



# **Employee Handbook**

**Esperanza Cyber  
Charter School**

**2023-2024 Academic Year**

# TABLE OF CONTENTS

<b>INTRODUCTION</b>	<b>6</b>
History	6
Mission Statement	6
<b>OUR WORK ENVIRONMENT</b>	<b>7</b>
About the Handbook	7
Anti-Harassment	8
Title IX Policy	10
Whistleblower Policy	11
Ethics Hotline	11
Retaliation	12
Drug and Alcohol-Free Workplace Policy	12
Immigration Law Compliance	14
Workplace Violence	14
Conflict of Interest	14
Qualified Individuals with Disabilities	16
Workplace Safety	17
Workplace Monitoring	17
Child Abuse and Neglect	17
Corporal Punishment	18
<b>TIMEKEEPING &amp; RECORDKEEPING</b>	<b>19</b>
Timekeeping	19
Employment Classification	19
Pay Cycle	20
Summer Pay	20
Direct Deposit	21
Pay Deductions and Setoffs	21
Administrative Pay Corrections	21
Overtime	21
Travel and Other Business Expenses	22
Personnel Files	23
Professional Background Screening	23
Mandated Reporting	24
Certification	24
External Inquiries	24
Personal Information Updates	25
Conferences and Meetings	25
<b>PAID-TIME-OFF &amp; OTHER LEAVE</b>	<b>26</b>
Paid-Time-Off	26
10-Month Staff	26

11-Month Staff	26
12-Month Staff	27
General Guidelines and Restrictions	27
Holiday	28
Bereavement	29
Jury & Witness Duty	29
Family and Medical Leave (FMLA)	30
Medical Leave (Non-FMLA)	31
ADA Leave	32
Personal Leave	32
Service Member Family and Medical Leave	33
Maternity/Paternity Leave	33
Military Leave	33
<b>HEALTH &amp; OTHER BENEFITS</b>	<b>35</b>
Group Benefits	35
Eligibility	35
Medical & Dental	36
Life Insurance and AD & D	36
Short and Long-Term Disability	36
Supplemental Voluntary Benefits	37
Public School Employees' Retirement System (PSERS)	37
403(b) Retirement Savings Plan	37
Benefits Continuation (COBRA)	38
Workers' Compensation	38
<b>ON THE JOB</b>	<b>39</b>
Employee Conduct	39
Problem Resolution	40
Progressive Discipline	40
Confidentiality and Non-Disclosure	42
Hours of Work	43
Work from Home Policy	44
Attendance and Tardiness	45
Job Abandonment	45
Emergency Closings	46
E-mail and Internet Use	46
Social Media	48
Appropriate Interactions	49
Solicitation and Distribution	50
Participation in ECCS Events:	50
Student Transportation	50
Media Access	50

Personal Appearance	51
Use of Equipment	52
Visitors	52
Smoking Policy	53
<b>End of Employment Procedures</b>	<b>54</b>
Employment Separation	54
Reduction-in-Force	54
Voluntary Resignation	54
Exit Interview	55
Administrative Records	55
Benefits	55
Final Paycheck	55
<b>PERFORMANCE DEVELOPMENT</b>	<b>56</b>
Introductory Period	56
Performance Evaluations	56
Performance Development Counseling	57
Professional Training	57
Professional Development/Continuing Education Assistance Program	58
Professional Memberships	58
<b>HANDBOOK ACKNOWLEDGEMENT</b>	<b>59</b>
Verification of Receipt of Employee Handbook	59

# WELCOME

Welcome to Esperanza Cyber Charter School! (ECCS) We are pleased to have you with us and hope you find your position rewarding and challenging. ECCS provides academic services to elementary, middle, and high school students.

To reach our goal, we must provide superior support and an environment that enhances our students' learning experience by employing the best people. As a member of the Esperanza Cyber Charter School team, you are critical to our success. Through your success, we can reach our goals.

Once again, welcome to ECCS, and our best wishes for success. We appreciate your confidence in our future.

Regards,

Dr. Jon Marsh  
CEO

# INTRODUCTION

## **History**

Opening its doors to students in September of 2012, Esperanza Cyber Charter School, was founded by Nueva Esperanza, Inc., a Community Development Corporation, to serve the educational needs of North Philadelphia.

## **Mission Statement**

Esperanza Cyber Charter School will provide students with an academically rigorous yet flexible online learning program that tailors learning experiences to each child through a combination of curriculum choices and virtual tutoring and counseling. ECCS is targeted toward under-served and at-risk students who have not always found success in traditional schools. ECCS places students on a pathway to post-secondary success.

# OUR WORK ENVIRONMENT

## **About the Handbook**

Esperanza Cyber Charter School (ECCS) believes in keeping our employees fully informed about its policies, procedures, practices, benefits, what employees can expect from the school, and the obligations assumed as an employee. This practice is designed to provide fair treatment to employees. We urge employees to become familiar with the policies, procedures, practices, and benefits of ECCS.

These policies are approved by the cyber's Board of Trustees. Other regulations, procedures, and policies relevant to specific educational instruction or classroom conduct and administration will be contained in instructional manuals, training, and the Educator Handbook outside the scope and intention of the Employee Handbook.

This Employee Handbook sets forth the policies and procedures that govern the Board of Trustees and all Esperanza Cyber Charter School employees. We intend to comply with applicable federal, state, and local laws.

A copy of the Employee Handbook shall be given to each employee, and the employee shall acknowledge receipt thereof. Copies of this Employee Handbook are maintained in the Human Resources office. This Employee Handbook shall be effective immediately and may only be altered or amended by the Board of Trustees at a duly called meeting.

This handbook is intended to provide all employees with general information regarding our work environment. Job-specific policies and procedures will be addressed through separate guidelines and training, particularly in our academic, professional positions.

Nothing contained in this handbook is intended to create, nor shall be construed as creating, an expressed or implied contract of employment or guarantee of work for any term. This is not a contract of employment between ECCS and any one or all of its employees. Employment security cannot be guaranteed for or by any employee.

Employment with ECCS is voluntary, and you are free to resign at any time, with or without cause. Similarly, ECCS may terminate our employment relationship at will at any time, with or without notice or cause, so long as there is no violation of applicable federal, state, or local law.

Policies, procedures, practices, and benefits may change with time. They may require clarifying, amending, or supplementing this Employee Handbook. The Cyber maintains the responsibility and the right to make changes at any time and will advise employees when changes occur.

Descriptions of various health and fringe benefits are summaries only. Should the descriptions in this handbook differ from any formal agreement or document involved, the formal agreement or document shall be considered correct. Questions about employment or any information included in this handbook should be directed to Human Resources.

## **Equal Employment Opportunity**

It is the policy of Esperanza Cyber Charter School to hire qualified people to perform the many tasks necessary for the success of our school. An essential part of this policy is providing equal employment opportunities for all. ECCS is committed to a policy of Equal Employment Opportunity for its employees and applicants for employment.

ECCS offers equal employment opportunity regardless of race, color, religion, gender, national origin, age, disability, veteran status, genetic information, sexual orientation, gender identity or expression, or any other basis protected under applicable law. This is reflected in all employment practices and policies regarding hiring, training, promotions, transfers, pay rates, termination, and other forms of compensation. All matters relating to employment, compensation, and benefits are determined based upon ability to perform the job and dependability and reliability once hired.

## **Anti-Harassment**

Esperanza Cyber Charter School is committed to a work environment where all individuals treat each other with respect and dignity. Employees (and all our other stakeholders, including business partners vendors) have the right to conduct their business in a professional atmosphere that promotes equality and prohibits discriminatory practices, including harassment. ECCS expects that all relationships among persons in the workplace will be business-like and free of bias, prejudice, and harassment. Therefore, ECCS specifically prohibits and will not tolerate any behaviors directly regarded as harassment or contribute to a more general hostile work environment.

*Definition of Sexual Harassment* - Sexual harassment constitutes discrimination and is illegal under federal, state, and local laws. For this policy, sexual harassment is defined, as by the Equal Employment Opportunity Commission Guidelines, as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when, for example, (i) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; ii) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (iii) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

*Sexual Harassment Behaviors* - Sexual harassment may include a range of subtle and not-so-subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include, but are not limited to: unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess, or sexual deficiencies; leering, catcalls or touching; insulting or obscene comments or gestures; display or circulation in the workplace of sexually suggestive objects or pictures (including through e-mail); and other physical, verbal or visual conduct of a sexual nature. Gender-based harassment, that is, harassment not involving sexual activity or language (e.g., female manager yells only at male employees and not females), may also constitute discrimination if it is severe or pervasive and directed at employees because of their gender.



*Non-Sexual Harassment and Work Climate* - Harassment based on any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of their race, color, religion, national origin, age, disability, physical appearance, national origin or citizenship status, marital status, sexual orientation, or any other characteristic protected by law or that of their relatives, friends or associates, or that: (i) has the purpose or effect of creating an intimidating, hostile or offensive work environment; (ii) has the purpose or effect of unreasonably interfering with an individual's work performance; or (iii) otherwise adversely affects an individual's employment opportunities.

Conduct that contributes to an unhealthy and unproductive work environment includes, but is not limited to: physical contact; psychological pressuring or manipulation; epithets, slurs or negative stereotyping; threatening, intimidating, or hostile acts; physical or electronic stalking; denigrating jokes; and display or circulation in the workplace of written or graphic material that denigrates or shows hostility or aversion toward an individual or group (including through e-mail). These behaviors are, of course, entirely inconsistent with the values and mission of ECCS and will not be tolerated.

*Individuals and Conduct Covered* - These policies apply to all applicants and employees, consultants, volunteers, and interns. They specifically prohibit harassment, discrimination, and retaliation whether engaged by fellow employees, a supervisor or manager or someone not directly connected to ECCS (e.g., an outside vendor or client).

Conduct prohibited by these policies is unacceptable in the workplace, electronically through social media, in non-work settings, and in any work-related setting outside the workplace, such as during business trips, business meetings, and business-related social events.

*Retaliation Is Prohibited* - ECCS prohibits retaliation against any individual who is a family member or closely associated with an individual who reports discrimination or harassment or participates in an investigation of such reports. Retaliation against an individual for reporting harassment or discrimination or participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy. Like harassment or discrimination itself, it will be subject to disciplinary action.

*Discrimination and Harassment Complaint Procedure* -

a) Reporting an Incident of Harassment, Discrimination, or Retaliation: ECCS strongly urges the reporting of all incidents of discrimination, harassment, or retaliation, regardless of the offender's identity or position. Individuals who believe they have experienced or witnessed conduct that they believe is contrary to ECCS's policy or who have concerns about such matters should make a complaint, in writing, to their immediate supervisor, Human Resources, Director of Instruction, or the CEO before the conduct becomes severe or pervasive. Individuals should not feel obligated to file their complaints with their immediate supervisor first before bringing the matter to the attention of one of the other ECCS designated representatives identified above.

**IMPORTANT NOTICE TO ALL EMPLOYEES:** Employees who have experienced conduct they believe is contrary to this policy should make a complaint. An employee's failure to fulfill

this obligation could affect their rights in pursuing legal action. Also, please note that federal, state, and local discrimination laws establish specific time frames for initiating a legal proceeding according to those laws.

Early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment. Therefore, while no fixed reporting period has been established, ECCS strongly urges the prompt reporting of complaints or concerns for rapid and constructive action. ECCS will make every effort to stop alleged harassment before it becomes severe or pervasive but can only do so with the cooperation of its staff/employees.

The availability of this complaint procedure does not prevent individuals who believe they are being subjected to harassing conduct from promptly advising the offender that their behavior is unwelcome and clearly and specifically requesting that it be discontinued. Keep a concurrent record of any interactions with the offender.

a) Investigation of Reports: Any reported allegations of harassment, discrimination, or retaliation will be investigated promptly, thoroughly, and impartially. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge. Cyber employees who have witnessed or have knowledge of reported allegations of harassment are required to participate in the investigatory process without fear of retaliation. Confidentiality will be maintained throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action.

b) Responsive Action: Misconduct constituting harassment, discrimination, retaliation, professionalism, standards of conduct, and policy violations will be dealt with promptly and appropriately. Responsive action may include, for example, training, referral to counseling, monitoring of the offender, and disciplinary action such as warning, reprimand, withholding of a promotion or pay increase, demotion, reassignment, temporary suspension without pay, or termination of employment, as the Cyber believes appropriate under the circumstances.

## **Title IX Policy**

Title IX covers sexual harassment that happens in a school's "education program or activity." Including locations, events, and circumstances where a school exercises substantial control over the context of the alleged harassment and the person accused of committing the sexual harassment.

Title IX prohibits the following conduct based on sex that satisfies one or more of the following:

- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school's education program or activity.
- School employee conditioning educational benefits on participation in unwelcome sexual conduct, otherwise known as "Quid pro Quo," harassment.

- “Sexual assault,” as defined in 20 U.S.C. 1092(f)(6)(A)(v) “dating violence,” as defined in 34 U.S.C. 12291(a)(10) “domestic violence,” as defined in 34 U.S.C. 12291(a)(8), or “stalking” as defined in 34 U.S.C. 12291(a)(30)

All staff members (regardless of title or position) are required to report to the Title IX Coordinator if they witness sexual harassment within the context of the school setting (either between students or an employee and student) or if a student discloses allegations of sexual harassment. The Title IX Coordinator will then investigate allegations and send findings to the decision making panel, where the allegations will then be deliberated. Making a report to the Title IX Coordinator does not take the place of making a report to appropriate authorities.

