



NEW CENTURY SCHOOL

**Employee Handbook**

**2023-2024**

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## INTRODUCTION

New Century School (NCS) is a STEM based public charter school that is located in St. Paul. NCS will reach students in the primary grades where learning foundational skills are critical to future achievement. Students will benefit from a rigorous, well-rounded STEM curriculum with an inquiry-based, multi-disciplinary instructional approach. Our goal is to create a successful program that prepares students for educational, personal and professional success.

## SUMMARY OF HANDBOOK

This handbook is intended as a general guide to New Century School's policies and procedures. It covers essential personnel policies and procedures. New Century School reserves the right to apply any or all these policies in whole or in part at its discretion as it deems appropriate based on individual circumstances. Any such exception or deviation from a policy shall not be construed to constitute precedent that would affect any future action, nor shall any such deviation alter the employment at-will relationship. Should any applicable local, state, or federal law or judicial decision render any of New Century School's policies or practices invalid or inoperative, it shall not invalidate any other of New Century's personnel policies or practices. Nothing within this handbook is intended to imply or guarantee any specified or minimum term of employment. This handbook is the only personnel policy handbook with any force or effect for New Century School. Nothing else written or verbal, previously distributed to, made available to, or applied to employees serves as policy.

## PURPOSE

This handbook and the policies are established and recorded to:

- Provide guidelines, policies and procedures for all employees
- Provide guidelines for Administrators, to consider in their decision-making regarding employment practices
- Ensure compliance with applicable local, state, and federal law

Every employee is provided with a copy of this manual as approved by the Director. These guidelines may be revised from time to time with or without notice.

## CHANGES TO POLICY

This Employee Handbook supersedes and replaces all written personnel policies, handbooks, guides and manuals previously distributed to, made available to, or applied to employees of NCS and is the only Employee Manual with any force or effect. All prior personnel policies and handbooks are hereby rescinded and revoked.

NCS reserves the right to apply any or all these policies in whole or in part at its discretion as it deems appropriate depending on individual circumstances. NCS can deviate from this Employee Manual as it deems appropriate. The application or non-application of any or all these policies does not alter or change NCS's right to apply these policies in whole or in part as it deems appropriate.

NCS reserves the right to change, withdraw, apply or amend any of our policies or benefits, including those covered in this Employee Manual, at any time. NCS may notify you of such changes via email, posting on NCS's Intranet, portal or website, or via a printed memo, notice, amendment to or reprinting of this Employee Manual but may, in its discretion, make such changes at any time, with or without notice.

Changes will be effective on the dates determined by NCS, and after those dates all superseded policies will be null. No individual supervisor or Administrators has the authority to change policies at any time. If you are uncertain about any policy or procedure, speak with your direct supervisor.

## NATURE OF THE EMPLOYMENT RELATIONSHIP

Employment with NCS is at-will. You enter employment voluntarily, and you are free to resign at any time with or without any reason. Similarly, NCS is free to conclude its relationship with any employee at any time with or without any reason. Nothing contained in this Employee Manual should be construed as creating a contract guaranteeing employment for any specific duration. Unless you have entered into an Employment Agreement that supersedes this document, either you or NCS may terminate the employment relationship at any time, with or without cause. The Employee may resign at any time by providing the school's director two weeks written notice of his/her resignation

Note that no administrator, employee or representative of NCS other than the Director, is authorized to enter into any oral or written agreements inconsistent with the foregoing and no such agreement shall be enforceable unless it is in writing and signed by the Director and the employee.

New Century School reserves the right to change, correct, modify, add or delete sections in this handbook as deemed necessary and will provide each employee with a copy of the same to enable the employee to keep his/her handbook current. It is the responsibility of each employee to read and abide by the policies and procedures of New Century School and to keep his/her handbook current.

This handbook will remain in the employee's possession throughout employment with New Century School but remains the property of the school and must be returned in the event the employee is no longer employed with the School. If you have any questions after reading this handbook or are unclear as to the meaning of any section of the handbook, it is your responsibility to ask the Director for further clarification. All employees will be required to sign a statement indicating they have received and read this handbook.

## ABOUT NEW CENTURY SCHOOL

### VISION

Create a STEM-based curriculum model that provides an education that is vibrant and alive and acknowledges and maintains our students' backgrounds while preparing them for their lives as successful members of our diverse and technologically advancing society.

### MISSION

Provide a high-quality education to nurture and inspire a community of learners through an innovative, holistic approach to education that embeds science and technology.

### SCHOOL HISTORY

The school came into existence after several years of research, meetings and planning. As a Pre-K-11 program, the school has been developed to provide STEM opportunities for students. The school is authorized as a charter school. The design team of the school included professional educators, school leaders, parents and community members.

### BOARD OF DIRECTORS

The Board for New Century School is the governing entity for our state and federally funded public-school program. All the meetings must be open to the public. We will set the dates of our meetings and assure that they are on our website and posted at school. A book containing board-meeting minutes is available in the office and the minutes will also be posted on our website. Board members include a teacher, parent, and experts in a variety of fields.

## EMPLOYMENT POLICIES

### EQUAL EMPLOYMENT OPPORTUNITY

New Century School does not and will not discriminate against employees, prospective employees, parents, children, or vendors, and will make all employment and business decisions in accordance with all federal, state and local laws prohibiting discrimination.

It is the policy of New Century School to provide equal opportunity regardless of race, creed, religion, color, national origin, gender, age, marital status, familial status, disability, sexual orientation, veteran status membership or activity in a local commission, status with regard to public assistance or any other protected class status defined by applicable law. This policy applies to all aspects of the application process and employment relationship including but not limited to hiring, promotion, transfer, demotion, termination, discipline, benefits and other terms and conditions of employment. Any employee who believes s/he may have been a victim of discrimination should report the situation immediately to the Director or the Board Chair.

### RECRUITMENT AND SELECTION

In filling vacancies or new positions, first preference is generally given to qualified employees from within, according to the Organization's discretion. Recruitment of employees is based on a job description and current organizational requirements. Prospective employees must submit a written application and successfully pass a background check. These screenings are conducted in compliance with the Fair Credit Reporting Act and other applicable laws.

