



## EMPLOYEE HANDBOOK

STATEMENT OF NON-DISCRIMINATION (Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972 section 504 of the Rehabilitation Act of 1973). The charter does not discriminate against any person on the basis of gender, race, color, religion, national origin, ethnic group, actual or perceived sexual orientation, marital or parental status, physical or mental disability. The charter will take steps to assure that the lack of English will not be a barrier to admission and participation in charter programs. Complaints alleging noncompliance with this policy of nondiscrimination should be directed to Dr. Matthew Wunder, Chief Executive Officer, at (310) 725-5800 or [mwunder@davincischools.org](mailto:mwunder@davincischools.org).

Approved: 06/18/18

***“I have been impressed with the urgency of doing. Knowing is not enough; we must apply. Being willing is not enough; we must do.”***

**- LEONARDO DA VINCI -**

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## **Section One – Welcome to Da Vinci!**

Da Vinci Schools (or, the “Schools”) were founded on the principle that all students will graduate as collaborative, informed, resourceful and reflective individuals who are college-ready, career-prepared, and community-minded.

Our schools combine a project-based, college preparatory curriculum with real-world active learning ensuring that students acquire the authentic skill sets needed for real-world readiness. Da Vinci students “learn by doing” -- a philosophy we call “edu-creation” or education you create -- through hands-on, interdisciplinary projects that address real-world problems and challenges, transforming students from passive receivers of information into enthusiastic learners, thinkers and problem-solvers who assume greater responsibility for their learning. Students work cooperatively in technology-rich classrooms where they are encouraged to ask questions, explore, investigate, collaborate, manage resources, strategize, solve problems, and decide how they will achieve their goals.

Success in the 21st century requires new skill sets and a different approach to learning. All of us in the Da Vinci community -- students, families, staff, board members, community partners and supporters -- are committed to ensuring that every Da Vinci student graduates with the knowledge, skills, confidence and compassion needed for success in college and the global workforce.

We welcome you to our team and look forward to an enlightening and enriching school year together!

## *Disclaimer*

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This handbook has been written to provide you with an overview of Da Vinci Schools, its personnel policies and procedures, and your benefits as a Da Vinci Schools employee.

This handbook contains only general information and guidelines. It is not intended to be comprehensive or to address all the possible applications of, or exceptions to, the general policies and procedures described. For that reason, if you have any questions concerning eligibility for a particular benefit, or the applicability of a policy or practice to you, you should address your specific questions to your supervisor or the Business Office. You are responsible for reading, understanding, and complying with the provisions of this Handbook. Our objective is to provide you with a work environment that is constructive to both personal and professional growth.

This handbook does not confer any contractual right, either expressed or implied, to remain in Da Vinci Schools' employ, nor does it guarantee any fixed term or condition of your employment. Employees must refer to their individual contract or employment agreement for the specific terms of their employment.

In order to retain necessary flexibility in the administration of its policies, procedures and benefits, Da Vinci Schools reserves the right to change, deviate from, eliminate, or revise the handbook, except for the at-will provisions, at any time, without notice, whenever Da Vinci Schools determines that such action is warranted. For these reasons, we urge you to check with the Business Office to obtain current information regarding the status of any particular policy, procedure or practice. This handbook supersedes and replaces all previous personnel policies, practices and procedures.

## *Mission Statement*

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The Da Vinci Schools exist to provide our students a rigorous, relevant, and hands-on college preparatory curriculum. We create and support a culture of high expectations for all, where students grow in knowledge and wisdom, develop new skills, and form safe and strong relationships with teachers, peers, parents, and the community. Furthermore, the Innovation Academy exists to run a family collaborative instructional model that supports children to become caring, confident learners in a compassionate learning community that respects and values different interests, abilities, learning styles, ethnicities, and cultural backgrounds.

## *Vision*

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Da Vinci Schools will be an environment in which informed, resourceful and reflective students become college-ready, career-prepared, and community-minded individuals who graduate from postsecondary programs to become productive members and respected leaders in the global community.

## What Difference Do We Wish to Make?

### *Core Principles*

**What we believe: Fundamental values that are central to our organization and reflect how we want to move toward our mission:**

Personalization • Depth Over Breadth • Real-World Context for Learning • Student Demonstration of Mastery • Learning-By-Creating • Collaborative Problem-Solving • Gifts & Grit – Da Vinci Intersection • Equity & Access for All • Corporate & University Partnerships • Integrity, Respect & Trust • Commitment to Growth by All • Accountability • Education is a Shared Responsibility

### *Signature Programs and Practices*

**The structures and practices through which we seek to achieve our vision:**

Innovative Problem-Solving • Project-Based Learning • Teacher-Designed Projects • Essential Skills • Backward Planning • Mastery-Based Grading • Revision & Peer Critique • Use of Rubrics for Assessment • Presentations of Learning • Project Exhibitions • Student-Led Conferences • Digital Portfolios • Student Leadership • Community-Building • Service Learning • Meaningful Teacher Evaluation • Distributive Leadership • Extensive Professional Development • Industry-Based Seminars • Honors Program • Early College • Internships • Advisory • Incorporation of Project Lead The Way (Science) & Certificate Program (Design) • *Personalized Learning Plans* • *Compassionate Communication* • *Multi-Age Grouping* • *Family Collaboration* • *Social Emotional Development*

### *Outcomes*

**What we seek for our students and how we will measure our success**

#### **Habits of Mind**

- Perseverance
- Collaboration
- Evidence
- Connection
- Community
- Accountability
- Quality
- Reflection
- Exploration
- Flexibility

- Communication

#### **21st Century Skills**

- Initiative
- Communication
- Critical Thinking
- Problem Solving
- Use of Technology
- Leadership
- Use of Academic Language
- Creativity
- Adaptability & Agility

- Assessing & Analyzing Information

#### **Domains of Quality**

- Academic Excellence
- Test Scores
- Prep for Next Level
- Community
- Enrollment and Retention
- Staffing
- Leveraging Resources

*Italicized font indicates attributes of our Innovation Academy. Lighter font indicates attributes of our high school program only.*

## **Section Two – Employment**

### *Equal Opportunity Employment*

Da Vinci Schools is an equal opportunity employer and makes employment decisions, including, but not limited to, hiring, firing, promotion, demotion, training, and/or compensation, on the basis of merit. As such we do not discriminate against any employee or applicant for employment on the basis of actual or perceived race, color, religious creed (which includes religious dress and grooming practices), sex (which includes pregnancy, childbirth, breastfeeding, and related conditions), gender, gender identity, gender expression, sexual orientation, age, national origin, ancestry, marital status, physical disability, mental disability, medical condition, genetic information, military or veteran status, or on any other basis prohibited by law. Employment decisions will be made on the basis of each employee or applicant's job qualifications, experience, and abilities.

### *Disability Accommodation*

Da Vinci Schools is committed to complying with all applicable provisions of federal, state and local laws, ordinances and regulations prohibiting discrimination on the basis of actual or perceived disability. It is Da Vinci Schools' policy not to discriminate against any qualified employee or applicant with regard to any terms or conditions of employment because of such individual's actual or perceived disability. Consistent with this policy of nondiscrimination, Da Vinci Schools will provide reasonable accommodation to a qualified individual with a disability who has made Da Vinci Schools aware of his or her disability, provided that such accommodation does not constitute an undue hardship on Da Vinci Schools. Employees with a disability who believe they need a reasonable accommodation to perform the essential functions of their job are encouraged to contact the Business Office and specify what accommodation he or she needs to perform the job. The Schools will analyze the situation, engage in an interactive process with the individual, and respond to the individual's request.

If you believe you have been subjected to unlawful discrimination, please follow the complaint procedure outlined below.

### *General Harassment & Sexual Harassment Policy*

Da Vinci Schools prohibits harassment based on race, religious creed (which includes religious dress and grooming practices), color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex (which includes pregnancy, childbirth, breastfeeding, and related medical conditions), gender, gender identity, gender expression, age, sexual orientation, military or veteran status, or any other consideration made unlawful by federal, state or local laws, ordinances, or regulations. These categories include a perception that the individual has any of these characteristics or is associated with a person who has (or is perceived to have) any of these characteristics. It is our mission to provide a professional work and learning environment free of harassment that maintains equality, dignity, and respect for all.

The School's anti-harassment policy applies to all persons involved in the operation of the School and prohibits unlawful harassment by any employee of the School, (which includes supervisors and co-workers) and third parties. Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business or field trips, meetings, and business- or school-related social events. The School will take all reasonable steps to prevent or

eliminate unlawful harassment by non-employees, including students, parents and suppliers, who have workplace contact with our employees.

If you believe you have been subjected to unlawful harassment, please follow the complaint procedure outlined below. Employees must report conduct prohibited by this policy whether or not they are personally involved.

Harassment can take many forms. As used in this Employee Handbook, the term “harassment” includes:

- Offensive verbal conduct, including remarks, comments, jokes, or slurs pertaining to an individual’s actual or perceived race, religion, sex, sexual orientation, gender or gender identity, age, national origin or ancestry, disability, citizenship, veteran status, or any other protected status as defined by law or regulation
- Offensive or unwelcome sexual remarks, sexual advances, flirtations, or requests for sexual favors regardless of the gender of the individuals involved
- Offensive physical conduct, including touching, threats of harm, violence, or assault
- Offensive visual conduct, including pictures, drawings, photographs, or other communications, including email, text messages, or other forms of electronic communication
- Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, regardless of gender, when:
  - Submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment or academic progress;
  - Submission to, or rejection of, such conduct by an individual is used as a basis for employment or educational decisions affecting such individual;
  - Such conduct has the purpose or effect of substantially interfering with the individual’s work or academic performance or creating an intimidating, hostile or offensive working or educational environment.

### *Retaliation*

Da Vinci Schools prohibits retaliation against any employee because of the employee’s opposition to a practice or conduct the employee reasonably believes to be unlawful or because of the employee’s lawfully protected participation in an investigation or proceeding. Any retaliatory adverse action because of such opposition or participation may be unlawful and will not be tolerated. If you believe you have been subjected to unlawful retaliation, please follow the complaint procedure outlined below.

### *Complaint Procedure—Discrimination, Harassment, Retaliation*

Employees must report all incidents believed to be unlawful discrimination, harassment, or retaliation, regardless of whether they are the alleged victim, a witness, a bystander, or otherwise. If you believe you have been subjected to any form of such unlawful conduct, or if you have knowledge of such unlawful conduct, submit a complaint, preferably in writing, to your supervisor or the Business Office. If these individuals are not available, or in the event that you believe that one of these individuals has engaged in inappropriate behavior in violation of these policies, submit a complaint to any other supervisor as soon as possible. Supervisors must report any and all conduct of which they are made

aware, which violates, or may violate, policies regarding unlawful discrimination, harassment, or retaliation to the Chief Executive Officer of the Schools or other upper-level managers, as appropriate.