### **Whistleblower Policy**

All Esperanza Cyber Charter School employees are subject to the obligations and protections of the Pennsylvania Whistleblower Law, 43 Pa. C.S. §§ 1421-1428. ECCS will not discharge, threaten or otherwise discriminate or retaliate against an employee regarding the employee’s compensation, terms, conditions, location, or privileges of employment because the employee or a person acting on behalf of the employee makes a good faith report or is about to report to ECCS or an appropriate authority an instance of wrongdoing, which is not merely technical or minimal, or an instance of substantial waste, abuse, misuse, destruction or loss of the funds or resources of ECCS.

ECCS will not discharge, threaten or otherwise discriminate or retaliate against an employee regarding the employee’s compensation, terms, conditions, location, or privileges of employment because the employee is requested by an appropriate authority to participate in an investigation, hearing, or inquiry held by an appropriate authority or in a court action.

To the extent that anything in this policy could be construed to conflict with the school’s charter or applicable state and federal laws, state and federal laws, and charter control.

### **Ethics Hotline**

Esperanza provides an Ethics Hotline through Syntrio-Lighthouse Services, Inc. An anonymous reporting application where staff can report an instance of wrongdoing or an instance of substantial waste, abuse, misuse, destruction, or loss of funds or resources.

Serious concerns relating to financial reporting, unethical or illegal conduct, should be reported to the Ethics Hotline in either of the following ways:

- Website: <https://www.lighthouse-services.com/esperanza>
- Anonymous Reporting App: Keyword: Esperanza
- Toll Free Telephone:
  - o English speaking USA and Canada: 833-658-3120
  - o Spanish speaking USA and Canada: 800-216-1288
  - o Spanish speaking Mexico: 01-800-681-5340

- E-mail: [reports@lighthouse-services.com](mailto:reports@lighthouse-services.com) (must include company name with report)
- Fax alternative for written documents: (215) 689-3885 (must include company name with report).

Reporters to the hotline will have the ability to remain anonymous if they choose. Please note that the information provided by you may be the basis of an internal and/or external investigation into the issue you are reporting, and your anonymity will be protected to the extent possible by law. However, your identity may become known during the investigation because of the information you have provided.

Employment-related concerns should continue to be reported through your normal channels such as your supervisor, HR representative, Vice President of Human Resources, or to Legal Counsel.

### **Retaliation**

Any employee who in good faith reports or participates in the investigation of an illegal act, including discrimination and harassment, or who is a family member or closely associated with someone else who reports an illegal act, including discrimination and harassment by any other employee or non-employee may not be suspended, terminated, or subject to retaliation because of the report.

Any complaints concerning retaliation should be directed to your supervisor, Human Resources, Director of Instruction, or CEO. Any retaliation complaints concerning the CEO should be directed to Human Resources. Allegations of retaliation will be investigated in a timely and appropriate manner and as confidentially as possible.

If you are found to have engaged in retaliation, you will be subject to disciplinary action, including termination.

### **Drug and Alcohol-Free Workplace Policy**

Esperanza Cyber Charter School is committed to providing a safe work environment and to fostering the well-being and health of its employees, students, and other stakeholders. That commitment is jeopardized when any ECCS employee reports to work under the influence of or uses illegal drugs or alcohol at work. This policy aims to balance our respect for individuals with the need to maintain a safe, productive, and drug-free environment. This policy intends to offer support to those who need it while sending a clear message that the use of illegal drugs or alcohol is incompatible with employment at Esperanza Cyber Charter School.

ECCS complies with the Federal Drug-Free Workplace Act, which states that it is unlawful to manufacture, distribute, dispense, possess or use a controlled substance in the workplace. An employee's failure to comply with this Act constitutes grounds for disciplinary action, referral to civil and or criminal authorities, or immediate termination of employment.

Specifically:

- It is a violation of ECCS policy for anyone to report to work under the influence of illegal drugs or alcohol.
- It is a violation of ECCS policy for any employee to use, consume, possess, sell, trade, or offer for sale illegal drugs or alcohol at work\*
- It is a violation of ECCS policy for anyone to use prescription drugs illegally. (However, nothing in this policy precludes the appropriate use of legally prescribed medications. Employees should be prepared to provide appropriate information about any prescription drug they are using. Employees must be fully aware of any work restrictions that should be observed while taking a prescription drug.)

\*Esperanza Cyber Charter School may grant specific exceptions for appropriate ECCS and school-related functions.

Violation of the above policy will result in disciplinary action, including termination of employment.

Based on reasonable suspicion, ECCS reserves the right to search employees' personal property for illegal drugs or alcohol. (For example, employee desks may be searched.) If practical, an employee will be present during the search.

ECCS will require employee drug/alcohol testing for PA Department of Transportation purposes for employees who, as part of their position, will transport students in ECCS vehicles. Drug/Alcohol testing will be conducted post-offer of employment, and employment is conditional on satisfactory drug/alcohol test results.

ECCS also reserves the right to require employees to undergo testing for alcohol and drug use if there is reasonable suspicion that the employee violates this policy. These suspicions include but are not limited to: slurred speech; disoriented behavior; odor of alcohol on clothing and breath; unsteady balance; following a workplace accident/injury, and engaging in or exhibiting behavior or conduct that appears erratic or jeopardizes the safety of the workplace, students, others, and public property.

Refusal to submit to or a positive drug/alcohol test will result in disciplinary action up to and including termination of employment.

Any employee with a criminal drug statute conviction or participation in a Drug or Alcohol Rehabilitation (DAR) program arising from the same shall inform ECCS in writing within five (5) days of such conviction whether appealed or not or upon entry into a DAR program or face immediate suspension.

ECCS encourages the earliest possible diagnosis and treatment for alcohol or drug abuse. ECCS supports sound treatment efforts. However, the decision to seek diagnosis and accept treatment for alcohol or drug abuse is primarily your responsibility. You are encouraged to discuss any concerns with your supervisor, Director of Instruction, Human Resources, or CEO that may result in a need for a leave of absence due to possible alcohol or drug abuse.

## **Immigration Law Compliance**

Esperanza Cyber Charter School does not discriminate based on citizenship or national origin and employs only persons authorized to work in the United States.

In compliance with the Immigration Reform and Control Act of 1986 and as a condition of employment, you must complete the Employment Eligibility Verification Form I-9. Present documentation establishing your identity and eligibility for employment in the U.S. If you are a former employee who is rehired, you also must complete the form if you have not completed an I-9 with ECCS within the past three years, or if your previous I-9 is no longer retained or valid.

## **Workplace Violence**

Esperanza Cyber Charter School has a zero-tolerance policy towards workplace violence and threats of such violence. Any action by an employee which endangers the safety of another employee, or causes an employee to fear for their safety, such as fighting, destruction of Cyber property, possessing weapons on Cyber property, implied or expressed threats of violence, and intimidation, will result in immediate discipline up to and including termination.

ECCS adheres to Act 26 Awareness Notice obligations related to warning students against carrying to school any weapon or any instrument or device that can be construed as a weapon.

Threats of violence of any nature may warrant such disciplinary action.

This policy aims to provide a safe and non-threatening working environment for all employees. If you feel that you have witnessed or have been the subject of workplace violence, you are encouraged to report such conduct immediately to a supervisor.

## **Conflict of Interest**

Employees are prohibited from engaging in any activity that conflicts with the interests of ECCS or its students. For our purposes, a conflict of interest is defined as a conflict between your obligations as an ECCS employee and what a reasonable person would determine to be your interests. The appearance of a conflict of interest is present if there is a potential for an individual's personal interests to clash with their duties to ECCS. These situations should be avoided and reported to your direct supervisor as they arise.

Therefore, employees of ECCS may not maintain an outside business or financial interest or engage in any outside business or financial activity that conflicts or appears to conflict with the interests of ECCS or interferes with the employee's ability to participate fully uncompromisingly perform their job responsibilities. Violation of this policy may result in disciplinary action up to and including termination of employment.

*Honoraria and Royalties* - As a matter of federal copyright law, all copyrightable works created or contributed to by ECCS employees within the scope of their employment belong exclusively to



ECCS. All revenues derived from the commercialization of such works belong exclusively to the Cyber. ECCS employees may have the opportunity to make public appearances to provide expertise and leadership and participate in creating books, articles, films, and other media presentations as part of their employment with the Cyber. All honoraria, royalties, and other payments from such activities shall be paid directly to ECCS. Prior arrangements may be made by the Cyber, where it is deemed reasonable and appropriate, to supersede this policy, especially where the employee's body of work represents resources outside the specific bounds of their employment (e.g., speeches made outside of the normal work hours that are only tangentially-related to their work). Suppose an employee is unclear about how this policy affects participation in events, products, or programs. In that case, it is their responsibility to have it clarified by the CEO before participation in the events, products, or programs.

*Political Participation and Activity* – Employees of the Cyber are encouraged to participate as citizens in the electoral process. However, to protect ECCS's non-partisan stance, the Cyber requires staff who run for electoral office or who serve on behalf of partisan political appointments to make clear that they are not acting on behalf of the Cyber in doing so. Such political activities must be kept separate from the employee's duties for the Cyber. An employee contemplating seeking elective office or serving on behalf of a political appointment should discuss these issues with the Chief Executive Officer in advance.

In keeping with this policy, employees are expected to exercise good judgment when promoting their personal political convictions in situations where there may be misconstrued as representing the views of ECCS. Employees are expressly restricted from, in any way, connecting ECCS with any partisan political activity or function.

Therefore, political activities on any ECCS worksite, either real or virtual, whether conducted by individuals or groups, are expressly forbidden, including any action(s) that might be reasonably construed to indicate an expression of support for any political party.

*Secondary Employment* - No employee may engage in any form of outside employment or engage in a business relationship that conflicts, or even appears to conflict, with the cyber's interests. This policy is based on the principle that employee actions and decisions must always be based on and consider only the interests of the Cyber.

Cyber employees must carefully consider the demands that additional work activity will create before accepting outside employment. Outside employment is not an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to travel, or refusal to work overtime or different hours. If outside work activity causes or contributes to job-related problems at ECCS, the employee will be asked to discontinue the outside employment, and the employee may be subject to the normal disciplinary procedures for dealing with the resulting job-related problem(s). Employees may not use Cyber paid sick leave to perform work for another employer.

If an employee's outside employment presents a conflict of interest with ECCS, as defined in the Conflict of Interest Policy, or if such outside employment has any potential for negative impact on

ECCS, the employee will be asked to terminate the outside employment. Additionally, violation of this policy may result in disciplinary action up to and including termination of employment.

*Volunteer Service for Other Community Development Organizations* - To preserve the Cyber's integrity and its parent entity, Esperanza, Inc., employees may not serve as staff or board members to other community development corporations or Charter Schools in Philadelphia or other parts of Pennsylvania.

*Relatives in the Same Division* – Family members, relatives, or those in similarly situated relationships may not maintain employment within the same division or department of ECCS where there is a direct reporting, supervisory, or chain of command relationship without the express approval of the CEO.

*Romantic or Sexual Relationships* - Consenting "romantic" or sexual relationships between a supervisor/manager and an employee may at some point lead to unhappy complications and significant difficulties for all concerned - the employee, the supervisor/manager, and the Cyber. Therefore, any such relationship may be contrary to the best interests of the Cyber.

Accordingly, ECCS strongly discourages such relationships and any conduct (such as dating) between a supervisor or manager and their direct report that is designed or may reasonably be expected to lead to the formation of a "romantic" or sexual relationship. Suppose a romantic or sexual relationship between a supervisor or manager and their direct report should develop. In that case, it shall be the responsibility and mandatory obligation of the supervisor/manager promptly to disclose the existence of the relationship to their supervisor. The employee may also disclose, but the burden of doing so shall be upon the supervisor/manager.

The supervisor shall inform the cyber's CEO and others with a need-to-know of the existence of the relationship, including, in all cases, the person responsible for the employee's work assignments. Upon being informed or learning of the existence of such a relationship, the CEO may take all steps that it, in their discretion, deems appropriate to reduce the likelihood of a conflict of interest.

In addition, and for ECCS to deal effectively with any potentially adverse consequences such a relationship may have for the working environment, any person who believes that they have been adversely affected by such a relationship, notwithstanding its disclosure, is encouraged to make their views about the matter known to the Director of Instruction, the CEO, or a representative of the Human Resources Department.

This policy shall apply without regard to gender and the sexual orientation of the participants in a relationship of the kind described.

### **Qualified Individuals with Disabilities**

Esperanza Cyber Charter School is committed to complying with all applicable provisions of the Americans with Disabilities Act Amendments Act ("ADAAA"). The cyber's policy is not to discriminate against any qualified employee or applicant regarding any terms or conditions of



employment because of such individual's disability or perceived disability so long as the employee can perform the job's essential functions.

Consistent with this nondiscrimination policy, ECCS encourages you to bring forward to your supervisor any accommodation requests and fully supports an interactive discussion. The school will provide reasonable accommodations to a qualified individual with a disability, as defined by the ADA, who has made the Cyber aware of their disability if such accommodation does not constitute an undue hardship. ECCS may request medical or other information from a health care provider to provide reasonable accommodations.

