policies.

Cash Handling Procedures

Handling funds in the public school is a serious matter governed by state law and board policy. All monies collected are considered public funds and are to be expended only for legitimate public purposes.

- Cash and checks may be collected for pre-approved activities only.
- Prior to collection, employees approved to accept cash or checks will be identified. Usually it will be office staff, sometimes teachers. Only approved employees are allowed to accept cash or checks.
- Collections made by approved employees **must be deposited daily** and
 - counted by two people
 - recorded on a deposit slip and signed by both counters
 - Sealed in an envelope that should not be opened until deposited in the bank
 - submitted to the Administrative Assistant or designated LT. Monies will be stored in the school safe and deposited weekly.
 - **Employees may not store funds in classrooms, desks, etc.**
- All cash must be reconciled to its source. If the cash received is a result of ticket sales, the cash received must be reconciled to the ticket count. If the cash is a result of the sale of product, cash must be reconciled to the change in inventory.
- Funds belonging to the School's General Acct and the Fundraising and Special Purpose Account shall not be intermingled, but shall be receipted for, stored and otherwise handled as completely separate funds.
- The cashing of personal checks from district or School or Fundraising/Special Purpose funds is prohibited.
- Personal checks from teachers or other staff members may not be submitted in lieu of the actual cash collections.

Discretionary Fund

Discretionary and new teacher funds must be approved and allocated annually and depends on the budget and revenue/expense projections. Information will be shared after June of each year.

CLASS PARTIES/CELEBRATIONS

Due to COVID19 protocols there are no celebrations. This will be revisited next school year.

COMMITTEES

The School Leadership Council (SLC) is a committee of the Darnall Board of Trustees as described in the Bylaws of Darnall Charter School (Appendix B), Article IV, Section 18. The role of SLC is to make recommendations regarding curricular and instructional issues, manage school wide student programs and provide feedback to the Board of Trustees and the Leadership Team. SLC and its task force committees hold regularly scheduled meetings after school hours while the Charter School calendar is in session. SLC is made up of elected members representing school grade level teams or programs, one member from the Leadership Team and at least one parent and/or a staff liaison chosen by the parents. All full-time staff members are expected to serve on at least one committee or other time commitment aligned to the strategic direction of the school.

COPYRIGHT LAWS

It is illegal to copy a book, booklet, or pamphlet on the duplicating machine unless we have purchased the right to copy it. If a teacher needs additional copies of a book, it must be ordered. See SDUSD procedure 7037/7038 for additional information on copyright laws.

COPY ROOM SERVICES

Trained personnel staff the copy room each day from 8:30 a.m. to 1:00 p.m. All requests for services should be turned in at least 24 hours in advance. The copy room staff is primarily responsible for running copies, laminating, and filling die cut requests. These services receive priority over all other requests, such as cutting class sets of materials, collating whole class books, etc which should be turned in at least one week in advance.

Laminator, Riso, Copy Machines and Die Cut

Equipment may only be used by those who have been trained. Employees should see the office staff if they have questions or need training.

COUNSELING CENTER

The Counseling Center is open five (5) days a week. Only send students to the Counseling Center with a pass or a completed referral. Before sending a student to the Counseling Center, please call extension 3055 to notify the counselor to expect the student you are referring. Please use your buddy teacher before sending a student to the Counseling Center.

CUSTODIAL SCHEDULE

The Building Site Supervisor's (BSS) daily schedule is 7:00 a.m. to 3:30 p.m. Teachers should email the Executive Assistant to report any problems or concerns in you're their classroom. She will prioritize and coordinate the work to be done.

DARNALL SPORTS & CLUBS

Darnall supports a Sports & Clubs Program designed to provide additional academic and enrichment opportunities to students at Darnall Charter with a focus on students in grades 6 - 8.

DISMISSAL OF—STUDENTS AT THE END OF THE DAY

Transitional Kinder and Kindergarten dismissal

Transitional Kinder and Kindergarten are dismissed from the K playground ten (10) minutes prior to 1st - 8th dismissal at 2:50 p.m. on regular days and 12:35 p.m. on modified days. Kindergarten will be released to parents, or to someone whom they recognize and feel safe. If a kindergartener is not picked up by 3:15 p.m. (1:00 p.m. on Tuesday), the teacher will walk the child to the counselor's office. Transitional Kinder Kindergarten may remain in the office until a parent comes.

First Grade Dismissal

First graders are also to be released at K gate at 3:00 p.m.

Second – Eighth Grade Dismissal

Teachers are to walk their classes to the front gate for a prompt 3:00 p.m. dismissal.

Pick up

Parents should meet their children at the front gate after school, rather than at the classroom door. Please walk your class to the front gate at dismissal each day.

Early Release from School

The office, nurse or counselor may release students from school during the day at the request of a parent or guardian. Parents must check in at the front office to pick up students. Parents may be directed to the nurse or counselor if their child is sick or ill. Students must check in to the office when returning to school. Students who are ill will be released by the nurse or health aide and issued a yellow slip. A copy will be placed in the teacher's box.

EMAIL

Email is the primary means of communication among Darnall staff. To facilitate open communication all staff are expected to read their emails at least once in the morning and before leaving campus each day and to respond in a timely fashion. Use email for quick notices to staff, no emergencies. Please call for emergencies. All staff members are expected to follow the Network Etiquette, Netiquette, guidelines outlined in Staff Acceptable Use Policy, Appendix B

EMERGENCY PROCEDURES

In compliance with California Government Code 3100-3109, as public employees, all staff members are considered Disaster Service Workers in the event of an emergency. A task force that includes certificated, classified, and administrators review the Comprehensive School Site Disaster Plan annually. All staff members are responsible for knowing what their duties are in the event of an emergency.