All complaints submitted pursuant to this policy should be done in writing, but they may be done verbally. Your complaint should be specific and should include the names of the individuals involved and the names of any witnesses.

Da Vinci Schools encourages all employees to immediately report any incidents of unlawful discrimination, harassment, and/or retaliation so that complaints can be quickly and fairly resolved. All complaints will be handled as confidentially as possible and information will be disclosed only as it is necessary to complete the investigation and resolve the matter.

Upon notice of such a complaint, the Schools will attempt to resolve the situation by promptly undertaking an effective, thorough, and objective investigation through the use of “qualified personnel” and using methods that provide all parties with “appropriate due process.” During the investigation, the Schools will provide regular progress updates, as appropriate, to those directly involved. The Schools will strive to complete its investigation as efficiently as possible in light of the allegations and will reach any conclusions based on the evidence collected.

If Da Vinci Schools determines that unlawful conduct or a violation of applicable policies has occurred, appropriate remedial measures will be taken in accordance with the circumstances involved. Any employee determined by the School to be responsible for unlawful discrimination, harassment, and/or retaliation will be subject to appropriate disciplinary action, up to and including termination. Appropriate action will also be taken to deter future conduct.

There will be no retaliation against any employee who brings a complaint in good faith or who honestly assists in investigating such a complaint, even if the investigation produces insufficient evidence that there has been a violation, or if the charges cannot be proven.

Employees who believe that they have been unlawfully discriminated against, harassed, or retaliated against may also file a complaint with the local office of the California Department of Fair Employment and Housing (“DFEH”) or the Equal Employment Opportunity Commission (“EEOC”). The DFEH and the California Fair Employment and Housing Council (“FEHC”) as well as the EEOC can also order an employer to hire, reinstate, or promote a victim of discrimination, harassment, and/or retaliation or make other changes in School policies. The address and phone number of the local DFEH and EEOC offices can be found in the government sections of your local telephone directory or online.

### *Employee Classifications*

Each Da Vinci Schools employee is either a “full-time,” “part-time,” or “temporary” employee and an “exempt” or “non-exempt” employee. Every member of the team is also designated as a “certificated” or “non-certificated” employee. Eligibility for some of the policies and benefits described in this handbook depend on how the employee is designated. An employee will not change from one status to any other status or classification simply because of the number of hours that the employee is scheduled to work or the length of time spent as an employee. The status of a temporary employee may change only if the employee is notified of the change in status, in writing, by the Business Office.

## **Full-Time**

Full-time employees are those employees regularly scheduled to work between 30-40 hours each week. Generally, full-time employees are eligible for School benefits, such as health care plans, vacation, holidays, and sick leave. However, eligibility for each School benefit is ultimately governed by the applicable policy, plan document, and/or applicable law. Thus, there may an instance in which a full-time employee is eligible for some but not all of these benefits.

## **Part-Time**

Part-time employees are those regularly scheduled to work less than 30 hours each week. Part-time employee are not eligible for benefits except as mandated by law.

## **Temporary**

Temporary employees are those employed for short-term assignments or in connection with a specific project or event. Temporary employees are not eligible for employee benefits, except as mandated by law.

## **Exempt Employees**

Pursuant to the federal Fair Labor Standards Act and applicable state laws, exempt employees are those who exercise the requisite degree of discretion and independent judgment and perform certain administrative, professional, and/or executive duties. Exempt employees are not entitled to overtime pay. Exempt employees are expected to report for work and perform their jobs in a regular and timely manner.

## **Non-Exempt Employees**

Pursuant to the Fair Labor Standards Act and applicable state laws, non-exempt employees are entitled to overtime pay as well as meal and rest breaks, as prescribed by law. Non-exempt employees may have to work hours beyond their normal schedules as work demands require.

## **Certificated Teachers, Counselors, Nurses And Psychologists**

Certificated employees are those who are required to hold a professional education certificate or credential including but not limited to administrative, teaching, counseling or Pupil Personnel Services credential. This category also includes employees in administrative, teaching, counseling or Pupil Personnel Services who are not legally required to have a professional education certificate or a credential.

## **Non-Certificated Employees**

All other employees are considered non-certificated employees, including but not limited to office staff, classroom aides, custodians, and IT support.

## ***Employee Responsibility***

As part of the hiring process, prospective employees are asked to complete an employment application packet. We rely upon the accuracy of information contained in the employment packet and other data presented throughout the hiring and employment process. Any misrepresentations, falsifications, or

material omissions in any of this information or data may result in exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment, regardless of the length of employment.

Employees are asked to notify the Business Office as soon as possible, but no later than 30 days following a change in information or status (for example, name changes, address or telephone number changes, changes in number of dependents, etc.)

### *Personnel Files*

An employee has the right to inspect his or her personnel file at reasonable times, at a reasonable place, and on reasonable advance notice to the Business Office, in accordance with Labor Code section 1198.5. Employees will not be released from their duties for this purpose. The right to inspect an employee's personnel file does not apply to:

- (1) Records relating to the investigation of a possible criminal offense;
- (2) Letters of reference; or
- (3) Ratings, reports, or records that were:
  - (A) Obtained prior to the employee's employment;
  - (B) Prepared by identifiable examination committee members; or
  - (C) Obtained in connection with a promotional examination.

### *Immigration Law Compliance*

Da Vinci Schools employs only United States citizens and those non-U.S. citizens authorized to work in the United States in compliance with the Immigration and Control Act of 1986. Each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility no later than three business days after he or she begins work. Former employees who are rehired must also complete the form if they have not completed an I-9 with Da Vinci Schools within the past three years or if their previous I-9 is no longer retained or valid.

### *Educational Verification*

Newly hired certificated employees must provide official transcripts or submit to an educational verification search to verify units earned and degrees/credentials received. These requirements must be completed prior to beginning employment, and the information must be submitted to Human Resources, prior to beginning employment. Individuals whose educational background does not meet the requirements of the job will not be considered for employment.

Returning certificated employees are responsible for keeping required certificates, credentials, and registrations current and in good standing, for paying the costs associated with renewal, and for providing the Business Office with verification of renewal. Failure to provide these updated documents to the school may result in suspension without pay until such time as the necessary documentation has been provided, or termination of employment.

If an employee allows a credential, certificate, registration, or required course deadline to expire, or fails re-certification, training, or testing, Da Vinci Schools will remove the employee from the work schedule until he or she meets the requirements or renews the credential, certificate, or registration. Failure to maintain the required credential, certificate, registration, or required courses may result in discipline, up to and including termination from employment.

Non-certificated employees whose job description requires educational qualifications, degrees, certificates, or licenses must submit verification of their qualifications prior to employment and upon request thereafter. Loss, suspension, or expiration of a required certificate or license may result in disciplinary action, up to and including termination from employment.

### *Criminal Background Checks*

As a condition of employment, all applicants are required to submit to a live scan criminal background check as part of the application process. Da Vinci Schools will not employ a person who has been convicted of a violent or serious felony, or a person who would be prohibited from employment by a public school district because of his or her conviction for any crime, unless an applicable exception applies. Individuals who refuse to submit to a criminal history review will not be offered employment. Conviction of a crime before or during employment may result in denial of employment or in termination of current employment, at the discretion of Da Vinci Schools.

All fingerprint and background information must be completed and cleared by the Department of Justice (DOJ) before the first day of employment. Failure to complete this process will delay the employee's ability to begin work.

### *Subsequent Arrest Notification Service*

All employees are subject to "Subsequent Arrest Notification Service" by the DOJ once they have been fingerprinted. Any time an employee is arrested or convicted of a crime after his or her initial background clearance for the school, the DOJ will notify the School by sending a subsequent arrest notification. The Chief Executive Officer will evaluate the new information and determine whether it justifies suspension or termination of the individual's employment. At the discretion of the Chief Executive Officer, he or she can seek counsel from the Board of Trustees and/or legal counsel, in closed session, in determining suitability for continued employment.

### *Tuberculosis (TB) Risk Assessment*

California State Law (Health & Safety Code section 121525) requires that all employees in public schools submit evidence of being free of active tuberculosis. A person shall not be initially employed unless that person produces or has on file with the school a certificate showing that within the last 60 days the person has submitted to a tuberculosis risk assessment and, if tuberculosis risk factors are identified, has been examined and has been found to be free of infectious tuberculosis. If no risk factors are identified, an examination is not required. A person who is subject to the requirements of this subdivision may submit to an examination that complies with the requirements of Section 121530 instead of submitting to a tuberculosis risk assessment.

Thereafter, an employee who has no identified risk factors or who tests negative for the tuberculosis infection by either the tuberculin skin test or any other test for tuberculosis recommended by the federal

Centers for Disease Control and Prevention (CDC) and licensed by the federal Food and Drug Administration (FDA), shall be required to undergo the foregoing tuberculosis risk assessment and, if risk factors are identified, the examination, at least once each four years, or more often if directed by the governing authority of the school. Once an employee has a documented positive test for the tuberculosis infection conducted pursuant to this subdivision, the tuberculosis risk assessment is no longer required. Verification of being free of active tuberculosis must be presented.

It is the employee's responsibility to supply the Business Office with the required TB verification. Refusal to comply with this mandate will result in denial of employment. Failure to submit the required updated risk assessment every four years may result in termination of employment.

### *Performance Evaluations*

Performance feedback is an important part of each person's professional growth. Performance evaluations provide both employees and supervisors with the opportunity to discuss the employee's position and tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss methods for improving performance. The performance evaluations are intended to make employees aware of their progress, areas for improvement, and objectives or goals for future work performance. Favorable performance evaluations do not guarantee increase in salary or promotions, or even continued employment. Salary increases and promotions are solely within the discretion of the Board of Trustees and depend upon many factors in addition to performance.

All employees will be given an explanation of duties and responsibilities and will be provided guidance by their immediate supervisors in performing them satisfactorily.

Each employee will normally be evaluated by their immediate supervisor. The evaluation procedure includes a meeting called by the evaluator with the employee to discuss the employee's performance. The original copy of the evaluation will be filed in the individual's personnel file and a copy shall be given to the employee at the meeting. The employee may elect to comment thereon in writing.

Employees customarily receive an annual evaluation by their immediate supervisor and/or principal. Any employee may receive additional or supplementary evaluations at any time in the discretion of administration. The lack of an evaluation at any interval is not necessarily an indication of satisfactory performance.

As to at-will employees, Da Vinci School's provision of performance evaluations does not alter the at-will employment relationship. Nothing in this policy shall limit the right to terminate employment at-will or limit the School's right to transfer, demote, suspend, administer discipline, and change the terms and conditions of employment at its sole discretion. Failure by the School to evaluate an at-will employee will not prevent the School from transferring, demoting, disciplining, or terminating an employee. Employment is at the mutual consent of the employee and the School. Accordingly, either the employee or the School can terminate the employment relationship at-will, at any time, with or without reason and with or without notice.

### *Continued Employment*

Continued employment is contingent upon several factors, including but not limited to the current state of finances, staffing needs, employee evaluations and the terms of the employee's contract with the School, if any. Continuing employment is at the discretion of the Board of Trustees.