### **Workplace Safety**

At Esperanza Cyber Charter School, we care about our employees' safety, health, and well-being. We value the contributions our employees make toward our success. We support local community interests and value honesty, integrity, and teamwork.

Our school operates with a goal of zero damage to people, property, and products. It is our policy to provide safe working conditions. At ECCS, everyone shares equally responsible for identifying hazards following safety rules and operating practices. All jobs and tasks must be performed safely, as safety is crucial to the quality of our academic services.

At ECCS, no operation phase is considered more important than accident prevention. Our policy is to provide and maintain safe working conditions and follow operating practices to safeguard all employees. No job will be considered adequately completed unless it is performed safely.

### **Workplace Monitoring**

Esperanza Cyber Charter School may conduct workplace monitoring to help ensure quality control, employee safety, security, and customer satisfaction.

All computer equipment, services, or technology furnished for employment responsibilities are property of ECCS. School Administration reserves the right to monitor computer activities and data stored in school computer systems. School Administration also reserves the right to find and read any data written, sent, or received via a school computer and systems, and such monitoring should be expected. Please do not use ECCS equipment for transferring or storing information that you would like kept private.

### **Child Abuse and Neglect**

It is the policy of Esperanza Cyber Charter School and the Board of Education of the School District of Philadelphia that all its employees are to be aware of and comply with all relevant Child Protective Services and Educator Discipline Act laws of the Commonwealth of Pennsylvania.

These laws make it mandatory for school employees to report suspected cases of child abuse, sexual abuse, molestation, and neglect to the PA Department of Education, chief school

administrator, your immediate supervisor. Where the Cyber has a reasonable cause to suspect abuse occurs, a report must be made to the applicable authorities consistent with the Child Protective Services Law.

In addition, consistent with Act 126, the Cyber and its employees shall participate in a minimum of 4 hours once every five years of ongoing staff training regarding Child Abuse recognition and reporting. Compliance with Pennsylvania's laws and Cyber policies will serve to protect everyone concerned.

### **Corporal Punishment**

The Commonwealth of Pennsylvania and Esperanza Cyber Charter School Policy strictly prohibits the use of corporal punishment. Students shall not be subjected to unreasonable or excessive punishment, including, but not limited to, pulling on students' clothing forcing physical adversity (i.e., requiring students to climb up and down stairs repeatedly, standing with arms out, or holding heavy books). Parents cannot permit any staff person to use corporal punishment of any kind.

In addition, ECCS shall adhere to all applicable provisions of the Individuals with Disabilities Education Act ("IDEA") and the State Board of Education Regulations involving Special Education regarding behavioral interventions for students with disabilities at ECCS.

# TIMEKEEPING & RECORDKEEPING

## **Timekeeping**

Your employment classification will determine your specific timekeeping recording responsibilities. Accurately recording time worked is the responsibility of every employee. Federal and state laws require Esperanza Cyber Charter School to keep an accurate record of time worked on calculating employee pay, exception time, and benefits.

Altering, falsifying, tampering with time records, or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment.

Your responsibility is to clock in and out, certifying the accuracy of all time recorded in Paylocity (the timekeeping and payroll system used by ECCS). Your supervisor will review and authorize the time record before submitting it for payroll processing. In addition, if corrections or modifications are made to the time record, both you and your supervisor must verify the accuracy of the changes.

Your supervisor will review your specific timekeeping responsibilities with you as part of the orientation process.

## **Employment Classification**

Esperanza Cyber Charter School intends to clarify employment classifications so that you understand your employment status and benefits eligibility. These classifications do not guarantee employment for any specified period. Accordingly, the right to terminate the employment relationship at any time is retained by both you and ECCS.

Consistent with the Fair Labor Standards Act (FLSA), all employees are designated as either EXEMPT or NONEXEMPT from federal and state wage and hour laws based upon their position, duties, and responsibilities:

- EXEMPT employees are exempt from FLSA regulations and are typically paid on a salary basis and are NOT eligible for overtime pay.
- NONEXEMPT employees are covered under the FLSA and are generally paid on an hourly basis and entitled to overtime pay.

In addition to the above classifications, you will belong to one other employment classification for work hours, salary, and benefit eligibility purposes:

Regular Full-Time employees who are: (1) A teacher or instructional-related employee who is not in temporary status and who is regularly scheduled to work a whole week (40 hrs. /week) for an eleven (11) or ten (10) month duration annually; or (2) An administrative or noninstructional employee who is not in temporary status and who is regularly scheduled to work at least forty (40) hours per week. Generally, these employees are eligible for the cyber's complete benefits package, subject to each benefits program's terms, conditions, and limitations.

Regular Part-time employees who are: (1) teacher or instructional-related employee who is not in temporary status and who regularly works fewer than forty (40) hours per week for an eleven (11) or ten (10) month duration annually; or (2) A non-instructional employee who is not in temporary status and who is regularly scheduled to work less than forty (40) hours per week

- **Regular part-time employees** working less than thirty (30) hours per week are not eligible for the cyber's group health and wellness benefits but are eligible for other fringe benefits sponsored by the Cyber, subject to the terms, conditions, and limitations of each benefit program.
- **Hourly or On-Call employees** are not assigned to a temporary status and work as needed and are not regularly scheduled for certain hours each week. Hourly employees will receive all legally mandated benefits but are not eligible for ECCS health and fringe benefit programs.
- **Temporary employees** are hired as interim replacements to temporarily supplement the workforce, temporarily serve seasonal purposes, or assist in completing a specific project. Employment assignments in this category are of limited duration and will be reviewed every six months. Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary employees retain that status unless and until notified of a difference. All legally mandated benefits (such as Social Security and workers' compensation insurance) are provided to temporary employees. However, they are not eligible for other health and fringe benefit programs.
- **Substitute Teachers** are paid at a per diem rate. There is no established duty and work as needed and available work. Substitute teachers are not eligible for any Cyber health and fringe benefit programs.

### **Pay Cycle**

Esperanza Cyber Charter School employees are paid bi-weekly. There are 26 pay periods per calendar year. Payday is on Fridays of the payroll processing week. Employees should reference the annual payroll schedule.

Applicable paychecks will be delivered to each department on payday. Checks will not be released prior to payday. Direct deposit of earnings into an employee's personal checking and/or savings accounts is strongly recommended and encouraged. Employees can add/delete/change their Direct deposit information in Paylocity. Notification of pending changes for direct deposits is sent to Human Resources for approval.

In the event of employment separation from ECCS, wages earned up to the time of separation are paid no later than the next regular payday.

### **Summer Pay**

Certain ten (10) month, and eleven (11) month classified employees receive their academic year compensation on a semi-monthly schedule spread out over twelve months. This period where an employee receives the balance of their academic year compensation when not expected to report to work is considered "summer pay."

For any ten (10) month and eleven (11) month classified employees hired during the academic school year, the Cyber will pro-rate your "summer pay" based on the number of instructional days remaining that academic year.

For ten (10) month and eleven (11) month classified employees who involuntarily separate employment during the academic school year, the Cyber will provide your “summer pay” on a pro-rated basis based on the number of instructional days completed that academic year. If eligible, your “summer pay” will be processed no later than one pay period following your separation of employment. Ten (10) month and eleven (11) month classified employees who voluntarily separate employment during the academic school year will forfeit any summer pay.

Please note that the balance of contract pay does not alter the employment-at-will understanding and does not create a contractual relationship between you and the Cyber. Both you and the Cyber retain the right to end the employment relationship for any reason at any time, with or without notice.

### **Direct Deposit**

Direct payroll deposit is the automatic deposit of your pay into the financial institution accounts of your choice. As a matter of convenience, you are encouraged to have your pay deposited directly into a specified bank account which can be done through Paylocity.

### **Pay Deductions and Setoffs**

Esperanza Cyber Charter School is required to make certain deductions from your paycheck. Among these are applicable federal, state, and local income taxes.

ECCS offers programs and benefits beyond those required by law. You may voluntarily authorize deductions from your paycheck to cover the costs of participation in these programs, such as health benefits, retirement savings plans, and other voluntary benefit options.

### **Administrative Pay Corrections**

Esperanza Cyber Charter School takes all reasonable steps to ensure that you receive the correct amount of pay in each paycheck and that you are paid promptly on the scheduled payday. In the unlikely event of an error with your paycheck, you should promptly notify the Human Resources office. Human Resources will make any necessary corrections as quickly as possible, generally by the next pay cycle.

### **Overtime**

Overtime pay is paid to all non-exempt employees following federal and state wage and hour regulations. Overtime pay is based on actual hours worked and is calculated at 1.5 times your regular pay rate for any hours worked over 40 in a workweek. Cyber has established a Monday through Sunday workweek for overtime calculation purposes unless otherwise agreed upon.

Overtime work must be approved in writing by your supervisor in advance. Failure to obtain preauthorization of overtime work may result in disciplinary action.

Paid time off for vacation, illness, holidays, jury duty, or any other leave of absence will not be considered hours worked to perform overtime calculations. Exempt-classified employees are not

eligible for overtime pay.

### **Travel and Other Business Expenses**

Esperanza Cyber Charter School will reimburse you for reasonable expenses incurred while performing your job duties. Expenses incurred in daily travel to and from work will not be reimbursed. Employees seeking reimbursement should incur the lowest reasonable travel expenses and exercise care to avoid impropriety or the appearance of impropriety. Reimbursement is allowed only when reimbursement has not been, and will not be, received from other sources. If a circumstance arises that is not specifically covered in this policy, then the most conservative course of action should be taken.

A travel authorization must be obtained from your supervisor before the trip or before the expenditure of monies. Within 30 days of completion of a trip, the traveler must submit an [expense report](#) and supporting documentation to obtain reimbursement of expenses. Travelers who use personal funds to facilitate travel arrangements will not be reimbursed until after the trip occurs and proper documentation is submitted.

Conference or training registration costs may be reimbursable if such costs are related to staff development and if approved in advance by the CEO. The CEO will approve training and conference expenses based on the availability of funds and the professional development opportunity value.

#### Reimbursable Expenses

- **Mileage.** Reimbursement is based on the IRS recommended rate.
- **Lodging (commercial).** The cost of overnight lodging (room rate and tax only) will be reimbursed to the traveler if the authorized travel is 100 miles or more from the traveler's home or primary worksite.

Exceptions to this restriction may be approved in writing by the CEO. ECCS will reimburse lodging expenses at reasonable, single occupancy or standard business room rates. When the hotel or motel is the conference or convention site, reimbursement will be limited to the conference rate.

Only single room rates are authorized for payment or reimbursement unless the second party is representing the agency in an authorized capacity. If the lodging receipt shows more than a single occupancy, the single room rate must be noted. If reimbursement for more than the single room rate is requested, the name of the second person must be included.

- **Meals (per diem).** Per diem allowances are reimbursable for in-state overnight travel that is 100 miles or more from the traveler's home or primary worksite.

ECCS per diem rates are based on the U.S. General Services Administration Guidelines, which vary by city location. Incidental expenses, unless specifically cited in this policy, will not be reimbursed. Per diem reimbursements are based on departure and return times over the entire 24-hour day and are prorated accordingly.

If a free meal is served as a conference registration fee; built in to the standard, single hotel room rate; or replaced by a legitimate business meal, the per diem allowance for that meal may not be claimed.

Receipts are required for per diem allowances and are reimbursed after the trip is completed with the submission of accompanying documentation.

- **Tolls.** ECCS will only authorize toll reimbursements when travel is 100 miles or more from the traveler's home or primary worksite. Receipts are required for reimbursement.

### **Personnel Files**

Esperanza Cyber Charter School maintains a personnel file for each employee. Your personnel file includes such information as your job application, resume, records of training, documentation of performance appraisals, compensation adjustments, and other employment records.

Personnel files are the property of ECCS, and access to the information they contain is restricted. Generally, only management personnel, who have a legitimate reason to review information in a file, are permitted.

You may review your personnel file in our office; however, making copies of the personnel file is prohibited. If you wish to review your personnel file, you should contact the Human Resources office.

Information regarding your medical history and other personally identifying information is maintained separately, not in your personnel file.

### **Professional Background Screening**

To ensure that individuals who join Esperanza Cyber Charter School are well qualified, have a strong potential to be productive and successful, and promote a safe work environment, it is our policy to conduct background screening on all new employees and update certain clearances on an annual basis. ECCS will also conduct background screening to ensure compliance with third-party requirements linked to school district requirements.

Generally, ECCS's background screening process will include but is not limited to professional references, employment and to perform abuse, PA ACT 168 verification, and state and national criminal clearances. Generally, ECCS will update all employees' child abuse and state and national criminal clearances each academic year. ECCS also requires a health examination report on file for all new employees and a regularly updated health examination report for current employees.

Any adverse findings or prior disclosure of criminal clearance activity will not automatically result in termination of employment or disqualification of candidacy for the position. Any decisions regarding continued employment or a job offer will be determined based on a review of all the facts and any risk factors associated with the employee's position at the school. As part of this review, ECCS must comply with Section 1-111 of the Public-School Code, wherein specifically enumerated offenses preclude employment in a public school. Other offenses may



preclude employment in the school for 5 or 10 years, depending on the severity of the offense. Please refer to 24 P.S. 1-111 for a full list of these offenses and which specific offenses limit employment at the Cyber.

Suppose it is discovered, through the background screening process, that an employee falsified their information, experience, or credentials during the recruitment process. In that case, ECCS may initiate disciplinary action up to and including termination of employment.

