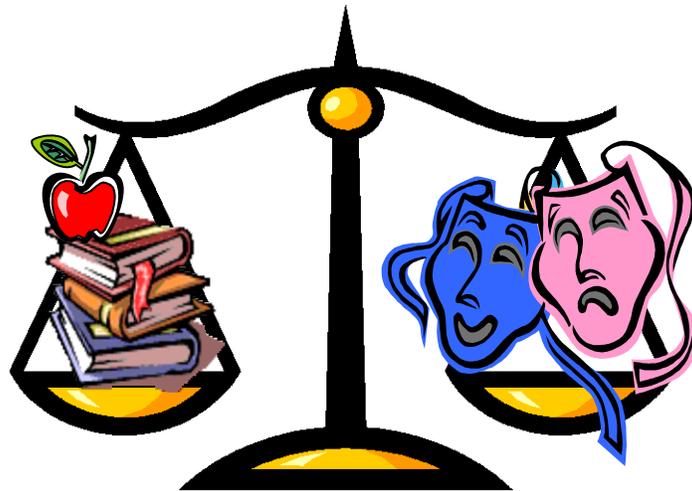


CAFA, Inc. dba  
**Learning Foundation  
& Performing Arts  
Charter School**



2018-2019  
**Employee  
Handbook**



# Employee Handbook

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CAFA, Inc. dba Learning Foundation and Performing Arts affirms its intent to comply with all federal and state laws relating to the prevention of discrimination. All courses, services, activities and employment opportunities are offered without regard to race, color, creed, national origin, age, sex, or handicapping condition.

## **VISION**

**The VISION of CAFA, Inc. dba Learning Foundation and Performing Arts Schools is to become the East Valley industry leader in providing a balance of strong academic and fine arts programming that results in outstanding individuals whose education has addressed the whole student and facilitated the development of well-rounded persons ready to lead productive and successful lives by taking positive advantage of life's opportunities.**

## **MISSION**

**To this end, our MISSION is to take our students to the highest level of personal academic achievement and fine arts accomplishment by basing our instructional system on research, standards and best practice in both areas.**

**Through curriculum and methods of delivery in academic content areas, we will impart the academic skills that are crucial to our students for success in life. Through our curriculum in fine arts, we will impart the self-esteem, self-discipline, cooperation, self-motivation and social skills necessary for our students to be successful in life.**

### **LFPA Values . . .**

- ♦ ***learning as a lifelong journey***
- ♦ ***all students as unique individuals who have the capacity to learn and succeed***
- ♦ ***a faculty and staff as integral elements to student success***
- ♦ ***a diverse community and a respect for differences in culture, intellect, gender, age, and physical ability***
- ♦ ***accountability among students and staff***
- ♦ ***performing arts and extracurricular activities as experiences that prepare students for life in the real world***
- ♦ ***an honest and respectful approach that develops students' positive self-image and integrity***
- ♦ ***a small, safe, and nurturing environment for the LFPA community***

**CAFA, Inc., dba**  
**Learning Foundation and Performing Arts**  
**Employee Handbook**

**Purpose of this Handbook**

This handbook was developed to communicate employee benefits available to eligible employees of CAFA Inc., dba Learning Foundation and Performing Arts (LFAPA) and to provide general guidance about LFAPA rules and operating procedures. This handbook explains general policies that LFAPA uses in hiring, management, compensation, paid time off (PTO), discharge and other aspects of the employer/employee relationship. However, this handbook is not all inclusive of District Governing Board Policies and Procedures. We keep the lines of communication with employees open through periodic notices to employees, as well as periodic employee meetings.

**Open Communication Encouraged**

Communication is a two-way process. Employees of LFAPA are encouraged to openly talk with their supervisor, principal/site director and/or the LFAPA district management. Employees are encouraged to discuss any suggestions they may have to improve LFAPA school operations; discuss any problems that may prevent the school from working in an efficient and professional manner; or discuss any concerns with respect to particular working conditions. It is the job of our administrative team to help the employee obtain answers to questions or concerns by acting as a link between employees and district management.

**Changes/Revisions/Interpretations of Guidelines**

Obviously, every circumstance or question that may arise in the workplace cannot be anticipated and covered in the employee handbook. Furthermore, it is virtually impossible to write guidelines that can be fairly applied to all situations at all times. Common sense or good judgment may indicate that exceptions should be approved in certain circumstances, or that certain policies should be abandoned as unworkable based upon past experience. Therefore, LFAPA School reserves the right to interpret, modify, revise, supplement or rescind any policies or portion of the handbook as deemed appropriate. Such revisions may be made at the sole discretion of LFAPA District Management and may be made with or without prior notice. To the extent that policies in the handbook may vary from prior policy or practice, the provisions in the handbook will govern. In compliance with federal benefits law (REISA), changes in policies pertaining to benefits normally will be made prospectively if the change appears to adversely affect benefit rights which have accrued and vested.

**We are firm believers in the Free Enterprise System**

Your employment with LFAPA is considered to be “at will” as Arizona is an “at will” state. This means that either the employee or LFAPA can end the employment relationship at any time for any reason. In cases of signed contractual agreements, the employee must refer to the termination agreement in their particular contract. Since most employees of LFAPA are contractual you will be notified by the last day of your contract whether your contract will be renewed for the next school year.

**District Philosophy on Courtesy and Equal Opportunity**

Learning Foundation and Performing Arts School believes in the philosophies behind the “Golden Rule” of treating those with whom we come in contact in our work place with the same courtesy, professionalism and respect in which we would like to be shown ourselves. As a result LFAPA strongly supports the concept of Equal Employment Opportunity because we believe such policies benefit our business, the employees of LFAPA, and our entire society.

In keeping with this policy, all employees of LFAPA are expected to abide by applicable federal and state laws which prohibit discrimination against any employee or applicant for employment because of race, color, religion, sex (gender), national origin, age, disability, results of genetic testing, or status as a qualified disabled veteran or veteran of the Vietnam era. This includes providing reasonable accommodations for the religious beliefs of others, as well as providing reasonable accommodations for persons with any ADA-covered disabilities.

These same principles require employees of LFAPA to abide by applicable federal and state non-discrimination laws in their contacts with customers, visitors, vendors and suppliers. This includes providing appropriate accommodations to disabled individuals and to non-disabled individuals. Employees of LFAPA who receive requests for such accommodations should always ask for management guidance before rejecting an accommodation request.

Consistent with our “Golden Rule” philosophy, all employees of LFAPA are expected to take personal responsibility to make an effort to get along with others who may have different beliefs, backgrounds, or other differences, and to display common courtesy in dealings with one another. The common courtesy expected of employees at LFAPA includes avoiding teasing and unkind “jokes” or remarks about the personal characteristics of another person; avoiding workplace discussion of issues likely to generate disputes (such as politics, religion and sex); avoid racial, ethnic or sexually oriented jokes; avoiding invasions of the personal privacy of others; and giving the consideration and respect to others which you would like to receive.

It also means avoiding any use of position or power for personal gain or advantage (including using influence or position to engage in any conduct which would constitute harassment under this policy).

There are a number of reasons why LFAPA places a strong emphasis on the use of common courtesy in dealing with others. The most important reason is that we believe promoting this policy helps all employees to establish an environment of trust within our business that makes it considerably easier to work together productively as it allows us to give one another the benefit of the doubt when issues arise. This environment of trust, in turn, makes it easier to resolve misunderstandings and to work out satisfactory solutions if a mistake has been made.

### **Anti-Harassment Policy**

In the course of carrying out their duties for LFAPA, no employee, supervisor or member of management has been given any authority by LFAPA to require any other employee, vendor, customer, supplier, or visitor to enter into any type of sexual relationship, to demean any individual because of gender/sex, or to require any individual to listen to or participate in sexual discussions (including sexual jokes) which are unwelcome or offensive to that individual.

Likewise, no employee, supervisor or manager has been given any authority to require any employee, vendor, customer, supplier, or visitor to adopt any particular religious views, to demean any individual because of their religious views, or to require any such individual to listen to or participate in religious discussions that are unwelcome or offensive to that individual.

Furthermore, no employee, supervisor or member of management has been given any authority to demean any employee, vendor, customer, supplier, or visitor because of their race or ethnic background or the existence of any disability, or to require any such individual to listen to offensive or unwelcome jokes or remarks based upon race, ethnicity or disability. This type of rude behavior may also be considered unlawful harassment (A.R.S. 13-2921) if the employee knew the conduct would be unwelcome or offensive or the conduct was of the type which any reasonable person would know to be offensive under the circumstances.

Because it is possible to accidentally offend someone without any evil intent whatsoever, it is usually a good idea for the offended individual to give the other person the benefit of the doubt by courteously informing them that their conduct is upsetting and giving them a chance to correct the situation. Common sense, however, should prevail, and cases of serious misbehavior should always be brought to the attention of management as well as situations where offensive behavior continues after objection has been registered.

All forms of harassment are forbidden; including harassment based on sex (gender), race, color, religion, national origin, age, disability or veteran status.

Likewise, LFAPA does not expect its employees to put up with harassment by vendors, suppliers, customers or visitors. Any such harassment should be reported promptly so that management can address the problem immediately.

## **Using the Problem Resolution Procedure (See pages 25-26 for more “PRP” information.)**

Employees of LFAPA should take the following actions if they believe that they have been subjected to harassment or other unlawful treatment in violation of our Equal Employment Opportunity Policy:

If an employee believes they have been treated rudely or offensively by another LFAPA employee, the first step is for the employee to determine whether there is any reasonable chance that the offending party may have been unaware the conduct was offensive. The employee should take personal responsibility to first try to resolve the situation by talking with the individual, advising the individual that the conduct was objectionable and give the individual an opportunity to correct the situation. Many times offensive situations arise from thoughtlessness, insensitivity, or may amount to clumsy efforts to joke or tease without any true intent to do harm. Thus, a private discussion that gives the benefit of the doubt to the other party is often appreciated and usually can lead to an amicable resolution of the situation. If the problem remains unresolved then the complaint should be brought to the attention of the lead teacher or immediate supervisor (or next level of management if the supervisor is involved).

On occasion, however, an employee may engage in conduct which most reasonable people know would result in serious offense to another (such as racial name-calling, or very explicit sexual jokes). In such situations, the employee should promptly report the matter to the supervisor (or the next level of management if the supervisor is involved). All employees of LFAPA who may be aware of an offensive situation have a responsibility to report these types of problems if the offended employee is reluctant to report the matter to management so that the situation does not escalate to the point where the work of everyone in the area becomes adversely affected by a poisoned atmosphere.

In truly urgent situations where the personal well-being of an employee or a co-worker is seriously endangered by the conduct of a supervisor or another co-worker (as in instances of attempted sexual molestation), the first step is to get to safety and then to alert top management.

### **No-Gossip or Rumor Policy**

LFAPA wants all employees to respect the privacy and good reputation of all other employees and the school. If an issue arises with a co-worker that an employee feels must be addressed, the employee should discuss it with the co-worker in a private and confidential manner. Do not discuss the matter with other employees that are not involved in the situation. If the employee does not feel comfortable discussing the situation with the co-worker directly, he/she should then go to the principal/site director to discuss the matter in a confidential manner and to seek advice or assistance with the situation. Never complain about another employee of LFAPA or their actions to another employee, parent, guardian, student or vendor. This can severely damage the reputation of the employee as well as LFAPA as a whole. Employees who are involved in gossip and rumors will be held accountable for their actions. If the gossip, rumor or complaint causes damage to an employee or to LFAPA, it may result in possible termination of said employee, as well as documentation in the employee's file. If an employee is terminated or leaves by their own decision, LFAPA reserves the right to seek legal action against the employee in the event the school or any of its employees are in any way slandered by the said employee. LFAPA takes this policy very seriously. It is intended to protect the good reputation of LFAPA as well as all employees.