Falsification of any employment information may be considered grounds for discharge. Existing employees who wish to secure a new position within the Organization are invited to submit a resume and cover letter to the school administration. Each new employee will be asked to provide proof of identify and eligibility to work in the United States, as required by the Immigration Reform and Control Act of 1980.

During the first six months of employment, all new employees are required to complete an orientation period. During this period, the employee's abilities and work habits are examined to determine whether the employee is adequately suited for the position. The period may be shortened or lengthened at the discretion of NCS. Satisfactory completion of the orientation period does not alter the at-will relationship. Employees must continue to perform satisfactorily even after the orientation period is completed.

### EMPLOYMENT QUALIFICATIONS

Staff members are employed based on their personal and professional qualifications and the ability to meet the job requirements. All employment practices will be in accordance with the Fair Employment Laws and regulations. All laws governing minimum wages, overtime, workshops, and training will be adhered to.

No person shall be hired or retained as a staff member, paid or volunteer, who has been convicted of, or admitted to, or been the subject of substantial evidence of, an act of child battering, child abuse, or child

molesting; used drugs or alcohol such that their effects are apparent during working hours when children are in care; been convicted of, or admitted to, any felony or any offense involving moral turpitude.

#### LICENSING - DEPARTMENT OF EDUCATION

All teachers are responsible for making sure that their licenses are up to date. A copy of your current license should be on file in the office. New Century School will provide clock hour certificates for all professional development activities offered by the school. Teachers are responsible for renewing their licenses with support of the Director.

#### WORKPLACE DISABILITY

NCS makes every effort to ensure that qualified individuals with a physical or mental disability are not discriminated against in any terms, conditions, or privileges of employment. The American with Disabilities Act requires employers to provide reasonable accommodations to qualified individuals with known disabilities in all aspects of employment unless the accommodation would cause an undue hardship to NCS.

NCS is committed to providing equal opportunity to qualified individuals with disabilities. Employees or job applicants in need of accommodation should make a request to the Director of his/her designee, and the department will consult with you concerning the type of accommodation you require. To determine the appropriate accommodation, we may need to obtain additional information from your physician or other medical professional. We are committed to providing a reasonable accommodation to such individuals so they can perform the essential functions of a job unless the accommodation would create undue hardship to NCS.

#### PREGNANCY AND NURSING ACCOMMODATIONS

NCS makes every effort to accommodate female employees for health conditions related to pregnancy and childbirth if requested and upon the advice of her health care provider. Employees are encouraged to talk to their supervisor, or the school Director, regarding requested accommodations.

A pregnant employee does not need a doctor's note when requesting the following accommodations: (1) more frequent restroom, food, and water breaks; (2) seating; and (3) limits on lifting over 20 pounds. New Century School will work with an employee and their doctor to provide additional reasonable accommodations necessary for health conditions related to pregnancy or childbirth if the accommodation does not impose an undue hardship on the operations of the business. New Century School will not require an employee to take a leave of absence or accept an accommodation that is not medically necessary.

Any employee who is breastfeeding her child will be provided reasonable break times to express breast milk for her baby. Break time for nursing mothers will not be deducted from the employee's workday.

#### ACCESS TO PERSONNEL RECORDS

All employees should notify the Director of any changes in status, i.e. marital status, exemptions, dependents, address, telephone number, beneficiaries, emergency contact, etc.

Personnel files are the property of NCS. Employee personnel files include the following: job application, job description, résumé, records of participation in training events, salary history, records of disciplinary action and documents related to employee performance reviews and recognition.

Only those with direct need-to-know status are allowed access to individual personnel records. Access will normally be limited to Human Resources, the supervisor and members of the leadership team with a need to know.

In the state of Minnesota, employees have various legal rights and remedies related to the contents of their personnel files. As an employee, these rights extend to you and include:

- The opportunity to review the contents of your personnel file, upon written request to the Director once every six months as an active employee and once each year after termination of your employment for as long as the record(s) are maintained. Requests will be honored within five (5) business days.
- The opportunity to receive a copy of the contents of your personnel file, upon written request and,
- The opportunity for you to dispute information that is contained in your file and request that the information be removed. If we do not agree with your request to have the information removed, you can include a statement that outlines your position.

NCS also has obligations associated with this law and may not:

- use information from your personnel file that was intentionally omitted during your review in a civil or administrative proceeding and,
- Retaliate against you for exercising your rights with respect to your personnel file.

The Minnesota Department of Labor and Industry enforces this law. If it is determined that the Organization has not acted in good faith in complying with the provisions of this law, various remedies for violations and retaliation may be available to you.

## PERFORMANCE EVALUATIONS

All employees will be evaluated annually in a process to include the following components:

- Formal self-reflection process including goal setting and professional development plan.
- Evaluation by immediate supervisor based on job description criteria.
- Teacher evaluation process compliant with statutes and MDE standards (for licensed teachers only).
- The director's evaluation will be led by a board committee. This evaluation should include information gathered from staff, board members, parents, academic achievement, and meeting of school goals.

Employees who fail to meet acceptable standards as outlined in their job description will be subject to disciplinary action ranging from reprimand, improvement plan, or termination.

A copy of the performance review will be placed in your personnel file and employees will also receive a copy. All employees can discuss the judgment made of their performance with the Director. At New Century School, if you are not satisfied with the action taken, a hearing with the Director and then the Board of Directors at New Century School may be requested.

## CORRECTIVE ACTION

There may be times when the School chooses to take corrective action as a result of unacceptable behavior or performance on the part of an employee. Although the School has the right to terminate any employee at any time for any or no reason, it also reserves the right to take corrective action or require performance improvement, as it deems appropriate. If the employee chooses not to respond to corrective action or performance improvement requirements, employment will be terminated. Corrective actions may be taken in any number of forms and any of these actions may be taken in any order or concurrently. Possible corrective action may include, but is not limited to: written warning, improvement of performance requirements, suspension with or without pay, or termination of employment.

## TERMINATION OF EMPLOYMENT

At Will Employment. All employees of New Century School are at-will employees and may be terminated at any time with or without cause.