## **Fixed-Term Contract Employees**

Where an employee is hired under a written contract for a fixed-term, the employee shall comply with all Employer policies and procedures including those specified in the Employee Handbook. If the terms of the employment contract differ from those in the Employee Handbook, the employment contract shall prevail. The existence of a contract for a given school year is not a guarantee of continued employment in any future year.

## **At Will Employees**

Unless an employee has a written employment agreement that provides otherwise, employment at Da Vinci Schools is at-will. Employment at-will may be terminated with or without cause and with or without notice at any time by the employee or the School. Similarly, your status (for example, position, duties, salary, promotions, demotions, etc.) may be changed at-will, with or without cause and with or without notice at any time. Nothing in this Handbook or in any document or statement shall limit the right to terminate employment at-will or limit the School's right to transfer, demote, suspend, administer discipline, and change the terms and conditions of employment at its sole discretion. No manager, supervisor, or employee of the School has authority to enter into an agreement for employment for any specified period of time or to make an agreement for employment other than at-will. Any agreement that alters the "at will" nature of employment must be approved by the Board of Trustees of Da Vinci Schools.

## *Resignations*

Da Vinci Schools requests that an employee who intends to voluntarily leave his or her employment with the School provide appropriate written notice to the Business Office. This advance notice will provide adequate time to complete the termination process and ensure a smooth transition for your departure from the School. All School-owned property (laptops, cell phones, student files, student grades and work product, lesson plans, keys, files, identification badges, credit cards, etc.) must be returned immediately upon termination of employment.

An employee who fails to report to work for three or more consecutively scheduled workdays without notice to, or approval by his or her supervisor, will, in most cases, be deemed to have voluntarily terminated his or her employment with the School.

## *Work Schedules*

Da Vinci Schools normal hours of operation are from 8:00 a.m. to 4:00 p.m., although these hours may vary by school site. All employees will be assigned a work schedule suitable for their job assignment and will be expected to begin and end work according to the schedule. Please note that schedules may vary depending on a variety of factors including whether you work during the academic year or on an annual basis. A supervisor will assign your individual work schedule. In order to accommodate the needs of our business, it may be necessary to change individual work schedules on either a short-term or long-term basis. All employees are expected to be at their desks or workstations at the start of their scheduled shift, ready to work.

If you need to modify your schedule, request the change with your supervisor.

## *Overtime*

All non-exempt employees are required to obtain approval from their supervisor prior to working overtime. Failure to obtain such approval may subject an employee to discipline, up to and including termination. Overtime compensation will be paid in accordance with all state and federal laws. Exempt employees are not entitled to overtime.

## *Meal and Rest Periods*

All non-exempt employees are provided with an opportunity to take meal and rest periods consistent with the law. During your meal periods and rest periods, you may not work at all. You are excused from all duties. In addition, please understand that you may not join together required meal or rest periods in order to take a longer break. Also, you may not miss a required meal or rest period in order to start work later or leave work earlier. In the rare event that you believe you cannot take a meal or rest period, or you are unable to take a full meal or rest period pursuant to School policy, you must notify Human Resources in advance whenever possible (and, in any event, as soon as possible) so that the proper measures may be taken.

Failure to comply with the School's policy regarding meal and/or rest periods can lead to discipline, up to and including termination

**Meal Periods:** All non-exempt employees are provided the opportunity to take an uninterrupted meal period of at least 30 minutes each day they work more than 5 hours. You must commence the meal period before you complete your fifth hour of work. Thus, if you begin working at 8:30 a.m., for example, you must take your meal period prior to 1:30 p.m. In addition, you must record the actual times that you stop and start work to take a meal period. A second meal period of not less than 30 minutes is also required whenever a non-exempt employee works more than 10 hours in a workday. You must commence your second meal period before you complete your tenth hour of work. Meal periods are unpaid.

**Rest Periods:** All non-exempt employees are authorized, permitted, and strongly encouraged to take a 10-minute rest period every 4 hours worked or major fraction thereof. Ordinarily, this amounts to two 10-minute rest periods per 8-hour workday. The first rest period should be taken roughly in the middle of the 4-hour work period prior to lunch, and the second rest period should be taken roughly in the middle of the 4-hour work period following lunch. You do not need to record the times of these rest periods. You will be paid for the time spent on your rest periods.

## *School Holidays*

Da Vinci observes the following holidays during the calendar year:

- New Year's Day
- Martin Luther King Day
- President's Day
- Easter
- Memorial Day
- Independence Day
- Labor Day
- Veteran's Day
- Thanksgiving Day
- Day after Thanksgiving

- Christmas Eve Day

- Christmas Day

If a holiday falls on a weekend day, it will normally be observed on the preceding Friday or the following Monday, as determined by the Board of Trustees. Holiday observance will be announced in advance.

Observed holidays are included in Da Vinci salaried employees' work calendar and annual compensation. Temporary and non-exempt, hourly employees are not eligible to receive holiday pay.

## **Section Three – Payroll Procedures**

### *Time Records*

Every employee is required to complete a time record for the hours worked during a pay period. Full time employees sign timesheets for actual days worked on a monthly basis. Non-exempt employees must complete a daily timecard showing the exact time worked (including start time, the beginning and end of meal periods taken, and ending time) attested by their signature. Supervisors are required to review the timesheets of their employees to ensure accuracy. Time records are managed by the school site Office Managers, and submitted to the Business Office for further processing.

Recording inaccurate time on your timesheet or recording time on another employee's time sheet is a violation of the School policy and may result in discipline, including immediate termination. Working "off the clock" or failing to record all time worked is strictly prohibited. Falsification of any timecard may result in disciplinary action, up to and including termination.

### *Payroll*

Employees will be made aware of the specific payroll schedule by a supervisor.

### *Direct Deposit*

Direct payroll deposit is optional for all employees paid through the organization's payroll system. Signing up for Direct Deposit is quick and easy. The appropriate form is available from the Business Office.

All employees who elect direct deposit should allow one payroll cycle for full processing of their deposit request and should confirm with their bank account on the date listed on the payroll schedule. In the event the employee's pay does not reach his/her account on payday, the employee should immediately contact the bank. A check cannot be issued until the bank rejects the ACH wire.

### *Errors On Direct Deposit/Paychecks*

In the event an employee does not feel he/she has received proper payment for services rendered, or notices any other discrepancy on a wage statement, the employee should immediately notify the Business Office. If necessary, the Business Office will direct the employee to the personnel/payroll office for further review of the matter.

### *Required Payroll Deductions*

All Da Vinci employees are required to complete the IRS form W-4. The IRS form W-4 is the document used by each employee to document his or her filing status (single, married, married but withhold at the higher single rate) and number of exemptions claimed. Employees fill out this form at the time of hire, but may change their exemptions or status at any time throughout the year. The amount deducted from an employee's check depends on how many exemptions and the filing status claimed by the employee.

Da Vinci Schools withholds Federal Income Tax, State Income Tax, Social Security (FICA), and State Teachers Retirement Service (STRS for eligible credentialed faculty) from each employee's paycheck.

Additionally, if a garnishment, tax levy, or an order to withhold child support payments is received, Da Vinci Schools must comply with that order within the time allowed by law, and cannot postpone the payroll deduction for any reason.

### *Optional Payroll Deductions*

Optional payroll deductions are available to employees. Employees should consult with the Business Office for the most current information on the following plans:

- 403b tax sheltered investments – open to all fulltime employees and available through any vendor on the TPA-approved list
- Section 125 & Flex Spending Accounts (FSA)
- Health insurance and dental coverage for employee and dependents

### *W-2 Forms*

Annual Wage and Tax Statements are issued no later than January 31 each year to all current and former employees who received any compensation during the previous calendar year via a payroll check.

## Section Four – Attendance, Leaves of Absence and Vacation

### *Attendance/Punctuality*

The presence of each employee is of critical importance to the successful operation of Da Vinci Schools. Therefore, Da Vinci Schools expects all of its employees to be on time, ready to begin work at the beginning of their day, and to work their entire duty day. Da Vinci Schools reserves the right to assign employees to jobs other than their usual assignment when necessary.

### *Absences*

When an employee is absent from work, he/she must notify the designated administrator at the school site and complete a **Staff Absence Request**. Staff Absence Request forms are available at each school site and in the Business Office. When it is possible, an absence request form should be submitted *prior* to an absence. When it is not possible to submit an absence request prior to the absence, the staff absence request must be submitted immediately upon return to work.

When an employee is absent from duty for 4 days or more due to personal illness, a doctor's note must be provided to the Business Office upon return to work.

If an employee fails to report for work without a notification of any kind and the absence continues for a period of 2 business days, the School will determine that the employee has abandoned their job and voluntarily terminated their employment.

### *Sick Days*

Eligible employees may use accrued Paid Sick Leave (PSL) to take paid time off for the diagnosis, care, or treatment of an existing health condition of (or preventative care for) the employee or the employee's family member. For purposes of this policy, "family member" means a child, parent, spouse, registered domestic partner, grandparent, grandchild, or sibling of the employee. "Child" means a biological child, a foster child, an adopted child, a step-child, a child of a registered domestic partner, a legal ward, or a child of a person standing in loco parentis. "Parent" means a biological, foster, or adoptive parent, a step-parent, or a legal guardian of the employee or the employee's spouse or registered domestic partner. "Spouse" means a legal spouse, as defined by California law. Employees may also use their PSL to take time off from work for reasons related to domestic violence, stalking, or sexual assault.

#### **Allotment**

Eligible Employees will be allotted PSL days as follows:

- Full-time teachers and counselors will be allotted 10 PSL days per year.
- All other full-time, benefit-eligible employees will be allotted 11 or 12 PSL days per year corresponding to the number of months worked (e.g. employees in a position with a 12 month calendar will be allotted 12 PSL days per year).
- Part-time and other hourly employees will be allotted three PSL days (24 hours) per year.

If an employee is hired mid-year, he or she will receive three PSL days (24 hours) or a prorated amount of the amount of sick leave allotted to other employees in his or her position, whichever is greater, on

the first day of employment for use during the remainder of the employee's first calendar year of employment.

PSL days are not accrued on an as-worked basis but rather are allotted to the eligible employees on July 1 each year for the following 12-month period. Unused PSL days for all full time, benefit eligible employees will carry over from year to year. Unused PSL days for all other employees will not carry over from year to year.

### **Limits On Use**

PSL may be taken in minimum increments of two hours. If an exempt employee absents himself or herself from work for part or all of a workday for a reason covered by this policy, he or she will be required to use PSL to make up for the absence

### **Notification**

The employee must provide reasonable advance notification, orally or in writing, of the need to use PSL, if foreseeable. If the need to use PSL is not foreseeable, the employee must provide notice as soon as practicable. If an employee takes more than three days (24 hours) of paid leave consecutively, the School may require that the employee provide a certification from his or her healthcare provider.