### **Non-Retaliation Policy**

LFAPA wants all of its employees to feel free to present workplace issues through the above procedures and to feel free to insist on courteous and professional treatment in compliance with this policy. No type of retaliation is permitted against a person who has made a good faith complaint or report of a workplace issue (including a complaint of possible discrimination or harassment) or who has made a good faith request for an investigation into whether discrimination or harassment has occurred.

### **Compliance with Affirmative Action Rules and Other Legal Requirements**

In compliance with E.O.11246 and its implementing regulations, as well as in compliance with other laws applicable to federal contractors and subcontractors, LFAPA decisions regarding employment are designed to utilize only valid requirements for hiring and promotions, and to ensure an equal employment opportunity in all other aspects of employment. Our policy of non-discrimination extends to employment, promotion, demotion, recruitment or recruitment advertising, layoff or discharge, rates of pay, or other forms of compensation.

LFAPA is committed to equal employment opportunity without regard to race, color, religion, sex (gender), disability, national origin, age or veteran status in connection with, but not limited to, hiring, placement, promotion, demotion, transfer, recruiting, advertising, solicitation, compensation, selection for training, or termination of employment. Equal employment opportunity is considered to be the responsibility of all LFAPA employees.

Qualified handicapped individuals, as well as qualified disabled veterans and veterans of the Vietnam era are encouraged to voluntarily self-identify in order to be considered for affirmative action.

LFAPA is required by law to make reasonable accommodations for qualified individuals with disabilities, unless doing so would result in an undue hardship. This policy governs all aspects of employment including selection, job assignment, compensation, discipline, termination, and access to benefits and training. If an employee has a disability or impairment that is creating job difficulties or requires a special accommodation the matter should be brought to the attention of the school administration.

LFAPA is also obligated to comply with the Immigration Reform and Control Act of 1986 and cannot employ any individual unless they are a citizen of the United States or are not a citizen but have legal authorization to work in the United States. Each new employee must complete the Employment Eligibility Verification form I-9 and present documentation establishing identity and employment eligibility. Employees of LFAPA with questions on immigration law issues are encouraged to contact their lead teacher or supervisor.

### **Fraud Prevention Policy:**

**Purpose:** To ensure that CAFA, Inc., dba Learning Foundation and Performing Arts Charter School and its employees avoid fraud or related misconduct and conduct themselves in accordance with high ethical standards in reporting, investigating, and resolving fraud or related misconduct as defined in Section 1 of this policy.

### **Statement of Policy**

1. Fraud is defined as a willful or deliberate act with the intention of obtaining an unauthorized benefit such as money or property by deception or other unethical means. All fraudulent acts or related misconduct are included under this policy and include, but are not limited to, such activities as the following:
  - Embezzlement, theft, misappropriation or other financial irregularities.
  - Forgery or alteration of documents (checks, time sheets, contractor agreements, purchase orders, other financial documents, or electronic files).
  - Improprieties in the handling or reporting of financial transactions.
  - Misappropriation of funds, securities, supplies, inventory or any other asset (such as furniture, fixtures, equipment, materials), including assets of the library, our patrons, suppliers, or others with whom we have a business relationship.
  - Authorizing or receiving payment for goods not received or services not performed.
  - Authorizing or receiving payments for hours not worked or expenses not accrued and documented.
2. Fraud and related misconduct will not be tolerated. Employees found to have participated in such conduct will be subject to disciplinary action, up to and including termination.
3. Governing board members and LFAPA employees are expected to use their best efforts to recognize risks and exposure inherent to their areas of responsibility and to be aware of indications of fraud and related misconduct. Any reprisal against any employee or other reporting individual because that individual, in good faith, reported a violation is strictly forbidden. Any employee who knows, or has reason to know, of fraud or related misconduct shall report it to the President of the Board of Directors or the Executive Director. If the President of the Learning Foundation and Performing Arts Board of Directors is involved in fraud or related misconduct it shall be reported to the Executive Director, the Superintendent of the Learning Foundation and Performing Arts School District or the President of the Learning Foundation and Performing Arts School District Board of Directors. If the Executive Director is involved in fraud or related misconduct it shall be reported to the Learning Foundation and Performing Arts Superintendent or the Learning Foundation and Performing Arts School District Board of Directors.

4. When fraud or related misconduct is reported to the Executive Director, the President of the Learning Foundation and Performing Arts, the Learning Foundation and Performing Arts School District Superintendent or the President of the Learning Foundation and Performing Arts School Board, an appropriate investigation and all necessary action will be undertaken. All investigations of alleged wrongdoing will be conducted in accordance with applicable laws and library procedures.

- All board members and employees necessary to the investigation will cooperate fully in the investigation.
- Board members and employees should direct all inquiries from any individual who is believed to be involved in fraud or related misconduct, his or her representative, or his or her attorney, and all inquiries from the media to the Executive Director, the Learning Foundation and Performing Arts School District Superintendent or the President of the Learning Foundation and Performing Arts School Board, as appropriate.
- Neither the existence nor the results of investigations or other follow up activity will be disclosed or discussed with anyone other than those persons who have a legitimate need to know in order to perform their duties and responsibilities effectively.
- The Learning Foundation and Performing Arts Governing Board Solicitor will be notified and involved in the investigation whenever appropriate.
- Once the investigation is completed the Governing Board Members and/or Executive Director will take one or more of the following steps:
  - Consult with the Learning Foundation and Performing Arts School Board Solicitor.
  - Take appropriate action and steps to minimize recurrence.
  - Report the results of the investigation to the Learning Foundation and Performing Arts Board of Directors whenever appropriate.

### **Importance of Accurate Data**

LFAPA relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in LFAPA excluding the individual from further consideration for employment, or, if the person has been hired, may result in termination of employment. It is the practice of LFAPA to check employment references, education, experience, certification, highly qualified status, and fingerprint background clearance. If LFAPA feels it is necessary, all violations or falsifications will be reported to the Arizona Department of Education and/or local law enforcement should information warrant such action. The safety of our students and integrity of our schools is of the utmost priority.

### **Personnel Data Changes**

It is the responsibility of each employee to promptly notify LFAPA of any changes in personal data. Personal mailing address, telephone numbers, number and names of dependents, individuals to be contacted in the event of an emergency, educational accomplishment, and other such status reports should be accurate and current at all times. If any personal data is changed the employee must notify school administration.

### **Employment Categories**

Each employee is designated as either hourly or full time. Contractual employees are exempt from federal and state wage and hour laws. Hourly employees of LFAPA are entitled to overtime pay under the specific provisions of federal and state laws. Full time and contractual employees of LFAPA are excluded from the overtime provisions of federal and state wage and hour laws.

REGULAR FULL-TIME employees of LFAPA are scheduled to work a full-time schedule as designated by the Charter Holder and Governing Board. Administrative, teaching and instructional LFAPA contractual employees are paid 24 pays each school year. Classified (non-Instructional) employees are paid 20 pays each school year. Number of pays may be dependent on the start and end dates of an employee's contract.

Pay periods fall on the 15th day and the last day of the month. If the 15th day or the last day of the month falls on a weekend employees will be paid the Friday before that day.

Existing employee's who receive insurance benefits may remain insured through June 30th. Only employees who have signed a new contract will be eligible for benefits to continue on July 1st of the new school year. The employee portion of insurance payment for July will be deducted beginning with the first payroll of the new school year. New employees must wait 90 days before they are eligible for insurance benefits. The last payroll will pay the balance of the employee's contract.

Employees interested in working during the four week vacation time should let management know in advance if they are interested in teaching summer school, distributing advertisements or other work. Stipends may be available for such projects.

TEMPORARY employees of LFAPA are those who are hired as interim replacements, usually to temporarily supplement the work force, cover for absent full-time employees or to assist in the completion of a specific project. Employment assignments in this category typically are of limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary employees of LFAPA retain that status unless and until notified of a change by district management. While temporary employees of LFAPA receive all legally mandated benefits, such as worker's compensation insurance and social security, they are ineligible for all other employment benefit programs provided by LFAPA.

PERMANENT PART-TIME employees of LFAPA are those who are regularly scheduled to work for less than 40 hours per week. In general, part-time employees of LFAPA will not be eligible to receive most benefits other than those available to temporary and casual employees of LFAPA. The director should be consulted about benefit eligibility.

INDEPENDENT CONTRACTORS of LFAPA are those full or part time people providing a service who choose to be responsible for their own Social Security, Workers Compensation and Federal and State taxes. These workers must supply tax ID information, W-9, and address so a 1099 may be issued to them at the end of each calendar year. Independent contractors are ineligible for all LFAPA benefit programs.

All employees of LFAPA are eligible for those benefits that are required by law, such as worker's compensation insurance and Social Security, regardless of their classification. Upon becoming a regular full-time employee of LFAPA, an employee may be eligible for additional benefits. Any such benefits will be subject to the terms and conditions and eligibility restrictions of each benefit program. Employees of LFAPA should read the information for each specific benefit program for the details on eligibility requirements.

### **Regular Work Hours –LFAPA Expectations**

All personnel are expected to be at work at their assigned time of arrival and ready to work.

It is the employee's responsibility to inform their immediate supervisor or administration before the start of the work period if they are unable to work. Failure to do so may result in severe penalties. A phone call is necessary as soon as you know you will be absent from work so a substitute can be contacted. Teachers are responsible for providing the substitute with appropriate lesson plans.

Please schedule all doctor and other necessary appointments before 8:00 am or after 4:00 pm during the regular school week. You must request time off in writing at least two weeks prior to the first day you expect to be off. We, at LFAPA, realize that emergency situations can arise from time to time. However, we are a business and expect employees to handle these situations in a professional manner by contacting their immediate supervisor or administration as soon as possible. Personal business should be arranged outside of regular work hours.

Time off for hourly employees of LFAPA is usually without pay. Full time contractual employees of LFAPA usually will be expected to make up the lost time if absent from work for less than one full day. Employees may be docked for absences of one full day or longer unless available paid time leave can be applied to the absences or unless employee is exempt from docked pay under the FLSA laws. The "Leaves and Approved Absences" section (pages 11-13) contains further information regarding pay during missed time from work.

### **Temporary and Part Time Employee Timekeeping: Time Cards**

Accurate recording of time worked is the responsibility of every employee. Federal and State laws require LFAPA to keep accurate records of time worked by all employees in order to calculate employee pay and benefits. All employees of LFAPA should accurately record the time they begin and end their work. Employees of LFAPA should not work overtime without obtaining permission from the Site Director/Principal. All overtime work must be recorded on a time card or billing sheet.

Altering, falsifying, or tampering with time records may result in disciplinary action up to and including termination of employment. Hourly employees of LFAPA should report to work no more than 10 minutes prior to their scheduled starting time and should not stay more than 10 minutes after their scheduled stop time without prior authorization from the Site Director/Principal.

### **Temporary and Part Time Employee Overtime**

When operating requirements or other needs cannot be met during regular working hours, employees of LFAPA will be scheduled for overtime work assignments. Scheduled overtime is mandatory and failure to work scheduled overtime will be considered an unexcused absence that will subject the employee to disciplinary action.