Each teacher will maintain an emergency backpack to be kept near the main exit of the classroom. The backpack will contain the following documents:

- Quick Glance Reference
- Organizational Chart
- Disaster Protocols
- Roster with parent contact information
 - o Updated as new students are enrolled

Earthquake – Duck and Cover

In an earthquake, teachers should have students hold undercover for at least two (2) minutes while waiting for the first aftershock to occur. After the first aftershock, proceed to designated numbers on the playground. See evacuation map for route and designated line-up area. Teacher will notify school secretary for all students accountable.

Fire

The signal for a fire drill is a repeated series of three short bells. Turn off lights before leaving room. Doors should be closed and locked. Proceed to designated numbers on the playground. Students should walk out to, and in from, playground in an orderly manner. See evacuation map for route and designated line-up area. Teacher will notify school secretary for all students accountable.

Lock Down

Alternating long and short bells followed by a public announcement. Quickly get all children into the nearest classroom and close and lock all windows and doors. Next, turn off the lights and close the blinds. Have the children get low to the floor, away from the windows, and stay quiet. Call or email the office to report missing students and to report the number of students/adults who have taken shelter in your room temporarily. Monitor your email for updates. Do not open doors or windows until the “all clear” signal is sounded.

FIELD TRIPS

Refer to Field Trip Procedures (Appendix E)

FUNDRAISING

All fundraising should benefit Darnall Students and support the implementation of our mission and vision. All fundraising is coordinated between the following groups with the **primary goal of funding academic field trips**.

Darnall Staff

All staff members work together to raise funds for the school’s annual Field Trip Plan. All fundraising activities must be approved and coordinated through SLC, the Fundraising Task Force and the designated LT member.

Associated Student Body (ASB)

California law allows students in California’s public schools to raise money and make decisions about how they will spend this money. Student organizations that are established to raise and spend money on behalf of students are called Associated Student Body organizations, or ASBs. Darnall has a K-8 “unorganized” ASB, meaning the students are not completely independent

with regard to fundraising and decision making. ASB conduct smaller fundraising activities that are used for ASB activities. These activities are coordinated through SLC, the Fundraising Task Force and the designated LT member. ASB funds raised are not intermingled with school funds.

ASB contributes to the larger **goal of funding academic field trips** by overseeing the sales of Darnall shirts and sweatshirts.

Darnall Parent Group

This group operates like a Parent Teacher Organization. They coordinate their fundraising activities with all other school fundraising.

The Parent Group supports the larger **goal of funding academic field trips** by donating a large portion of their annual fundraising to the Field Trip account.

Other Fundraising

The book fair raises funds or book credits for the library. Funds donated to the school for specific purposes, such as teachers grants, are tracked in separate accounts. Undesignated funds go into a general fundraising account.

GRADE LEVELS

To support rigorous standards-based instruction, classes are organized by grade-level whenever possible and teachers and students work within grade levels. Each grade level has time for preparation and planning weekly while students attend computer, music, and PE classes (Rotations).

In accordance with the Collective Bargaining Agreement with DCTA, some of this weekly planning time may be devoted to “team” meetings, analysis of data with the Directors, mentoring, or other joint activities promoting student achievement.

GUIDED READING BOOKS

Guided reading books are available for checkout in the library. Please take the entire set with all books to keep sets intact. Please return books to the correct box.

HEAD START

Darnall Head Start is located on the southwest corner of campus. They have their own office for enrollment and information.

HEALTH SERVICES

The Health Technician is available Monday through Friday during school hours. If a student is hurt or ill, they must have a pass signed by the teacher. A District nurse visits Darnall twice a

month to conduct mandated hearing and vision tests, to review chronic health plans, to provide staff in-services when necessary, and to review medication orders.

Students should be sent to the office if they exhibit any of the following symptoms:

- Nausea/Vomiting
- Difficulty breathing or wheezing due to cough or asthma
- Rash
- Suspected lice
- Bee stings or other bug bites
- Bleeding, cuts, scrapes
- Fever
- Soiled clothing
- Body aches, headache
- Stomachache
- Eye infection/Pink eye
- Swelling due to injury
- Any other issues at your discretion

HOMEWORK POLICY

Homework should be given as review of concepts taught in the classroom. Students should be able to complete homework assignments on their own.

Homework should be given Monday - Thursday. Homework can be done over the weekend to allow more time to complete it for the week but it should not be assigned. Homework should include reading, either within the homework minutes or in addition to. If in addition to, no more than 30 minutes of reading should be assigned. Homework can be given each night, in a weekly packet, or in the form of a project.

LESSON PLANS

When a teacher's absence from duty is necessary, well-planned procedures will enable the work of the teacher to proceed with as little interruption as possible. Teachers are expected to provide lesson plans and materials for the entire day. Sub plans should include class schedule, the location of class materials, and how to get assistance, if needed. Please make sure you look at the checklist to include all documents.

Teachers are required to prepare an emergency sub plans (for 3 days) folder in the event of an unforeseen circumstance when lesson plans may not be easily prepared.

LIBRARY

Due to COVID19 Library will have a different schedule

The library has a broad selection of literature and research material. Students will check out books from the Mobile Library during school hours. The library is open for parents daily from

8:00 – 8:15, on Tuesdays from 12:30 p.m. to 1:00 p.m., or by appointment. Parents will be asked to sign a permission slip for your child to check out books. Children are responsible for returning books in good condition and on time.

MASTER CALENDAR – Posted on Darnall’s Master Calendar

Please consult the calendar as you plan your activities in order to avoid conflicts. All requests to reserve a date for an event, committee meeting, club meeting, assembly, field trip, etc. should be submitted to the Associate Director of Communications & Operations. After being approved by Leadership, activities will be posted on the calendar. The office is responsible for adding all dates to the Master Calendar.

MEDICAL, DENTAL, AND VISION FORMS

Forms are available in the office. Please see Executive Assistant if you need to make a change or have questions about your benefits.