Resignation. The Employee may resign at any time by providing the school's director two weeks written notice of his/her resignation

Paid Time Off (PTO): Any employee, whose employment is terminated, whether voluntarily or involuntarily, will not be entitled to payment in lieu of unused and accrued vacation or personal leave.

## COMPENSATION & WORK SCHEDULE

### CALENDAR

The Director and staff create a calendar each year. Employees will perform services on such days as determined by the Director. However, the Director may modify the school calendar as deemed necessary. Calendar is approved by the Board.

### SCHOOL HOURS

School hours are from 7:00 a.m. to 3:30 p.m., Monday through Friday. All employees shall work such hours as set by the Director.

### PLACE OF DUTY

No employee will be away from the place of duty during the hours assigned for work purposes or additional activities without prior approval.

### EMPLOYMENT CLASSIFICATIONS & DEFINITIONS

Exempt: An employee who is paid a regular salary and is not paid for any hours worked over 40. Teachers and school administration generally fall into this category

Non-exempt: An employee who is paid overtime for hours worked over 40. Holiday, sick and PTO hours do not count as time worked.

Regular Full-Time: Employee who is employed for an indefinite period and works at least 35 hours per week. Regular full-time employees are paid for actual hours worked.

Regular Part-Time: Employee who is employed for an indefinite period and works less than 35 hours per week. Regular part-time employees are paid for actual hours worked and are not generally qualified for benefit plans.

Temporary Employee: Employee who is employed for a defined period or for a defined project regardless of the number of hours worked. Temporary employees are not eligible for School sponsored benefit plans.

### WORK TIME/PAY PROCEDURE

Each employee's hours are scheduled by the Director or other designated person. All non-exempt employees must record work hours each day. All employees will be at work and ready to perform their duties at their scheduled start time. A non-exempt employee may not work over and above their scheduled hours without

written approval from the Director. Non-exempt employees may not take any work home without prior written approval from the School Director. Any requests to take work home must also be in writing.

## PAY PERIOD

New Century School workweek starts on Sunday at 12:01 a.m. and ends on Saturday at 11:59 pm. There are 24 pay periods per year.

## COMPENSATION

Compensation within a range of pay for the employee's job is based on experience, education, and merit. Increases in pay are not necessarily given annually. Raises will be based on merit and the finances of New Century School for its employees.

## STAFF REASSIGNMENT

As we navigate the ever-evolving needs of our students, our staff's dedication to fostering student success remains paramount. Periodically, the dynamic needs of our school community may necessitate staff reassignment, a strategic measure aimed at enhancing the precise alignment of expertise and support. This practice empowers us to uphold our unwavering commitment to providing exceptional education across all our school locations. Your unwavering commitment to our students' growth and educational journey is deeply valued as we collaboratively navigate these necessary adaptations.

## CHANGE IN EMPLOYEE INFORMATION

New Century School requests that you keep us informed of any changes in address, telephone number, marital status, name, dependents, and person to notify in case of emergency or any other information that may affect your employment or benefits. This information is only used in an emergency, for payroll, or benefits purposes.

## EXPENSE REIMBURSEMENTS

All expenses incurred by employees must be approved by the Director prior to such expenditure, in order to qualify for reimbursement. Receipts must be turned in within two weeks of purchase in order to be eligible for reimbursement. Receipts turned in after two weeks will not be reimbursed by New Century School.

## CONDUCT STANDARDS

### ETHICS

High ethical standards are expected in the care of our children and families. All employees play an important part in maintaining this standard, for their conduct can significantly affect New Century School's reputation. Accordingly, we expect each employee to maintain high ethical standards while at work and while representing the School.

### PROHIBITION OF HARASSMENT OR VIOLENCE

The purpose of this policy is to help maintain a positive, safe learning and working environment for students and staff that is free from harassment and violence based upon their actual or perceived sex/gender, sexual



orientation, race, color, creed, national origin, religion, disability, receipt of public assistance, or marital status and age (protected class).

### Purpose

- A. It will be a violation of this policy for any employee to harass a student or employee through conduct (e.g., physical, verbal, graphic or written) that is based upon that student or employee's actual or perceived race, color, creed, national origin, religion, sex/gender, sexual orientation, disability, public assistance, or marital status or age (protected class) as defined by this policy. For purposes of this policy, an employee includes Board of Directors members, school employees, agents, volunteers, contractors, or persons subject to the supervision and control of the organization.
- B. It will be a violation of this policy for any employee to inflict, threaten to inflict, or attempt to inflict violence based upon a student or employee's actual or perceived protected class as defined by this policy.
- C. The NCS will investigate all complaints, formal or informal, verbal or written, of harassment and/or violence based upon a student or employee's perceived or actual protected class and to discipline or take appropriate action against any student employee who is found to have violated this policy.

### Definitions

- A. Disability. "Disability" means any condition or characteristic that renders a person a disabled person. A disabled person is any person who (1) has a physical, sensory, or mental impairment which materially limits one or more major life activities; (2) has a record of such an impairment; or (3) is regarded as having such an impairment." This includes students with an IFSP, IEP, and students who qualify for special education and related aids and services under Section 504 of the Rehabilitation Act.
- B. Discriminate. "The term "discriminate" includes segregate or separate and, for purposes of discrimination based on sex, it includes sexual harassment."
- C. Educational Institution. "Educational institution" means a public or private institution and includes an academy, college, elementary or secondary school, extension course, kindergarten, nursery, school system and a business, nursing, professional, secretarial, technical, vocational school, and includes an agent of an educational institution."
- D. National Origin. "'National origin" means the place of birth of an individual or of any of the individual's lineal ancestors." This includes harassment of students born in the United States who have relatives that are from other countries.
- E. Sexual Harassment. "Sexual harassment" includes unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact or other verbal or physical conduct or communication of a sexual nature when:
  - (1) submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment, ... or education...;
  - (2) submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment, ...or education...; or
  - (3) that conduct or communication has the purpose or effect of substantially interfering with an individual's employment, ...or education..., or creating an intimidating, hostile, or offensive employment, ...or educational... environment."
- F. Sexual Orientation. "Sexual orientation" means having or being perceived as having an emotional, physical, or sexual attachment to another person without regard to the sex of that person or having or being perceived as having an orientation for such attachment, or having or being perceived as having a self-image or identity not traditionally associated with one's biological maleness or femaleness.