Hourly employees of LFAPA are entitled to overtime pay at the rate of 1.5 times their regular hourly rate if they work over 40 hours in a workweek. Our workweek is considered to start at 12:01 am on Monday and ends at 12:00 midnight on the following Sunday. Overtime is not paid unless the hours are actually worked, so non-working time (such as sick days, vacation days, etc.) will be excluded in determining whether the employee is eligible for overtime pay.

Hourly employees of LFAPA are not permitted to decide on their own initiative that they will work overtime. All overtime work must have prior administrative approval. Working more than 40 hours per week without obtaining express approval by the administrative supervisor may subject an hourly employee to disciplinary action up to and including discharge. Hourly employees of LFAPA should not report for work more than 10 minutes before their scheduled starting time. Professional contract employees of LFAPA are not eligible for overtime pay.

### **Pay Periods**

All employees of LFAPA are paid twice monthly on the 15<sup>th</sup> day and the last day of the month (If the 15th day or the last day of the month falls on a weekend employees will be paid the Friday before that day). All employees will receive a payroll calendar at the beginning of the school year. Each paycheck will include earnings for all work performed through the end of the previous payroll period, less any advances and deductions. If a regular payday falls during an employee's vacation, the employee may make arrangements for pick up or have their check mailed to them. Automatic deposit may be available with your bank. See administration if you are interested in direct deposit.

### **Administrative Pay Corrections**

LFAPA takes all reasonable steps to ensure that employees of LFAPA receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday. In the event that there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of the administration so that corrections can be made as quickly as possible. Errors on time sheets that have been signed and initialed will be corrected on the following payday. Payroll processing errors will be corrected as soon as possible.

### **Late Funding**

In the unlikely event that funding from the Arizona Department of Education is late for any reason, employees will be notified as soon as the administration is aware of the situation. Every reasonable effort will be made by LFAPA to resolve the problem. Every reasonable effort will be made to help employees with unavoidable financial issues with creditors or banks during the resolution period.

LFAPA reserves the right to delay payroll or issue partial paychecks as deemed necessary.

## **Performance Evaluation**

Employees of LFAPA are strongly encouraged to discuss job performance and goals informally at any time with administration. Employees will receive a yearly formal performance evaluation conducted toward the end of each school year. Periodic informal performance observations will be completed a minimum of once each quarter. Classroom-walk-through observations will be conducted by administration for teaching staff a minimum of once each month. (Observations and walk-throughs may be completed more often where extra support, counseling, or instructional coaching is deemed appropriate). All employees of LFAPA are encouraged to speak up and request their observations if overdue.

## **Reimbursements**

All employees **must have prior approval** before purchasing any school supplies with personal funds if the employee wishes for a reimbursement from LFAPA. Employees must turn in all receipts for approved purchases prior to being reimbursed. Reimbursements will be issued within two weeks of request if funds are available. If reimbursed funds are needed sooner than two weeks after a purchase, the employee must have prior approval from administration to be reimbursed at a certain time before purchasing supplies.

No employee reimbursements will be made without a vendor receipt showing the amount.

## **Benefits**

CAFA, Inc. dba Learning Foundation and Performing Arts reserves the right to modify or exclude any parts of its benefit plans or to eliminate benefit plans at any time and to administer and interpret all aspects of such plans to the fullest extent of discretion permitted by applicable federal or state law. Significant changes in plans with vested benefits ordinarily will not be retroactive unless permitted by applicable law.

All employees of LFAPA regardless of classification, are eligible for Social Security contributions on their behalf; are covered by Workers Compensation Insurance if injured on the job; and are covered by unemployment compensation insurance if their employment is terminated through no fault of their own or if laid off due to lack of work.

Regular full-time and contractual full-time employees of LFAPA are eligible for all of the benefit programs offered by LFAPA listed below and are subject to eligibility requirements and any limitations or conditions of each program.

## **Social Security Coverage**

Every pay period employees are required by federal law to contribute a significant percentage of their wages (currently about 7.7%) into the Social Security system which also includes Medicaid. LFAPA must match the employee's contribution with an equal amount contributed to Social Security for the employee's total benefit. The benefits offered by Social Security include disability payments and medical insurance for contributors who become totally disabled for any reason prior to normal retirement; death survivor benefits to spouse and minor children; and also retirement benefits and health insurance for you and your spouse when you reach retirement age. Information about available Social Security benefits may be obtained from your nearest Social Security office or on their web-site at [SSA.gov](http://SSA.gov).

## **Workers Compensation Coverage**

LFAPA is required to purchase workers compensation insurance on each employee at a substantial annual cost. This insurance provides important benefits to an employee who sustains an on-the-job injury while doing work for LFAPA. Benefits include payment of all costs of medical care needed for the injury (including necessary rehabilitation), payment of temporary disability payments during the time that the employee cannot work due to the injury, certain lump sum payments for any permanent residual disability which may limit future employment prospects for the employee, and payment for re-training if the employee is unable to return to the former occupation. The benefits are administered by the State Workers Compensation Court (with benefits other than medical payments usually being established through a schedule fixed by the court). The forms needed to apply for such coverage are available at the administrative office and will be filed for you upon prompt notice of any on-the-job injury. Certain strict time limits apply for these claims so it is very important to give prompt notice of any injuries to your lead teacher or supervisor.

## **Unemployment Compensation Insurance**

LFAPA pays premiums to the state unemployment insurance fund which provides unemployment benefits to eligible workers who are unemployed through no fault of their own and meet other eligibility requirements of State law. Benefits are available when employment is terminated or suspended as a result of a layoff due to lack of work and also may be available where employment is terminated due to inability of the employee to perform assigned work despite an earnest effort to meet expectations. Benefits also may be available if the employee left due to a substantial alteration in pay or working conditions. Claims for unemployment compensation are handled through the offices of the State Employment Service which makes an initial assessment of the claim and may hold a hearing if there is a question or dispute about whether the employee is eligible for benefits.

## **Health Insurance**

LFAPA pays 60% of the premium for health and dental insurance for each regular full-time and contractual employee of LFAPA. New employees of LFAPA will receive health benefits beginning 90 days after date of hire. The contribution required from the employee for coverage depends on various factors including whether family members are to be covered and the type of plan selected. The employee's share of the health insurance premium is payable as a payroll deduction from **each** paycheck.

## **Health Insurance Waiver**

Employees may elect to waive insurance coverage offered by LFAPA because they are covered by another plan, are covered by COBRA, or covered by their spouses plan. Employees who have waived insurance and then decide to enroll must wait for the next insurance enrollment period.

## **Retirement**

LFAPA offers the following retirement benefit to all full-time and part-time employees:

The plan is a simple IRA. Each employee can sign up for a pre-tax deduction of 1% of their yearly salary as a payroll deduction from **each** paycheck which will be matched by LFAPA. The plan is yearly and employees can sign up for the plan on January 1st during any year of employment.

An employee can choose to have a higher amount deducted over the 1%. However, any amount over the 1% will not be matched by LFAPA. An employee can choose to invest any set dollar amount they choose per pay check up to \$13,000 annually.

This service also comes with a one-on-one meeting with a financial specialist who will sit with the employee and answer all their questions regarding retirement vehicles, life insurance programs and any and all investments options that are available in the open market.

## **Holidays and School Breaks**

LFAPA recognizes 10 paid holidays off for employees in addition to time off for regular Fall break, Winter break, and Spring break. Each employee receives a calendar showing paid holidays and school breaks at the beginning of each school year.

LFAPA reserves the right to change or exclude holidays if deemed necessary.

Labor Day	New Year's Day
Veterans Day	Presidents' Day
Thanksgiving (3 days)	Civil Rights Day
Christmas Holidays fall within Winter Break	Spring Holiday
	Memorial Day

## **Paid-Time-Off: Leave Benefit**

LFAPA allows for five paid days off per school year to be used for personal or sick time in addition to the regular paid holidays. See "Leaves and Approved Absences" following the benefits section for details

## **LEAVES AND APPROVED ABSENCES**

The purpose of this section is to identify the common reasons that employees of LFAPA may request time off work and to provide some guidelines for when LFAPA will treat such absences as excused (as opposed to an unexcused absence that may require disciplinary action). Obviously, not every possible situation can be envisioned or identified and LFAPA retains the right to decide whether a particular absence should be excused in any particular situation.

Federal and state laws require certain types of leave of absence or time off to be granted to employees. These types of leave include leave to obtain treatment for work-related injuries, FMLA leave (including pregnancy leave-unpaid), time off to vote in statewide and general elections; to participate in jury duty; in response to a court subpoena; and military leave. LFAPA will grant an approved absence for these types of leave or time off upon receipt of a timely notice, proper verification of the need for such leave, and completion of any necessary forms and paperwork for the leave. In addition to these government-mandated types of leave or time off, LFAPA realizes that times will arise when an employee may need to be granted time off from work because of minor illness or in order to attend to various civic, personal or family matters.

### **General guidelines on Attendance**

When an employee misses work (especially if the work cannot be made up), it creates a hardship on the company and on co-workers who need to cover for the employee. Repeated absences, even for what may appear to the employee to be for good reason, may result in disciplinary action (unless leave is required by federal or state law). LFAPA needs to receive as much advance notice as possible of the anticipated absence before making an effort to accommodate a request for paid time off from work for absences which are not covered by federal or state laws. Requests for paid time off are more likely to be approved where considerable advance notice is given, the reason for the absence is legitimate and verifiable, the nature of the absence requires that the employee miss all or part of the normal workday, the employee has presented a workable plan for making up missed work and/or can propose a workable redistribution of their work to others during the absence, and the employee has remaining paid time off leave available that may be applied to the absence. Where the employee has given little or no notice of the absence and the absence was avoidable with reasonable care (e.g. forgot to set alarm or overslept), the absence is very likely to be treated as unexcused – even if the employee is allowed or required to make up the time.

Employees of LFAPA should keep the following in mind when requesting paid time off leave from work:

1. Even if an employee feels there is an appropriate reason to request time off, LFAPA retains sole discretion to decide whether or not to approve the absence (unless approval of the absence is required by applicable state or federal law).
2. Requests for paid time off leave may be denied based upon influences such as existing workloads, or leave requests for the same time submitted earlier by employees in the same job. An employee's prior work history, attendance and disciplinary record will also affect approval for time off.
3. Failure to provide as much advance notice as possible for a foreseeable paid time off leave may result in denial of permission for the absence or requirement by LFAPA that the absence be postponed to a later date.
4. Except for true emergency situations, non-scheduled absences are not acceptable and will result in the absence being treated as unexcused.
5. Any unexcused absence (whether a foreseeable or emergency absence) is grounds for disciplinary action. The degree of discipline to be imposed will depend on the prior work history of the employee; the promptness of the employee in providing notice (even if belated); the justification provided for the absence; and the attitude displayed by the employee in the situation. (Demonstration of defiance, insubordination, or lack of concern over compliance with company rules will be dealt with more severely than where the employee demonstrates sincere concern over the absence and has a concrete plan in place to prevent future unexcused absences).
6. The issue of whether the absence will be excused is different from the decision on whether the absence will be paid. Unless the employee has available paid time off leave which applies to the absence, or the time can be made up, the time missed will be treated as unpaid if the employee is hourly (if exempt, the employee will only be docked for absences of one day or more unless the absence is covered by FMLA intermittent leave or other conditions that permit docking wages under the FLSA).