MENTORS

New teachers will, with the assistance of an Administrator, choose a mentor. A site mentor will work with the new teacher for their first year at Darnall. A mentor's responsibility would be to set up a time to meet regularly and discuss classroom as well as Darnall responsibilities. The idea would be to discuss issues prior to them happening so that the new teacher is aware of responsibilities. The mentor could be a grade level member.

OFFICE HOURS

The office is fully staffed from 7:30 a.m. to 4:00 p.m. Monday through Friday. The office is open to the public from 8:00 a.m. to 4:00 p.m.

PARKING

All spaces in both lots have been assigned. Do not park in a space that has not been assigned to you. It is unlawful to park in a space that requires a handicap placard unless you have one, a fire lane, or behind another car. If you park on the street, please park east of the crosswalk on Hughes.

PARENT COMMUNICATIONS

Fliers, phone messages, REMIND, and emails will be used, as needed to announce scheduled events. All school-wide written notices, letters, and fliers to families must be reviewed and approved by the Associate Director of Communications and Operations. Such communications will be submitted at least one week prior to the intended date of distribution. The AD of Communications and Operations will approve at least two days prior to the intended date of distribution.

POSITIVE BEHAVIOR INTERVENTION AND SUPPORTS (PBIS)

As a school community, we support the development of socially responsible and productive citizens through Response to Intervention (RtI2). Positive Behavior Intervention and Support system (PBIS) ensures a school climate that fosters learning through proactive and consistent expectations for students and staff alike (LCAP - State Priority 6). Our overarching expectations are described in our school motto:

Be respectful. Be responsible. Be safe.

These are the Darnall School Rules. They should be discussed and **posted in every class**. This simple creed provides the foundation for an orderly campus and classrooms focused on learning and teaching. Data is collected on student referrals for conduct infractions and suspensions are reviewed regularly to determine the effectiveness of PBIS.

Schoolwide Goal

100% of students will model positive school behavior.

Students who model positive school behavior are acknowledged by Dolphin Dollars, the PBIS Weekly Free Dress Raffle Assembly, positive praise, communication with the classroom students, as well as other forms of positive feedback. Students who meet the behavior goal will be rewarded at the end of the trimester with a celebration such as a pizza party, movie, etc. as decided upon by grade level.

Purpose

We want to encourage positive behavior at school to create an environment that fosters learning.

Who are they?

Students who consistently demonstrate positive behavior (Tier 1)

Students who are improving upon their behavior and who may need additional supports. (Tier 2/3)

School Wide Measurement

Teachers are required to use ClassDojo to monitor student behavior; both positive and negative. Our goal is 80% positive behavior as evidenced via ClassDojo.

Communication

At the beginning of each trimester, we will launch the trimester with a Free Dress Day. This will set expectations for our behavior goal and to celebrate our success thus far. We will continue to remind and reward students who meet expectations each week during our PBIS assembly.

Teachers will be expected to talk to students frequently (at least once a week) about how they are progressing towards to meeting their behavior goal.

Parent Involvement

Teachers are responsible for communicating to parents how their child is progressing towards their behavior goal. This should be as frequently as needed per child or class.

Staff Resources

A folder of all resources needed to support PBIS can be located on Google Drive under PBIS Staff Resources. This folder will be shared and updated as needed by a member on the committee.

Buddy Teacher

Please select a buddy teacher to be your partner when a student needs a “time out” from your class. Please use your buddy teacher for minor behavior infractions. Buddy teachers also check on each other in the event of an emergency.

Problem-Solving Process

Students are taught this plan and reinforced by all staff members. **This plan should be posted in every classroom.** The students should know and follow these steps if someone is bothering him/her:

1. Tell them to stop.
2. Tell them to stop again. “Please stop_____.”
3. Move away or ignore them.
4. Ask an adult for help.

PROTECTING STUDENT PRIVACY

All staff members are responsible for protecting student data and information. The primary the laws that applies to student information is the Family Educational Rights and Privacy Act (FERPA).

FERPA is a federal law that applies to all schools that receive funds from the US Department of Education. It protects the privacy of student education records, and allows parents and eligible students certain rights related to review, control and privacy of those records. Education records are records that are directly related to a student and that are maintained by an educational agency or institution or a party acting for or on behalf of the agency or institution. These records include but are not limited to grades, transcripts, class lists, student course schedules, health records (at the K-12 level), student financial information, and student discipline files. The information may be recorded in any way, including, but not limited to, handwriting, print, computer media,

videotape, audiotape, film, microfilm, microfiche, and email.

Basic guidelines:

- Staff members should only have access to student information relevant to their work as described in their job description.
- Staff members must take steps to secure all student information regardless of the storage medium; paper, online, files, etc.
- Staff members may not disclose or discuss student information with others, including, but not limited to, other students, parents of other students, outside agencies (including online systems) and other staff members not authorized to have access to such information.

PEST CONTROL

Common pests are roaches, ants, and spiders. The best pest control is to remove sources of food, before the pests arrive. Snacks, food-based art supplies etc. should be stored in sealed containers. Darnall encourages that classroom parties be held outside however, if held inside a thorough clean up should be done. Advise the Executive Assistant or Associate Director of Communications and Operations if you notice pests. Do not use any chemicals (natural or synthetic) to control pests in **your class**.

PODS

Due to COVID19 protocols, PODS are paused.

Cross-Grade Connection (Pods) is a voluntary way to build community at our school through interactions across grade levels using cooperative play-based games and other activities. A primary class will be paired with a younger class at the beginning of the school year. Pods meet every third Friday at the end of the day. Games are available for use during this time. They are located in counselor's office. Please check out and return in a timely manner. If you are interested, sign up with Chairperson of the Committee.

AM / PM Care (ASES)

The YMCA / FORCE provides before and after school supervision for Darnall students during the academic year. FORCE serves our Darnall TK-8 students during the year-round calendar year beginning the day after Labor Day and running through the last day of school. (See school calendar). See YMCA/FORCE for program information and hours.