### **Termination**

Employees will not receive pay in lieu of unused PSL. Unused PSL will not be paid out upon termination.

### **No Discrimination Or Retaliation**

The School prohibits discrimination or retaliation against employees for using their PSL

## *Family and Medical Leave*

Eligible employees may request a family and medical leave of absence under the circumstances described below. Eligible employees are those who have been employed by the School for at least 12 months (not necessarily consecutive), have worked at least 1250 hours during the 12 months immediately prior to the family and medical leave of absence, and are employed at a worksite where there are 50 or more employees of the School within 75 miles.

Ordinarily, you must request a planned family and medical leave at least 30 days before the leave begins. If the need for the leave is not foreseeable, you must request the leave as soon as practicable. You should use the School's request form, which is available upon request from Human Resources. Failure to comply with this requirement may result in a delay of the start of the leave.

A family and medical leave may be taken for the following reasons:

1. the birth of an employee's child or the placement of a child with the employee for foster care or adoption, so long as the leave is completed within 12 months of the birth or placement of the child;
2. the care of the employee's spouse, child, parent, or registered domestic partner with a "serious health condition";
3. the "serious health condition" of the employee;

4. the care of the employee's spouse, child, parent, or next of kin who is a member of the Armed Forces, including a member of the National Guard or Reserves, and who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or
5. any qualifying exigency as defined by the applicable regulations arising out of the fact that the employee's spouse, child, or parent is on active duty (or has been notified of an impending call or order to active duty) in the Armed Forces in support of a contingency operation.

A "serious health condition" is one that requires inpatient care in a hospital or other medical care facility or continuing treatment or supervision by a health care provider. You may take a leave under paragraph (2) above only if due to a serious health condition, your spouse, child, parent, or registered domestic partner requires your care or assistance as certified in writing by the family member's health care provider. If you are seeking a leave under paragraph (3) above, you must provide the School with a medical certification from your health care provider establishing eligibility for the leave, and you must provide the School with a release to return to work from the health care provider before returning to work. You must provide the required medical certification to the School in a timely manner to avoid a delay or denial of leave. You may obtain the appropriate forms from Human Resources.

Family and medical leave may be taken for up to 12 workweeks during the designated 12-month period (with the exception of qualifying leaves to care for a member of the Armed Services who has a serious illness or injury, which may be taken for up to a total of 26 workweeks of leave during a single 12-month period). The 12-month period will be defined as a "rolling twelve months" looking backward over the preceding 12 months to calculate how much family and medical leave time has been taken and therefore determine the amount of leave that is available. Qualifying leaves to care for a member of the Armed Services who has a serious illness or injury will be calculated on the 12-month period looking forward. All time off that qualifies as family and medical leave will be counted against your state and federal family and medical leave entitlements to the fullest extent permitted by law.

You will be required to use any accrued vacation during unpaid family and medical leave. You will also be required to use any accrued paid sick leave during unpaid family and medical leave that is due to your own or a family member's serious health condition. However, if an employee is receiving benefit payments pursuant to a disability insurance plan (such as California's State Disability Insurance plan or Paid Family Leave program) or workers' compensation insurance plan, the employee and the School may mutually agree to supplement such benefit payments with available vacation and/or paid sick leave.

During a family and medical leave, group health benefits will be maintained as if you were continuously employed. However, you must continue to pay your share of applicable premiums (for yourself and any dependents) during the leave.

If you do not return to work on the first workday following the expiration of an approved family and medical leave, you will be deemed to have resigned from your employment. Upon returning from such a leave, you will normally be reinstated to your original or an equivalent position and will receive pay and benefits equivalent to those you received prior to the leave, as required by law. In certain circumstances, "key" employees may not be eligible for reinstatement following a family and medical leave. The School will provide written notice to any "key" employee who is not eligible for reinstatement.

If you have any questions concerning, or would like to submit a request for a family and medical leave of absence, please contact Human Resources.

### *Pregnancy Disability Leave Policy (PDL)*

The School provides pregnancy disability leaves of absence without pay to eligible employees who are temporarily unable to work due to a disability related to pregnancy, childbirth, or related medical conditions. Employees should make requests for pregnancy disability leave to their supervisor at least 30 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 such leave and its beginning and expected ending dates. Any changes in this information should be promptly reported to the School. Employees returning from pregnancy disability leave must submit a health care provider's verification of their fitness to return to work.

The School will make a good faith effort to provide reasonable accommodations and/or transfer requests when such a request is medically advisable based on the certification of a health care provider. When an employee's health care provider finds it is medically advisable for an employee to take intermittent leave or leave on a reduced work schedule and such leave is foreseeable based on planned medical treatment because of pregnancy, the School may require the employee to transfer temporarily to an available alternative position. This alternative position will have equivalent rate of pay and benefits and must better accommodate recurring periods of leave than the employee's regular job.

Eligible employees are normally granted unpaid leave for the period of disability, up to a maximum of four months (or 17 1/3 weeks or 693 hours) per pregnancy. Employees will be required to use any accrued sick time during any unpaid portion of pregnancy disability leave. Employees may also elect to use any accrued vacation time during any unpaid portion of pregnancy disability leave. If an employee is receiving benefit payments pursuant to a disability insurance plan (such as California's State Disability Insurance plan or Paid Family Leave program), the employee and the School may mutually agree to supplement such benefit payments with available vacation and/or sick leave.

Benefit accrual, such as vacation, sick leave, and holiday benefits, will be suspended during the approved pregnancy disability leave period and will resume upon return to active employment. Group health benefits will be maintained during the approved pregnancy disability leave as if you were continuously employed. However, you must continue to pay your share of applicable premiums (for yourself and any dependents) during the leave.

So that an employee's return to work can be properly scheduled, an employee on pregnancy disability leave is requested to provide the School with at least one week's advance notice of the date she intends to return to work.

When an approved pregnancy disability leave ends, the employee will be reinstated to the same position, unless the job ceased to exist because of legitimate business reasons. An employee has no greater right to reinstatement to the same position or to other benefits and conditions of employment than if she had been continuously employed in this position during the pregnancy disability leave or transfer. If the same position is not available, the employee will be offered a comparable position in terms of such issues as pay, location, job content, and promotional opportunities, if one exists. An employee has no greater right to reinstatement to a comparable position or to other benefits or conditions of employment than an employee who has been continuously employed in another position that is being eliminated.

If you have any questions regarding pregnancy disability leave, please contact Human Resources.

### *Unpaid Leave of Absence (Medical)*

In an effort to comply with its duty to accommodate employees with qualifying disabilities, the School will provide leaves of absence without pay when an employee is temporarily unable to work due to a mental or physical disability, certified in writing by his or her health care provider, unless such leave would cause an undue hardship to the School. Approved absences of less than two weeks are not treated as medical leaves of absences but rather as excused absences without pay. Employees granted unpaid medical leave have no right to guaranteed reinstatement.

Benefit accrual, such as vacation, sick leave, and holiday benefits, will be suspended during an unpaid medical leave period and will resume upon return to active employment. Unless otherwise required by law, the School does not continue to pay premiums for health insurance coverage for employees on unpaid medical leave. However, if eligible, you may self-pay the premiums under the provisions of COBRA.

### *Military Spouse Leave*

An eligible employee-spouse or registered domestic partner of a qualified service member is entitled to take up to ten days of unpaid leave during a period when the qualified service member is on leave from deployment during a period of military conflict.

To be eligible for this leave, an employee must work an average of 20 hours per week; must provide notice of his or her intention to take the leave within two business days of receiving official notice that the service member will be on leave; and must submit written documentation certifying that the service member will be on leave during the time the absence is requested. The employee may use accrued vacation for this leave.

### *Bereavement Leave*

Each employee shall be entitled to three days of bereavement leave with full pay when such absence is caused by death of a member of his/her immediate family. For purposes of this provision, an immediate family member is limited to spouse, registered domestic partner, or parent, step-parent, child, step-child, son-in-law, daughter-in-law, brother, step-brother, sister, step-sister, grandparent, or a grandchild of the employee or of the employee's spouse or registered domestic partner, as defined by law, or any relative living in the immediate household of the employee. Additionally, this leave may be used due to the death of an individual who lived in the immediate household of the employee for a period of not less than two years in the capacity of a legally established foster child or parent.

### *Jury Duty*

All employees who receive a notice of jury/witness duty must notify their supervisor as soon as possible so that arrangements may be made to cover the absence. In addition, employees must provide a copy of the official jury/witness duty notice to their supervisor. Employees must report for work whenever the court schedule permits. Either the School or the employee may request an excuse from jury/witness duty if, in the School's judgment, the employee's absence would create serious operational difficulties.

Non-exempt employees who are called for jury/witness duty will be provided up to five days of paid time off, which may be extended by the Chief Executive Officer for extenuating circumstances. Exempt employees will receive their regular salary unless they do not work any hours during the course of a workweek. Employees may elect to use any accrued vacation during jury/witness duty leave.

In the event that the employee must serve as a witness within the course and scope of his or her employment with the School, the School will provide time off with pay.

### *Time off to Vote*

The School will allow any nonexempt employee who is a registered voter and does not have enough time outside of working hours to vote in a statewide election up to two hours of time-off without loss of pay to vote. The request must be made at least two working days in advance. The time must be at the beginning or end of the employee's regular shift, whichever allows the most free time for voting and the least time off from work unless the School and the employee agree otherwise. The employee may be required to prove he or she is a registered voter.

An employee may also serve as an election official on Election Day without being disciplined; however, the School will not pay the employee for this time off. Accrued, unused vacation or personal hours may be used for this time off.

### *School Activities Leave*

The School encourages employees to participate in the school activities of their child(ren).

The leave is subject to all of the following conditions:

- Parents, guardians, or grandparents having custody of one or more children in kindergarten or grades 1 through 12 may take time off for a school activity;
- The time off for school activity participation cannot exceed eight (8) hours in any calendar month, or a total of 40 hours each year;
- Employees planning to take time off for school visitations must provide as much advance notice as possible to their supervisor;
- If the School employs both parents, the first employee to request such leave will receive the time off. The other parent will receive the time off only if the leave is approved by his or her supervisor;
- Employees must use existing vacation or personal leave to receive compensation for this time off;
- Employees who do not have paid time off available will take the time off without pay;
- Documentation of participation may be requested and will be sufficient if it is provided in writing by the school or the licensed child care/day care facility.

### *Crime Victim Leave*

Employees are allowed to be absent from work to attend judicial proceedings related to a crime if they are:

- A victim of a crime
- An immediate family member of a victim;
- A registered domestic partner of a victim; or
- The child of a registered domestic partner of a victim

An employee must give reasonable advance notice to the School by providing documentation of the proceeding. Documentation may be any of the following:

- Notice from the court or government agency setting the hearing;
- The district attorney or prosecuting attorney's office; or
- The victim/witness assistance office advocating on the victim's behalf.

This leave is unpaid, but the employee may choose to use accrued vacation or sick time off. An employee will not be discharged or discriminated against because of a documented absence protected under this provision.