7. Once paid time off leave has been exhausted, any additional leave granted for the same reason normally will be unpaid. Thus, if an employee has already used all available bereavement pay for the year, the employee may be granted permission to miss work to attend a funeral for another relative-but the employee will not receive any paid time off leave for the time missed (subject to FLSA requirements).

### **Funeral Leave**

Employees of LFAPA are provided with a maximum of three days paid bereavement leave per year. Bereavement pay is payable only for the time the employee needs to miss work in order to attend the funeral of one of the following relatives: the spouse, parent, child, sibling, grandparent or grandchild of the employee. In order to allow an employee time to cope with the trauma of the death of a spouse or minor child, LFAPA will allow additional time off either by granting an unpaid leave or allowing the employee to utilize paid time off leave. The employee should coordinate with administration if extended leave is necessary in such instances.

### **Military Leave**

LFAPA will comply with all applicable legal requirements regarding leave for employees who are absent due to military service obligations. Employees absent due to military service must make prior arrangements with LFAPA administration so their job will be covered during the time required to be away from work.

### **Jury Duty or Court Appearances**

LFAPA will grant leave to employees who are absent due to jury duty. Employees on jury duty will receive their regular compensation for the first five working days of absence for their service. Additional jury duty time beyond five working days will be unpaid unless the employee chooses to apply available paid time off leave to the absence. However, an absence for jury duty will be considered excused and during the period of jury service consideration for the employee and job coverage will be treated in the same manner as for any employee on unpaid personal leave. If unpaid leave for jury duty will present an undue hardship to an employee, the employee should advise the court of this hardship at the time of jury selection.

Employees of LFAPA who wish to make court appearances for their own litigation should make advance arrangements to request time off for such appearances. Paid time off normally may be applied to the absence if such time is available and advance arrangements have been made. Employees of LFAPA should be aware that court dates normally are set several weeks in advance.

Failure to request paid time off in a timely manner may be viewed as grounds for denial of the leave and/or denial of the application for paid time off to the absence. As a result, employees of LFAPA may be well advised to inform their counsel of the need to receive timely notice of any court appearances (“Emergencies” created by neglect of counsel are not viewed as genuine emergencies by LFAPA).

If the employee is subpoenaed to appear on behalf of another person in litigation to which the employee is not a party, the employee should follow the usual procedures for requesting time off. Absences for such appearances will be unpaid (subject to any FLSA requirements applicable to exempt employees of LFAPA), unless the employee is permitted to apply paid time off leave to the absence.

If an employee appears as a witness on behalf of LFAPA in any litigation, the employee’s time will be treated as work time and regular wages will be paid.

### **Job-Related Injury Leave**

An employee who sustains an on-the-job injury will be granted a leave of absence while the employee is temporarily unable to perform the duties of his/her job. This leave will run concurrently with any available FMLA leave but can be extended for as long as the period of temporary absence continues (even if FMLA leave has expired). The injured employee has the responsibility of advising the treating physician(s) of the essential physical requirements of the job (or, where applicable, mental requirements), so that the physician has the necessary information to assess when the employee will be able to return to work. The employee should contact the principal/site director to obtain a description of the essential functions of the job in question and must promptly provide the same to all treating physicians. In addition, the employee may be required to provide a release to the administration to contact the treating physician to obtain appropriate additional information needed to assess the ability of the employee to work.

When the ability of the employee to return to work has been called into question, LFAPA reserves the right to condition additional leave upon prompt cooperation in an independent medical examination or cooperation by the employee in the prompt presentation of the issue to the court for decision.

While the employee is recuperating, the employee should be aware that the company has a limited ability to accommodate requests for temporary light duty. In situations where the doctor does not believe that the employee has recovered sufficiently to be given a full release to return to work, the employee should request that the doctor contact LFAPA to determine whether work can be provided which will meet the restrictions that the doctor believes necessary. On occasion, temporary light duty work only will be available in a different job classification, and LFAPA reserves the right to offer temporary reassignment to this position (with or without any change in pay) in order to allow the employee to return to work. Failure to accept a temporary light duty assignment can lead to termination and may result in a ruling by the court that the remainder of any leave will be without pay.

Once the employee has reached maximum medical improvement, the treating physician will issue a final impairment rating to assess if there is any residual permanent impairment. At this point, the employee also will be released from further medical care, but this release may be with or without restrictions. Upon this final release, the employee must bring a copy of the physician's report to LFAPA. If released without restrictions before FMLA leave time has been exhausted, the employee will be reinstated to his former position as quickly as possible (except in cases where the job has been eliminated and/or persons of like status are on layoff status). Where restrictions have been imposed, LFAPA will assess whether reasonable accommodations are available which would permit the employee to perform his/her prior job, or whether other jobs are available which the employee could do with the restrictions imposed. On occasion, the injury may have been so severe that reinstatement is not possible. In such circumstances, LFAPA will make efforts to assist the employee in pursuing any re-training available under the workers compensation law or to assist the employee in seeking a total disability determination for Social Security.

### **Paid-Time-Off**

Paid-time-off leave is available to regular full-time employees of LFAPA to provide time away from work to attend to emergencies, illness or personal business involving family matters and unscheduled events. LFAPA encourages employees to use regular breaks for scheduling non-emergency business and appointments.

### **Contracted 11 month Employees of LFAPA**

All employees of LFAPA are considered to be professionals. LFAPA prides itself on hiring competent individuals and all employees are required and encouraged to fulfill their contractual responsibilities. However, we realize that sometimes circumstances beyond the control of an employee validate cause to terminate a position. Should this become necessary, LFAPA contracts have an out-clause with a 30-day written notice to terminate employment. Keep in mind however; we are all here for the benefit of the students. Students typically do not adjust well academically or emotionally to a change of teachers during the school year.

Contracted professionals and teachers receive an allotted number of days for paid time off. Once the paid time off benefit is used, employees of LFAPA should not expect to be reimbursed for time off. Contracted professional employees are required to provide as much time as needed to complete their responsibilities. If the employee has not used the allotted time off during the school year there will be no carry over. LFAPA does not recognize or clock compensatory time.

Full-Year contracted Employees of LFAPA are allowed an allotted amount of paid personal or sick days in addition to the regularly scheduled school holidays and breaks.

### **Paid Time off Request**

Employees of LFAPA must request time off in writing by completing a request form for paid time off. Once the form is received and approved it will be returned to you either by fax or mail. Employees of LFAPA must have all time off pre-approved except for emergencies or sudden illness.

### **Paid Time Off availability**

Paid Time Off may be scheduled at any time during the year subject to approval of administration. Only a limited number of requests at a school can be approved at one particular time so it is advisable to request time off early. Where an LFAPA school has more employees requesting time off during peak vacation times than can be

accommodated, the administrator will meet with employees to decide upon an equitable way to allocate the time. Once Paid Time Off has been scheduled, LFAPA will make every effort to honor each request. However, employees are encouraged to check with their supervisors about departmental workloads before purchasing non-refundable tickets or making travel deposits and should try to purchase tickets as close to the time of departure as possible. LFAPA reserves the right to require employees to cancel or reschedule vacations should a circumstance arise such as unforeseen work load requirements or unexpected illness or hospitalization of a co-worker.

### **Short Term Personal Time Off**

For the purposes of Paid-Time-Off for providing care for a family member, “members of the immediate family” will be considered to be the spouse, parents, children and siblings of the employee. Relatives by marriage (in-laws) are not covered, nor are relatives beyond the immediate family.

If an employee desires non-emergency time off work for personal reasons related to the need for care of the employee or a member of the employee’s immediate family (under circumstances which would not qualify as FMLA leave), the employee must apply to administration for permission to take time off as soon as the need for the absence is known. The employee must provide full details regarding the proposed date and time of the absence, the reason for the absence, or what type of leave is proposed to be applied to the absence. An example might be to take an afternoon off work so that a child may go to the orthodontist to be fitted for braces. Every effort must be made to coordinate the scheduling of the proposed absence with administration so as to cause the least possible disruption of the business. Subject to work requirements, an excused absence usually will be granted if at least two weeks notice of the absence has been given and work schedules can be arranged so that missed work can be made up without undue disruption of the business operations. Permission may also be granted if a request is made at least two weeks in advance and paid time off pay can be applied to the absence.

Where no paid time off is available and/or where the work cannot be made up, permission for paid time off is within the sole discretion of LFAPA (except where leave is required by FMLA or other applicable federal or state law). Unless the employee offers an exceptionally good reason for the absence and has consistently maintained an excellent work history, additional paid time off is unlikely to be approved in these cases.

Severe disciplinary action may be imposed up to and including termination for the following reasons:

- \* The employee fails to seek or obtain timely advance permission for foreseeable time off.
- \* The employee fails or refuses to make reasonable efforts to accommodate the business needs of LFAPA school or legitimate expectations of co-workers.
- \* The employee fails to report to work after permission for paid time off has been denied or postponed due to unwarranted delays by the employee in providing proper advance notice of the absence.

### **Procedure for Emergency Absence**

Unscheduled absences create very severe impositions for any company. Such absences should be kept to a bare minimum and reserved for truly serious matters which could not be foreseen and could not have been avoided (even with advance planning by the employee).

### **Long Term Personal Leave**

Leave of absence may be granted to allow an employee time for personal, family, educational or religious matters which cannot be taken care of during regular breaks or vacation time off and which are not covered by FMLA leave. Personal leaves may be granted for periods of time of one week up to a maximum of six months. The decision to grant or deny the leave is within the sole discretion of LFAPA administration and may be based upon a the following factors: Amount of time requested; if paid time off is available can be used in lieu of asking for added time off; an acceptable reason for the request; if the leave will benefit the company in any way; the prior work history of the employee; the hardship to the company if the leave is granted; and any other related factors.

Employees of LFAPA are not eligible to apply for long term personal leave until after they have completed three full years of service. Except in extremely unusual circumstances, no employee will be granted more than one extended personal leave (i.e., leave in excess of two weeks) in any three-year period. All such leaves will be unpaid, no benefits will accrue during any extended leave, and the employee will be required to reimburse LFAPA for health insurance premiums during any extended leave in the same manner as required for COBRA extension of benefits.

## **Maternity/Paternity Leave**

Requests for time off due to pregnancy related disabilities would be treated in the same manner as requests for leave due to other non-working related disabilities if the employee is not covered by FMLA or will be treated as an FMLA covered absence if the employee is covered by FMLA. Requests by the mother or father for leave to care for a newborn baby (or for a newly adopted child) will be considered in the same manner as any other request for an unpaid personal or family leave or will be considered to be covered by the provisions on FMLA leave, if the employee is eligible for such leave.

## **Time Off To Vote**

Most employees of LFAPA have adequate time to vote before or after work hours. If special arrangements need to be made for adequate voting time, employees of LFAPA should request adjustment of their work schedules at least three days before the date of the election. Please contact administration to make such arrangements.

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

Full-time regular employees of LFAPA are eligible for an unpaid FMLA leave of absence after completion of twelve months of full-time service. Employees of LFAPA who are temporary, casual or permanent part-time workers also qualify for such leave if they have worked for LFAPA for at least one year and have worked 1,250 hours in the twelve months preceding the absence. Leave may be requested for the employee's own serious health condition or to care for a member of the employee's immediate family who has a serious health condition. In addition, FMLA provides certain leave to employees of LFAPA for the birth or adoption of a child (In cases where both parents work for LFAPA it is important to check with administration as leaves may be limited).