### **Mandated Reporting**

If you suspect child neglect or abuse, please report this to the school counselor and the Director of Instruction immediately. Please see the Child Abuse Policy and information about mandated reporting. Per PA Act 126 all staff must complete a Mandated Reporter training once every five (5) years for a minimum of four (4) hours. Provide updated certificates to your direct supervisor and Human Resources.

According to Section 1526: Suicide Awareness/Prevention Education, you must complete the Suicide Prevention training once every three (3) years for a minimum of four (4) hours of training.

### **Certification**

At least 75% of the faculty and staff of the Cyber must meet PA Charter School law certification requirements. PA Charter School certification requirements include: (1) general education, (2) professional education, and (3) specialized content studies. As a condition of employment, all non-certified teachers must acquire emergency teaching certification in the subject area they are teaching and must fulfill the requirements for permanent teaching certification.

These requirements may be satisfied by attaining (a) the applicable coursework and (b) experiential learning. The professional certificate is valid for five (5) years from issuance and is renewed by completing specified coursework.

By September 30<sup>th</sup> of each school year, non-certified staff must have their certification (whether emergency certification or permanent certification). If certification is not submitted by this date, you may face a possible unpaid employment suspension until the certification is submitted or termination of employment.

### **External Inquiries**

Upon request by a prospective employer, the Cyber will provide only information as to an employee's or former employee's dates worked, position held, and duties performed. Only Human Resources is authorized to respond to external employment verification inquiries.

Only upon receipt of written authorization from the employee in question will the Cyber disclose an employee's or former employee's rate of pay and other information as requested for such purposes as credit or mortgage applications. Responses to requests to law enforcement agencies are limited to the employee's last known address and telephone number. Cyber will also comply with PA ACT 168 requirements for former employees.



If contacted, staff must direct all external employment verification inquiries to Human Resources. Violation of this policy may result in disciplinary action up to and including termination of employment. The Cyber may provide a professional reference for a current or former ECCS employee only with the approval of the CEO.

### **Personal Information Updates**

It is your responsibility to promptly notify Esperanza Cyber Charter School of any changes with your data. Personal mailing addresses, telephone numbers, numbers and names of dependents, individuals to be contacted in an emergency, educational accomplishment, tax information, and other status reports should always be accurate and current.

Please report any personal or professional information changes or updates to Human Resources and make those changes directly in Paylocity.

### **Conferences and Meetings**

Esperanza Cyber Charter School employees may be requested to attend local or national conferences and meetings to disseminate ECCS's programs. If you are asked to present at a conference or meeting, you must inform your supervisor and the CEO to discuss the cost-benefit of your attendance.

ECCS employees participating in national conferences and meetings related to Esperanza Cyber Charter School are compensated for conducting regular business. Suppose you present at a conference during a formal session about Esperanza Cyber Charter School's work and are listed on the event program. In that case, you will be reimbursed by Esperanza Cyber Charter School for all reasonable expenses per ECCS policy.

You will be required to submit any conference host payment received to ECCS to receive expense reimbursement.

# PAID-TIME-OFF & OTHER LEAVE

## **Paid-Time-Off**

Esperanza Cyber provides paid-time-off to our employees to address continued compensation in the event of an unscheduled absence due to illness or planned absences for vacation periods or personal obligations. Your eligibility for paid time off, the amount of paid-time-off granted, and the administration of and the limits and restrictions associated with our paid-time-off procedures vary and are based on your employment classification.

All regular full-time and regular part-time staff are eligible to receive paid-time-off benefits immediately upon start date with the Cyber.

Generally, the Cyber will grant paid-time-off to qualified staff per the schedule below:

<b>Classification</b>	<b># PTO Days</b>	<b>Carry-Over</b>
10-Month	9 Days	None
11- Month	11 Days	Up to 3 Days <i>Use prior year balance by Aug 15th</i>
12-Month	18 Days	Up to 5 Days <i>Use prior year balance by Aug 15th</i>

**Note:** Eligible part-time staff will be granted paid-time-off on a pro-rated basis based on the number of regularly scheduled days per week.

## **10-Month Staff**

Eligible staff assigned with a 10-month schedule will be granted nine (9) paid-time-off days for the entire academic school year to use immediately upon start date through the last day of school.

Any unused paid-time-off cannot over to the following academic year. ECCS shall cash out any unused paid time-off for all 10-month staff at the end of an academic year.

The amount of paid-time-off days granted for 10-month classified staff hired during an academic school year will be prorated based on your start date.

Upon an involuntary separation of employment during the school year, any unused accrued paid-time-off will be cashed out pro-rated based on the start date. Staff who voluntarily resign during the school year will forfeit any unused paid-time-off.

## **11-Month Staff**

Eligible staff assigned with an 11-month schedule will be granted eleven (11) paid-time-off days

for the entire academic school year to use immediately upon start date through August 15<sup>th</sup>.

11-month classified staff can carry over up to 3 days of unused paid time-off to the following academic year. Carry over days are automatically rolled over in Paylocity to the regular PTO balance. Any remaining unused paid time-off, up to eight days, ECCS shall cash out at the end of an academic year.

11-month classified staff is required to work 21 days over the summer between the last day of school for teachers and the start back date for new staff. Your supervisor should approve those 21 days to determine what is needed for the department or team. Additionally, the week leading up to staff orientation is blocked out and should not be used as vacation days unless otherwise approved by your supervisor. Half of the 21 days should be worked onsite.

The amount of paid-time-off days granted for 11-month classified staff hired during an academic school year will be prorated based on your start date.

Upon an involuntary separation of employment during the school year, any unused accrued paid-time-off will be cashed out pro-rated based on the start date. Staff who voluntarily resign during the school year will forfeit any unused paid-time-off.

### **12-Month Staff**

Staff assigned to a 12-month schedule will accrue 1.5 days for each entire month worked, from July 1 to June 30, which for a full year of employment equates to eighteen (18) paid-time-off days and can be used as accrued.

The 12-month staff has until August 15<sup>th</sup> to use any accrued and unused paid-time-off from the prior year. 12-month staff may carry over up to 5 paid-time-off days to the following year; otherwise, any paid time-off from the previous year beyond 5 days and not used by August 15<sup>th</sup> will be forfeited. Carry over days are automatically rolled over in Paylocity to the regular PTO balance.

Paid-time-off must be accrued before it may be used. In limited circumstances, the use of paid-time-off before accrual may be approved at the discretion of your supervisor but cannot exceed a total of five (5) days.

Upon employment separation, any unused accrued paid-time-off will be “cashed out” and paid to you in your final paycheck. No payment of unused accrued paid-time-off will be made if you resigned from your position and did not provide and complete a two-week notice period. Unused accrued paid-time-off cannot be used once you have provided notice of your employment resignation or to extend your employment beyond your last day worked.

### **General Guidelines and Restrictions**

Paid-time-off will be paid to you at your regular pay rate and for all hours regularly scheduled to work that day.

For exempt-classified staff, paid-time-off will be tracked in 4-hour increments. For non-exempt classified staff, paid time-off will be tracked in quarter-hour increments.

Paid time-off days may not be used immediately preceding or following a vacation or holiday period or on any Professional Development day without the prior approval of the supervisor during the school year. Additionally, no staff may take leave during the last week of school. Taking unapproved leave on any of these days will result in non-payment for the missed days.

Given the regular operation of a school and the end-of-year requirements, 12-month staff may not use any vacation until at least a whole week after the last day of school.

Requests for time off must be approved in advance. If prior notification is not possible due to an emergency, notice should be given as soon as is practical. For emergencies or last-minute unscheduled absences, staff must contact their direct supervisor before starting their scheduled workday. Failure to follow established call-out procedures may result in disciplinary action up to and including termination of employment.

Suppose you are absent for one or more consecutive workdays without notifying your direct supervisor of the need and reason for the absence. In that case, it will be considered as job abandonment and a voluntary resignation.

## **Holiday**

Esperanza Cyber Charter School recognizes certain holidays by closing the administrative offices and granting holiday pay to eligible employees.

All regular full-time and regular part-time classified employees, immediately upon start date, will receive holiday pay for the school recognized holidays below at your standard rate of pay for all hours regularly scheduled to work that day.

Our holiday schedule for each calendar year will be published annually, and some holidays may vary from year to year. Generally, the school will recognize the following holidays:

- New Year's Day
- Martin Luther King Jr. Day
- President's Day
- Memorial Day
- Juneteenth
- Independence Day
- Labor Day
- Indigenous People's Day
- Thanksgiving Day
- Day After Thanksgiving
- Christmas Day

If an ECCS recognized holiday falls on a Saturday, the prior Friday will be observed. If a school-recognized holiday falls on a Sunday, the following Monday will be honored.

For all regular full and part-time staff, the following additional holidays are observed:

- Spring Recess (As approved by the Board of Trustees)

- Winter Recess (As approved by the Board of Trustees)

If you are on an approved leave of absence or in an inactive status as of a scheduled day immediately before or after a holiday, you are not eligible to receive holiday pay. In addition, if you are on an approved vacation at the time of the school-recognized holiday, you will receive holiday pay rather than be charged paid-time-off for that day.

We are sensitive to the importance of the need for you to recognize certain religious or otherwise personally significant holidays. In these instances, you are encouraged to request the use of paid-time-off in advance with your supervisor.

### **Bereavement**

In the event of a death of a member of your immediate family, Esperanza Cyber Charter School will grant up to three (3) consecutive regularly scheduled paid days off as bereavement leave for all regular full and part-time employees immediately upon start date.

If you wish to take time off due to the death of an immediate family member, you should notify your supervisor immediately. Bereavement leave will generally be granted unless unusual business needs or staffing requirements. You may, with your supervisor's approval, use any available paid time-off for additional time off as necessary.

For this purpose, immediate family is defined as a spouse, child, step-child, parent (including in-law), step-parent, sibling, step-sibling, grandparent, and grandchild. This policy also extends to any relative residing in your household or someone in a *loco parentis* relationship.

### **Jury & Witness Duty**

Esperanza Cyber Charter School encourages you to fulfill your civic responsibility by serving jury duty when required. Regular full-time and part-time employees are granted up to ten (10) paid jury duty leave days each academic year while serving on a jury. If your jury duty obligation extends beyond ten days, please consult with the Administrative office to discuss options.

Jury duty pay will be calculated at your base rate by the number of hours you would otherwise have worked on the day of absence. You must provide written proof of serving jury duty to receive jury duty pay.

You must show the jury duty summons to your supervisor as soon as possible so your supervisor can plan to accommodate your absence. You are expected to report for work whenever the court schedule permits.

Suppose you have been subpoenaed or otherwise requested to testify as a witness when requested by a party other than Esperanza Cyber Charter School. In that case, you are to use any available paid-time-off to receive compensation for the period of this absence.

The subpoena should be shown to your supervisor immediately after receiving it so that operating requirements can be adjusted, where necessary, to accommodate your absence. You are

expected to report for work whenever the court schedule permits.

### **Family and Medical Leave (FMLA)**

Esperanza Cyber Charter School provides an unpaid medical and family leave of absence following State and Federal Family and Medical Leave Acts (FMLA) to you if you are temporarily unable to work due to one of the following reasons:

- For a serious health condition of your own that makes you unable to perform your job responsibilities
- For placement of a child for adoption or foster care with you
- For the birth and care of your newborn child
- To care for your immediate family member (to include a child defined as a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing *in loco parentis*, a spouse, a parent, or an individual who stood in loco parentis to an employee when the employee was a child) with a serious health condition

To be eligible, you must have worked for ECCS at least 1,250 hours in the preceding twelve (12) months and been employed by ECCS for at least twelve (12) months.

If eligible and you anticipate the need for a family or medical leave, you should contact your supervisor or the Human Resources office at least 30 days in advance of foreseeable events and as soon as possible for unforeseeable events. Your Human Resources representative will then coordinate your FMLA leave with you and your supervisor for the duration of the leave. The Human Resources office will provide all applicable forms.

For leave of absences related to the serious health condition of yourself or a family member, you must submit to the Human Resources office a *Certification of Health Care Provider* form that verifies the need for medical leave or caregiving and its beginning and expected ending dates. Any changes in this information should be promptly reported to Human Resources.

If eligible, you will normally be granted leave for the period of the need, up to a maximum of 12 weeks within a “rolling” twelve-month period measured backward from the date an employee uses any FMLA leave. Any combination of medical leave and family leave may not exceed this maximum limit.

If you sustain a work-related injury, you will be eligible for an FMLA-protected medical leave of absence for the period of disability following all applicable laws covering job-related illnesses or injuries. ECCS will designate an absence due to workers’ compensation as FMLA leave if it is a serious health condition. All documentation to satisfy the FMLA leave will be obtained from the panel physician by Human Resources. You are required to cooperate in having the physician provide relevant and appropriate information. If you receive workers’ compensation payments, you will not be permitted to utilize any paid-time-off time during this time.

Subject to the terms, conditions, and limitations of the applicable plans, including timely submission of your contribution, ECCS will continue to provide health insurance benefits for the

full period of the approved FMLA-protected medical and family leave.