RAINY DAY SCHEDULE

Three bells at any time during the course of the day indicate that we are on a rainy day schedule. When it rains before school, please open your room at 8:15 a.m. Teachers cover morning recess, however an aide will be by to provide a bathroom break. After lunch, K-3 students will return to one assigned classroom per grade level with the grade level aide for supervised games/play. 4th – 8th grade students will return to their own classrooms. After the rain, the blacktop area only may be used for play, not the dirt areas.

RECESS

All staff, including teachers and supervision aides, cover structured recess. Please do not take students out early unless you directly supervise them. Please do not leave students on the playground until you have confirmed that a staff member is present and attentive. If no staff member is on playground at assigned time, please call the office. All teachers are expected to pick up students promptly when recess is over.

Structured Recess

All students in grades 2-5 require participation in Structured Recess. Since it is required, students may not use this time to make up assignments or serve time as a behavior consequence. Structured recess will run as follows and all supervision aids and teachers are expected to enforce as outlined.

- Students decide what activity they would like to join, however they must stay there the entire recess.
- Teachers can decide where their class will eat snack: either 5 minutes before or after your recess time in your classroom, or the first 5 minutes of their recess time outside. Every student must have a bathroom pass. They are to hang them on one of the hooks outside the bathroom door. If there are already 4 passes hanging on the 4 hooks, then students are to wait quietly outside the bathroom. When someone comes out and takes their pass back to the playground or classroom, the waiting student may go inside.
- At the first whistle, students only need to freeze. It is their choice if they'd like to kneel or simply stand quietly. Freezing, stopping games, and holding balls needs to be enforced. A staff member should address any student who does not follow the expectations as soon as possible by discussing their behavior with them in a constructive manner.
- PE Teacher will hand out clipboards to the supervisors on the upper-grade playground. 2-3 recess can find the clipboards with passes in provided crates.
- Equipment for structured recess can be found out on the playground (grades 2-3) in crates. 2-3 playground combo is #2707. The balls for 4-5 playground will be checked out by classroom aides at the beginning of recess.
- Consequences for not following rules: 1) Warning 2) 5 Minute Shadow 3) Sit Out

School Rules

Motto: At Darnall we respect ourselves, each other, and the environment.

These are the Darnall School Rules. They should be discussed and **posted in every class.**

- 1. Follow directions given by an adult the first time*
- 2. Keep hands, feet and objects to yourself*
- 3. Use appropriate language*
- 4. Walk in the hallways*
- 5. No fighting or play fighting*

SECURITY

Lock up your purse and all other valuables every day. Doors should be locked during the day when teachers are not in the room. No student should be left unsupervised in classrooms. Remember to close blinds, turn off fans, and check doors and windows when leaving for the day. Staff should plan to leave by 6:00 p.m. each day unless other arrangements have been made with Leadership.

Staff members unlocking gates during the day must relock them as soon as they pass through.

After-hours Site Access

During breaks (when school is not in session) and after hours, teachers must adhere to access procedures. Teachers must obtain an access code from the Executive Assistant. When coming onto campus after hours, School Police (619) 291-7678 must be called immediately and given the access code. They must also be called as you leave campus. If you forget, SDPD is dispatched and a police report is sent to the Leadership of the school. If this happens, access will be revoked on the third offence.

SNACK

All students are provided 5 minutes during morning recess to eat a healthy snack brought from home. We do not allow chips, cookies, candies, cupcakes, soda, or any other sugary items. Some healthy suggestions are fruit, crackers, granola bars, or cheese sticks.

SUBSTITUTE TEACHERS

DCS is responsible for hiring and maintaining a robust pool of substitute teachers. It is the classroom teacher's responsibility to arrange for a substitute teacher when absent due to illness or school business. Please refer to the DCS Substitute list for contact information. If teachers have made every effort to secure a substitute and are unsuccessful, please notify the Executive Assistant who will make arrangements through Teachers on Reserve.

SUPPLY ROOM

Classroom supplies are ordered at the end of each school year for the following year. Teachers will be given a standard set of supplies at the beginning of the year. The supply room is open everyday during school hours for supplies such as construction paper, pencils, and sentence strips. If you would like to place a special order, email a list of requested items with their cost to the Associate Director of Finance.

SUSPENSION – EXPULSION

The Pupil Suspension and Expulsion Policy has been established in order to promote learning and protect the safety and well-being of all students at the Charter School. See the Darnall Parent-Student Handbook for more information.

TECHNOLOGY PROBLEMS

Report all technology problems to Darnall Tech Support by email. All concerns will be addressed in order of priority.

TELEPHONES

In order to not interrupt the instruction, phone calls will not be forwarded to your classrooms during the school day unless there is an emergency or you have specifically told the office to forward a call. For all other calls, the front office will take a message and place it in your mailbox. Students may use the phone in classroom with teacher approval. The main office phone is available with teacher/office approval when necessary. Please do not answer non-emergency calls or personal cell phones during instructional time.

TRANSLATIONS

Classroom Communications

All school-wide written communications need to be reviewed by the AD of Communications & Operations before copies are run. Additionally, requests for translations for classroom fliers and other documents should be sent to the AD of Comm & Ops. Submit requests in a timely manner and allow up to a two week turnaround time. While staff members may be available to do translations, all requests should go through Leadership.

Parent-Teacher Conferences

Interpreters will be provided for all parents who desire additional language support for parent-teacher conferences. A schedule of interpreters will be made available to teachers prior to each scheduled conference week. For languages other than Spanish, arrangements will be made through an outside agency and coordinated through Leadership.

TEACHER'S SUPERVISION RESPONSIBILITY

It is the responsibility of the classroom teacher to be with their students during all instructional hours, one teacher to one class. If you are not going to be there, a certificated substitute teacher must be.