For purposes of FMLA, serious health conditions or disabilities include in-patient care in a hospital, hospice, or residential medical care facility; continuing treatment by a health care provider for a chronic serious health condition; and temporary disabilities associated with pregnancy, childbirth, and related non-permanent medical conditions. Eligible employees of LFAPA are normally granted leave for the period of the disability, up to a maximum of twelve weeks within any twelve-month period. Employees of LFAPA will be required to first use any accrued paid leave time before taking unpaid medical leave and such time will be credited towards their total leave time. In determining eligibility for leave, LFAPA will employ the "look-back" method. Under this method, LFAPA will look back to the preceding twelve-month period of time to determine if the employee has met eligibility requirements and also will look back in this period to determine whether the employee has exhausted the twelve-week leave entitlement.

Employees of LFAPA should make requests for medical leave to the administration at least thirty days in advance of foreseeable events and as soon as possible for unforeseeable events. A health care provider's statement must be submitted verifying the need for medical leave with beginning and expected ending dates. Any changes in this information should be promptly reported to LFAPA administration. Employees of LFAPA returning from medical leave must submit a health care provider's verification of their fitness to return to work.

LFAPA employees, who are absent due to a work-related injury may have special rights to additional leave. Check with administration to determine what leaves may be available. During FMLA leave, LFAPA will continue to provide health insurance benefits on the same basis as provided before commencement of leave (i.e., an employee who was required to pay a portion of the health insurance premiums before the leave will continue to be required to pay such premiums during the leave.

An employee on an extended FMLA leave should try to provide LFAPA with a least two weeks advance notice of the date the employee intends to return to work. When a medical leave ends, the employee will be reinstated to the same position if it is available or to an equivalent position for which the employee is qualified. If an employee fails to report to work at the end of the medical leave, or fails to submit required status reports during such leave, LFAPA will treat the employee as having resigned.

Employees of LFAPA also may be entitled to intermittent leave under FMLA in order to obtain an ongoing course of treatment for a chronic serious health condition (such as radiation treatment, dialysis, etc.), or to take a covered family member to such treatment where the employee's presence is necessary to provide care for the family member. In order to obtain intermittent leave, the employee should contact district administration to fill out necessary paperwork and discuss the best ways to rearrange the work schedule to accommodate the leave.

In the case of intermittent leave LFAPA reserves the right to reassign the employee for the duration of the leave to another position where the intermittent absences can be accommodated more easily. Normal paid time off rules will apply to routine FMLA covered absences of several days duration. Where the employee or family member has a chronic health condition that requires recurrent intermittent leave, the employee will be permitted to apply paid time off to such absence based upon increments equal to the actual amount of time missed from work.

### **Safety Requirements**

No one expects to be hurt on the job, however employees of LFAPA are expected to attend and participate in all safety meetings. Any employee who observes a situation that constitutes a danger or hazard must report the problem to administration immediately. If the problem is not addressed to the satisfaction of the employee, the matter should be taken to district administration.

The improper, careless, negligent, destructive, or unsafe use or operation of equipment can result in disciplinary action up to and including termination of employment. Likewise, violation of safety rules is considered a serious matter and will also result in disciplinary action up to and including termination.

No employee should perform any task that the employee sincerely believes will create a serious safety hazard. If orders are given to perform a task that the employee believes in good faith will create a serious safety risk, the employee MUST inform the supervisor of his concerns. If the problem is not corrected, the employee MUST report the matter immediately to administration or district. Pending further review, an employee should not perform any task, which the employee reasonably believes to be unsafe.

### **Accident Reporting**

If an employee witnesses an accident involving a co-worker notify the lead teacher or administration immediately. If you can do so without serious risk of injury to yourself, promptly take steps to safeguard your coworkers and company property. This will set in motion the sequence of events necessary to insure no further harm can occur, that first aid may be rendered, that transport to emergency care locations can be swiftly arranged for, and that any necessary paperwork for insurance and treatment of the accident/injury victim can be obtained.

Likewise, if you sustain any accidental injury at work, no matter how minor, you should notify your lead teacher or supervisor immediately so that LFAPA may complete the required job safety forms and make an assessment of whether you should be sent for emergency medical treatment. By promptly notifying the company of job-related injuries, you also protect your rights to workers compensation benefits in the event that the injury is more serious than first suspected.

### **Security Inspections**

LFAPA maintains a work environment that is free of illegal drugs, alcohol, firearms, explosives, or other improper or illegal materials. Desks, lockers, and other company property assets remain the sole property of LFAPA. Accordingly, employees of LFAPA are on notice that any agent or representative of LFAPA may inspect these areas or property assets at any time with or without prior notice.

### **Drug and Alcohol Use**

It is the desire of LFAPA to provide a drug-free, healthy, and safe workplace for all employees. To promote this goal, employees of LFAPA are required to report to work in appropriate mental and physical condition to perform their jobs safely and in a satisfactory manner.

While on the company premises and/or while conducting business-related activities off the company premises, no employee may use, possess, distribute, sell, or be under the influence of alcohol or illegal drugs. Employees of LFAPA may not report to work under the influence of alcohol or any illegal drug or any other type of substance abuse. If an employee believes that he/she may have a substance dependency or abuse problem, the employee is encouraged to discuss these matters with administration and seek proper assistance.

LFAPA District reserves the right to request any employee of LFAPA to perform a drug test if the school administrator believes the employee may be under the influence of drugs or alcohol while at work.

Employees of LFAPA may request approval to take unpaid time off to participate in a rehabilitation or treatment program through the company's health insurance benefit coverage provided that the abuse occurred off premises and provided that the employee is not currently facing disciplinary action for violation of the alcohol or illegal substance policy.

Any employee who violates this alcohol or illegal drug policy is subject to immediate termination. In the sole discretion of LFAPA, the employee may be allowed to participate in a substance abuse rehabilitation or treatment program as a condition of continued employment. This option normally will be limited to situations where the consumption/use occurred off premises and after hours, where the employee has worked for LFAPA for three years or more, and where the employee has a prior established history of good work performance. If LFAPA agrees to this alternative, any program will include the requirement that the employee agrees to abstain from use of the problem substance from that day forward, that LFAPA agrees to fulfill all of the requirements imposed by the rehabilitation facility, and LFAPA agrees that violation of any of these conditions is grounds for immediate termination.

## **BUSINESS OPERATIONS**

### **Visitors in the Workplace**

Only authorized visitors are allowed in the workplace. Restricting unauthorized visitors helps to maintain safety standards, protects against theft, ensures security of equipment, protects confidential information, safeguards employee welfare, and avoids potential distractions and disturbances.

Employees of LFAPA are responsible for the conduct and safety of their visitors. When an unauthorized individual is observed on the premises, employees of LFAPA are required to immediately notify their supervisor or, if necessary, direct the individual to the administrative offices.

### **Use of Phone and Mail Systems**

No long distance or collect calls may be charged to LFAPA. Use of LFAPA business telephones for personal business is discouraged. Use of personal cell phones is prohibited on company time. Excessive use of company paid time to make personal calls to conduct personal business constitutes theft of company time and will be dealt with severely.

The use of company-paid postage, envelopes, or supplies for personal correspondence is not permitted. Similarly, the use of LFAPA copiers, fax machines or computers for personal business is forbidden.

LFAPA Internet or e-mail accounts should be used solely for business purposes and employees of LFAPA should be aware that such use is NOT private and may be monitored. Work hours are for work and any interruptions for personal business should be very brief and kept to a bare minimum.

### **Personal Appearance**

Dress, grooming, and personal cleanliness standards contribute to the morale of all employees of LFAPA and affect the business image we present to customers and visitors. During business hours and at any LFAPA function, employees are expected to present a clean and neat appearance and to dress according to the requirements of their position. Employees who appear for work inappropriately dressed will be sent home and directed to return to work in proper attire. Under such circumstances employees will not be compensated for the time away from work. Consult school administration if you have questions regarding what constitutes appropriate attire.

Employees are expected to dress professionally as directed and comply with the following requirements while on an LFAPA campus, transporting students, or at any LFAPA function or event.

- No clothing shall display inappropriate language or advertise drugs, alcohol or tobacco related items.
- Tops must cover midriff to below the waistline of pants or skirts even when raising an arm to write on board.
- No tube tops, low cut tops, or spaghetti straps will be permitted.
- For safety reasons, flip-flops, rubber shoes, or loose fitting sandals are not allowed.
- Tattoos are to be covered at all times.
- No extreme hair colors (natural colors only)
- No gauging or body piercing is allowed. (2 piercings per ear only).

All employees are required to represent LFAPA well-groomed in a professional business manner.

### **Personal Use of Company Property**

Personal use of LFAPA property assets of any type is not allowed. Company tools, equipment, supplies, materials, or any other products or assets on or in LFAPA property may not be removed from the premises under any circumstances. Only an employee who is specifically authorized to do so with permission from district administration for a specific reason is allowed to remove property from LFAPA.

### **School District Services:**

CAFA, Inc. dba Learning Foundation and Performing Arts and Learning Foundation Schools offers the following non-academic services that are essential to the operation of our schools. These services are costly and are all under-budgeted, therefore the district is forced to charge nominal fees to all who participate in taking advantage of the services offered.

- ▶ Transportation services with buses and vans owned and operated by the District.
- ▶ Lunch, Snack and Breakfast contracted through an outside company by the District.
- ▶ Before School and After School child care on site at Stapley campus and Alta Mesa campus operated as a separate business by the District. Busing to discounted off-site care is offered at the Warner school.
- ▶ Preschool operated as a separate child care business by the District located at the Warner campus and the Stapley campus.

The listed services are never to be understood as “free” to employees or families. However, if an employee or student family approaches the district for help with “special” circumstances the district is happy to work with the employee or family to provide needed services.

There are legalities involved with all of these services. It is not any school employee’s privilege to decide if service fees are waived or lowered for any individual; or if an individual can use the services at any time without completing the paperwork required by the district and state agencies. Use of these services is strictly district business and a district decision. The circumstances and district decision for one employee does not dictate the rule for any other employee.

Should you have any questions or needs regarding services, please contact your principal/site director or call the district for an appointment.

### **Conflicts of Interest:**

#### **Duty to Avoid Conflicts of Interest**

Employees of LFAPA have an obligation to monitor their conduct and personal associations in order to avoid actual or potential conflicts of interest. The purpose of these guidelines is to provide general guidance about the types of situations that may result in a conflict of interest. Contact administration for more information or questions about conflicts of interest.

A conflict of interest automatically is considered to arise when the employee who makes decisions on purchases by LFAPA is placed in the position where such decisions may be influenced by any factors other than the best interest of the school. Improper factors which may influence an employee to do business with a particular vendor (instead of with a competitor who may offer a better price or product to the company) include having a hidden ownership interest in the vendor (directly or through a family member); accepting personal favors, tickets to sporting events, invitations to parties or other special treatment for the vendor; accepting offers of special jobs for relatives; and accepting kickbacks, bribes, commissions or other financial inducements in exchange for steering business to the vendor or as a reward for having done so.

No employee may accept anything of monetary value in exchange for steering business to a particular vendor (or as an inducement or reward for having done so). Likewise, no employee should permit a close relative or friend to accept anything of value from a vendor in circumstances where it would be a conflict of interest for the employee to have accepted the benefit.

Where the employee becomes aware of an actual or potential conflict of interest, the Employee is obligated to immediately disclose this fact. Such disclosure is automatically required when a relative goes to work for a vendor with whom the employee regularly does business.