### Harassment and Violence General Applicability

- A. The antidiscrimination laws apply to all the academic and nonacademic (e.g. athletic, and extracurricular) programs of the organization, whether conducted in school facilities or elsewhere.
- B. For purposes of this policy, any student who is harassed or discriminated against, including subject to violence, by peers or employees based upon that student's actual or perceived sex/gender, sexual orientation, race, color, creed, national origin, religion, disability, receipt of public assistance, or marital status and age [protected class] may file a complaint as described more fully in section IV below.
- C. For purposes of this policy, any employee who is harassed or discriminated against, including violence, by students or other employees based upon that employee's actual or perceived sex/gender, sexual orientation, race, color, creed, national origin, religion, disability, receipt of public assistance, or marital status and age may file a complaint as described more fully in section IV below.
- D. The alleged harassment/violence consists of harassing conduct (e.g. physical, verbal, graphic, or written verbal or physical) based upon that student's actual or perceived protected class that interferes or limits the ability of that student to participate in, enjoy, or benefit from the education program, including athletics and extracurricular activities.
- E. The alleged harassment/violence may not be directed at a particular person, but may instead consist of harassing conduct (e.g. physical, verbal, graphic, or written) that creates a hostile environment for students based upon actual or perceived protected class that interferes with or limits the student's ability to participate in, enjoy, or benefit from the academic and nonacademic programs, including athletics and extracurricular activities.

Description of Harassment based upon a Person's Perceived or Actual Protected Class

- A. Harassment is unwelcome conduct that is based upon actual or perceived sex/gender, sexual orientation, race, color, creed, national origin, religion, disability, receipt of public assistance, or marital status and age.
  - (1) Harassing conduct may take many forms, including verbal acts and name-calling, as well as nonverbal behavior, such as graphic and written statements, or conduct that is physically threatening, harmful, or humiliating.
  - (2) It is unwelcomed if the student or employee did not request or invite it and considered the conduct to be undesirable or offensive.
  - (3) The conduct is considered harassment if it creates a hostile environment by interfering with or denying a student's participation in or receipt of benefits, services, or opportunities in the organization's programs.
- B. Sexual harassment based upon sex/gender and/or sexual orientation
  - (1) Sexual conduct that is unwelcome.
    - a. It is unwelcomed if the student or employee did not request or invite it and considered the conduct undesirable or offensive.
    - b. A student's submission or failure to complain does not mean that the conduct was welcome – look at circumstances.
- C. Sexual Violence: Sexual violence is a physical act of aggression or force or the threat thereof which involves the touching of another's intimate parts or forcing a person to touch any person's intimate parts. Intimate parts, as defined in Minnesota Statutes, section 609.341, includes the primary genital area, groin, inner thigh, buttocks or breast, as well as the clothing covering these areas.
  - (1) Sexual violence includes rape, sexual assault, and dating violence. This includes coerced sexual intercourse or other sexual acts. The physical act is considered nonconsensual if a person is incapable of giving consent due to alcohol or drug use or due to an intellectual or other disability.
  - (2) Sexual violence includes touching, patting, grabbing, or pinching another student's or employee's intimate parts of the clothing covering the intimate parts.

- (3) Sexual violence includes coercing or forcing or attempting to coerce or force a student or employee to touch anyone's intimate parts.
- (4) A police report does not relieve the school of its responsibilities under Title IX.
- D. Assault: Assault, as defined in state statute is:
  - (1) an act done with intent to cause fear in another of immediate bodily harm or death; or
  - (2) the intentional infliction of or attempt to inflict bodily harm upon another.
- E. Racial, color, creed or national origin harassment/violence
  - (1) Intimidation or abusive behavior toward a student, based on perceived or actual race, color, creed or national origin, that creates a hostile environment by interfering with or denying a student's participation in or receipt of benefits, services, or opportunities in the organization's programs.
  - (2) Racial violence: Racial violence is a physical act of aggression or force, or the threat thereof, which is directed toward a student or employee based upon their perceived or actual race, color, creed, or national origin.
- F. Religious harassment/violence
  - (1) Intimidation or abusive behavior toward a student based on perceived or actual religious beliefs that create a hostile environment by interfering with or denying a student's participation in or receipt of benefits, services, or opportunities in the organization's programs.
  - (2) Religious violence is the threat of or an actual physical act of aggression or force which is directed toward a student or employee based upon their perceived or actual religion.
- G. Disability harassment
  - (1) Intimidation or abusive behavior toward a student based on disability that creates a hostile environment by interfering with or denying a student's participation in or receipt of benefits, services, or opportunities in the organization's programs.
  - (2) Disability harassment also may deny a student with a disability a free and appropriate public education (FAPE). Harassment of a student based on disability may decrease the student's ability to benefit from his or her education and amount to a denial of FAPE.

### Reporting Procedures

The Board of Directors designates the Director to receive reports or complaints of harassment or violence based upon actual or perceived sex/gender, sexual orientation, race, color, creed, national origin, religion, disability, receipt of public assistance, or marital status and age. If the complaint involves the director, the complaint will be filed directly with the Chair of the Board of Directors.

These reporting procedures are not intended to prevent a person from reporting harassment or violence incident(s) to another school official.

- (1) The school official must immediately notify the Director who is then responsible to submit the oral or written complaint/report.
- (2) If the report was given verbally, the Director will personally reduce it to written form within 24 hours.
  - a. If the Director fails to act upon any harassment or violence report or complaint (written or verbal) within 24 hours, the Director will be subject to disciplinary action.
- (3) If the complaint involves the building Director, the complaint will be made or filed directly with the Chair of the Board of Directors.

The organization encourages the reporting party to complete the complaint form for written complaints. It is available from the Director or the office. Alternative means of filing a complaint, such as through a personal interview or by tape recording, will be made available upon request for qualified persons with a disability. The complaint (verbal or written) should be reported to a school Director immediately, or within 30 calendar days whenever possible, of the alleged violation. NCS will accept reports of alleged incidents that are older than

30 calendar days; however, delays between the date of the alleged incident and the reporting date may make investigations more difficult.