### *Domestic Violence Leave/Sexual Assault Leave*

If you are a victim of domestic violence, you may take unpaid time off to obtain or attempt to obtain judicial relief, such as obtaining restraining orders, to help ensure your health, safety or welfare, or that of your child(ren). You must give the School reasonable notice unless advance notice is not feasible, and provide certification that you are seeking such assistance.

Certification may be sufficiently provided by any of the following:

- A police report indicating that you were a victim of domestic violence or sexual assault;
- A court order protecting or separating you from the perpetrator of an act of domestic violence or sexual assault, or other evidence from the court or prosecuting attorney that you appeared in court; or,
- Documentation from a medical professional, domestic violence advocate, health care provider, or counselor that you are undergoing treatment for physical or mental injuries or abuse resulting in victimization from an act of domestic violence or sexual assault.

The School will, to the extent allowed by law, maintain the confidentiality of an employee requesting leave under this provision. The School will not discharge, discriminate or retaliate against an employee who exercises their rights under this law. The length of unpaid leave an employee may take for this purpose is limited to 12 weeks in a 12-month period. This policy does not create a right for an employee to take unpaid leave that exceeds the unpaid leave time allowed under, or is in addition to the unpaid leave time permitted by, FMLA.

Employers are prohibited from discharging, discriminating or retaliating against an employee who is a victim of domestic violence or the victim of sexual assault for taking time off to seek medical attention, obtain services from a domestic violence shelter or program or rape crisis center, obtain psychological counseling, participate in safety planning, or temporary or permanent relocation.

## *Military Leave*

California's military leave laws, found at Military & Veterans Code section 389 *et seq.* and the Uniformed Services Employment and Reemployment Rights Act ("USERRA"), found at 38 U.S.C. Section 4301 *et seq.* ensure that employees are not adversely affected in their employment after taking leave for military service. Employees who serve in the military and are entitled to a military leave of absence without pay from the School under applicable laws should notify the Business Office regarding the need for military leave. Please see the Business Office for more information regarding job reinstatement rights upon completion of military service.

## *Organ Donor/ Bone Marrow Donor Leave*

If you volunteer to donate an organ you may take up to 30 days of paid leave per year for this process or up to 5 days of paid leave for the donation of bone marrow.

You must give as much notice as is practicable and must provide certification of the medical necessity of the procedure. You will be required to use up to two weeks of any accrued paid leave (sick and/or vacation) for organ donation and up to five (5) days accrued paid leave (sick and/or vacation) for bone marrow donation. This leave does not run concurrently with FMLA/CFRA. You must have been employed for at least 90 days immediately preceding the beginning of the leave, if otherwise eligible.

You may take this leave incrementally, as medically necessary, or all at one time. All health benefits shall be maintained during this leave to the extent they exist at the time of the leave. This leave shall not be considered a break in service and the employee shall continue to accrue paid time off and other benefits as if the employee had continued working. During the leave, the employee shall be required to pay any portion of benefits he or she is currently paying when the leave commenced.

An employee shall not have any greater rights during this leave than if he or she had been actively working during this time but will be reinstated to the same or equivalent job prior to the leave. No employee shall be discriminated or retaliated against for taking an organ donation or bone marrow leave.

## *Volunteer Civil Service Leave*

Employees are allowed to be absent from work to engage in volunteer emergency duty as a volunteer firefighter or emergency rescue personnel. This is an unpaid leave but the employee may use any earned sick and/or vacation time.

## *Suspended Pupil/Child Leave*

California law requires employers to provide time off for parents required to visit a child's school when the child has served a period of suspension from school. To be eligible for time off to attend a child's school, the employee must be the parent of a child in kindergarten or in grades 1-12 and must present the school's letter, which requests the employee's appearance at the school, to his or her supervisor at least two days before the requested time off. Employees may use accrued vacation while attending a child's school under these circumstances. If not, suspended pupil/child leave will be unpaid.

## *Adult Literacy Leave*

Pursuant to California law, the School will reasonably accommodate any eligible employee who seeks to enroll in an adult literacy education program, provided that the accommodation does not impose an undue hardship on the School. The School does not provide paid time off for participation in an adult literacy education. However, you may utilize accrued vacation if you want compensation for this time off. If you do not have accrued vacation available, you will be permitted to take the time off without pay.

## *Alcohol and Drug Rehabilitation Leave*

Pursuant to California law, the School will reasonably accommodate any eligible employee who wishes to voluntarily enter and participate in an alcohol or drug rehabilitation program, provided that the accommodation does not impose an undue hardship on the School. The School does not provide paid time off for participation in an alcohol or drug rehabilitation program. However, you may utilize accrued vacation if you want compensation for this time off. If you do not have accrued vacation available, you will be permitted to take the time off without pay.

This policy in no way restricts the School's right to discipline an employee, up to and including termination of employment, for violation of the School's Drug and Alcohol Abuse Policy

## *Vacation (Fulltime Non-Certificated Salary Employees)*

Full-time non-certificated exempt employees working 11 months are entitled to 15 days of vacation for each full school year worked which is accrued at the rate of 1.36 days per month worked. 12 month full-time non-certificated exempt employees receive 16 vacation days accrued at the rate of 1.33 days per month worked. **Employees are encouraged to take vacations during the year in which the vacation is earned during times when school is not in session.**

Full-time non-certificated employees who reach 10 years of service are entitled to earn an additional 2 days of vacation per year. Employees who reach 15 years of service will earn a total of 20 vacation days per year.

Employees cannot accrue more than 30 days of vacation. Those employees who reach the "cap" of 30 days will stop accruing until such time as some accrued vacation time is used.

Vacations shall be taken only at times approved by the appropriate department head. Unless otherwise pre-approved by an administrator, vacations must first be scheduled and taken during the winter, spring or summer breaks, or at other times when students are not in session.

Vacation pay shall be paid at the rate that is in effect when vacation is taken. If a holiday falls within a scheduled vacation period, and the employee would normally be scheduled to work during the vacation period, holiday pay will apply to that day, and no vacation leave will be deducted for the day.

Upon termination of the employment relationship, employees will be paid for accrued but unused vacation at their current rate of pay.

Employees who work as teachers, counselors, nurses, psychologists or certificated administrators do not earn vacation.

## **Section Five –Benefits**

### ***Benefits Summary***

All full time employees are eligible to enroll in health benefits. The Business Office will supply any new full-time hires with the appropriate information and applications. Benefits are reviewed every year during the preset open enrollment period. Subject to applicable law, there is no guarantee that the School will continue to maintain a medical insurance plan or that the terms and conditions of any such plan will not be changed at any time. Eligible employees may enroll in the medical insurance plan pursuant to the specific terms and conditions of the plan, which ultimately govern all aspects of the employee’s eligibility for and participation in the plan.

Da Vinci Schools will set annually a defined contribution toward the insurance premiums for Medical, Dental, Vision and Basic Life Insurance. Employees may elect coverage for a spouse, registered domestic partner, or additional dependents at their own cost. Premiums for these benefits are paid through payroll deduction. Unless otherwise mandated by law, employees on a leave of absence of more than 90 days, or the maximum FMLA/CFRA leave period, if applicable, are responsible for selecting continuing health coverage and paying the premium for such coverage through COBRA.

### ***COBRA Benefits***

The federal Consolidated Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under Da Vinci Schools’ health plan when a “qualifying event” would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, or death of an employee, a reduction in an employee’s hours or leave of absence, divorce or legal separation, and a dependent child no longer meeting eligibility requirements.

Under COBRA, the employee or beneficiary pays the full cost of coverage at Da Vinci Schools’ group rates plus an administration fee. Our carrier provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under the school’s health insurance plan. The notice contains important information about the employee’s rights and obligations.

### ***Social Security/Medicare***

If you are a full-time certificated employee contributing to a teachers’ retirement system (STRS), your earnings from this job are *not* covered under Social Security. When you retire, or if you become disabled, you may receive a pension based on earnings from this job. If you do, and you are also entitled to a benefit from Social Security based on either your own work for a private employer or the work of your spouse or former spouse, your STRS pension may affect the amount of the Social Security benefit you receive. Your Medicare benefits, however, will not be affected.

All other employees pay into Social Security.

### ***Workers’ Compensation Insurance***

Workers’ compensation insurance benefits are provided at no cost to the employee. In the event of an occupational injury or illness (as defined under workers’ compensation law) an employee may be covered by workers’ compensation insurance instead of group medical insurance.

If an employee should become injured or in any way disabled on the job, he or she must immediately report the injury to his or her supervisor. Notice of employees' rights and responsibilities under workers' compensation laws is posted in the workplace.

### *Unemployment Compensation*

The School contributes a significant amount of money each year to the California Unemployment Insurance Fund on behalf of its employees. Under certain circumstances, you may be eligible for unemployment insurance benefits.

## Section Six – Employee Budgets, School Credit Card, and Travel Procedures

### *Staff/Teacher Budgets*

Teachers and selected staff are provided a specified budget at the beginning of each school year for the purchase of office, classroom, and instructional materials. The Office Manager will track expenditures, and keep the administrative team and staff informed on the status of the budget. Employees are required to stay within their budget. Purchases made over the budget allotment will not be reimbursed unless the employee provides a justification for the charge to show that it is reasonable and consistent with Da Vinci School's education purposes and prior administrative approval is granted in writing prior to the purchase.

It is requested that teachers and staff purchase classroom/instructional supplies and then seek reimbursement via a **Staff - Reimbursement Request** form. Original receipts *must* be submitted with the completed Reimbursement Request form. Receipts must include an itemized list of purchased items and state the form of payment used (i.e., cash, check, credit card). Reimbursement is typically made following a processing period of approximately 2-3 weeks.

### *Travel Procedures*

Employees authorized to travel for business and educational purposes will be reimbursed for travel-related expenses made on behalf of, and in connection with, school business according to board policy. Every attempt should be made to have the Business Office procure all travel arrangements. In the event that immediate travel is required and the Business Office is unable to make the arrangements in the timeframe needed, employees may receive written approval from the Chief Executive Officer to make their own travel arrangements. Travelers are expected to select the most economical and practical accommodations, arrangements, and services in accordance with the needs of the trip.

#### **Supervisors have the following responsibilities prior to authorizing travel:**

1. Ensure funds are available based upon estimated travel costs.
2. Ensure the individual traveling is informed and aware of travel regulations.
3. Provide the Business Office with a reasonably accurate estimate of travel expenses. If the employee is traveling to a conference, a conference brochure or informational print out should be attached to the travel request.

The current IRS established mileage rate is used for reimbursement of use of a private vehicle. The Rand McNally map is to be used in determining the reimbursable mileage between points indicated on the map - [www.randmcnally.com](http://www.randmcnally.com).

Employees who are required to drive their own vehicle on approved School business will be required to show proof of a current, valid license and proof of current, effective insurance coverage. The School retains the right to transfer to an alternative position, suspend, or terminate an employee whose license is revoked or who fails to maintain personal automobile insurance coverage. As a condition of employment, employees who drive their own vehicle on approved School business are required to use good judgment.