With proper and timely disclosure, LFAPA may be able to make arrangements that will alleviate its concerns over possible conflicts of interest. However, LFAPA retains the right to insist on elimination of the conflict as a condition of continued employment. Where an employee accepts anything of value from a vendor without immediate and prompt disclosure, or otherwise violates this policy, the employee will be subject to serious discipline (up to and including termination). Where the employee received kickbacks or other payments of significant monetary value LFAPA reserves the right to seek repayment of any ill-gotten gains from the employee (or employee's relatives) and from the vendor.

### **Outside Employment**

Outside employment which constitutes a conflict of interest is prohibited (this applies to independent contractors (non-contract). In order to assess whether a conflict of interest may arise, employees of LFAPA must notify the administration when they are offered outside employment and must obtain a clearance to hold an outside position. Employees of LFAPA should be aware that relationships can change and that LFAPA reserves the right to revoke such clearance at any time.

Employees of LFAPA normally will be allowed to hold outside jobs with companies that are not competitors, customers, suppliers or vendors of LFAPA as long as they continue to meet the performance standards of their job with LFAPA. All employees of LFAPA will be judged by the same performance standards and will be subject to the company's scheduling demands regardless of any existing outside work requirements. If LFAPA determines that an employee's outside work interferes with performance or the ability to meet the requirements of LFAPA as it may be modified from time to time, the employee may be asked to terminate the outside employment if he or she wishes to remain employed with LFAPA.

Employees of LFAPA may not perform work for other companies or for their own personal business ventures on LFAPA time or within any LFAPA owned or leased facility. Likewise, employees of LFAPA may not use, sell or convey confidential business knowledge acquired while at LFAPA to any third parties (regardless of whether still employed by LFAPA or working elsewhere at the time that such information is conveyed).

### **Protection of Confidential Information**

The protection of confidential business information and trade secrets is in the best interest and the success of LFAPA. Such confidential information includes, but is not limited to, the following examples:

- Information about employees of LFAPA including vital information, compensation and evaluations.
- Student lists.
- Financial information.
- Marketing strategies.
- New materials research.
- Pending projects and proposals.
- Research and development strategies.

Employees of LFAPA who improperly use trade secrets or confidential business information, or who improperly disclose such information, will be subject to disciplinary action up to and including termination. Employees of LFAPA who regularly have access to highly confidential information may be required to sign a specific acknowledgment of non-disclosure obligations as a condition of employment to serve as additional proof of their knowledge of these legal obligations to LFAPA.

Regardless of whether a signed non-disclosure acknowledgment is obtained, LFAPA normally will have the legal right to insist on confidentiality of information even after the employee has gone to work for another company. Disclosure of confidential company information to another employer is strictly prohibited and may subject the former employee (as well as the new employer) to a lawsuit for any damages resulting from the unauthorized disclosure. At termination, employees of LFAPA will be required to certify that they have returned all LFAPA documents and records (including any duplication of the same). To the extent permitted by law, final paychecks will be held pending receipt of this certification.

## **DISCIPLINE AND TERMINATION:**

### **Discipline**

If an employee fails to meet overall expectations for performance of the job (including compliance with LFAPA rules and procedures as well as the use of common sense and common courtesy), the company must decide whether the imposition of discipline is likely to fully correct performance deficiencies and turn the employee into a desirable worker.

If LFAPA believes it is unlikely discipline will turn an employee into a desirable worker the employee is subject to immediate termination. If an employee is on contract with LFAPA the company reserves the right to terminate the employee immediately or to notify the employee in writing giving a thirty-day notice. Instances where disciplinary action is considered as unlikely to be worthwhile includes situations where despite real effort, the employee simply cannot do the work assigned. This might be due to lack of needed skills, lack of physical ability, personality issues, or other factors which the employee is likely to be unable to change within an acceptable time as determined by the district or policy. Discipline also may be considered unlikely to be worthwhile where the overall record of an employee is poor and/or the employee requires an excessive amount of supervisory time (e.g., the supervisor is repeatedly dealing with problems created by the employee, repeatedly having to oversee the employee's work or effort, or often having to adjust schedules due to unexcused absences, tardiness or poor work effort by the employee).

In making the decision on whether to impose discipline, as well as what type of discipline to impose, LFAPA considers the following types of factors: the severity of the particular offense in question (some acts are so serious that termination is the only viable option); the prior overall record of the employee including the number of times the employee has been involved in disciplinary actions even if different from the current offense (there is a point where if an employee becomes a continual problem termination is the only option); the effect of the offense or discipline on the morale of other employees of LFAPA; the effect of the offense or discipline on those who do business with LFAPA. In disciplinary situations where an employee has demonstrated an overall aptitude, ability and willingness to satisfactorily perform assigned job duties LFAPA may devote supervisory time and resources towards working with the employee to try to correct the problems.

LFAPA believes in treating every employee as an individual and in assessing each particular situation to determine any disciplinary action to be taken.

Any of the following types of disciplinary action may be taken with an employee depending on the violation. Where the decision is made to continue employment, LFAPA reserves the right to impose specific requirements or terms on the employee as a condition of continued employment (i.e., probationary periods during which additional infractions or failure to adhere to an agreed performance improvement plan may result in further disciplinary action or termination).

### **Definitions:**

**Termination** — LFAPA decides that further employment of the individual is not in its best interest and severs the employment relationship.

**Suspension without pay** — Generally, a suspension is from one to three days of time off without pay.

**Written warning** — Employee receives formal written notice from administration on the infraction and the steps required to correct the problem. Employee must commit, in writing, to immediate correction of the problem.

**Verbal warning** — Employee is verbally notified by administration of the infraction and a commitment is attained from the employee to cease the offending conduct immediately.

**The type of discipline selected is the sole discretion of LFAPA administration.**

### **Reasons For Termination**

Employment may be ended by the employee or by LFAPA at any time and for any reason.

### **Resignation**

Voluntary employment termination initiated by an employee. As a courtesy, LFAPA requests two weeks notice of resignation so that it can seek to fill the opening with minimum disruption.

**Layoff**

Involuntary employment termination initiated by LFAPA for lack of work, staff reductions, departmental closure, or other unseen circumstance.

**Termination**

Involuntary employment termination initiated by LFAPA when further employment of the individual appears to no longer be in the best interest of the company. This category includes termination for disciplinary reasons as well as non-disciplinary termination (i.e., when an employee cannot return from leave; an employee is unable to do the job despite good faith effort; simple personality conflicts where a relationship has deteriorated to the point where the company concludes that one person must go).

Termination Procedure: Upon termination of employment, employees of LFAPA will receive their final pay in accordance with applicable state law (usually at the next regular pay period following termination). Where a contracted employee is given a 30 day written notice for termination, it is up to the discretion of LFAPA whether the employee will continue to work or be paid for the 30 day time period after termination.

After termination, health insurance benefits usually may be continued at the employee's expense if the employee so chooses and it may be possible to continue certain other insurance benefits depending on the terms of the plan. The employee will be notified in writing of the benefits that may be continued and of the terms under which this is possible.

LFAPA will generally schedule exit interviews at the time of employment termination. The exit interview will afford an opportunity to discuss such issues as employee benefits, conversion privileges, repayment of outstanding debts to the company, and return of LFAPA property. Suggestions, complaints, and questions can also be voiced at this time.

**Severance Pay**

LFAPA does not have any policy for payment of severance pay on termination. However, it reserves the right to offer such pay to particular employees of LFAPA as its sole discretion. Any payment of severance pay will be conditioned upon execution of a full release of any claims against the company arising out of employment and/or termination (except for rights under any existing benefit plans and claims which cannot be released without court approval).

**Outside Reference Checks**

The District administrative office provides reference checks for former employees of LFAPA. Please do not ask your supervisor to provide a reference for you as this is against our policy and places the supervisor in an awkward position. As a general rule in response to reference checks LFAPA will confirm only dates of employment, last position held, and salary at termination. (LFAPA may have a legal obligation to warn other employers if an employee engaged in gross misconduct such as a situation where the employee assaulted a coworker at the workplace, embezzled monies, or was involved with drugs in the workplace).

**Return of Property**

Employees of LFAPA are responsible for all property, materials or written information issued to them or in their possession or control while employed by LFAPA. All property must be returned by employees on or before their last day of work. Where permitted by applicable laws, LFAPA may withhold an employee's final paycheck or withhold from the employee's paycheck the cost of any items that are not returned when required. LFAPA may also take any action deemed appropriate to recover or protect its property.

**RULES OF CONDUCT:**

We expect all employees of LFAPA to use common sense and good judgment and to conduct themselves in a professional business manner that will foster good relations with their supervisors, coworkers, and persons with whom we do business. Failure to behave in an appropriate professional business manner or failure to act in a way that furthers the business activities of LFAPA is grounds for disciplinary action up to and including termination.

The following list includes examples of the types of offenses that may lead to disciplinary action. It would not be possible to list every conceivable deficiency or action that might cause LFAPA to conclude that the continued employment of a particular employee is no longer in the best interest of the company.

Employees should use this list only as an illustration of examples of the types of conduct that may lead to discipline or termination.

1. Unacceptable quantity of work.
2. Unacceptable quality of work.
3. Dishonesty or offensive conduct towards others, including violation of LEO Policies
4. Immoral, indecent or outrageous behavior (including off-premises conduct which may be highly offensive to coworkers or customers)
5. Falsification of company records.
6. Deliberate damage to, destruction of, removal of, theft or conversion of company property or property of others.
7. Being under the influence of alcohol or illegal drugs on company premises or during company functions.
8. Use, sale or possession of alcohol or illegal drugs.
9. Failure to report to work without a reason deemed satisfactory by LFAPA.
10. Conducting personal tasks on company time without permission.
11. Habitual tardiness or excessive absenteeism.
12. Being absent during working hours without permission.
13. Sleeping on the job.
14. Intimidation or coercion of other employees of LFAPA.
15. Willful disobedience, insubordination or failure to carry out any reasonable, lawful order from the lead teacher or supervisor.
16. Improper or indolent performance of duties.
17. Carelessness or recklessness, which endangers persons or property.
18. Intentional waste of materials or LFAPA assets.
19. Abuse or misuse of tools or equipment.
20. Playing of pranks, horseplay or practical jokes, which endanger the safety of others.
21. Dishonesty, deception or fraud.
22. Trespassing.
23. Violation of safety rules.
24. Acts of aggression or violence, including fighting or threatening actions.
25. Use of threatening, abusive or profane language.
26. Tampering with or removal of authorized notices.
27. Conflicts of interest.
28. Misappropriation of company information or trade secrets.
29. Possession of weapons on company property.
30. Failure to fulfill contracted duties.
31. Violation of any other company rules, procedures and policies.

**Professional Staff Duties and Responsibilities:**

**All Professional staff shall comply with the following policy guidelines:**

- The primary focus of the teacher’s professional time shall be student learning.
- Teachers will...
  - ...hold students to strict account for disorderly conduct.
  - ...exercise supervision over students on the playgrounds and during recess if assigned to such duty.
  - ...take and maintain daily classroom attendance.
  - ...make the decision to promote or retain a student in grade in a common school or to pass or fail a student in a course in high school. Such decisions may be overturned only as provided in A.R.S. 15-342.
  - ...comply with all rules, regulations and policies of the Governing Board that relate to duties as prescribed.

- A teacher shall not use sectarian or denominational books or teach any sectarian doctrines or conduct religious exercises.
- A teacher who instructs a course offered by LFAPA containing a segment of, or alluding to, historical religion in its appropriate historical context and in good faith shall be immune from civil liability and disciplinary action pursuant to A.R.S. 15-535.
- A teacher who fails to comply with the above is guilty of unprofessional conduct and may be subject to disciplinary action by the Governing Board and by the State Board of Education.