### Investigation

- A. The Director, upon receipt of a complaint alleging discrimination or harassment toward an employee or student, will promptly undertake an investigation if deemed appropriate. The director may designate a neutral third party to conduct the investigation. The investigation will be completed within 30 calendar days from receipt of the complaint, unless impracticable.
- B. The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator.
- C. In determining whether alleged conduct constitutes a violation of this policy, NCS will consider the facts and the surrounding circumstances, such as the nature of the behavior, past incidents or continuing patterns of behavior, the relationships between the parties involved, and the context in which the alleged incident occurred.
- D. NCS may take immediate steps to protect the parties involved in the complaint process, pending completion of an investigation of alleged unlawful discrimination or harassment of an employee or student.
  - (1) Upon completion of the investigation, the organization or neutral third party designated investigator will make a written report to the Director. If the complaint involves the Director, the report must be filed directly with the Chair of the Board of Directors. The report will include the facts, a determination of whether the allegations have been substantiated and whether a violation of this policy has occurred, as well as a description of any proposed resolution which may include alternate dispute resolution.
  - (2) Upon completion of the investigation, the Director will inform the complainant/reporter of his or her right to review the written report at the school building where the complainant/reporter is employed or enrolled, in accordance with state and federal law regarding data or records privacy.
  - (3) If the complainant/reporter is a student, the Director will inform the parent/guardian of his or her right to review the written report at the school building where the student reporter is enrolled, in accordance with state and federal law regarding data or records privacy.
  - (4) The school will comply with federal and state law pertaining to retention of records.

### Appeal

If the grievance has not been resolved to the satisfaction of the complainant/reporter, s/he may appeal to the Director within ten (10) school days of receipt of the findings of the investigation. The investigator will conduct a review of the appeal and, within ten (10) school days of receipt of the appeal, will affirm, reverse, or modify the findings of the report. The decision of the investigator is final, and action will occur as addressed below.

### School Action

- A. Upon conclusion of the investigation and receipt of the findings, NCS will take appropriate and effective action. If the investigator determined that a violation of this policy has occurred, such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination or discharge. Actions may also include alternative dispute resolution, including restorative justice programs or school wide training, counseling, and class transfer. NCS's action taken for violation of this policy will be consistent with the requirements of applicable state and federal law, and school policies.

- B. The result of NCS's investigation of each complaint filed under these procedures will be reported in writing to the complainant by NCS in accordance with state and federal law regarding data or records privacy.

### Reprisal

NCS will take appropriate action against any student, teacher, administrator or other school personnel who retaliates against any person who reports alleged unlawful harassment toward an employee or student or any person who testifies, assists, participates in an investigation or hearing related to alleged unlawful harassment covered by this policy. Reprisal also includes retaliation against a student or employee who associates with a person or group or persons who are disabled or who are of different race, color, creed, religion, sexual orientation, or national origin. Retaliation includes, but is not limited to, any form of intimidation or harassment. Reprisal is also prohibited based upon a request for a religious or disability accommodation.

### Conflict of Interest

If there is a conflict of interest with respect to any party affected by this policy, appropriate accommodations will be made, such as, but not limited to, appointing or contracting with a neutral third-party investigator to conduct the investigation, or recusal from the process by the person for whom a conflict or potential conflict of interest exists.

### Harassment or Violence as Abuse

- A. Under certain circumstances, alleged harassment or violence may also be possible abuse under Minnesota law. If so, the duties of mandatory reporting under Minnesota Statutes, section 626.556 may be applicable.
- B. Nothing in this policy will prohibit NCS from taking immediate action to protect victims of alleged harassment, violence, or abuse.

### Dissemination of Policy and Training

This policy is posted in the following way:

- (1) Posted in the school building accessible to students and staff members.
- (2) Given to each employee and independent contractor at the time of entering into the person's employment contract.
- (3) Included in each school's student handbook on school policies.
- (4) Posted on the school website for parents and community members.

School will discuss the school's harassment and violence policy with students and employees on an annual basis. The Board of Directors will review this policy annually for compliance with state and federal law.

### Right to Alternative Complaint Procedures

These procedures do not deny the right of any individual to pursue other avenues of recourse which may include filing charges with the agencies below, filing a report with a law enforcement agency, or initiating action in state or federal court.

### **CONFIDENTIALITY**

Discussion of business matters (such as salary, personnel matters, and specific children), internally or externally, with persons not working for New Century School is inappropriate and unprofessional and is prohibited under New Century School confidentiality rules.

Employees may have access to confidential information concerning New Century School, its families and suppliers during employment. This information would not normally be known by or be available to non-

employees. The employee may not share confidential information, nor may it be obtained as a result of the employment relationship. Such information includes, but is not limited to family lists, children's files, financial records, supplier information, pricing, strategic business plans, personnel records, contracts or other agreements whether verbal or written, information relevant to the systems and operating procedures of New Century School, employee compensation, and other records or documents relative to the operation of the school.

Confidential information must never be released verbally, copied, removed from school premises, or in any other way used by employees for any purpose outside the scope of their employment or revealed to non-school personnel without the express written consent of the Director.

Employees with confidential information on their desks, or in areas for which they are responsible, are required to limit public access as appropriate and to keep this information locked and secured as needed. In the event of termination of your employment with New Century School, you are required to return all proprietary and confidential information obtained during your employment.

#### TOBACCO AND SMOKE-FREE WORKPLACE

NCS provides a tobacco-free and smoke-free environment. Smoking is not permitted within the facility. This includes e-cigarettes and other forms of smokeless tobacco. Designated smoking areas are located outside at the side or rear of the building only. Smoking is not allowed in the front of the building. Smoking by employees is limited to normal breaks and lunch periods.