If two or more employees from the same campus are going to attend the same function on the same date and at the same time, they are requested to carpool. The employee's immediate supervisor must approve exceptions to this rule prior to travel.

Reimbursement for taxi or shuttle fares and vehicle parking fees is authorized at actual costs in conjunction with business travel. Receipts are required for all fares and fees, and may be reimbursed through Accounts Payable with accompanying receipts. The School will not reimburse employees for valet parking unless approved in advance by the Chief Executive Officer.

### **Meal Allowance**

A full day's meal allowance is \$35 and receipts are required. Breakdown of meal allowance for partial days are: Breakfast-\$8.00, Lunch-\$12.00, Dinner-\$15.00.

This allowance is the maximum amount per day, and unused amounts from one day do not carry over to the next day. A meal allowance is provided only for travel that includes an overnight stay. Alcoholic beverages are **not** reimbursable by the School.

### **Lodging**

Lodging will be reimbursed at a reasonable rate depending on the location and circumstances surrounding the travel. Lodging costing more than \$150 per night will not be reimbursed unless the employee provides a justification for the charge to show that it is reasonable and consistent with Da Vinci School's education purposes and prior administrative approval is granted in writing prior to the purchase. Da Vinci Schools will reimburse travelers only for costs appearing on original, itemized hotel bills. Credit card receipts are not acceptable substitutes.

## Section Seven – General Policies

### *Prohibited Conduct*

The following conduct is prohibited and will not be tolerated by the School. This list of prohibited conduct is illustrative only; other types of conduct injurious to security, personal safety, employee welfare, and the School's operations also may be prohibited. Violation of the following standards may result in disciplinary action, up to and including immediate termination:

- Falsification of employment records, employment information, or other School records. This includes making false statements or omitting material information in the application procedure for employment.
- Falsifying any time record.
- Theft, damage, or destruction of any School property or the property of any employee or student.
- Removing or borrowing School property without prior authorization.
- Unauthorized use of School equipment, time, materials, or facilities.
- Provoking a fight or fighting during working hours or on School property.
- Participating in horseplay on School time or on School premises.
- Carrying firearms or any other dangerous weapons on School premises at any time.
- Causing, creating, or participating in a disruption of any kind during working hours on School property.
- Insubordination, including, but not limited to, failure or refusal to obey the legitimate orders or instructions of a supervisor or administrator, or the use of abusive or threatening language toward a supervisor or administrator.
- Using abusive, profane, threatening, indecent, or foul language and/or having inappropriate physical contact with students, parents, or other employees at any time on School premises.
- Unreported absences.
- Failure to observe working schedules, including meal and rest periods.
- Sleeping or malingering on the job.
- Working overtime without authorization or refusing to work assigned overtime.
- Working "off the clock" or failing to record or report all hours worked.
- Failing to keep confidential information pertaining to parents, students, or vendors.
- Violation of any safety, health, security, or other School policies, rules, or procedures.
- Committing a fraudulent act or a breach of trust under any circumstances.
- Engaging in unlawful harassment, discrimination, or retaliation.
- Making false or malicious statements about any employee, parent or student, or about the School.

- Poor personal hygiene and grooming habits unless otherwise protected by law.
- Gambling of any type on School premises.
- Violation of the Drug and Alcohol Abuse Policy, including, but not limited to, refusing to submit to a drug/alcohol test mandated by the School.
- Unauthorized use of cameras or other recording devices on School premises.
- Intentionally supplying false information in order to obtain a leave of absence or other benefits from the School.
- Poor attendance, including, but not limited to, habitual tardiness and/or absenteeism, leaving early without permission, absence from work without permission, and abuse of time during work hours, to the extent permitted by law.
- Unsatisfactory work performance.
- Unfit for service, including the inability to appropriately instruct or associate with students.
- Performing unauthorized work on School time.
- Failure to observe designated areas limiting eating, drinking, or other activities.
- Smoking or using tobacco products on School property.

### *Staff/Student Interaction Policy*

#### **Purpose and Scope**

It is the purpose of this policy to provide additional clarification to the Standards of Conduct expected in current school ethics-related rules and regulations so that staff members clearly understand the prohibitions and behavior boundaries, which must govern their conduct. (For purposes of this policy, staff includes all school employees--certificated or non-certificated; coaches or advisors; full-time or part-time). The rules of conduct set forth in this policy are not intended to serve as an exhaustive delineation of requirements, limitations, or prohibitions on staff conduct and activities established by this school. Rather, the components of this policy serve:

- 1) To alert staff about some of the more sensitive and often problematic matters involved in faculty/staff student relationships.
- 2) To specify Boundaries related to potentially sexual situations and conduct--the crossing of which is contrary to accepted norms of behavior and in conflict with the duties and responsibilities of staff.
- 3) To provide staff members with clear guidance in conducting themselves in a manner that reflects high standards of professionalism. (It is important for Da Vinci to maintain a school-wide culture in which students and staff understand their responsibilities to report sexual misconduct without fearing that school leaders will betray them, if they do. In order to prevent sexual abuse and exploitation, students and staff must know that the administration will investigate reports about possible misconduct.)
- 4) To clarify that potential improper action may have significant consequences.
- 5) To provide an environment that empowers staff and students to identify actions that appear to have crossed Boundaries.

- 6) To define the process that Da Vinci will use for addressing potential improper conduct.
- 7) To preserve student and staff privacy rights during any pending investigation as much as possible.

### **Background and General Policy Provisions**

Actions by staff members that are inconsistent or in conflict with the values established by Da Vinci can harm students, staff members, and the school's operation; therefore, such actions are unacceptable. It is the policy of this school that all employees conduct themselves at all times in a manner that reflects the ethical standards consistent with the rules contained in this policy and otherwise proclaimed by this school. The provisions set forth herein are intended to guide all Da Vinci staff members toward conduct that reflects the high standards of behavior and professionalism required of school employees while defining interaction Boundaries between students and staff members.

An educator accused of sexual misconduct, whether or not the accusation is true, becomes at risk for loss of job as well as for criminal and/or civil legal actions. Occurrences of sexual misconduct by a staff member disrupt the education of other students, sidetrack the instructional focus of the school, and harm the school's legitimacy--all of which threaten the school's future ability to recruit skilled professionals and maintain a credible operation in the eyes of the community.

It is vital that school administrators equip staff with a policy that clarifies acceptable and unacceptable behavior with students. It is also critical that staff members study this policy thoroughly and behave in ways to avoid even the appearance of misconduct.

While not all Boundaries and/or situations can be addressed in a single policy, the issues delineated herein are among those that can be most problematic for staff members and among those that can have the greatest potential for a negative impact on this school and its community. Staff members should seek guidance in their daily conduct from established policies, procedures, and directives as well as through the guidance and recommendations of school leadership. Although this policy gives specific, clear direction, it is each staff member's obligation to avoid situations that could prompt suspicion by parents, students, colleagues, or school leaders.

### **Boundaries Defined**

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

### **Acceptable and Unacceptable Behavior**

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

Staff members must understand their own responsibilities for ensuring that they do not cross the Boundaries as written in this policy. Disagreeing with the wording or intent of the established Boundaries will be considered irrelevant for any required disciplinary purposes. Thus, it is critical that all employees study this policy thoroughly and apply its spirit and intent in their daily activities.

Although sincere, professional interaction with students fosters the charter mission of “Academic Excellence,” student/staff interaction has Boundaries regarding the activities, locations and intentions.

### **Unacceptable Behaviors**

(This list, and any subsequent lists, are not meant to be all-inclusive, but rather illustrative of the types of behavior addressed by this policy.)

- Giving gifts to an individual student that are of a personal and intimate nature.
- Kissing of ANY kind.
- Any type of unnecessary physical contact with a student in a private situation.
- Intentionally being alone with a student away from the school.
- Making, or participating in, sexually inappropriate comments.
- Sexual jokes, or jokes/comments with sexual double-entendre.
- Seeking emotional involvement (which can include intimate attachment) with a student beyond the normative care and concern required of an educator.
- Listening to or telling stories that are sexually oriented.
- Discussing inappropriate personal troubles or intimate issues with a student in an attempt to gain their support and understanding.
- Becoming involved with a student so that a reasonable person may suspect inappropriate behavior.
- Giving students a ride to/from school or school activities without parent permission (unless it’s an emergency).
- Being alone in a room with a student at school and with the door closed.
- Remarks about the physical attributes or physiological development of anyone.
- Excessive attention toward a particular student.
- Sending personal or private e-mails, text messages, chat/blog or facebook responses, or letters to students.

### **Acceptable and Recommended Behaviors**

- Obtaining parents' written consent for any after-school activity on or off campus (exclusive of tutorials).
- Obtaining formal approval (site and parental) to take students off school property for activities such as field trips or competitions.
- E-mails, text-messages, phone conversations, and other communications to and with students must be professional and pertain to school activities or classes. (Communication should be initiated via approved technology and equipment.)
- Keeping the door open when alone with a student.

- Keeping reasonable space between you and your students.
- Stopping and correcting students if they cross your own personal boundaries.
- Keeping parents informed when a significant issue develops about a student.
- Keeping after-class discussions with a student professional and brief.
- Asking for advice from senior staff or administrators if you find yourself in a difficult situation related to Boundaries.
- Involving your supervisor if conflict arises with a student.
- Informing your Principal about situations that have the potential to become more severe.
- Making detailed notes about an incident that could evolve into a more serious situation later.
- Recognizing the responsibility to stop unacceptable behavior of students and/or co-workers.
- Asking another staff member to be present if you will be alone with any student who may have severe social or emotional challenges (and you are not the assigned case educator).
- Asking another staff member to be present, or within close supervisory distance, when you must be alone with a student after regular school hours.
- Giving students praise and recognition without touching them in questionable areas; giving appropriate pats on the back, high-five's, and handshakes are appropriate.
- Keeping your professional conduct a high priority during all moments of student contact.
- Asking yourself if any of your actions which go contrary to these provisions are worth sacrificing your job and career.

### **Reporting**

When any staff member, parent, or student becomes aware of a staff member having crossed the Boundaries specified in this policy, he or she must report the suspicion to a Principal or supervisor promptly. All reports shall be confidential. Prompt reporting is essential to protect students, the suspected staff member, any witnesses, and the school as a whole. Employees must also report to the administration any awareness of, or concern about, student behavior that crosses Boundaries, or any situation in which a student appears to be at risk for sexual abuse.

### **Investigating**

The Principal, or designated representative, will promptly investigate and document the investigation of any allegation of misconduct, using such support staff or outside assistance as he or she deems necessary and appropriate under the circumstances. Throughout this fact-finding process, the investigating administrator, and all others privy to the investigation, shall protect the privacy interests of any affected student(s) and/or staff member(s), including any potential witnesses, as much as possible. The investigating Principal, or designated representative shall promptly notify the School's insurance provider that an investigation is in progress; the Principal, in turn, shall notify the Governing Board in closed session of the existence and status of any investigations. Upon completion of any such investigations, the Principal shall report to the Governing Board any conclusions reached. The Principal,

or designated representative shall consult with Da Vinci legal counsel, prior to, during, and after conducting any investigation.