As described above, FMLA leave is unpaid leave. However, ECCS will provide staff with the option to request the use of any accrued paid-time-off time during an approved FMLA leave except where you are already receiving workers' compensation or disability payments. In cases of maternity leave, when any approved disability benefits end, ECCS will provide staff with the option to request the use of any accrued paid-time-off for the remainder of your FMLA-protected leave. During this portion of "paid" FMLA leave, your health plan contributions, if applicable, will continue to be deducted. However, once you have exhausted your accrued paid-time-off, you will be responsible for paying your current health plan contributions directly to ECCS if you wish coverage to continue. In cases where leave is anticipated, the continuation of benefit contribution options will be reviewed with staff before the leave of absence.

So that we can properly prepare for your return to work, we ask that you provide Human Resources with at least two weeks' advanced notice of the date you intend to return. When you return from a medical or family leave, you may be asked to submit to Human Resources a *Fitness for Duty Certification* indicating your ability to perform your job duties.

When an FMLA leave ends, you will be able to return to your original job classification or a job with equivalent status, compensation, benefits, and working conditions.

If you cannot return to work as planned, please contact the Human Resources office to discuss alternative options. If you fail to return to work on the agreed-upon return date and have not made other arrangements, ECCS will assume that you have voluntarily resigned your employment.

State and Federal Family and Medical laws differ. Please contact our Human Resources office, who will assist in determining the extent to which one or both leave programs apply to your situation or whether neither program is applicable.

The Human Resources office is available to assist you and your supervisor with any questions related to FMLA-protected leave.

### **Medical Leave (Non-FMLA)**

If you have a medical condition that requires you to be away from work, you may be eligible for a non-FMLA medical leave of absence.

An unpaid medical leave may be granted for up to 30 calendar days upon certification of your illness by your physician. Should your recovery require additional time, a leave may be renewed for 30 additional calendar days, pending medical certification. Non-FMLA leave will not typically extend beyond 3 months, except in situations of a disability, when additional time may be granted as a reasonable accommodation, assuming it does not present a hardship for ECCS.

Such requests will be reviewed by the Human Resources Department. Several factors will be considered, including, but not limited to, the reason for the leave, current business conditions at



the time of the request, and the employee's work record and tenure. Employees must use any available sick or vacation days concurrently with this medical leave. If you do not return to work at the expiration of your leave, your employment may be terminated. While every effort will be made to hold your position during this leave of absence, there are no job reinstatement rights associated with this leave of absence.

### **ADA Leave**

ADA (Americans with Disabilities Act) leave ensures that employees with disabilities are provided with reasonable accommodations in the workplace. ECCS offers unpaid leave for an employee with a disability as a reasonable accommodation if the employee requires it, as long as it does not create an undue hardship for the employer.

Suppose you need an ADA leave or a flexible work schedule. In that case, you must inform ECCS that accommodation is required by completing the ADA Request for Accommodation Form, including documentation from your physician(s). When an employee requests leave, or additional leave, for a medical condition, ECCS will treat the request as one for a reasonable accommodation under the ADA. However, if an ECCS leave program can address the request for leave, ECCS will provide leave under those programs. But, if the leave cannot be granted under any other program, then ECCS will engage in an interactive process to obtain relevant information to determine the feasibility of providing the leave as a reasonable accommodation without causing an undue hardship.

### **Personal Leave**

In the event you experience personal needs, unpaid personal leave may be granted for up to one week by your supervisor. Such requests must be made in writing to the employee's supervisor and will be reviewed on a case-by-case basis. Several factors will be considered, including, but not limited to, the reason for the leave, tenure, the length of time the employee will be away, current staffing requirements, and whether the employee has received any form of disciplinary action within the prior six (6) months.

Personal leaves requiring more than one week require the approval of the Department Supervisor and Human Resources. A personal leave will not extend past 30 calendar days. Employees must exhaust any eligible vacation or sick time before taking unpaid personal leave. Employee health benefits will be continued in the same manner as prior to the leave, if the leave is for 3 weeks or less, but the employee will be expected to remit payment for the employee's portion of the health insurance premium prior to leaving on personal leave, and in an amount equivalent to the expected period of absence. While every effort will be made to hold your position during this leave of absence, there are no job reinstatement rights associated with this leave of absence.



## **Service Member Family and Medical Leave**

The federal Family and Medical Leave Act (FMLA) entitle eligible employees to take leave for a covered family member's service in the Armed Forces ("Service Member FMLA"). This policy supplements our FMLA policy and provides general notice of employee rights to such leave. Except as mentioned below, an employee's rights and obligations to Service Member FMLA are governed by our existing FMLA policy.

Service Member FMLA provides eligible employees unpaid leave for anyone, or a combination, of the following reasons:

- A "qualifying exigency" arising out of a covered family member's covered active duty deployment to a foreign country or call to duty in the National Guard or Reserves in support of a contingency plan; and
- To care for a covered family member who has incurred an injury or illness in the line of duty while on active duty in the Armed Forces if such injury or illness may render the family member medically unfit to perform duties of the member's office, grade, rank or rating.
- To care for a covered family member who is a recent veteran with a severe injury or illness, including conditions that do not arise until after leaving the military.

### ***Duration of Service Member FMLA***

When Leave is Due to a "Qualifying Exigency": An eligible employee may take up to 12 workweeks of leave during any 12-month period.

When Leave is to Care for an Injured or Ill Service Member: An eligible employee may take up to 26 workweeks of leave during a single 12-month period to care for the service member.

When combined with other FMLA-qualifying leave, leave to care for an injured or ill servicemember may not exceed 26 weeks in a single 12-month period. Service Member FMLA runs concurrently with other leave entitlements provided under federal, state, and local law.

## **Maternity/Paternity Leave**

Esperanza Cyber Charter School grants two (2) weeks of paid Maternity and Paternity leave to regular full-time and regular part-time employees in the event of a birth or adoption of a child. Maternity/Paternity leave can be taken on either a consecutive or an intermittent basis. Paid maternity leave will run concurrently with short-term disability, FMLA, or other available leave of absence programs.

## **Military Leave**

Esperanza Cyber Charter School will grant a leave of absence for military service, training, or other obligations and reemployment following military service in compliance with the Uniform Services Employment and Reemployment Rights Act of 1994 (USERRA).

A military leave of absence will be granted if an employee is absent to serve in the Uniformed Services of the United States for a period of up to five years (not including specific involuntary

extensions of service). An employee who performs and returns from service in the Armed Forces, the Military Reserves, the National Guard, or certain public health service positions will retain certain rights concerning reinstatement, seniority, lay-offs, compensation, length of service promotions, and length of service pay increases, as required by applicable federal or state law. Other benefits, such as health insurance, do not continue during active service.

An employee participating in an annual encampment or training duty in the U.S Military Reserves or the National Guard will be eligible to receive the difference between what the employee earns from the government for military service and what they would have earned from regular straight-time pay on the job. This difference will be paid for up to twenty-one (21) calendar days.

# HEALTH & OTHER BENEFITS

## **Group Benefits**

Each year, Esperanza Cyber Charter School offers our employees group and optional benefits. It allows you to select from a range of coverage levels. The benefits that ECCS can contribute each year depend on our financial resources, the market costs of benefits in each year, and your job classification. Benefits options are explained to you during a benefits orientation, during which coverage selections are made, and annually during the Cyber's open enrollment period.

ECCS will pay a portion of your monthly health benefit premiums. You may pay additional premium costs through payroll deductions based on benefit selected and dependent status. Benefit plans, costs, and ECCS's contribution towards these benefits will be reviewed annually and are subject to change.

We recognize that our benefits program is an essential indication of our commitment to our employees, and we reserve the right to add to, subtract from, or otherwise amend part, parts, or the entirety of the benefits program. Including, where it is deemed necessary, instituting changes in employee contributions.

The information summarized here is detailed more fully in official plan documents. Many of these benefits are supplied by insurance companies, and more detailed information is available either on the relevant company's website or official plan documents. Complete copies of any employee benefit plans or policies referred to within this Policy Manual may be obtained by request to the Human Resources Department. Please note that, in all instances, the terms of the written insurance policies are controlled.

Details of our health insurance plans are described in each plan specific Summary Plan Description (SPD). Contact our Human Resources office for more information about health insurance benefits.

## **Eligibility**

Regular full-time employees who are regularly scheduled to work at least 30 hours/week are eligible to participate in the insurance benefits offered by Esperanza Cyber Charter School. All necessary benefit enrollment forms must be completed and submitted to our Human Resources office within thirty (30) days of your benefits eligibility date. Otherwise, you will no longer be eligible to participate in our group health benefits until our next open enrollment period.

You become eligible or can make additions:

- Immediately upon start date
- A "Life Change Event."
- If you lose coverage somewhere else (proof of loss of coverage is required).
- Transition into an eligible benefit status.
- At ECCS's annual "Open Enrollment" period

Please consider your benefit elections carefully as all benefit plan elections, changes, and

additions can only be changed during the annual “open enrollment” period unless there is an eligible “life change event.”

Eligible dependents include:

- Legal Spouse
- Unmarried dependent children, legally adopted children, step-children who reside with you, children for whom you/your spouse are a court-appointed legal guardian up to the age of 26.

You will receive a Benefits Orientation within your first week of employment. At that time, all benefits, costs, and necessary enrollment forms will be explained in detail.

### **Medical & Dental**

A group medical plan option that includes vision and prescription coverage and a separate group dental plan is provided to benefit-eligible employees. Premiums are paid with a cost-sharing between you and Esperanza Cyber Charter School based upon plan selection and level of coverage. Your group health plan contributions are made on a pre-tax basis. During your benefits orientation, a summary of our medical benefit plans and associated costs is reviewed with you.

### **Life Insurance and AD & D**

Esperanza Cyber Charter School is pleased to provide all benefit-eligible employees a Life and Accidental Death & Dismemberment (AD & D) benefit equal to \$50,000. This benefit is provided to you at no cost as ECCS pays 100% of the premium.

For more information related to your Life Insurance and AD & D benefits, please contact the Human Resources office.

### **Short and Long-Term Disability**

Esperanza Cyber Charter School is pleased to provide all eligible benefit employees a Short-Term Disability (STD) benefits program designed to help provide you with compensation in the event you are unable to work for an extended period due to a qualifying disability.

If eligible, your short-term disability benefits will provide you with 60% of your weekly earnings up to \$1,000 for up to thirteen (13) weeks to include a 14-days accident and illness elimination period. This benefit is provided to you at no cost as ECCS pays 100% of the premium; therefore, any benefit paid to you will be taxable.

If your qualified disability continues after 90-days, you may be eligible for ECCS’s Long-Term Disability benefits. If eligible, your long-term disability benefits will provide you with 60% of your monthly earnings up to \$5,000 per month. This benefit is provided to you at no cost as ECCS pays 100% of the premium; therefore, any benefit paid to you will be taxable. Generally, this long-term disability benefit would cover you through to normal Social Security Retirement Age.

For more information related to your Long and Short-Term Disability benefits, please contact our Human Resources office.

### **Supplemental Voluntary Benefits**

Esperanza Cyber Charter School offers you the opportunity to purchase your voluntary supplemental benefits such as STD, Accident Protection Plan, Cancer Ins., Hospital Protection, and critical care and recovery to help meet your specific needs. These benefits are strictly voluntary, and 100% of the cost is employee-paid; however, you can pay for these benefits through payroll deduction and take advantage of special group rates.

Specific details of the voluntary supplemental benefits offered will be provided upon your initial benefits eligibility and each year during our open enrollment period.

### **Public School Employees' Retirement System (PSERS)**

All eligible ECCS employees hired before 7/1/2014 must participate in the Commonwealth of Pennsylvania's Public School Employees' Retirement System (PSERS). PSERS is a defined benefit plan. The employees' retirement benefits are determined by your salary, years of service, and age at retirement, not by the employees' contributions and investment returns. The employee and ECCS contribute toward this program assuring an income for the employee after retirement. The employee's contribution is automatically deducted out of each semi-monthly paycheck. The employee's contribution is generally 7.5% of your salary.

Suppose the employee leaves ECCS before reaching their vested years of service. In that case, the employee's contribution may be returned, and the employee will only receive their portion (plus interest) of the retirement account. The employee becomes vested in PSERS, making you eligible for retirement benefits after five (5) years of service if hired before December 31, 2010. If hired on or after January 1, 2011, the employee becomes vested after ten (10) years of service.

The provisions of the retirement plan can be complicated. Human Resources will provide employees with further information upon request. Once enrolled, the employee will receive a member's handbook from PSERS that will explain all the details of the retirement system.

Any eligible ECCS employee hired after 7/1/2014 may choose to participate in PSERS, but only if the employee had previously been a PSERS member through a previous eligible employer.

### **403(b) Retirement Savings Plan**

All eligible ECCS employees hired after 7/1/2014 are automatically enrolled in the cyber's 403(b) retirement savings plan. The 403(b) plan allows for tax-deferred payroll-deducted contributions for participant-directed investing and is intended to help employees meet long-term retirement savings objectives.

The employee's contribution is automatically deducted from each semi-monthly paycheck. The employee's minimum contribution is 5% of their salary, and the Cyber matches the employee contribution up to 5%. Employees may choose to contribute additional amounts within IRS

annual limits, but those additional contributions would not be eligible for the Cyber match. Plan participants are 100% vested immediately for all employee contributions and employer matching amounts.

### **Benefits Continuation (COBRA)**

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) allows you and your qualified dependents the opportunity to continue health insurance coverage under ECCS's health plan when a "qualifying event" would normally result in the loss of eligibility.