TUTORS/STUDENT TEACHER/INTERN

All tutors should work with students inside the classroom or within the sight of the teacher. All tutors must be fingerprinted and TB tested prior to working with the students.

VIDEOS/DVD's

DVDs, videos, and other media shown at school must be rated G. For those rated PG or PG-13,

permission slips must be sent home and returned. If a written permission slip is not returned, the student(s) may not watch the movie. The classroom teacher must make appropriate and related academic accommodations for those students who are not participating in a media viewing.

UNIFORM POLICY

In order to facilitate and maintain an effective, healthy and safe learning environment, the staff and parents of Darnall Charter School have developed this uniform dress code policy. All students are expected to wear clothes that comply with this uniform dress code policy to school each day, and on This uniform dress code policy has been adopted by the Board of Directors of Darnall Charter School in compliance with the provisions of Article IX, section 5 of the California Constitution, and Assembly Bill 1575 (effective January 1, 2013), which prohibit the charging of any student fees for participation in an educational activity at a public school.

Uniform Dress Code

- Must be solid navy blue or khaki
- No jeans, sweatpants, basketball shorts, leggings, jeggings, or stretch pants
- Must be solid navy blue or white polo (with collar)
- Darnall logo Tshirt (purchased at Darnall Charter School)
- Undershirt must be solid white or navy blue
- Jackets/Coats/Sweaters/Sweatshirts
 - o Any sweater, hoodie, vest, or jacket worn at Darnall must be solid (no logo) navy blue
- No slippers, sandals, open toes, backless, or slip-ons
- Hats, scarves, sunglasses, or gloves to be worn outside
- For student safety, no wallet chains or accessories that hang from the body
- No sunglasses, bandanas or jewelry (except stud earrings)
- Student clothing should be in good repair and of appropriate size. Clothing should not be excessively large or tight. Clothing should not contain any pattern, design, or logo that is disruptive or inappropriate, vulgar, violent, or discriminatory. Students should dress in a way that is appropriate to the learning

Any questions regarding the conforming clothing should contact AD of Student Services at (619) 582- 1822.

No student shall be sent home from school or denied attendance to school, or penalized academically or otherwise discriminated against, for noncompliance with the school uniform dress code policy. This policy shall not preclude students that participate in a nationally recognized youth organization from wearing organization uniforms on days that the organization has a scheduled meeting. Any complaints related to the cost of conforming clothing should be addressed through the school's Uniform Complaint Procedure and Policy. For more information please visit darnallcharter.org

Teacher Responsibility

Students who violate Darnall's Uniform Dress Policy should be sent to the Counselor. He/She

will either be provided appropriate clothing from the School Counselor or their parents will be asked to bring a suitable change of clothing.

Approved by the Darnall Charter School Board of Directors on August 18, 2015

VISITING STUDENTS

Due to COVID19 this has been paused

Darnall's policy is that visiting students must be working on community service hours with administrative approval and arrangements must be made in advance. During the instructional day, no other visitors under the age of 18 are allowed without parent supervision. Staff members may invite their own children to one "shadow your parent at work day" provided the children do not interrupt instruction.

VISITORS

Due to COVID19, essential workers are allowed only.

Visitors must sign in at the office when they arrive and sign out when they leave. All visitors will be issued a visitor sticker. Direct anyone without a visitor or volunteer badge to the front office. Parents may observe in the classroom at any time but are encouraged to make prior arrangements with the teacher. Visitors from other sites are welcome to visit. Student visitors may not come on campus unless accompanied by parent or guardian.

VOLUNTEERS

Due to COVID19, volunteers are not permitted on campus.

All volunteers must sign in at the office and wear a visitor's badge. All volunteers, including those going on field trips, must fill out a Volunteer Application and have a TB test on file. Volunteers must always be under the direct supervision of a certificated staff member when working with students, including field trips.

WORKER'S COMP

All injuries occurring at work must be reported to the office as soon as possible and the appropriate paperwork must be completed. See the Executive Assistant immediately if you injure yourself while on campus. Do not delay.

Appendix A
Darnall Charter School Child Abuse Reporting Policy

I. REPORTING RESPONSIBILITIES

- Any Darnall employee, child care custodian, health practitioner, or employee of the child protective agency (CPA) who has knowledge of or has observed a child in his or her professional capacity or within the scope of his other employment whom he or she reasonably suspects has been the victim of child abuse shall report such suspected instance of child abuse to a child protective agency immediately or as soon as practically possible by telephone and shall prepare and send a written report or fax report there of within 36 hours of receiving the information concerning the incident.
- Any Darnall employee, child care custodian, health practitioner, or employee of a child protective agency who has knowledge of or who reasonably suspects that mental suffering has been inflicted on a child or its emotional well-being is endangered in any other way, may report such suspected instances of child abuse to a child protective agency. Infliction of willful and unjustifiable mental suffering must be reported.
- No Darnall employee, child care custodian or health practitioner reporting a suspected instance of child abuse in good faith shall be civilly or criminally liable for any report required or authorized by this article (California Penal Code Article 2.5). Any other person reporting an instance of child abuse shall not incur civil or criminal liability as a result of any report authorized by this section unless it can be proved that a false report was made and the person knew or should have known that the report was false.