#### DRUGS AND ALCOHOL FREE WORKPLACE

It is the policy of New Century School to create a drug and alcohol-free workplace. The use of controlled substances (including legalized marijuana), alcohol, or the misuse of other drugs, (including prescribed medications which adversely affect an employee's ability to perform their job duties), is inconsistent with the behavior expected of employees, subjects all employees and visitors to our facility to unacceptable safety risks, and undermines New Century School's ability to operate effectively and efficiently.

Therefore, all use, possession, manufacture, sale, solicitation, distribution, dispensation, or transfer of controlled substances (including legalized marijuana) or alcohol while an employee is on company premises, including parking lots or while operating company machinery, equipment, vehicles, or while engaged in company business off premises, are strictly prohibited. Additionally, whenever appropriate, illegal substances found on New Century School premises, including company parking lots, machinery, equipment, or vehicles, will be turned over to the Local law enforcement agency for further investigation and follow-up, including criminal prosecution.

New Century School further requires that employees report to work fit for duty and free of any adverse effects of controlled substances (including legalized marijuana), alcohol, or prescribed medications.

Employees in "safety sensitive positions" must report to their Manager when they are taking any prescription or over the counter medication known to cause an adverse side effect that could interfere with the employees' ability to safely perform their job (e.g., motor ability, judgment, reflexes, etc.). A "safety sensitive position" is a job in which an impairment caused by drug or alcohol usage would threaten the health or safety of any person. Employees may be required to provide medical verification from a healthcare provider of their ability to perform job duties while taking the prescribed medication. Employees taking prescribed medication must carry it in a container labeled by a licensed pharmacist or be prepared to produce the container if asked.

Failure to follow this policy or obey Federal and State regulations may result in disciplinary action, up to and including termination of employment.

## ATTIRE & PROFESSIONALISM

New Century School is not only a school but also a place of business. Appearance and business professionalism are required. Professional attitudes and actions are always expected. You are expected to dress in a manner that is appropriate for the teaching environment and to present a clean, neat, and professional appearance on the job. In general, men's shirts should have sleeves, either long or short; women's shirts/dresses may be sleeveless but may not be camisole style. All portions of undergarments i.e. straps and waistbands, etc., must be concealed by outer layers of clothing. Clothing should be in good repair. Shoes must be close-toed. The Director shall be the final arbiter of the suitability of attire and has the authority to send someone who is inappropriately dressed home to change. It is recommended that employees not wear jeans to school unless it is a day of a picnic or school event in which jeans would be considered appropriate. Employees will be notified, by the Director, of the days on which jeans may be worn. Good grooming and hygiene are equally important and contribute to a professional appearance. Hair must be clean and well groomed.

## NON-SOLICITATION

NCS limits solicitation and distribution on its premises because such activities can interfere with the normal operations of the organization, can be detrimental to employee efficiency, can be annoying to customers and can pose a threat to security.

Persons who are not employed by NCS are prohibited from soliciting funds or signatures, conducting membership drives, distributing literature or gifts, offering to sell merchandise or services or engaging in any other solicitation or similar activity on NCS premises.

Employees must obtain management approval prior to engaging in solicitation or distribution of literature for any group or organization, including charities.

NCS maintains bulletin boards to communicate information to employees and to post notices required by law. These bulletin boards are for the posting of NCS information and notices only, and only persons designated by the Director may place notices on or take down material from the bulletin boards.

## SCHOOL PROPERTY AND WORKPLACE PRIVACY

Employees do not have a right to privacy in their workspaces or in any other property belonging to NCS. NCS reserves the right to monitor and search NCS property at any time without warning to ensure compliance with our policies including those that cover employee safety, workplace violence, harassment, theft, drug and alcohol use, and possession of prohibited items. NCS property includes but is not limited to lockers, desks, file cabinets, storage areas and workspaces, electronic devices.

## WHISTLEBLOWER POLICY

The school requires board members, directors, and employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. As employees and representatives of the school, we must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws and regulations.

This Whistleblower Policy is intended to encourage and enable employees and others to raise serious concerns internally so that the school can address and correct inappropriate conduct and actions. It is the responsibility of all board members, directors, and employees to report concerns about violations of the school's code of ethics or suspected violations of law or regulations that govern the school's operations.

It is contrary to the values of the school for anyone to retaliate against any board member, director, or employee who in good faith reports an ethics violation, or a suspected violation of law, such as a complaint of discrimination, or suspected fraud, or suspected violation of any regulation governing the operations of the school. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment.

The school has an open-door policy and suggests that employees share their questions, concerns, suggestions, or complaints with their supervisor. If you are not comfortable speaking with your supervisor or you are not satisfied with your supervisor's response, you are encouraged to speak with the Director. Supervisors and managers are required to report complaints or concerns about suspected ethical and legal violations in writing to the Director who has the responsibility to investigate all reported complaints. Employees with concerns or complaints may also submit their concerns in writing directly to their supervisor or the Director or the Board Chair.

The Executive Director is responsible for ensuring that all complaints about unethical or illegal conduct are investigated and resolved. The Director will advise the Board of Directors of all complaints and their resolution.

Anyone filing a written complaint concerning a violation or suspected violation must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense.

Violations or suspected violations may be submitted on a confidential basis by the complainant. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

The Director will notify the person who submitted a complaint and acknowledge receipt of the reported violation or suspected violation. All reports will be promptly investigated, and appropriate corrective action will be taken if warranted by the investigation.



# ATTENDANCE AND TIME AWAY FROM WORK

## ATTENDANCE & PUNCTUALITY

As in any business, it is imperative that you are at work on time every day as expected and complete your shift. If you are late, sick, absent from work, or leave before your work is complete, the school and its students are greatly affected. Unplanned absences without a proper substitute and tardiness will be reflected in your performance appraisal, compensation, and future opportunities.

In the event that you are going to be late or absent, you must contact the Director and a colleague in your grade level no later than 6:30 a.m. Text messaging is preferred for absence notification prior to 6 a.m. Failure to communicate may result in disciplinary action up to, and possibly including termination of employment.

State labor law requires us to have documentation from you regarding your work hours. Thus, all hourly non-exempt employees are required to maintain accurate and current time records, noting paid and unpaid days off. The time records are due to the Director or assigned representative on the last day of a pay period.