Some common qualifying events are resignation, termination of employment, or death of an employee; a reduction in an employee's hours or a leave of absence; an employee's divorce or legal separation; and dependent child no longer meeting eligibility requirements.

Under COBRA, you and your dependent(s) pay the full cost of coverage at ECCS's group rates plus an administrative fee. ECCS will provide you and your dependent(s) with written notice describing your rights and responsibilities under COBRA when you become eligible for coverage under ECCS's health insurance plan.

### **Workers' Compensation**

All Esperanza Cyber Charter School employees are covered under Pennsylvania's Workers' Compensation law by Workers' Compensation Insurance for work-related illnesses and injuries incurred while working under the direction and control of Esperanza.

Any employee who sustains a work-related injury or illness should notify their supervisor immediately to complete the appropriate Injury/Illness Report and the Acknowledgement of Employee Rights forms. Employees who sustain a work-related injury or illness can receive medical attention if necessary and must treat with an Esperanza panel physician for the first ninety (90) days. For a list of approved health care providers, please contact Human Resources.

Suppose the physician determines that an employee cannot return to work due to a work-related injury or illness. In that case, the employee should immediately notify both their supervisor and Human Resources. Employees unable to return to work may also be eligible for workers' compensation benefits for lost wages per limits and restrictions.

# ON THE JOB

## Employee Conduct

Every Esperanza Cyber Charter School employee is expected to act in a professional, responsible, and courteous manner at all times. Such behavior fosters a positive and productive working and learning environment. Conversely, inappropriate or unprofessional behavior is disruptive and unproductive. Moreover, inappropriate conduct is cause for discipline, up to and including immediate termination.

Rules and standards of conduct are essential to facilitate a safe and efficient working environment that promotes excellence in individual and organizational performance. ECCS's behavioral norms are a direct product of its values and mission. In general, they encourage civility, respect for all members of society, individual responsibility, behavior that supports team goals, and a commitment to excellence in service. ECCS retains the right to change any work rule, standard, practice, or procedure without notice and communicate such changes/revisions in a timely fashion.

Employees who fail to comply with applicable rules, standards, and procedures will be subject to disciplinary action, including termination of employment.

The following are some examples of workplace misconduct and behavior that may result in immediate termination of employment or other appropriate disciplinary action. This list is not exhaustive, is not comprehensive, and does not change the employment-at-will relationship between you and ECCS.

- Deliberate non-performance of work
- Excessive absenteeism or lateness
- Failure to call or directly contact your supervisor when you will be late or absent
- Falsification of school records; falsification of time records and/or expense reporting
- Fighting or severe breach of acceptable behavior
- Gross negligence
- Gambling, conducting games of chance or possession of such devices
- Insubordination
- Larceny or unauthorized possession of, or the use of, property belonging to any co-worker, visitor, or customer of ECCS
- Leaving the work premises without authorization during work hours
- Marring, defacing, or other willful destruction of any supplies, or equipment
- Possession of dangerous weapons while conducting ECCS business
- Sleeping on duty
- The use, possession, or sale of Alcohol or Illegal Drugs and/or reporting to work under the influence of Alcohol and Drugs.
- Theft, breach of trust or dishonesty
- Unauthorized possession, use, or copying of any records that are ECCS property
- Unauthorized posting or removal of notices from bulletin boards
- Undue and unauthorized absence from duty during regularly scheduled work
- Violation of ECCS's Confidentiality Policy

- Violation of ECCS's Internet, Social Media, and other electronic communication policy
- Violation of the Anti-Harassment and/or Equal Employment Opportunity Policies
- Willful violation of an established policy or rule
- Willfully jeopardizing the confidentiality and integrity of the school's electronic data and network systems through downloading/installing unauthorized software, tampering with login information, streaming videos, illegal access to files, or any other inappropriate actions related to the school's network administration.

### **Problem Resolution**

Esperanza Cyber Charter School is committed to providing you with the best possible working conditions. Part of this commitment encourages an open and frank atmosphere in which any problem, complaint, suggestion, or question receives a timely response from ECCS supervisors and management.

If you disagree or seek clarity with established rules of conduct, policies, or practices, or if you feel mistreated, you are encouraged to offer positive and constructive criticism and express your concerns with your supervisor. Your supervisor will respond to your concerns within one week of presenting such concerns.

Suppose you do not receive a response from your supervisor, are dissatisfied with the response, or do not feel comfortable speaking with your supervisor. In that case, you are encouraged to direct your concerns in writing to one of the school leaders: Principal/Director of Instruction, Supervisor of Instructional Supports, Supervisor of Academic Supports, Director of Operations, or Supervisor of Student Engagement as appropriate. The school leader will respond to your concerns within one week of presenting such concerns. If your supervisor also serves as one of the above listed leaders, you may proceed directly to the next step in the process outlined below.

If you do not receive a response from the the school leader or are not satisfied with the response, you are encouraged to direct your concerns in writing to the CEO. The CEO will respond to you within two weeks. The CEO's decision is final.

The Human Resources office is available to both the employee and management to assist with facilitating the problem resolution process.

ECCS leadership strives to ensure fair and honest treatment of all employees and respond to your concerns appropriately. Not every problem can be resolved to your total satisfaction, but only through understanding and discussing mutual problems can we develop confidence in each other. This confidence is important to the operation of an efficient and harmonious work environment and helps to ensure job satisfaction.

### **Progressive Discipline**

Progressive discipline is designed to provide a structured corrective action process to improve and prevent a recurrence of undesirable employee behavior and performance issues.



ECCS reserves the right to combine or skip steps depending on the facts of each situation and the nature of the offense. Some of the factors that will be considered are whether the offense is repeated despite coaching, counseling or training; the employee's work record; and the impact the conduct and performance issues have on the organization.

Nothing in this policy provides any contractual rights regarding employee discipline or counseling, nor should anything in this policy be read or construed as modifying or altering the employment-at-will relationship between ECCS and its employees.

#### *Step 1: Performance Improvement Plan*

Initial counseling and verbal warnings create an opportunity for the immediate supervisor to bring attention to the existing performance, conduct or attendance issue. The supervisor should discuss with the employee the nature of the problem or the violation of company policies and procedures. The supervisor is expected to clearly describe expectations and steps the employee must take to improve their performance or resolve the problem.

Within five (5) business days, the supervisor will prepare documentation of a performance improvement plan through Paylocity. The employee will be asked to review and approve this documentation through Paylocity to demonstrate their understanding of the issues and the corrective action.

#### *Step 2: Disciplinary Notice*

A disciplinary notice involves more-formal documentation of the performance, conduct or attendance issues and consequences.

The immediate supervisor and director/HR will meet with the employee to review any additional incidents or information about the performance, conduct or attendance issues as well as any prior relevant corrective action plans.

Supervisors will outline the consequences for the employee of their continued failure to meet performance or conduct expectations.

A formal disciplinary notice requiring the employee's immediate and sustained corrective action will be issued via Paylocity within five business days of a Step 2 meeting. The notice may also include a statement indicating that the employee may be subject to additional discipline, up to and including termination, if immediate and sustained corrective action is not taken.

#### *Step 3: Suspension and final written warning*

Some performance, conduct or safety incidents are so problematic and harmful that the most effective action may be the temporary removal of the employee from the workplace. When immediate action is necessary to ensure the safety of the employee or others, the immediate supervisor may suspend the employee pending the results of an investigation.

Suspensions that are recommended as part of the normal sequence of the progressive discipline policy and procedures are subject to approval from the CEO and HR.

Depending on the seriousness of the infraction, the employee may be suspended without pay in full-day increments consistent with federal, state and local wage and hour employment laws. Nonexempt/hourly employees may not substitute or use an accrued paid vacation or sick day in lieu of the unpaid suspension. In compliance with the Fair Labor Standards Act (FLSA), unpaid suspension of salaried/exempt employees is reserved for serious workplace safety or conduct issues. HR will provide guidance to ensure that the discipline is administered without jeopardizing the FLSA exemption status.

Pay may be restored to the employee if an investigation of the incident or infraction absolves the employee of wrongdoing.

#### *Step 4: Recommendation for termination of employment*

The last and most serious step in the progressive discipline process is a recommendation to terminate employment. Generally, ECCS will try to exercise the progressive nature of progressive discipline by first providing warnings, issuing a final written warning or suspending the employee from the workplace before proceeding to a recommendation to terminate employment. However, ECCS reserves the right to combine and skip steps depending on the circumstances of each situation and the nature of the offense. Furthermore, employees may be terminated without prior notice or disciplinary action.

Supervisor's recommendation to terminate employment must be approved by human resources (HR) and the CEO.

#### **Appeals Process**

Employees will have the opportunity to present information to dispute information management has used to issue disciplinary action. The purpose of this process is to provide insight into extenuating circumstances that may have contributed to the employee's performance or conduct issues while allowing for an equitable solution.

If the employee does not present this information during any of the step meetings, they will have five business days after each of those meetings to present such information.

#### **Performance and Conduct Issues Not Subject to Progressive Discipline**

Behavior that is illegal is not subject to progressive discipline and may result in immediate termination. Such behavior may be reported to local law enforcement authorities.

Similarly, theft, substance abuse, intoxication, fighting and other acts of violence at work are also not subject to progressive discipline and may be grounds for immediate termination.

#### **Documentation**

The employee will be provided all progressive discipline documentation, including all PIPs through Paylocity. The employee will be asked to review and approve this documentation attesting to their receipt and understanding of the corrective action outlined in these documents.

These documents will be linked to the employees personnel file within Paylocity.

#### **Confidentiality and Non-Disclosure**

The protection of confidential school information, business documents, and practices is vital to the interests and the success of Esperanza Cyber Charter School. Such confidential information includes, but is not limited to, the following examples:

- Curriculum information
- Financial Information
- Grant Proposals
- Guardian information
- Internal Communications
- Marketing strategies
- Partner Information
- Student information
- Technological data Parent/Legal
- Vendor Information

You may only use confidential information about the performance of your duties and in furtherance of ECCS's business interests.

Communication with parents regarding their child's education and care is essential. However, discussions with parents must be limited to issues directly related to their child's continued success at the school. They must comply with Pennsylvania Code of Teachers Conduct policies and procedures. Conversations with parents regarding their child must be conducted confidentially so that other parents or employees who are not involved with the student's education are not privy to such discussions. Under no circumstances may employees discuss specific issues related to a student's behavior or academic progress at the school with anyone other than the student's parents or other authorized individuals. This is a serious ethical and legal mandate. Any staff member who fails to adhere to our confidential policy guidelines will be subject to disciplinary action up to and including termination of employment.

As an employee of ECCS, you must not disclose any confidential information learned while working for ECCS. This duty begins on your first employment with ECCS and continues indefinitely after employment separation. Any employee or former employee who breaches confidentiality will be subject to disciplinary action up to and including termination of employment or legal action.

### **Hours of Work**

Esperanza Cyber Charter School's hours of operation are from 7:30 am to 4:00 pm, Monday through Friday. Generally, non-instructional staff will be scheduled from 7:30 am to 4:00 pm each day, with a 30-minute unpaid meal break. Individual Starting/Ending times and days of the week may be staggered to ensure continuity of coverage based upon your position and job classification.

Instructional staff will generally be scheduled to work 7:30 am to 3:40 pm, Monday through Friday, including a duty-free lunch period each day. Teachers shall also be obligated to attend meetings and perform duties beyond the normal workday, including, but shall not be limited to, such activities as student hallway supervision, parent-teacher conferences, annual open houses, faculty meetings, induction, IEP meetings, or other activities as needed. In addition, each teacher

will be required to spend one (1) additional hour per week as planned and assigned by the Administration.

Your supervisor will discuss your specific work schedule expectations with you, and you are expected to communicate any changes to that schedule directly with your supervisor.

### **Work from Home Policy**

All staff can be required to be on-site five (5) days a week. Staff members that are on action plans and have less than proficient evaluations are ineligible for remote work. Work from home is considered a privilege and may be revoked at any time at the discretion of administration. All staff will be required to be available to come on-site for high stakes testing and other mandatory events. Working from home is not a substitute for child-care or adult-care. Parents of children under ten years old must have proper child-care. If child-care and/or adult-care is necessary on a day working remotely, staff must take PTO and notify their supervisor.

Teachers and Academic Assistants can expect to have the option to work remotely from home offices except for professional development, NEI events, family engagement events, FunZones, and high-stakes testing.

Most non-teaching staff and administrators can expect to work one or two days a week from home offices.

All staff working remotely are expected to report to work at their assigned location on time and to work the full allotted time assigned each day unless a leave/PTO has been approved and/or scheduled.

If an emergency occurs at the remote location and the staff member is unable to perform the daily work requirements, they must immediately speak to their direct supervisor to work out an emergency plan.

In accordance with the [law] it is important that:

- The homework environment is a safe area to work, free from distractions and noise; a private, separate and distinct space from your other home spaces.
- The homework environment must be a place where school and student privacy and confidentiality of records are maintained at all working hours.
- Create a healthy workspace – good light, comfortable temperature, ergonomic adjustable chair, etc.

If family members are home, set boundaries where you are not available except during your lunch break; you are home, but you are working.

Issues related to individual tax deductions for the designated workspace in the employee's home shall be the responsibility of the employee.