### **Consequences**

Staff members who have violated this policy will be subject to appropriate disciplinary action, and, where appropriate, will be reported to authorities for potential legal action.

### **Prohibition of Retaliation**

Da Vinci Schools prohibits any retaliatory behavior directed against complainants, victims, witnesses, or any other individuals who participate in the investigation of allegations of inappropriate staff-student relations. Follow-up inquiries and appropriate monitoring shall be made to ensure the alleged conduct has not resumed and that all those involved in the investigation have not suffered retaliation. Any act of retaliation is subject to appropriate disciplinary action.

### ***Duty to Report Child Abuse***

Section 11166 of the Penal Code makes any child care custodian, medical practitioner, nonmedical practitioner, or employee of a child protective agency a mandated reporter of suspected child abuse. **Every school employee is a mandated reporter.** A mandated reporter is required by law to make a report, whenever he or she has knowledge of or observes a child in his or her professional capacity or within the scope of employment whom the reporter knows or reasonably suspects has been the victim of child abuse or neglect, to a child protective agency immediately, or as soon as practically possible, by telephone and to prepare and send a written report thereof within 36 hours of receiving the information concerning the incident. Failure by a mandated reporter to make the required report is a criminal offense.

While each employee of the School has the responsibility to ensure the reporting of any child he/she suspects is a victim of abuse, the employee is not required to verify the suspicion or prove that abuse has occurred. School employees who become aware of suspected child abuse must immediately report the suspected abuse. A teacher may request class coverage from the main office for the purpose of making a timely report. A school employee may discuss the situation with an administrator; however, no employee may avoid the obligation to report by informing an administrator of the suspected abuse. School employees have an independent duty to report directly to CPS, or the responsible agency, and this cannot be delegated to administrators.

It is extremely important that Da Vinci Schools employees comply with the requirements of the Child Abuse and Neglect Reporting Act (CANRA). No mandated reporter can be held civilly or criminally liable for any report required or authorized by CANRA. In addition, any other person who voluntarily reports a known or suspected incident of child abuse or neglect will not incur civil or criminal liability unless it is proven that the report was false, and the person knew the report was false or made the report with reckless disregard of its truth or falsity.

All cases of suspected child abuse and neglect **must** be reported **immediately**. The person discovering or being informed of the alleged child abuse/neglect is ultimately responsible for reporting or personally ensuring a report is made. The following is the reporting procedure to follow:

- 1) Obtain the student's emergency information from Student Information System or Office/Cumulative file.

- 2) Call **1-800-540-4000** Child Abuse Reporting Hotline. Follow the telephone prompts given. The official contacted will take the information and indicate the need for a formal report. Specify you are a mandated reporter. If they indicate the information shared does not require reporting this concern to the DCFS agency, ask for their name and write it in the Suspected Child Abuse Report form for documentation purposes. You are encouraged to send a copy to your site Administration; however, you have the right to maintain confidentiality as a reporter. It is recommended that you maintain a copy for your personal records in a confidential location. This information may be needed to support the pupil with other services such as counseling in the future. It may also be needed to demonstrate that you made the appropriate report.
- 3) If the official contacted indicates the need for a formal report, they will ask you to provide the detailed information specified on the report form. Provide as much information as you have available. Mandated reporters have legal immunity.
- 4) The official will provide you with an address to which to mail the form. Write this address on the Suspected Child Abuse Report. They will provide a case identification number that is to be written in the top right corner of the form. It is often a lengthy (19-numeric) code that can be written above the title of the report form if additional space is needed.
- 5) The official will also indicate to you the response type (immediate, 3-day, 5-day, etc). An investigator will need to respond to the allegation within that time. If at any time you are concerned about releasing the child to the home, see the site administrator/designee, who will contact the police department.
- 6) After full completion of the Suspected Child Abuse Form, you may submit it to your School Administrator/designee for review and discussion if doing so does not delay the report.
- 7) Mail the form to the address specified. Mandated reporters can keep a copy for their records in a confidential location on site.
- 8) Call Law Enforcement to report suspected physical and sexual abuse and all types of abuse perpetrated by an out-of-home person.

*BEFORE HANGING UP:*

- Be sure to get the name and badge number of the officer or agency representative.
  - Write this information on the report along with a report or case number. Write this number on the upper right-hand corner of the report.
  - Record the agency's response at the bottom of the report.
- 9) You are encouraged to notify the Principal that a report has been made, although this is not required.

### *Drug and Alcohol-Free Workplace*

Our employees are our most valuable resource, and their own health and safety are therefore serious concerns. We will not tolerate any drug or alcohol related conduct that imperils the health and well-being of our employees. Further, the use of illegal drugs and abuse of controlled substances is inconsistent with law abiding behavior expected of all citizens. Employees who use illegal drugs or

abuse other controlled substances or alcohol tend to be less productive, less reliable, and prone to greater absenteeism resulting in the potential for increased cost and risk.

We believe our employees have the right to work in an alcohol and drug-free environment and to work with persons free from the effects of alcohol and drugs. Employees who abuse alcohol or drugs are a danger to themselves and to other employees. We are therefore committed to maintaining a safe and healthy workplace free from the influence of alcohol and drugs. We hope all employees will join with us in achieving our goal of a safe and productive drug-free workplace.

The School prohibits the following:

- Use, possession, manufacture, distribution, dispensation, purchase, or sale of illegal drugs or drug paraphernalia on School premises or School business or during working hours;
- Unauthorized use or possession or any manufacture, distribution, dispensation, purchase, or sale of an controlled substance (including medicinal marijuana) on School premises or School business or during working hours;
- Unauthorized use or possession or any manufacture, distribution, dispensation, purchase, or sale of alcohol on School premises or School business or during working hours;
- Storing in a locker, desk, automobile, or other repository on School premises any controlled substance or alcohol whose use is unauthorized, or any illegal drug or drug paraphernalia;
- Being under the influence of an unauthorized controlled substance, illegal drug, or alcohol on School premises or School business or during working hours;
- Refusing to submit to an inspection when requested by management;
- Failing to adhere to the requirements of any drug or alcohol treatment or counseling program in which the employee is enrolled;
- Conviction under any criminal drug statute for a violation occurring in the workplace;
- Failure to keep all prescribed medicine in its original container, which identifies the drug, date of prescription, and the prescribing doctor.

The School may at times conduct unannounced searches of School property for alcohol, illegal drugs, drug paraphernalia, and/or unauthorized controlled substances or to ensure compliance with any other School-related policy. This includes desks, storage areas, and rooms normally used to store employees' personal property. As a result, employees do not have an expectation of privacy in this regard.

Violation of this Drug and Alcohol Abuse Policy may result in disciplinary action, up to and including termination, at the School's sole discretion.

Employees should be aware that participation in a rehabilitation program will not necessarily prevent the imposition of disciplinary action, including termination, for violation of this policy. Employees who undergo voluntary counseling or treatment and who continue to work, if any, must meet all established standards of conduct and job performance.

Compliance with this Drug and Alcohol Abuse Policy is a condition of employment at the School. Failure or refusal of an employee to cooperate fully, sign any required document, submit to any inspection, or follow any prescribed course of substance abuse treatment will result in discipline, up to and including termination.

Because the use, sale, purchase, possession, or furnishing of an illegally obtained substance is a violation of the law, the School may report such illegal drug activities to an appropriate law enforcement agency.

The School may require a test by intoxicator, blood test, urinalysis, medical examination, or other drug/alcohol screening of those persons whom the School reasonably suspects of using, possessing, or being under the influence of a drug or alcohol.

Any refusal to submit to such testing will be considered a positive screen. An employee's consent to submit to such a test is required as a condition of employment, and an employee's refusal to consent may result in disciplinary action, including termination for a first refusal or any subsequent refusal. The School shall determine the manner in which such testing is conducted with the goal being to ensure that the test results are accurate.

Such a test may be required of employees involved in any work-related accident or unsafe practice where the safety of the employee or other employees was jeopardized. Periodic retesting may also be required following positive test results or after any violation of this policy or rehabilitation.

### *Confidential Information*

It is important to the School to protect and preserve its trade secrets and confidential information. Confidential information includes, but is not limited to, all parent and student information, parent and student lists, lesson plans, techniques and concepts, marketing plans, design specifications, design plans, strategies, forecasts, bid plans, bid strategies, bid information, contract prices, new products, software, computer programs, writings, and all know-how and show-how whether or not protected by patent, copyright, or trade secret law. Personal, private information about other employees and personnel matters are also confidential, if learned as a part of the employee's job performance.

The School devotes significant time, energy, and expense to develop and acquire its trade secrets and confidential information. As an employee of the School you will, during the course of your employment, have access to and become familiar with various trade secrets and confidential information that are owned by the School. An employee shall not, directly or indirectly, disclose or use any of the foregoing information other than for the sole benefit of the School, either during the term of your employment or at any other time thereafter. This information shall not be disclosed except through normal channels and with authorization. Any and all trade secrets or confidential information shall be returned to the School during extended leaves of absence or upon termination of employment.

During your employment with the School, you will not be permitted nor required to breach any obligation to keep in confidence proprietary information, knowledge, or data acquired during your former employment. You must not disclose to the School any confidential or proprietary information or material belonging to former employers or others.

Although some written and electronic materials owned by the School may be considered to be public records, employees must refer any person seeking School records or information to the Business Officer for handling.

Failure to comply with this policy may result in disciplinary action, up to and including termination.

## *Computer Usage and Privacy*

Every user who is provided access to the School's Communications Systems is responsible for using the Communications Systems in accordance with this policy. Any questions about this policy should be addressed to Human Resources.

### **Definitions**

The School's electronic communications systems ("Communications Systems") includes, but is not limited to, computers, laptops, e-mail, telephones, cellular phones, tablets, PDAs, text messaging, instant messaging, video conferencing, voice mail, facsimiles, and connections to the Internet and other internal or external networks.

### **Ownership And Conditions Of Use**

The Communications Systems is the property of the School. It has been provided by the School for the sole purpose of conducting School-related business as well as other business that is approved by the Chief Executive Officer. All communications and information transmitted by, received from, or stored in these systems are School records and the property of the School.

Electronic communications are a means of business communication. The School requires all users to conduct themselves in a professional manner. Users should conduct all electronic communications with the same care, judgment, and responsibility that they would use when sending letters or memoranda written on School letterhead. Special care must be taken when posting any information on the Internet because of the potentially broad distribution of and access to such information.