## CALENDAR AND HOLIDAYS

New Century School operates on an 11-month calendar and the school also has planned closures throughout the year. All employees are off duty during recognized federal and religious holidays. Instructional Staff are also off-duty during Winter Break and Spring Break.

Instructional Staff and others with instructional-related responsibilities are on duty from the first day of workshops in August through the last day of staff duties in June. Administrative and office staff are on duty from August 1 through June 30<sup>th</sup>.

## PAID TIME OFF

Paid Time Off (PTO) may be used at the staff member's discretion for unscheduled events, such as personal and qualified family member family illness or injury, as well as scheduled events such as personal appointments. Paid Time Off may also be used to care for yourself or a relative to provide or receive assistance. A qualified family member includes a child, adult child, stepchild, foster child, spouse, sibling, parent, stepparent, mother-in-law, father-in-law, grandchild, step-grandchild, adopted grandchild, foster grandchild or grandparent. The Organization may require you to use any unused PTO during disability or family medical leave, or any other leave of absence.

Monthly PTO Earnings Schedule

Employee Type	35 + hours	20 – 25 hours	Max Carry Over	Max Balance
Teachers and Instructional Staff	8 hours per month August - May	Prorated hours August – May	0 days	0 days
Administrative and Office Staff	16 hours per month August – June	Prorated hours August – June	0 days	0 days

Temporary employees, and employees scheduled less than 20 hours per week are not eligible for PTO.

**Unscheduled PTO:** In the event of emergencies such as illness, PTO's may be used without being scheduled. However, these must follow the illness protocols outlined in this section. Unplanned absences of three or more days require medical certification. The Director has the authority to request doctors' notification in the event of continued, repeated, or chronic absence due to illness.

**Scheduled PTO:** must be pre-approved by the director at least two weeks prior to occurrence. The Director reserves the authority to deny scheduled PTO requests. Scheduled PTO requests will not be approved on what are deemed by the director as critical days. Some critical days include workshop days and the last days of school preceding a holiday.

**Reimbursement of Unused PTO Days:** At the end of the school year teachers, administration and office staff will not be reimbursed for unused PTO days.

#### UNPAID TIME OFF

If an employee has exhausted paid time off, the employee may be granted additional unpaid time off at the discretion of the Director.

#### PERSONAL LEAVE OF ABSENCE

Each Employee plays a vital role in New Century School's ability to serve its students. Therefore, it is important that all Employees be available and present when scheduled to work. However, NCS recognizes that Employees occasionally need time away from work to attend to personal matters. In these cases, Employees may apply for a personal leave of absence.

Leaves will be granted on a case-by-case basis and are subject to the Directors approval. If you wish to take a personal leave of absence, you must apply in writing to the Director. If possible, your request should be submitted at least 30 days before the intended start date for your requested leave.

Personal leave shall be without pay and without benefits, except that available accrued vacation or PTO pay must be taken to replace regular pay during a personal leave of absence. NCS will continue its contribution toward the individual's insurance premium payments during the paid portion of a leave. To continue your insurance benefits during any unpaid portion of the personal leave of absence, you will need to regularly submit a check for the entire premium payment to the Organization. **COBRA may apply to unpaid portions of personal leaves; see your supervisor with questions.**

NCS is not required to grant a leave of absence or to reinstate Employees to former positions unless otherwise required by State or Federal law.

#### PARENTAL LEAVE

Regular full-time employees and regular part-time employees who have been employed by the Organization for at least twelve (12) months (with or without a break in service) and who have worked for an average number of hours per week equal to one-half the full-time equivalent position in the employee's job classification, are eligible for an unpaid leave of absence of up to twelve (12) weeks. For the birth, adoption or foster placement of a child the leave must begin within twelve (12) months of the birth or adoption; however, in cases where the child must remain in the hospital longer than the mother, the leave may begin within six (6) weeks after the child leaves the hospital. Employees returning from a parental leave are reinstated to the same or a comparable position, in accordance with state law. The leave should be requested at least 30 days in advance if possible. The parental leave runs concurrently with any period of Wellness Leave and paid disability leave. Any leave taken under this policy runs concurrently with, not in addition to, any leave taken for the birth of placement of a child under the Family and Medical Leave Policy, in accordance with applicable law. Female employees may also use this time for prenatal care.

## BEREAVEMENT

Leave with pay because of death in the immediate family may be granted for up to five (paid or unpaid) days per occurrence for all regular full-time employees. Immediate family includes spouse, unmarried partner, children, parents, grandparents, siblings, stepfamily, parents' in-law, siblings' in-law.

## SCHOOL CONFERENCES AND ACTIVITIES LEAVE

The School grants employees up to a total of 16 hours unpaid leave per year to attend their children's school conferences, classroom activities, childcare or other early childhood program. Employees may use PTO.

## REASONABLE ACCOMMODATION

NCS provides reasonable accommodation to known physical or mental limitations of a qualified employee with a disability unless the accommodation would impose an undue hardship on New Century School. Reasonable accommodation may be, depending on all the circumstances, modification or adjustment to a job, the work environment, or the way things usually are done that enables an employee with a disability to perform the essential functions of a job and to enjoy equal benefits and privileges of employment.

If an employee requests reasonable accommodation, he/she should do so in writing. NCS will engage in an interactive process with respect to the employee's request for reasonable accommodation. NCS may request a physician's statement regarding the requested accommodation (except for pregnancy accommodations listed below). All requests for reasonable accommodation should be submitted to the employee's direct Manager.

**The below policy is new effective July 1, 2023. MN requires all employees to receive this notice.**

## NURSING MOTHERS, LACTATING EMPLOYEES, AND PREGNANCY ACCOMMODATIONS EMPLOYEE NOTICE MINNESOTA

Minnesota's Nursing Mothers, Lactating Employees, and Pregnancy Accommodations law (Minnesota Statutes § 181.939) gives pregnant and lactating employees certain legal rights.

Pregnant employees have the right to request and receive reasonable accommodations, which may include, but are not limited to, more frequent or longer breaks, seating, limits to heavy lifting, temporary transfer to another position, temporary leave of absence or modification in work schedule or tasks. An employer cannot require an employee to take a leave or accept accommodation.