### **Classroom Policy Guidelines:**

**All employees are expected to be professional and productive when on school property or when representing the school at a school related function of any kind.**

- All teachers must submit classroom policies and procedures to the principal/site director for approval by the Governing Board.
- Classrooms policies and procedures must be sent home to all parents/guardians at the beginning of each school year.
- Any changes to classroom policies must be pre-approved by the principal/site director and governing board and sent to all parents/guardians one week prior to initiating the policy change.
- No phone contact of any type with students! (landline, cell, texting)
- No direct email, face book, Myspace or any type of direct Internet contact with students or any person under age 18! You may CC students in an email contact to parents/guardians.
- No discussing negative or non-productive matters regarding fellow teachers or administration in the company of, or directly with students, parents, or LFAPA staff.
- Parent/guardian contact is required at least once a month via phone, email or in person. Be sure to discuss only positive topics and opportunities. Topic, notes and time must be documented for all communications.
- No physical contact with any student whether aggressive or passive is allowed.

Remember, you are a mentor and that role follows you even after designated school hours and off school property. Your behavior is your sole responsibility and you are accountable.

### **CODE OF CONDUCT FOR TEACHERS:**

A Code of Conduct has been adopted by the Learning Foundation and Performing Arts. LFPA has the right to investigate any complaint by a parent or teacher. It also has the right to fine a teacher if they go against the Code of Conduct. The Code acknowledges, upholds and promotes basic human rights.

#### Educator Code of Conduct with students:

An educator...

- respects the dignity, beliefs and rights of students and the right to privacy and confidentiality
- acknowledges the individuality and needs of each child and guides and encourages them to reach their potential
- does her or his best to imbue students with values consistent with the Bill of Rights in the Constitution
- is authoritative but compassionate
- does not humiliate students, or have sexual relationships with them
- does not harass students, sexually or physically
- uses respectable language and behavior and acts in a way that will earn respect from students
- takes reasonable steps to ensure the safety of students
- does not abuse his or her position for financial, political or personal gain

#### Educator Code of Conduct with Parents:

An educator...

- promotes good relationships with parents, recognizing them as partners
- keeps parents informed of a students progress

### Educator Code of Conduct with the Community:

An educator...

- recognizes that her or his school or institution serves the community and accepts different customs, codes and beliefs within the community.

### Educator Code of Conduct with Colleagues:

An educator...

- does not undermine the status and authority of colleagues
- does not sexually harass colleagues
- respects the responsibilities and authority of colleagues
- uses proper procedures in cases of professional incompetence or misbehavior

### Educator Code of Conduct with the Profession:

An educator...

- acknowledges that his or her duties require co-operation with and the support of colleagues
- keeps abreast of educational trends and developments
- promotes the ongoing development of teaching as a profession
- accepts that she or he has a professional obligation towards education and to induct new members into teaching

### Educator Code of Conduct with Employer (CAFA Inc. dba Learning Foundation and Performing Arts, LFAPA)

An educator...

- recognizes the employer as a partner
- acknowledges that the employer has responsibilities and authority and so, serves the employer to the best of his or her ability
- does not discuss confidential and official matters with unauthorized people

An educator found guilty of a criminal offense in a court of law may be subject to a disciplinary hearing if the offense is also a breach of the code of conduct.

The Learning Foundation and Performing Arts Board of Directors will decide on the nature and extent of disciplinary measures against educators guilty of breaching the code of conduct.

### **STAFF CONDUCT WITH STUDENTS:**

Employees are expected to exercise general supervision over the conduct of students, not only while in the schoolroom, but also before and after school and during recess. At all times teachers and other staff members will accord students the dignity and respect that they deserve, and avoid embarrassing any student unnecessarily.

Students are expected to regard all school employees as individuals who are employed to provide direct or indirect contributions to learning. While students are to have considerable latitude in making choices for themselves, they shall be required to respect the rights of all school employees and other students, and interference with those rights will not be tolerated.

Students shall not have the right to interfere with the efforts of instructional staff members to coordinate or assist in learning, to disseminate information for purposes of learning, or to otherwise implement a learning program. Nor shall a student have the right to interfere with the motivation to learn or the learning activities and efforts of other students. No student shall have the right to interfere with or disrupt any employee's work activities.

All personnel employed by the District are expected to relate to students of the District in a manner that maintains social and moral patterns of behavior consistent with community standards and acceptable professional conduct.

Relationships between staff members and students that include "dating," "courtship," or "romantic involvement" are prohibited. These behaviors deviate from ethical or professional standards and shall be deemed unacceptable and contrary to the expectations of District governance.

Staff/student relationships shall reflect mutual respect between staff members and students and shall support the dignity of the entire profession and educational process.

Violations of the above shall be considered serious and may result in severe disciplinary action.

## **PROBLEM RESOLUTION PROCEDURE (PRP):**

- Introduction
- Normal Problem Resolution Procedure
- Procedure for Misconduct by outsiders
- No Retaliation Policy
- Procedure for Very Serious Situations

### **Introduction**

Whenever an employee is upset with something that has occurred in the workplace and the employee has been unable to resolve the problem through routine workplace discussions (or the employee reasonably believes that such discussions would be futile or counter-productive), the employee is invited to request further discussion of these issues by the use of the Problem Resolution Procedures (PRPs) included in this section.

Most workplace problems arise through disagreement with a decision or action by the supervisor, the company, or through disagreements with a coworker. These problems usually will be resolved using the normal PRP. However, in the case of serious legal violations by supervisors or coworkers that require immediate management attention, a separate Serious Incidents Procedure has been adopted. Occasionally, problems may arise due to improper actions by customers, vendors or suppliers that should be handled using their company's procedure.

Remember that our supervisors are not mind readers, and some of them may be so busy at times that they may not notice something which you think should be obvious to them (or, even if they see something, they may not realize how serious it is to you) It is your obligation to tell your supervisor if something has happened that upsets you. If you don't like the answer it is your obligation to appeal. Supervisors are only human and can get so busy they sometimes may not "hear" a problem or recognize the problem unless you make an issue of it.

Bottom line: We are serious in our commitment to the principles of common courtesy, open communication and application of the Golden Rule. If mistakes are made, we want to fix them but we cannot do this without your help.

### **Procedure for Very Serious Situations**

LFAPA expects all of its employees and particularly its administration to be honest, law-abiding citizens. We have instructed our Site Directors that they are expected to do their best to observe and follow the law in order to protect everyone at LFAPA, as well as members of the public. While we hope that all supervisors follow these instructions, we want to make it clear that no supervisor has the authority to engage in conduct, or to instruct any employee to engage in conduct, which would constitute a plain violation of the legal rights of the employee or coworkers, or a plain violation of the legal rights of the company or the public at large.

If a supervisor goes beyond his/her authority and intentionally or recklessly engages in conduct (directly or through orders to employees) which would place LFAPA or its employees at a serious legal risk or that is likely to cause serious harm a third party, we want upper management to be alerted much more quickly than occurs when the standard PRPs are followed. We have created this special avenue to allow prompt reporting of such a situation along with some guidelines for employees at LFAPA to follow in the event that such a situation arises.

The types of situations in which this expedited review procedure should be used are situations that will result (or have resulted) in serious criminal offenses, serious violation of the rights of the employee or coworkers under applicable employment laws (including EEO laws), create risk of serious health/safety hazards or where the employee has reasonable grounds to believe that the supervisor will not fix the problem, and the problem is so important or so urgent that the problem cannot be satisfactorily addressed through the normal Problem Resolution Procedures.

If the employee concludes that the problem fits into this category, the next step is to decide whether there is time to make a written report to top administration or whether the problem is so urgent that top administration must be contacted without delay. Usually, there is time to do so, the employee should try to take the time to write a written report, which describes the situation in detail, lists any witnesses, and identifies any facts or supporting records that would be helpful in the investigation. This report should be hand-delivered to the administrative offices.

On the other hand, a situation could arise where it is absolutely urgent that top management become involved immediately in order to prevent immediate serious harm to the employee, members of the public, and/or to the company. An example would include a situation where a supervisor has made threats to force the employee or coworkers to do something immediately, which is very unsafe or illegal.

**EMPLOYEES OF LFAPA ARE EXPECTED TO REFUSE TO FOLLOW AN ORDER TO DO ANYTHING THAT INVOLVES SERIOUS CRIMINAL WRONGDOING AND/OR IS LIKELY TO CAUSE SERIOUS HARM TO THEMSELVES OR TO OTHERS.**

If such orders are given, the employee should refuse to obey the order, and ask the supervisor to reconsider (unless this is clearly futile). If the supervisor refuses to reconsider, the employee should tell the supervisor that the employee is leaving to make an immediate report of the matter (unless the supervisor is acting so irrationally that the employee fears an assault if this is done). The employee should then leave to make an immediate call to the Administrative Offices from the nearest available safe location.

If it is after hours and these individuals are unavailable, the employee may contact any available supervisor for assistance. If no supervisor can be located, the employee must then assess whether it is essential to take further action immediately to protect the safety of others, or whether it is sufficient to leave voice-mail messages for management and to address the problem the next day.

When a serious emergency exists which requires immediate action by someone in authority, the first thing to do is to take necessary steps to protect yourself (and coworkers, if there is time to warn them); get away from the danger and then call for necessary help. If no manager is available to handle the matter (or there is no time to find a manager), then the employee may have no other option than to contact the necessary authorities for help.

In situations where employees at LFAPA are working without a supervisor present (so they essentially are supervising each other), these same types of steps should be followed if a coworker engages in conduct which, if committed by a supervisor, would fall into the category of serious supervisory misconduct. Thus, if the coworker cannot be convinced to stop doing something which is likely to cause serious injury to himself or another (or which involves serious criminal wrong doing), then other employees at LFAPA have an obligation to contact management for help.

The employee should recognize that reports of serious supervisory misconduct are not taken lightly by LFAPA. While the company definitely wants to be alerted to serious problems promptly (and normally will give the benefit of the doubt to the employee where the report appears to have been made in good faith, even if it was mistaken), LFAPA reserves the right to deal severely with the employees at LFAPA who intentionally or recklessly abuse this process.

It is important for employees at LFAPA to use good judgment and common sense in deciding whether the matter is important enough to warrant immediate top priority attention by high level management (e.g., use of this procedure to report some trivial error, such as filing reports in duplicate when government regulations require filing in triplicate or to report some minor safety issue such as a burnt-out light bulb would be a huge waste of top management time — and could cause management to question the motives, intent or common sense of an employee who failed to use normal problem resolution channels to address such matters).

**Procedure for Third Party Conduct**

LFAPA will not tolerate any harassment of its employees at LFAPA by any outside vendor, customer, visitor or supplier. In the case of name-calling or similar forms of verbal harassment, the employee should try to remain calm and use common sense in dealing with the abusive individual (especially if the person is irate), while either sending a coworker to find a supervisor or excusing himself or herself to find a supervisor to deal with the individual.

Maintaining an attitude of calm courtesy is always difficult while being verbally abused, but it helps to protect the employee from getting into a shouting match or ugly confrontation. (This is much safer for the employee and also helps to avoid later arguments over who started the conflict). Keeping a calm head also makes it easier for the employee to concentrate on keeping notes about exactly what happened that will greatly assist the company in later discussions about the incident with the harasser and/or his/her employer.