The IRS provides a simplified method to figure your expenses for business use of your home. Please review and be familiar with IRS.gov/Pub587

### **Attendance and Tardiness**

To maintain an efficient and productive work environment, Esperanza Cyber Charter School expects you to be reliable and punctual in reporting for scheduled work. Unscheduled absences and lateness place a burden on your co-workers and ECCS operations. Staff punctuality sets a positive tone for students. Excessive lateness of staff harms the continuity of the instructional program and student supervision. It is important that all staff model positive behavior.

Requests for late arrival, ½ days, and absence from work must be received in writing twenty-four (24) hours in advance unless it is an emergency. Unscheduled absences due to illness or other unavoidable emergencies must be reported to your supervisor and the Administrative Office of the Director of Instruction by 6:00 A.M., but preferably the night before. A message indicating the circumstances of your absence and a number where you can be reached must be left on voicemail. Text and email messages are only permitted as forms of communication regarding attendance when in conjunction with a phone call/message. This is necessary so that coverage may be obtained for your classes or to cover your job responsibilities.

Instructional staff requests to leave school early should be reserved for emergencies. Appointments should be scheduled as much as possible to avoid conflict with school hours or regularly scheduled meetings (professional development, staff, content, and grade team meetings). Instructional staff who must leave the school building for personal reasons or emergencies must obtain the approval of the Director of Instruction or supervisor.

Excessive absences, a pattern of unscheduled absences, and frequent lateness are disruptive and may lead to disciplinary action, up to and including termination of employment.

Failure to report to work as scheduled without providing notice for two consecutive days is job abandonment and is considered a voluntary resignation.

### **Job Abandonment**

Employees who fail to report to work for three consecutive business days without notifying ECCS of the absence will be considered as having voluntarily resigned due to job abandonment. In addition, employees who resign without providing a two-week notice are considered to have abandoned their jobs and are not eligible for rehire consideration.

If the employee cannot contact the company for any absence, the employee should ask a representative (such as a family member or friend) to do so on the employee's behalf. If the employee or a representative is unable to contact ECCS due to extreme circumstances (such as a medical emergency or natural disaster that prohibits the employee or a representative from contacting the company within three days), the employee or the employee's representative must contact ECCS as soon as practicable to explain the situation. In extreme circumstances, the

employer will consider the explanation and its timing before determining if the voluntary resignation will be upheld.

### **Emergency Closings**

Because inclement weather or other emergencies can sometimes make travel to the work site extremely dangerous or impact operations, school offices may choose to close in these instances. In the event of an emergency closing, ECCS will follow these notification guidelines:

- We will continue to use the *School Messenger's* automated phone messaging system to inform faculty, staff, and students of any school closing.
- We will also contact the news stations: 3, 6, 10, 29, 57, and KYW NewsRadio 1060
- A message will be posted on our school website
- Our main switchboard will be updated
- Social media will be updated (Twitter @Esperanza\_cs)

ECCS will also send a text message alert to those employees who opt-in to receiving text messages and who provide ECCS your phone number.

Radio and TV stations will be asked to announce school/office closing during emergency conditions. The Chief Executive Officer is the only one authorized to notify radio stations concerning school closing or changes in the school hours due to emergency weather conditions.

Every effort will be made to get such announcements to the radio and TV stations by 6:00 am.

School Closures: Students and all faculty and staff, except those deemed essential for facilities operations or other compelling reasons by the Chief Executive Officer, do not report to work. Employees are excused with no loss of pay. The absence is recorded on the timesheet as "Other Hours."

In cases where an emergency closing is not authorized, yet you do not report for work, you must contact your supervisor. You will automatically be charged a paid-time-off day for your absence.

### **E-mail and Internet Use**

Esperanza Cyber Charter School provides computers, Internet access, IT equipment, and internal e-mail to teachers, faculty, and other employees to support its mission. You will be provided a personal password, and it will be your responsibility to protect such passwords from unauthorized use by others. You must not reveal such passwords to any other individual(s) unless required to do so by ECCS. By doing so, you may be subject to disciplinary action up to and including termination of employment. ECCS may override employee passwords or require the disclosure of your password to facilitate the access by ECCS to e-mail messages sent and received to the Internet, to all information or material employees retrieve, receive, transmit, send, disseminate or place on the Internet ("Internet Materials"), and to other stored files. Upon receiving a password and before its activation, each employee will be required to execute an acknowledgment of receipt of this Policy.

E-mail and Internet access are provided to employees for business use purposes and to assist staff

in performing their work. Generally, personal use of these technologies and services is prohibited except as specifically authorized by your immediate supervisor. The occasional and limited personal use of these technologies is permissible; however, it must be limited to break periods, cannot interfere with your work performance or the work performance of your co-workers, and must comply with all related ECCS policies and guidelines.

**Prohibited Conduct:** Employees may not use ECCS-provided e-mail, computers and computer system, or Internet Access for any of the following:

- Communicating, viewing, transferring, making, copying, sending, retrieving, receiving, printing, or disseminating obscene, pornographic, abusive, slanderous, defamatory, harassing, sexually oriented, discriminatory, vulgar, threatening, and/or offensive material;
- Communicating, viewing, transferring, making, copying, sending, receiving, retrieving, printing, or disseminating frivolous material or any material not appropriate for Cyber purposes;
- Communicating, viewing, transferring, making, printing, sending, receiving, retrieving or disseminating materials that are disparaging to others;
- Communicating, transferring, viewing, making, sending, receiving, retrieving, printing, or disseminating unauthorized messages concerning the Cyber or its operations;
- Communicating, disseminating, sending, receiving, retrieving, transferring or printing any copyrighted materials in violation of copyright laws; unauthorized downloading, uploading, copying, or using software off the Internet; accessing the Internet through any means or services other than the account provided by the Cyber; accessing or using non-ECCS e-mail accounts through ECCS's computer system;
- Making, copying, transmitting, communicating, sending or disseminating e-mail messages that constitute "chain letters"; gambling; engaging in any activity in violation of local, state or federal law; any other activity deemed by ECCS Cyber to conflict with this policy;
- Soliciting business opportunities or money for personal gain or conducting personal business;
- Unauthorized communicating, viewing, transferring, making, copying, sending, retrieving, receiving, printing, or disseminating of material that is confidential or proprietary to ECCS, including unauthorized posting of any material on the Internet.

The above list is non-exhaustive and is illustrative only. Engaging in the enumerated conduct or other inappropriate conduct via e-mail, ECCS computers, computer systems, or the Internet will subject the employee to disciplinary action up to and including discharge.

ECCS retains the right to revoke an employee's e-mail account and Internet access at any time, with or without cause, at ECCS's sole discretion. If ECCS invokes that right, the employee must comply with ECCS directives.

All computers, electronic communications and files, e-mail communications, and Internet Materials are the sole property of ECCS. ECCS retains the right to access any e-mail, Internet Materials, or sites accessed by the employee or stored electronic communications at any time for any reason whatsoever, with or without notice to the employee. Including the creation of hard



copies of information stored on these systems. By using ECCS-provided e-mail and Internet access, you knowingly and voluntarily consent to such usage being monitored and acknowledge ECCS's right to conduct such monitoring.

You should not expect privacy whatsoever related to the use of e-mail, the Internet or any Internet Materials, or ECCS's computers and computer system, the employee's use of e-mail, and any Internet materials is not private.

### **Social Media**

Generally, Esperanza Cyber Charter School views social networking sites positively and respects the right of employees to use them as a means of self-expression. However, activities in/outside of work that affect or have the potential to affect your job performance, our students, the work performance of your co-workers, or the business interests of ECCS must be addressed.

For purposes of this policy, ECCS defines social media as the online technologies and practices that people use now or to be developed to share opinions, insights, experiences, perspectives, and information. Social media can take many forms, including text, images, audio, and video, and use technologies on social networks (i.e., Facebook, Instagram, Twitter), blogs, message boards, wiki postings, chat rooms, vlogs, podcasts, and other similar forms of online journals, diaries, or personal newsletters not affiliated with ECCS.

Your use of social media reflects ECCS regardless of whether you disclose your affiliation with ECCS. You must be aware that your actions captured via images, posts, or comments can reflect ECCS's use of school-hosted or personal social media.

ECCS offers the following rules and guidelines for employees in the use of social media:

- Employees are prohibited from posting any proprietary and confidential school information, student information, and academic progress of students, student behavior, marketing/business strategies, and business partner lists, school logo, school-issued documents, and personal comments related to a student and a member of the student's family.
- Employees are prohibited from interacting with students via social media during or outside regular school hours.
- Employees are prohibited from posting any statements or images that would violate the ECCS's Anti-Harassment, Equal Employment Opportunity, Workplace Safety, Workplace Conduct, and other related policies.
- Employees who mention ECCS or identify themselves as an ECCS employee in their postings must also include a statement that any opinions expressed are the employee's own and do not represent the school's positions, strategies, or opinions.
- Employees must comply with all other school policies with respect to the use of electronic communications.

Certain personal use of social media is permissible; however, it must be limited to break periods, cannot interfere with your work performance, students, or the work performance of your co-workers, and must comply with other school guidelines.



As part of our business development strategy, ECCS may use social networking and blogging to convey information about ECCS's services, promote and raise awareness of our school and special events, fundraising opportunities, and search for potential new partnership opportunities, communicate with employees, students, and parents or respond to breaking news and educational initiatives, and discuss business activities and events.

When using social networking, blogging, or other web-based forums, ECCS must ensure that these communications maintain our brand identity, integrity, and reputation while minimizing actual or potential legal risks, whether used inside or outside the workplace. Only authorized employees can prepare and modify content for ECCS social networking efforts. Content must be relevant, add value, and be aligned with our business goals and mission. Employees may be encouraged to use a personal social media account to promote the school. In these instances, the employee must obtain approval from the CEO, and any content must adhere to this policy. If you are uncertain about any information, material, or conversation, discuss the content with your supervisor.

Be reminded that employees should not expect privacy while using school-provided electronic communication data and tools. In addition, you should not expect privacy while using Social Networking media. Anyone, including ECCS and our partners, can view your postings. ECCS reserves the right to monitor comments or discussions about the school, our employees, partners, and the industry, including products and services posted by anyone, including employees and non-employees.

This policy intends not to restrict the flow of useful and appropriate information but to minimize the risk to ECCS and our employees. Nothing in this policy should be interpreted to prevent, interfere with, or otherwise restrain an individual's legitimate exercise of their Section 7 activities under the National Labor Relations Act.

ECCS requests and strongly encourages our employees to report any violations or possible or perceived violations to their supervisor, Human Resources, Director of Instruction, or any leadership team member. ECCS will promptly investigate and respond to all reports of violations of our social media policy and other related policies. Violations of our social media policy will result in disciplinary action, including termination of employment.

### **Appropriate Interactions**

ECCS believes in fostering positive relationships between students and staff to create a safe and supportive learning environment. All interactions between students and staff/faculty must be appropriate and professional during and after school hours.

Acceptable student/faculty interactions include:

- Engaging in academic or school-related discussions during class time or during scheduled office hours.
- Participating in extracurricular activities and events where staff members are present as chaperones or coaches.

- Providing guidance or mentorship in a professional and respectful manner.

Unacceptable student/faculty interactions include:

- Engaging in personal or intimate conversations with students outside of school-related activities.
- Sending inappropriate or harassing messages, emails, or social media posts to students.
- Engaging in any behavior that could be perceived as grooming or manipulation.

We encourage all staff members to maintain appropriate boundaries with students at all times and to report any violations to the appropriate administrator. Any violation of this policy may result in disciplinary action and consequences.

### **Solicitation and Distribution**

Employees may not solicit any other employee during working time, nor may employees distribute solicitous literature in work areas at any time. Under no circumstances may an employee disturb the work of others to solicit or distribute literature to them during their working time.

Persons not employed by ECCS and outside organizations may not solicit ECCS employees for any purpose on school premises.

Bulletin boards maintained by ECCS are to be used only for posting or distributing material of the following nature: notices containing matters directly concerning Cyber business and; announcements of a business nature that are equally applicable and of interest to employees. All posted material must have authorization from the administrative office. All employees are expected to check these bulletin boards periodically for new and updated information and follow the rules outlined in all posted notices. Employees are not to remove material from the bulletin boards.

### **Participation in ECCS Events:**

All employees must participate in the annual ECCS company retreats/events. Failure to attend the company retreats/events will result in non-payment for that day/s. Excused absences shall be granted individually when extenuating and emergencies warrant such. In addition, employees are also required to attend designated monthly meetings, corporate celebrations, or other events as identified.

### **Student Transportation**

No teacher or school personnel shall provide transportation to students in their vehicles unless authorized by the Administration.

### **Media Access**

Esperanza Cyber Charter School's position in the community may, on occasion, put you in contact with local and national media.

Contact with or by the media may not always be planned. When you are likely to or are approached by the media, staff should be aware of ECCS's position on important issues related to our mission and can speak to those issues and professionally represent ECCS.

Generally, you are not permitted to speak with a local or national media member as a representative of ECCS unless approved in advance by the CEO. Should the media approach you in advance of an event or for a statement, you refer all media requests to the CEO.

### **Personal Appearance**

Esperanza Cyber Charter School expects all employees to adhere to personal hygiene standards typical of professional organizations and to dress appropriately for a professional workplace. The impression made on students, parents, visitors, and other employees and the need to promote school and employee safety should be considered. Please be reminded this is a school environment, and all adults are role models for our students. Good individual judgment is the best guideline.