Lactating employees have the right to reasonable paid break times to express milk at work unless they are expressing milk during a break that is not usually paid, such as a meal break. NCS will provide a clean, private and secure room that is not a bathroom near the work area that includes access to an electrical outlet for employees to express milk. NCS will not retaliate, or take negative action, against a pregnant or lactating employee for exercising their rights under this law. Employees who believe their rights have been violated under this law can contact the Minnesota Department of Labor and Industry's Labor Standards Division at [dli.laborstandards@state.mn.us](mailto:dli.laborstandards@state.mn.us) or 651-284-5075 for help. Employees also have the right to file a civil lawsuit for relief. For more information about this law, visit [dli.mn.gov/newparents](http://dli.mn.gov/newparents).

## JURY DUTY

NCS encourages employees to fulfill their civic duties. To that end, employees will be allowed leave to serve on a jury, if summoned. We request that you bring in a copy of your summons notice as soon as you receive it, so that we may keep it on file. If you are called during a particularly busy period, we may ask you to request a postponement.

Jury Duty can last from several days to several months or more. During this time, you will be considered on an unpaid leave of absence (available PTI may be used for time off of work) and will be entitled to continue to participate in insurance and other benefits (if applicable) as if you were working. While serving on Jury Duty, you are expected to call in to your supervisor periodically to keep him/her apprised of your status.

#### WITNESS LEAVE

An Employee called to appear as a witness will be permitted time off to appear, but without pay. Employees will be permitted to use PTO when appearing as witnesses.

#### VOTING LEAVE

Employees are encouraged to vote. Most polling facilities for elections for public office are scheduled to accommodate working voters. The School requests that employees schedule their voting for before or after their work shift. An employee who expects a conflict, however, should notify his/her supervisor in advance so that schedules can be adjusted if necessary and appropriate. Employees are allowed time off for the purposes of voting in an election in compliance with applicable law.

## MILITARY-RELATED LEAVES OF ABSENCE

Military Service Leave - Employees serving in the reserve or National Guard may take unpaid military leave, as needed, to enable them to fulfill their obligations as reservists or Guard members. Employees may use PTO for this purpose.

Military Leave – NCS will grant an unpaid Military Leave to employees who are absent from work because they are serving in the U.S. uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA). You are required to give the Director notice of upcoming military service, unless military necessity prevents advance notice or it is otherwise impossible or unreasonable.

When you return from Military Leave, you will be reinstated to your previous position or a position of like seniority, status and pay you would have attained if you had remained continuously employed. For the purpose of determining benefits that are based on length of service, you will be treated as if you had been continuously employed.

## FAMILY MILITARY LEAVE

The School will grant an unpaid leave of absence of up to 10 working days to qualified employees under the following conditions:

- The employee's immediate family member must be a member of the armed forces and has been injured or killed while engaged in active service, or
- The employee's immediate family member has been ordered into active service in support of a war or other national emergency.
- Immediate family member includes parent, child, grandparents, spouse or siblings.

The employee should give as much notice as practicable to take a leave under this policy.

## BONE MARROW DONATION

Employees who seek to undergo a medical procedure to donate bone marrow are allowed a paid leave of absence of up to 40 work hours. A doctor's statement verifying the purpose and length of the leave is required. If there is a medical determination that the employee does not qualify as a bone marrow donor, paid leave granted prior to the medical determination is not forfeited.

## EMPLOYEE BENEFITS

Full time employees scheduled 32 hours or more per week are eligible for health and welfare benefits. Part time employees may be eligible for some of the benefits described below.

### HEALTH AND WELFARE BENEFITS

A variety of group insurance benefits, such as group health/disability insurance are available to employees scheduled 32 or more hours per week. Eligibility requirements may vary from benefit to benefit as employees may share the cost of some of these insurance benefits. Documentation of this program is provided to each employee at the start of employment and when plans change.

### SOCIAL SECURITY / MEDICARE

NCS withholds income tax from all employees' earnings and participates in FICA (Social Security) and Medicare withholding, and matching programs as required by law.

### UNEMPLOYMENT COMPENSATION

Unemployment compensation insurance is paid for by NCS as required by applicable law.

### RETIREMENT BENEFITS

Employees may be eligible to participate in TRA (for licensed staff) or PERA (for non-licenses staff) as required by state law.

### WORKERS COMPENSATION

New Century School maintains Worker's Compensation insurance as required by law. Contact the School Director if any information is needed regarding what claims may be covered and the way claims may be made. All employees should promptly report to the School Director all injuries suffered as a result of employment activity at or on behalf of the School. Failure to report any injury promptly may result in loss of benefits.

## SCHOOL AUTHORIZER

VOLUNTEERS OF AMERICA-MN

## EMPLOYEE ACKNOWLEDGEMENT

I, \_\_\_\_\_ received the Employee Handbook on \_\_\_\_\_, 20\_\_\_\_\_.

I acknowledge that I have received a copy of the NCS Employee Manual. It is my responsibility to read and familiarize myself with the Manual. I agree that if there is any information in this Employee Manual that I do not understand, I will seek clarification from the Director.

I understand that NCS is an “at will” employer and that either NCS or the employee can terminate the employment relationship at any time, with or without cause. It also is understood that neither party has an obligation to base a decision to terminate the employment relationship on any reason other than the decision not to continue the relationship. It is further understood that nothing contained in this Manual is intended to create nor shall be construed as creating a contract of employment, express or implied, or a guarantee of employment for a definite or indefinite term.

In addition, I understand that this Employee Manual states NCS’s policies, practices and procedure in effect on the date of publication. I understand that nothing contained in this Employee Manual may be construed as creating a promise of future benefits or a binding contract with NCS for benefits or for any other purpose. I also understand that these policies, practices and procedures are continually evaluated and may be amended, modified or rescinded at any time. My signature on this page serves as an acknowledgement of my responsibility to keep this Employee Manual current as changes are issued.

Attached to this Acknowledgment is the Table of Contents summarizing all policies found in this Employee Handbook Please sign and date this receipt and return it to the office.

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

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