Of course, if the employee feels physically threatened (including in danger of a sexual assault), the employee should find any excuse to get away from the individual, go to a safe place, and then immediately contact a supervisor for further assistance.

Sometimes situations may arise where an offense may not have been intended by an outside individual (such as a joke told by a salesman or vendor that may offend one individual but does not offend most other employees at LFAPA). It is best to bring these situations to the supervisor and obtain guidance on the best ways to handle or address your concerns and avoid a possible unpleasant confrontation with an important customer or vendor who likely had no evil intent. For example, there may be occasions when the contacts with this individual are so infrequent, and the nature of the conduct is so mild, that the simplest solution is to permit the offended individual to avoid dealings with this outside person. If the employee is unhappy with the solution devised by the supervisor, the Problem Resolution Procedure is available to deal with such concerns and to address any alternative solutions that the employee wishes to propose.

The Problem Resolution Procedure should also be used to report activities by customers, vendors or suppliers that appear to violate our Conflict of Interest Policies. Timely reporting of such actions is essential to protect the company's interests as well as those of the employee. Likewise, employees at LFAPA have an obligation to report coworkers who are in violation of those policies.

### **EMPLOYEE REMEDIATION AND APPEAL PROCESS:**

1. All new employees are hired on either a part time basis or on a one school-year contract basis, with a 90-day new hire probationary period. If an employee is terminated prior to the end of their 90-day new hire period they are ineligible to collect unemployment benefits. Regarding all involuntary termination cases the employee will be issued their last paycheck within 3 business days of the termination provided all LFPA property is returned.
2. All employees are eligible to be considered for rehire if prior years job requirements have been met. All returning employees are hired on a part time basis or on a one school-year contract. If an employee is involuntarily terminated during the school year, they might qualify for unemployment benefits. In all cases, the employee will be issued their last paycheck within 3 business days of termination. (Provided all LFPA property is returned.)
3. Arizona is an at-will state and any employee may be terminated or laid off at any time as long as there is no violation of the anti-discrimination laws.
  - a) Consistent Incompetence: If any employee is deemed unable to do a competent job then termination is appropriate. The employee will be provided with specific directions and reasonable opportunity to respond and correct their actions. If improvement is not made by the due date provided in the written directions, corrective action up to and including termination would take place within 48 hours from the due date.
  - b) Violations of Company Policies: If an employee violates any company policies stated in the employee handbook or the district policy manual, corrective action up to and including termination is appropriate. Violation of anti-harassment, discrimination, insubordination or confidentiality policies that are particularly reprehensible and do not require corrective action will lead to immediate termination.
  - c) Repeated Unexcused Absenteeism or Tardiness: If an employee is continually absent or tardy this jeopardizes the ability of the employee to complete their job requirements and places undue burden on fellow employees. If absenteeism or tardiness is continual and unexcused then termination is justified. Medical conditions must be presented to administration for consideration prior to absences and tardies.
  - d) Physical Violence: If any employee commits or threatens physical violence, that employee will be terminated effective immediately. All employees are entitled to a safe work environment, and employers have a duty to take reasonable steps to provide for each employee's safety.
  - e) Drugs and Alcohol: Any employee found to be under the influence on school grounds or at an off campus school function will be terminated immediately. Prescription drugs that may cause side effects must be presented to administration for consideration.
  - f) Illegal Acts: Any employee found committing illegal acts including theft computer fraud, drug use or distribution will be terminated effective immediately.
  - g) Falsified Information. Any employee who is found to have provided false records of employment history, background, degree or qualification information and the falsification appears deliberate and material, further corrective action up to and including termination will be administered.

- h) Inappropriate Conduct with a Minor: Our students' safety is of utmost priority. Any employee accused of inappropriate conduct with any LFPA student on or off campus will result in immediate suspension (with or without pay). During that time a thorough and comprehensive investigation process takes place. Legal council and Law enforcement may be involved in the investigation. Termination may be warranted.
- i) Inappropriate Computer Use: All LFPA computers are monitored regularly. Any illegal or immoral computer use by employees will result in immediate termination.

#### 4. Appeal Request:

All employees will be presented a written warning or termination document by any one of the following: Site Director, HR Manager or Executive Director. The LFPA warning document will document the situation or offense, the outcome of the meeting, the time line and expectation of the meeting. The employee may provide their comments. If suspension or termination occurs, the employee may request an appeal by presenting a written request for an appeal hearing within 3 days of the date of the suspension or termination. The dated written appeal must be presented to the Site Director or Executive Director or HR Manager with an explanation stating why the appeal hearing should take place and whether the employee will have legal council in attendance.

- a) Offenses/Situations: Include policy violations, inappropriate conduct and failure to follow or meet job requirements. A corrective action must be taken and meet administration approved timeline or further corrective action up to and including termination will be administered.
- b) Suspension. Suspensions are provided for inappropriate conduct that must be investigated and the employee may be provided leave with or without pay depending on the offense and must have administration approval.
- c) Termination. Termination can occur with or without reason, but due cause will be followed per Arizona State law. Arizona is an at-will state

#### 5. Appeal Hearing:

- a) After receiving the employee's dated appeal request. The employee will be provided in writing and within 10 days, the date of their appeal review hearing. The employee must be in attendance at the hearing. The Site Director, a minimum of two LFPA Governing board members, and the possibility of LFPA legal counsel or Law enforcement, if appropriate, will also be in attendance at the hearing.

#### 6. Right to Access Legal Council:

- a) Any employee who wants to seek information regarding legal council must contact the HR Manger or Executive Director.

## Learning Foundation and Performing Arts

### Computer Use Policy - Employee

#### *General Policies*

The use of CAFA, Inc. or Learning Foundation And Performing Arts (LFAPA or LFPA) name is prohibited for use on any type of Internet account such as Facebook, Email, websites, etc.

Persons who receive accounts or who receive temporary access to the local area network at Learning Foundation and Performing Arts are expected to conform to the following general policies.

It is each user's responsibility to be aware of these restrictions and limitations. If there is any doubt regarding the legitimacy or authorization of any action on a workstation or network resource, please check with your supervisor in advance. Users are expected to maintain high ethical standards and to be courteous to other system users at all times.

#### *Educational Use*

The computers in the school are intended for educational purposes only. Users should not play games on the computers or use the systems in association with any inappropriate text, graphic, or other media type. Electronic communication systems should not be used for trivial purposes and offensive, obscene, or harassing messages are strictly prohibited.

**Computers designated for teacher or staff use in any area are not to be used by students, friends, or family of employees for any reason.**

#### *Respect for Privacy*

Users should not look at, read, modify or remove files, mail, or network traffic owned by any other user without explicit permission from the owner or administrator. Having access to a file does not constitute permission.

#### *Personal Responsibility*

Accounts are assigned to an individual user who is expected to maintain system security by upholding basic guidelines. Account access should not be shared with anyone. Assigned passwords should remain secret in order to minimize the potential of someone guessing or 'cracking' the user's password. Users are responsible for system activities performed under her/his password.

#### *Cooperative Assistance*

Hired professionals, staff and students operate the network system at LFPA for the mutual benefit of all concerned. Users are expected to report any security problems or system malfunctions to the lab instructors and/or to the office. In consideration of virus, worm, or other such corrupting software, the use of a personal disk to download or upload information is forbidden and no flash drives will be permitted.

#### *Courteous and Ethical Behavior*

Users are expected to be courteous and ethical in all actions. Users should never deliberately attempt to disrupt system performance or interfere with the work of any other user or administrator. Users should be considerate when using scarce system resources such as Internet access, scanners, printers, and digital cameras. Users should try to minimize disc usage on network drives and should save only educational or work-related files on workstation hard drives. Users should try to be very conservative when printing documents from computers.

## ***Legal Responsibilities***

Users are expected to follow all Arizona School Board regulations as well as pertinent local and federal laws. The school has placed special emphasis on the illegality of software piracy and thus, strict copyright guidelines must be followed at all times.

## ***Personal Devices***

LFPA is not responsible for damage or theft to personal electronic devices belonging to employees, volunteers or visitors.

LFPA prohibits connection of personal devices to network ports used to access the Internet.

## ***Copyright Guidelines***

The general copyright policy used at LFPA is in strict accordance with local and federal laws. It specifically includes, but is not limited to the following:

- The only software products to be used on systems in any of the labs are those for which we own a valid license. Therefore, do not install any software on computers in the lab without prior approval.
- Copying software products from our computer systems is considered theft and is a very serious offense. Do not use computers in the lab for making backup copies of any commercial software products.
- Plagiarism, contrary to copyright laws, is the improper use or failure to attribute another person's writing or ideas (intellectual property). It can be as subtle as the inadvertent neglect to include quotes or references when citing another source or as blatantly unethical as knowingly copying an entire paper verbatim and claiming it as your own work.

The improper use of computers is generally referred to as computer abuse. The school may restrict or terminate any user's access without prior notice if such an action is deemed necessary to maintain computing availability and security for other users of the system. Other disciplinary action may also be imposed.

## **Computer abuse includes, but is not limited to the following:**

Software abuse (ex. hacking):

- Using, or attempting to use, LFPA's computer systems or those accessible by network, without proper authorization which includes, but is not limited to, supplying misleading information or false credentials.
- Tampering with, obstructing, or attempting to alter the operation of any computer system accessible through LFPA's network connections.
- Attempting to modify, distribute, or copy data from software without proper authorization.

Hardware abuse:

- Attempting to physically open, damage or otherwise alter hardware such as mice, keyboards, monitors, computers, Mimeos, projectors, Smart projectors, scanners, printers, or cameras.

***Summary:***

**Employees are not allowed to . . .**

- ... remove/delete/copy any school documents such as grades, curriculum, or any other files pertaining to school use.
- ... let students use teacher computers for any reason. (Students may not use school computers to check personal email.)
- ... visit inappropriate sites such as pornography, hate sites, pro-drug or alcohol sites.
- ... communicate with personal email, or messaging software. This uses bandwidth of the network slowing everyone down.
- ... play games, download and/or steal music or videos/movies, use chat-lines. All of these use up bandwidth of the network slowing everyone down.
- ... download applications or files. This uses up hard drive space and is a virus risk.
- ... use disk's or USB Drives (because they are a virus risk) without administrator approval.
- ... plagiarize (to use someone else's work and claim it as your own).
- ... try to access other teachers' files, computers, user accounts, email, software, Synergy.
- ... change system settings.
- ... let others know or use your password/account. Your "friend" could make changes or inappropriate activity or disable your account.

***Possible Consequences:***

1. Written warning; and/or
2. Account suspended; and/or
3. Suspension without pay; and/or
4. If there is damage to school property, the teacher will be billed the dollar amount of the damages; and/or
5. Termination

*CAFA, Inc. dba*

*Learning Foundation & Performing Arts Charter School*

**Receipt of the Computer Use Policy**

By signing the LFPA Computer Use Policy, you are stating that you have read and agree to all of the information, conditions, terms, and policies. Thank you for allowing the Learning Foundation to be your employer. We will do our best to help you succeed in your career goals.

Employee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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

**Receipt of the Employee Handbook**

EMPLOYEE NAME: \_\_\_\_\_  
(Printed)

DATE: \_\_\_\_\_

DEPARTMENT AND  
CLASSIFICATION: \_\_\_\_\_

I certify that I have been given a copy of the LFAPA Employee Handbook and have been given the opportunity to ask any questions which I may have.

I am certifying that I fully understand the terms of my employment with LFPA Charter School.

Employee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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