II. DEFINITIONS

- “Child care custodian” means a teacher, administrative officer, supervisor of child welfare and attendance, or certificated pupil personnel employee of any public or private school; an administrator of a public or private day camp; a licensee, and administrator, or an employee of a community care facility licensed to care for children; head start teacher, a licensing worker or licensing evaluator, public assistance worker; an employee of a child care institution including, but not limited to foster parents, group home personnel and personnel or residential care facilities; a social worker or a probation officer or any person who is an administrator or presenter or, or a counselor in, a child abuse presentation program in any public or private school.
- “Health practitioner” means a physician and surgeon, psychiatrist, psychologist, dentist, resident, intern, podiatrist, chiropractor, licensed nurse, dental hygienist, marriage, family, and child counselor, or any other person who is currently licensed under Division 2 (commencing with Section 500) of the Business and Professions

Code, any emergency medical technician I or II, paramedic, a person certified pursuant to Division 2.5 (commencing with Section 1797) of the Health and Safety Code, a psychological assistant registered pursuant to Section 2913 of the Business and Professions Code, a marriage, family and child counselor trainee, as defined in subdivision (c) of Section 49803 of the Business and Professions Code and unlicensed marriage, family and child counselor intern registered under Section 4980.44 of the Business and Professions Code, a state or county public health employee who treats a minor for venereal disease or any other condition, a coroner, or a religious practitioner who diagnoses, examines, or treats children.

- “Child protective agency” (CPA) means a police or sheriff’s department, a county probation department, or a county welfare department.

For more information on the Child Abuse Reporting laws, the link is www.leginfo.ca.gov

- When the site appears, click on "*Accessing California Legislative Information on the Internet*".
- This will lead the user to the next page with a list of links, choose the link "*What legislative Information is available*" and then click on the link "*California Codes*".
- When the next page that says "*California Laws*" appears, select the "*Penal Codes*" section and hit "*Search*". The user will then see a list of codes with corresponding section numbers on the right hand side (in blue as these are links). The user will need to select "*section number 11164-11174.3*" to read the reporting laws. As stated in the California Penal Code, Section 11164-11174.3, “Mandated reporters shall make an initial report to the agency immediately or as soon as is practicably possible by telephone and the mandated reporter shall prepare and send, fax, or electronically submit a written follow-up report thereof within 36 hours of receiving the information concerning the incident.”

Board Approved: January 2008

Instructions for filing a Suspected Child Abuse Report

1. Call the Child Abuse Hotline first (1-800-344-6000 or 858-560-2191) to make a **verbal report**.

Please be sure to get the name of the hotline worker. Within 36 hours after providing the verbal report, follow up with a **written or faxed report**. (Please note that CPS does not currently have the capacity to accept electronic email submissions in SD County).

2. The correct form for either the written or fax follow-up report is **DOJ SS8572**. A copy of this form is available on the San Diego Unified website (www.sandi.net) under Counseling & Guidance. You may print this form and handwrite the information or save a copy of the form

to your computer and type directly into the boxes. To move from one box to another, press the tab key.

3. Please complete every space on the SS8572 form. If you do not know certain requested information, write unknown.
4. Please type or print legibly in black ink to avoid a time consuming callback.
5. "Narrative" -Please give detailed information. If you have additional information beyond what you have given by phone, please indicate this on the written report. If necessary, please continue your narrative on an additional sheet of paper, identifying the minor and indicating it is page 2 of the referral.

DISTRIBUTION OF FAX SS8572 FORM AFTER HOTLINE CALL HAS BEEN PLACED:

1. Fax form to SD County Health and Human Services Agency/ CPS (858)-694-5240, (858)-694-5241, or 858-694-5725 SDHHSA will cross reference with SD Police.
2. Keep the original in a confidential file in the counselor's office.

OR

DISTRIBUTION OF WRITTEN SS8572 FORM AFTER HOTLINE CALL HAS BEEN PLACED:

1. Send Original to SD County Health and Human Services Agency/CPS, 6950 Levant St. SD, CA 92111
2. Send a copy to SD Police Department, (MS) 719, Child Abuse Team, 1401 Broadway, SD, CA 92101
3. Keep a copy in a confidential file in the counselor's office
Note: Suspected Child Abuse Reports are never placed in the student's cumulative record or documented in the student's health record.

Appendix B

Darnall Charter School Staff Acceptable Use Policy

A. PURPOSE AND SCOPE

1. To outline rules governing Darnall staff's use of the school's technology, data communications networks and the Internet.

B. LEGAL AND POLICY BASIS

1. **Reference:** SDUSD Board Policy G-7500; Education Code Section 51870.5; California Penal Code Sections 313, 502.
2. **Access to Harmful Matter.** School districts that provide pupils with access to the Internet or to an online service are required by Education Code Section 51870.5 to adopt a policy regarding access to sites that contain or make reference to harmful matter as defined in subdivision (a) of Section 313 of the Penal Code. "Harmful matter" means matter that, taken as a whole, the predominant appeal of which to the average person, applying contemporary standards, is to prurient interest (i.e., a shameful or morbid interest in nudity, sex, or excretion); matter which taken as a whole goes substantially beyond customary limits of candor in description or representation of such matters; and matter which taken as a whole is utterly without redeeming social importance for minors.

3. Definitions

- a. **Network:** Two or more computer systems linked to allow communication. Darnall's network is connected to San Diego City School's network and provides data communications, such as email, file sharing, and Internet access.
- b. **Internet:** A global network of interconnected computers.
- c. **World Wide Web:** A global, hypertext-based information system accessible through the Internet via HTTP protocol.
- d. **Universal Resource Locator (URL):** The address of a source of information on the Internet.
- e. **Email:** Electronic mail messaging over communications networks.
- f. **File server:** A shared computer providing data storage and services to users.
- g. **School data:** Information maintained and processed in the conduct of school business as required by state or federal mandate and/or school procedure. Confidentiality restrictions may apply to information maintained as school data records and to all copies of those records.
- h. **Network use guidelines:** Guidelines for staff regarding acceptable use of the Internet and school networks.

C. GENERAL USE GUIDELINES

1. **Acceptable Use.** The use of Darnall's network is a privilege and is to be limited to school

business as authorized by Darnall Board policy. Use of Darnall's network by school

employees should support school policy and procedure in the performance of assigned duties.