Staff and Faculty are expected to adhere to the dress code and project a professional demeanor daily regardless of remote or onsite status.

Appropriate	Inappropriate
<i>Slacks</i>	
<ul style="list-style-type: none"> <li>● Khakis, corduroys, or dress pants</li> <li>● Skorts, skirts, dresses or capris</li> </ul>	<ul style="list-style-type: none"> <li>● Sweatpants, leggings, exercise wear, and jeans</li> <li>● Shorts, low-rise or hip-hugger pants</li> </ul>
<i>Shirts</i>	
<ul style="list-style-type: none"> <li>● Polo collar knit or golf shirts</li> <li>● Oxford shirts</li> <li>● Company logo wear</li> <li>● Short-sleeved blouses or shirts</li> <li>● Turtlenecks</li> <li>● Blazers or sport coats</li> <li>● Jackets or sweaters</li> </ul>	<ul style="list-style-type: none"> <li>● Shirts with writing (other than company logo)</li> <li>● T-shirts or sweatshirts</li> <li>● Denim</li> <li>● Beachwear</li> <li>● Sleeveless blouses or shirts</li> <li>● Exercise wear</li> <li>● Crop tops, clothing showing midriffs, low necklines or spaghetti straps</li> </ul>

### ***Shoes***

- |   |   |
|---|---|
| <ul style="list-style-type: none"><li>● Boating or deck shoes, moccasins</li><li>● Casual, low-heel, open-back shoes (e.g., mules, sling backs)</li></ul> | <ul style="list-style-type: none"><li>● Sandals, thongs, flip-flops, open-toe shoes</li><li>● Athletic shoes, tennis shoes, Croc-like sandals</li></ul> |
|---|---|

Exceptions will be made for staff that is doing home or field visits.

Notwithstanding the above, ECCS will make every effort to respect employees' gender identity and religious, ethnic, and cultural traditions regarding dress to the extent that they do not interfere with the quality of our student services or pose a safety hazard to oneself and others, to oneself and to others.

### **Use of Equipment**

Office equipment, including systems and software, furnished to you are the property of Esperanza Cyber Charter School and are intended for business use only. Equipment is essential in accomplishing job duties and is often expensive and difficult to replace. When using ECCS property, you are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and guidelines.

Please notify your supervisor if any equipment, software systems, machines, or tools appear to be damaged, defective, not working correctly, or in need of repair. Prompt reporting of damages, defects, and the need for repairs could prevent equipment deterioration and possible injury to yourself and others. Your supervisor can answer any questions about your responsibility for routine maintenance and equipment used on the job.

The improper, careless, negligent, destructive, or unsafe use or operation of equipment can result in disciplinary action, up to and including termination of employment.

A supply of every day business-related items is maintained in the school. Employees may forward reasonable requests for supplies, including equipment, office furniture, and file cabinets, to their supervisors. Every effort should be made to control costs where possible.

You are responsible for all ECCS property, materials, or written information issued to you or in your possession or control. You must return all ECCS property immediately upon request or termination of employment. Where permitted by applicable laws, ECCS may withhold the cost of any items that are not returned from your check or final paycheck when necessary. ECCS may also take all action deemed appropriate to recover or protect its property.

### **Visitors**

Generally, staff members are not permitted visitors during work hours. However, if you have a visitor, they are to report to the main entrance security desk and wait to be greeted by the relevant staff. Visitors are not permitted to walk unescorted through the hallways.

The safety regulations for visitors should be established following the building safety regulations.

### **Smoking Policy**

Smoking, vaping, and tobacco use are strictly prohibited in and around the school building always. Additionally, smoking, vaping, and tobacco within view of cameras during classes, with students, staff, or parents present, is strictly prohibited. This policy is for the health and safety of all employees, visitors, and students.

# End of Employment Procedures

## **Employment Separation**

Since employment with Esperanza Cyber Charter School is based on mutual consent. Both you and ECCS have the right to end the employment relationship at will, with or without cause, at any time so long, as there is no violation of applicable federal or state law. Below are examples of some of the most common circumstances under which employment is separated either voluntarily or involuntarily:

- Discharge
- Funding Limitations
- Lay-Off (Reduction-in-Force)
- Resignation
- Retirement

Upon employment separation, benefits will be paid and administered in accordance with the provisions of this Handbook relating to such benefits or in accordance with the applicable summary plan description. All ECCS issued computers, equipment, keys, building access security cards, program materials, or other items must be returned to your supervisor in working order before your last day.

## **Reduction-in-Force**

Reduction-in-Force results from job elimination due to structural reorganization or financial considerations as determined by the Board of Trustees or termination of the funding source under which an employee was hired.

Severance pay may be considered for instances related to a reduction-in-force at the discretion and approval of the Chief Executive Officer.

## **Voluntary Resignation**

If you are considering resigning, you are encouraged to discuss the matter with your supervisor to resolve problems or correct misunderstandings that may exist. If you decide to leave your employment with ECCS voluntarily, we request at least fourteen (14) calendar days advance written notice, although we realize that you are not required to do so. This professional courtesy allows the school to assure a smooth transition of relationships with students and parents and the orderly transfer of responsibilities.

Be reminded that if you fail to provide proper notice of your employment resignation as described above, you will forfeit payment of any available paid-time-off to which you may be entitled.

In addition, failure to complete all professional responsibilities, including, but not limited to, the timely submission of student grades, return of school property, etc., will also result in the forfeiture of any accrued and unused paid-time-off.

ECCS reserves the right to end our employment relationship immediately upon receiving notice of your employment resignation in certain circumstances.

### **Exit Interview**

All employees leaving the Cyber will participate in an exit interview conducted by Human Resources or designee on or before the last day of employment. The purpose of this interview is to provide the exiting employee an opportunity to review and evaluate their total work experience and to afford the Cyber the benefit of their comments. In addition, essential end of employment issues related to pay and benefits are discussed at the Exit Interview.

### **Administrative Records**

All written and electronic records associated with work related to Cyber programs, projects, and administration are the property of the Cyber. When an employee's employment is terminated, whether voluntary or involuntary, all files related to the cyber's programs, projects, and administration are to be relinquished to the Chief Executive Officer or their designee.

### **Benefits**

Most health & wellness benefits end on your last day of employment, or, in the case of our group medical and dental coverage, the last day of the month in which employment ended, depending on specific insurance plan documents.

According to COBRA regulations, eligible employees can convert to individual life insurance and continue Medical/Dental Benefits. See our “Benefits Continuation (COBRA)” policy in the Health & Other Benefits section of this Handbook for more details.

### **Final Paycheck**

Final paychecks are processed and distributed per current pay period dates and pay date cycles. Your last paycheck may be directly deposited, mailed to your home address, or will be available to pick up during regular business hours. You should communicate your final paycheck delivery instructions with management during your exit interview.

If there are unpaid obligations to the Cyber, the last paycheck will reflect the appropriate deductions per specific agreements.

# PERFORMANCE DEVELOPMENT

## **Introductory Period**

Every new employee goes through an initial adjustment period to learn about the school and become acclimated with the job. During this Introductory Period, you will have an opportunity to find out if your new position meets your professional expectations.

Additionally, the introductory period will provide your supervisor with a reasonable period to evaluate your performance and potential for success in the position. The initial period generally will be three (3) months in length.

During this time, you will be provided with training and guidance from your supervisor and other ECCS staff as appropriate. Your employment may be terminated at any time during this period if your supervisor concludes that you are not progressing or performing satisfactorily.

At the end of the introductory period, you and your supervisor will discuss the initial period expectations, learning objectives, and performance through a formal introductory period review. Under appropriate circumstances, the introductory period may be extended to address specific learning/training needs identified during the examination.

Please note that either you or ECCS may end the employment relationship at-will at any time during or after the introductory period, with or without cause or notice.

## **Performance Evaluations**

Esperanza Cyber Charter School believes that allowing our employees to discuss job performance is critical to your professional development and job-specific training. ECCS will review your performance against expectations and goals. All employees are strongly encouraged to discuss job performance and goals through regular ongoing feedback sessions with their supervisor on an informal and regular basis.

Consistent, objective evaluation of employee performance is essential to an employee's professional growth and integral to the cyber's accountability to the community and funding sources. Formal performance evaluations are conducted for all employees on an annual basis.

All evaluations will be completed virtually and permit employee review and approval to indicate that the evaluation has been discussed. Any evaluated employee has the right to submit a response in writing to their evaluator(s) to discuss evaluation result. Evaluations are linked to the employee's personnel file.

A performance evaluation will provide both you and your supervisor the opportunity to discuss your job tasks, progress in meeting program goals and objectives, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful approaches to meeting goals.



## **Performance Development Counseling**

Esperanza Cyber Charter School is committed to administering equitable and consistent counseling for poor performance and unsatisfactory conduct in the workplace. Our own best interest lies in ensuring fair treatment of our employees and in making certain that counseling actions are equitable, prompt, uniform, and impartial. The major purpose of any counseling action is to correct the problem, prevent reoccurrence, and prepare you for satisfactory service in the future.

Although employment with ECCS is based on mutual consent and both employer and employee have the right to terminate employment at-will, with or without cause or notice, ECCS is committed to the use of progressive counseling and due process to address poor performance and unsatisfactory conduct in the workplace, at our discretion. In most cases, we hope to use progressive counseling to create a supportive work environment where many employee problems can be corrected early, benefiting both you and the school.

When we identify performance issues and workplace misconduct, progressive discipline may call for a performance improvement plan, disciplinary notice, final warning, suspension, or termination of employment. Depending on the severity of the problem, the number of occurrences, and other particular circumstances, there may be instances when one or more steps are bypassed. We recognize that certain types of employee misconduct are severe enough to justify severe discipline or termination of employment without going through the traditional progressive counseling steps, and ECCS reserves the right to act as it deems appropriate under the circumstances presented in a given situation.

## **Professional Training**

Professional training and development for Esperanza Cyber Charter School employees shall also include participation in training events/workshops administered internally by the Cyber and involvement in training and education events offered by other organizations, if and when appropriate, to support the employee's professional developmental goals.

All requests for participation in external training and development programs shall be made reasonably in advance to the supervisor, subject to final approval by the CEO and the employee's direct supervisor.

Depending upon budgetary constraints, the cyber's assessment of the employee's future placement, and the cyber's ability to accomplish reasonably similar training goals through other more cost-efficient means, Esperanza Cyber Charter School may pay all, part, or none of the costs for an eligible employee to attend a training event deemed to enhance professional development. Furthermore, unlike Tuition Reimbursement for academic training and depending on the particular program, fees for Certification and developmental programs may, where it is deemed appropriate, be made in advance of the program. Suppose training payment has been made on behalf of an employee. The employee fails to attend the training for reasons other than health or emergency without appropriate notification to their supervisor. In that case, ECCS will recover the expended fees from the employee's compensation.

### **Professional Development/Continuing Education Assistance Program**

Regular full and part-time employees who have been employed for at least six (6) months may [apply](#) to the Cyber for continuing education assistance for professional development or job-related coursework. Determination of coursework that is acceptable for professional development, including gaining certification or re-certification, or is job-related, is at the discretion of the Chief Executive Officer and Director of Instruction.

If approved, continuing education assistance will be limited to a maximum of 100% of tuition costs, not to include books or fees, with an annual fiscal year limit of \$8,000. Professional Development/Continuing Education Assistance Program is not a guaranteed benefit and is dependent on funding and operational resources.

### **Professional Memberships**

Esperanza Cyber Charter School will financially support your membership in an approved professional or educational organization engaged in activities that promote your professional growth and development and benefit ECCS in line with its goals and mission. Be reminded that budget restrictions may limit ECCS's ability to financially support your membership in a professional or educational group or organization.

A written request for membership in an approved school must be submitted to and approved in advance by your supervisor with final approval by the CEO.

You are expected to report periodically to other members of the ECCS team, as appropriate, on new ideas, methods, and educational/professional trends learned through your membership of interest to ECCS.

# HANDBOOK ACKNOWLEDGEMENT

## Verification of Receipt of Employee Handbook

I hereby acknowledge that I have received the Employee Handbook and will carefully read the contents. I agree to abide by the rules and regulations set forth in Esperanza Cyber Charter School Employee Handbook. I understand that this handbook is not a contract and not intended to be a contract, and those provisions, policies, and procedures may change without prior notice. I also understand that my employment is “at-will,” and thus, just as I may resign my employment at any time, Esperanza Cyber Charter School can terminate my employment on that same basis.

I understand that this handbook is intended to provide all employees with general information regarding our work environment. Job-specific policies and procedures will be addressed through separate guidelines and training, particularly with our academic, professional positions.

This Employee Handbook is distributed to all new employees as a means of providing brief and easy-to-read summaries of the various policies, procedures, benefits, and programs in effect at Esperanza Cyber Charter School. As Esperanza Cyber Charter School policies and programs change over time, this handbook will be updated occasionally, although policies may change without prior notice or changes in the handbook.

Because the information contained in this Handbook is in summary form, you should be aware that more detailed information may be available to you in policy and procedures, plan documents and booklets, and insurance contracts.

I understand that these documents control the actual operation of certain policies and benefits and should be referred to for specific details, which may not be covered in this handbook or may change from time to time without changes to this Handbook.

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PRINT NAME

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POSITION

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SIGNATURE

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DATE

RETURN TO HUMAN RESOURCES UPON COMPLETION