- a. **Access to certain data and processes** may be allowed through the use of a username and password. Use of an employee's specific username and password is effected in order to assign direct responsibility for work performed while using the username and password to that specific employee.
- b. **By accessing school resources and data** through the use of a username and password, the employee agrees to maintain the confidentiality of the username and password. The employee is solely responsible for maintaining the confidentiality of any username and password and shall not request or use another employee's password that has been chosen or is chosen on his or her behalf. The Technology Coordinator and Director are to be informed of any breaches to this procedure.

2. Prohibited Use

- a. **Transmission of any material** in violation of any federal or state law is prohibited. This includes, but is not limited to distribution of:
 - (1) Any information that violates or infringes upon the rights of any other person.
 - (2) Any defamatory, inappropriate, abusive, inflammatory, obscene, profane, sexually oriented, threatening, racially offensive, or illegal material. Do not use language that would not be appropriate in an educational setting.
 - (3) Advertisements, solicitations, commercial ventures, or political lobbying.
 - (4) Any information that encourages the use of controlled substances or the use of the system for the purpose of inciting crime.
 - (5) Any material that violates copyright laws, e.g., illegal downloading, reproduction and distribution of pirated or unlicensed copyrighted computer programs, music, or movie files (Procedure 7038).
- b. **Any vandalism**, unauthorized access, "hacking," or tampering with hardware or software, including introducing "viruses" or pirated software, is strictly prohibited (California Penal Code Section 502).

Warning: The school reserves the right to monitor all network activity. No employee should have any expectation of privacy as to his/her usage. The school reserves the right to inspect any and all files on computers or servers on campus or connected to the school's network.

- c. **Inappropriate use** may result in the cancellation of network privileges and or disciplinary action. The Director or Technology Coordinator may close an account at any time deemed necessary. Depending upon the seriousness of the offense, any combination of the following will be enforced: Penal Code, Education Code, school procedures, or disciplinary action.
3. **Email.** Users of electronic mail systems should not consider electronic communications to be either private or secure; such communications are subject to subpoena. Messages

relating to or in support of illegal activities must be reported to appropriate authorities. Other conditions for use include, but are not limited to, the following:

- a. **Individuals are to identify** themselves accurately and honestly in email communications. Email addresses may not be altered to impersonate another individual or to create a false identity.
- b. **The school retains the copyright** to any material deemed to be school data. Use of school data sent as email messages or as enclosures will be in accordance with copyright law and school standards.

4. Responsibilities

- a. **Reasonable precautions by staff.** San Diego Unified School District maintains reasonable precautions to restrict access to “harmful matter” and to materials that do not support approved educational objectives. Darnall staff will choose resources on the Internet that are appropriate for classroom instruction and/or research for the needs, maturity, and ability of their students. However, staff should understand that on a public network it is not possible to control *all* material and will accept responsibility for complying with school procedures and with standards of acceptable use.
5. **Security.** Security on any computer system is a high priority, especially when the system involves many users. If any user identifies a security problem with school networks, he/she must notify the Technology Coordinator and/or Director, either in person, in writing, or via the network. Users should *not* demonstrate the problem to other users. Any user identified as a security risk or having a history of problems with other computer systems may be denied network privileges. Violations include, but are not limited to:
- a. **Illicitly gaining entry**, or “hacking,” into a computer system or obtaining account passwords.
 - b. **Intentionally creating** or distributing a computer virus.
 - c. **Using school systems or equipment** or knowingly disable or overload any computer system or network or to circumvent the security of a computer system.
 - d. **Knowingly bypassing** a “firewall” used for blocking inappropriate Internet sites and for security screening.

D. NETWORK USE GUIDELINES

Please read the following carefully. This will give you information about the privileges and responsibilities of using the Internet and school networks.

The school’s network provides access to the Internet. The Internet is an electronic highway connecting thousands of computers all over the world.

Staff will have access to:

- Electronic mail (email) communication with people all over the world.
- Information and news from a variety of sources and research institutions.
- Public domain and shareware software of all types.
- Discussion groups on a wide variety of topics.

1. Responsibilities.

San Diego City Schools has taken reasonable precautions to restrict access to “harmful matter” and to materials that do not support approved educational objectives. However, on a public network it is impossible to control all materials. “Harmful matter” means matter that, taken as a whole by the average person applying contemporary statewide standards, describes in a patently offensive way material which lacks serious literary, artistic, political, or scientific value for minors (Penal Code, Section 313).

The teacher/staff will choose resources on the Internet that are appropriate for classroom instruction and/or research for the needs, maturity, and ability of their students. Darnall Charter School takes no responsibility for the accuracy or quality of information from Internet sources. Use of any information obtained through the Internet is at the user’s risk.

2. Acceptable Use.

The purpose for having access to networks and the Internet is to support research and education in and among academic institutions by providing access to unique resources and the opportunity for collaborative work. The use of the network must be in support of education and research and consistent with the educational objectives the Darnall Board. Use of another organization’s networks or computing resources must comply with rules appropriate for the network.

3. Prohibited Use.

Transmission of any material in violation of any federal or state law is prohibited. This includes, but is not limited to, the distribution of:

- a. Any information that violates or infringes upon the rights of any other person.
- b. Any defamatory, inappropriate, abusive, obscene, profane, sexually oriented, threatening, racially offensive, or illegal material.
- c. Advertisements, solicitations, commercial ventures, or political lobbying.
- d. Any information that encourages the use of controlled substances or the use of the system for the purpose of inciting crime.
- e. Any material that violates copyright laws, e.g., illegal downloading, reproduction, and distribution of pirated or unlicensed copyrighted computer programs, music, or movie.

Any vandalism, unauthorized access, “hacking,” or tampering with hardware or software,

including introducing “viruses” or pirated software, is strictly prohibited (Penal Code, Section 502).

Warning: Inappropriate use may result in the cancellation of network privileges. The Technology Coordinator may close an account at any time deemed necessary. Depending on the seriousness of the offense, any combination of the following policies/procedures will be enforced: Education Code, school procedures, and the discipline/network use policy.

4. **Privileges.** The use of school networks and the Internet is a privilege, not a right, and inappropriate use will result in a cancellation of those privileges. The administration, teachers, and/or staff may request Technology Coordinator, revoke, or suspend specific user access.
5. **Netiquette (Network Etiquette).** The use of school networks and the Internet requires adherence to rules of network etiquette. These include, but are not limited to, the following:
 - a. General Network Etiquette
 - ***Be polite.*** Do not send abusive messages to *anyone*.
 - ***Use appropriate language.*** In all messages, do not swear or use vulgarities or any other inappropriate language. Anything pertaining to illegal activities is strictly forbidden. (**Note:** Email is not guaranteed to be private. People who operate the system do have access to all mail. Messages relating to, or in support of, illegal activities must be reported to appropriate authorities.)
 - ***Maintain privacy.*** Do not reveal the personal address or phone numbers of yourself or other persons.
 - ***Respect copyrights.*** All communications and information accessible via the network should be assumed to be the property of the author and should not be reused without his/her permission.
 - ***Do not disrupt the network.*** Do not use the network in a way that would disrupt the use of the network by others.
 - b. General Email Guidelines
 1. Email messages are considered professional communication. You should:
 - Compose clear and concise messages
 - Respect confidentiality
 - Be polite
 2. Composing Messages
 - Email, as written communication, sometimes lacks the other important aspects of personal interaction such as facial expression and tone of voice. It is important that your message text is clear and to the point. Some tips for clear communication:
 - Write as if you were speaking to someone, but don't write anything you wouldn't say directly to them.

- Do not send to others when your message is meant for one person.
- Avoid sending sensitive or confidential information via email.
- Avoid writing in all CAPITALS. In a written medium it looks like "shouting" and is difficult to read. To emphasize a single word, you can enclose it in _underscores_ or *asterisks*.
- Spell check before sending the message.
- Reread what you wrote after spell checking and before sending.

3. Responding to Messages

- Don't "Respond to All" if you just need to communicate with the original sender.
- Avoid "Me Too" Messages
- Don't forward spam or chain letters.
- Never forward anyone's email address without their knowledge.

6. **Security.** Security on any computer system is a high priority, especially when the system involves many users. If you feel you can identify a security problem on school networks, you must notify the Director or Technology Coordinator either in person, in writing, or via the network. Do not demonstrate the problem to other users. Any user identified as a security risk or having a history of problems with other computer systems may be denied access to school networks and the Internet.

7. **Vandalism.** Vandalism will result in cancellation of privileges. This includes, but is not limited to, the uploading or creation of computer viruses.

Note:

This document was adapted from San Diego Unified School District's Administrative Procedure 7039 (<http://sandi.net/procedures/index.html>).

APPENDIX C

HARASSMENT/DISCRIMINATION/RETALIATION COMPLAINT FORM

It is the policy of the School that all of its employees be free from harassment, discrimination, and retaliation. This form is provided for you to report what you believe to be harassment, discrimination, or retaliation so that the School may investigate and take appropriate disciplinary or other action when the facts show that there has been harassment, discrimination, or retaliation.

If you are an employee of the School, you may file this form with the Principal or Board President.

Please review the School's policies concerning harassment, discrimination, and retaliation for a definition of such unlawful conduct and a description of the types of conduct that are considered unlawful.

DCS will undertake every effort to handle the investigation of your complaint in a confidential manner. In that regard, the School will disclose the contents of your complaint only to those persons having a need to know. For example, to conduct its investigation, the School will need to disclose portions of your factual allegations to potential witnesses, including anyone you have identified as having knowledge of the facts on which you are basing your complaint, as well as the alleged offender.

In signing this form below, you authorize the School to disclose to others the information you have provided herein, and information you may provide in the future. Please note that the more detailed information you provide, the more likely it is that the School will be able to address your complaint to your satisfaction.

Charges of harassment, discrimination, and retaliation are taken very seriously by the School both because of the harm caused by such unlawful conduct, and because of the potential sanctions that may be taken against the offender. It is therefore very important that you report the facts as accurately and completely as possible and that you cooperate fully with the person or persons designated to investigate your complaint.

Your Name: _____ Date: _____

Date of Alleged Incident(s): _____

Name of Person(s) you believe harassed, or discriminated or retaliated against, you or someone else:

List any witnesses that were present: _____

Where did the incident(s) occur? _____

Please describe the events or conduct that are the basis of your complaint by providing as much factual detail as possible (i.e. specific statements; what, if any, physical contact was involved; any verbal statements; what did you do to avoid the situation, etc.) (Attach additional pages, if needed):

I acknowledge that I have read and that I understand the above statements. I hereby authorize the School to disclose the information I have provided as it finds necessary in pursuing its investigation.

I hereby certify that the information I have provided in this complaint is true and correct and complete to the best of my knowledge and belief.

Signature of Complainant

Date: _____

Print Name

Received by: _____

Date: _____

APPENDIX D
INTERNAL COMPLAINT FORM

Your Name: _____ Date: _____

Date of Alleged Incident(s): _____

Name of Person(s) you have a complaint against: _____

List any witnesses that were present: _____

Where did the incident(s) occur?

Please describe the events or conduct that are the basis of your complaint by providing as much factual detail as possible (i.e. specific statements; what, if any, physical contact was involved; any verbal statements; what did you do to avoid the situation, etc.) (Attach additional pages, if needed):

I hereby authorize the School to disclose the information I have provided as it finds necessary in pursuing its investigation. I hereby certify that the information I have provided in this complaint is true and correct and complete to the best of my knowledge and belief. I further understand providing false information in this regard could result in disciplinary action up to and including termination.

Signature of Complainant

Date: _____

Print Name

To be completed by School:

Received by: _____

Date: _____