To protect the integrity of the School's Communications Systems and the users thereof against unauthorized or improper use of these systems, the School reserves the right, without notice, to limit or restrict any individual's use, and to inspect, copy, remove, or delete any unauthorized use of its Communications Systems upon authorization of the Chief Executive Officer or his or her delegatee. The School also reserves the right periodically to monitor the use of its Communications Systems and to access users' voice mail, Internet access, and e-mail for that purpose or any other business related purpose upon authorization of the Chief Executive Officer or his or her delegatee.

Erasing an e-mail message from a mailbox does not necessarily erase all copies of the message on the network. Archived copies may be stored for substantial periods of time and are subject to the provisions of this policy regarding content, review, access, and disclosure.

Users are required to comply with the School's Computer Usage and Privacy Policy and agree to be bound by this policy by using the School's Communications Systems.

### **Confidentiality And Privileges**

Information stored on the Communications Systems is intended to be kept confidential within the School. The School has taken all reasonable steps to assure confidentiality and security. Like other means of communication, however, it is not possible to guarantee complete security of electronic communications either within or outside the School, and care should be exercised when sending or receiving sensitive, privileged, or confidential information electronically. For example, information sent through the Internet can be monitored by external systems en route to its final destination. All users

must keep this in mind when forwarding sensitive, confidential, and/or privileged information. Where appropriate, this fact should be disclosed to outside contacts.

### **Prohibited Use**

Users are prohibited from using the Communications Systems for any unauthorized or unlawful purpose, including, but not limited to, the following:

Users of the Communications Systems are strictly prohibited from using the Communications Systems to deliver a message that is harassing or offensive on the basis of race, religious creed (which includes religious dress and grooming practices), color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex (which includes pregnancy, childbirth, breastfeeding, and related conditions), gender, age, sexual orientation, veteran status, or any other consideration made unlawful by federal, state or local laws, ordinances, or regulations. The School has policies against discrimination, harassment, and retaliation, and those policies apply to the use of the Communications Systems.

Users are prohibited from using the Communications Systems for transmitting or making accessible annoying, offensive, defamatory, or harassing material or intentionally damaging or violating the privacy of information of others.

Users are prohibited from using the Communications Systems to transmit, display, store, publish, or purposely receive any pornographic, obscene, or sexually explicit material.

Users must respect all copyrights and licenses to software and other online information, and may not upload, download, or copy software or other material through the Communications Systems without the prior written authorization of the Chief Executive Officer.

Users must not alter, copy, transmit, or remove School information, proprietary software, or other files without proper authorization from the School.

Users are prohibited from reading, copying, recording, or listening to messages and information delivered to another person's e-mail and voice mail mailboxes without proper authorization, based on legitimate business reasons, from the Chief Executive Officer or his or her delegatee. Anyone who receives an electronic communication for which he or she is not the intended recipient must immediately inform the sender that the message was sent improperly and must delete the message from their e-mail and voice mail mailboxes.

### **Access And Disclosure**

The Communications Systems is provided solely for the purpose of conducting the School business. Incidental and occasional personal use of the Communications Systems is permitted, but such communications must not disrupt School business, and users do not have any expectation of personal privacy in any matters stored in, created, received, or sent over the Communications Systems.

The School, as owner of the Communications Systems, to protect the integrity of its systems from unauthorized or improper use, reserves the right for legitimate business reasons, upon authorization of the Chief Executive Officer or his or her delegatee, to monitor, access, retrieve, download, copy, listen to, or delete anything stored in, created, received, or sent over its Communications Systems without the permission of or prior notice to any user.

Although the School entrusts you with the use of voice mail, e-mail, computer files, software, or similar School property, you should keep in mind that these items have been installed and maintained at great expense to the School and are only intended for business purposes. At all times, they remain School property. Likewise, all records, files, software, and electronic communications contained in these systems also are School property. You are advised that electronic files, records, and communications on School computer systems, electronic communication systems, or through the use of School telecommunications equipment are not private. Although they are a confidential part of School property, you should not use this equipment or these systems for confidential messages. The use of passwords to limit access to these systems is only intended to prevent unauthorized access to voice mail, e-mail, and computer systems, files, and records. Additionally, these systems are subject to inspection, search, and/or monitoring by School personnel for any number of business reasons. As a result, employees do not have an expectation of privacy in this regard. Accordingly, these systems and equipment should not be used to transmit personal messages, except in necessary situations or when exceptions are specifically sanctioned by management. Voice mail messages and e-mail messages should be routinely deleted when no longer needed. The School is not responsible for costs incurred when employees use School telephones or e-mail systems for personal matters.

You should be advised to use voice mail and e-mail as cautiously as you would use any more permanent communication medium such as a memorandum or letter. You should realize that e-mail messages:

- May be saved and read by third parties.
- May be retrieved even after “deletion.”
- May be accessed by authorized service personnel.
- May be examined by management without notice for business purposes.

There will be times when the School, in order to conduct business, will utilize its ability to access your e-mail, voice mail, computer files, software, or other School property. The School also may inspect the contents of your voice mail, e-mail, computers, computer files, or software to monitor job performance, for training or quality control purposes, or when the School suspects that School property is being used in an unauthorized manner.

The School reserves the right to use and disclose any electronic non-privileged communication on its Communications Systems without the permission of or any prior notice to any user, including disclosure to law enforcement officials.

### **Discipline For Violations Of Policy**

Any person who discovers misuse of the Internet access or any of the School’s Communications Systems should immediately contact Human Resources or the Chief Executive Officer. Any user who violates any part of this policy will be subject to discipline, up to and including immediate termination.

### **Policy May Be Amended At Any Time**

The pace of technological change and growth in electronic communications is rapid. This policy applies to all present and future electronic communications systems and devices and to improvements and innovations to existing systems and devices and to completely new technologies, devices, and systems. The School reserves the right to amend this policy at any time through an authorized writing from an authorized School representative.

## *Social Media Policy*

### **Scope**

In light of the explosive growth and popularity of social media technology in today's society, the School has developed the following policy to establish rules and guidelines regarding the appropriate use of social media by employees. This policy applies to situations when you: (1) make a post to a social media platform that is related to the School; (2) engage in social media activities during working hours; (3) use School equipment or resources while engaging in social media activities; (4) use your School e-mail address to make a post to a social media platform; (5) post in a manner that reveals your affiliation with the School; or (6) interact with School students or parents/guardians of School students (regarding School-related business) on the Internet and on social media sites.

For the purposes of this policy, the phrase "social media" refers to the use of a website or other electronic application to connect with other people, including, but not limited to, Facebook, Twitter, Pinterest, LinkedIn, YouTube, and MySpace, as well as related web-based media, such as blogs, wikis, and any other form of user-generated media or web-based discussion forums. Social media may be accessed through a variety of electronic devices, including computers, cell phones, smart phones, PDAs, tablets, and other similar devices.

This policy is intended to supplement, not replace, the School's other policies, rules, and standards of conduct. For example, School policies on confidentiality, use of School equipment, professionalism, employee references and background checks, workplace violence, unlawful harassment, and other rules of conduct are not affected by this policy.

You are required to comply with all School policies whenever your social media activities may involve or implicate the School in any way, including, but not limited to, the policies contained in this Handbook.

### **Standards Of Conduct**

You are required to comply with the following rules and guidelines when participating in social media activities that are governed by this policy:

- Comply with the law at all times. Do not post any information or engage in any social media activity that may violate applicable local, state, or federal laws or regulations.
- Do not engage in any discriminatory, harassing, or retaliatory behavior in violation of School policy.
- Respect copyright, fair use, and financial disclosure rules and regulations. Identify all copyrighted or borrowed material with proper citations and/or links.
- Maintain the confidentiality of the School's trade secrets and private or confidential information. Trade secrets may include information regarding the development of systems, processes, products, know-how, and technology. Do not post internal reports, policies, procedures, or other internal business-related confidential communications. This prohibition applies both during and after your employment with the School.
- Do not post confidential information (as defined in this Handbook) about the School, its employees, or its students. Remember that most student information is protected by the Family Educational Rights and Privacy Act, including any and all information that might identify the

student. Publicizing student work and accomplishments is permitted only if appropriate consents are obtained.

- While it is acceptable to engage in limited and incidental social media activities at work, such social media activities may not interfere with your job duties or responsibilities. Do not use your Company-authorized e-mail address to register on social media websites, blogs, or other online tools utilized for personal use.
- Be knowledgeable about and comply with the School's background check procedures. Do not "research" job candidates on the Internet or social media websites without prior approval from Administration.
- Be knowledgeable about and comply with the School's reference policy. Do not provide employment references for current or former employees, regardless of the substance of such comments, without prior approval from Administration.
- Always be fair and courteous to fellow employees, students, parents, vendors, customers, suppliers, or other people who work on behalf of the School. Avoid posting statements, photographs, video, or audio that could be reasonably viewed as malicious, obscene, threatening, or intimidating, that disparage employees, students, parents, vendors, customers, suppliers, or other people who work on behalf of the School, or that might constitute harassment or bullying.
- Make sure you are always honest and accurate when posting information or news, and if you make a mistake, correct it quickly. Never post any information or rumors that you know to be false about the School, fellow employees, students, parents, vendors, customers, suppliers, people working on behalf of the School, or competitors.
- Express only your personal opinions. Never represent yourself as a spokesperson for the School unless authorized to do so. If you publish social media content that may be related to your work or subjects associated with the School, make it clear that you are not speaking on behalf of the School and that your views do not represent those of the School, fellow employees, students, parents, vendors, customers, suppliers, or other people working on behalf of the School. It is best to use a disclaimer such as "The postings on this site are my own and do not necessarily reflect the views of the School."
- Never be false or misleading with respect to your professional credentials.

### **Creating And Using School Social Media**

Employees are not to be connected with any current students on their private social media accounts. Employees who wish to create a social media account for the purpose of disseminating school-related information must do so using an account that is separate from any of their private social media accounts, and the links to all accounts through which an employee is connected to students must be shared with their supervisor. These accounts should not be used for individual communication between a school employee and a student; individual communication between an employee and a student should take place through the employee's school email account. Snapchat and chat rooms are prohibited as means of communication between employees and current students of the school.

Employees are not permitted to participate in the social media accounts of current students (for example, requesting to follow or connect to a student, or commenting on or expressing approval or disapproval of a student's photos or posts).

Any social media created and/or used in violation of this policy may result in disciplinary action, up to and including termination.

### **Access**

Employees are reminded that the School's various electronic communications systems, including, but not limited to, its electronic devices, computers, telephones, e-mail accounts, video conferencing, voice mail, facsimiles, internal and external networks, computers, cell phones, smart phones, PDAs, tablets, and other similar devices, are the property of the School. All communications and information transmitted by, received from, or stored in these systems are School records.

As a result, the School may, and does, monitor its employees' use of these electronic communication systems, including for social media activities, from time to time. The School may monitor such activities randomly, periodically, and/or in situations when there is reason to believe that someone associated with the School has engaged in a violation of this, or any other, School policy. As a result, employees do not have a reasonable expectation of privacy in their use of or access to the School's various electronic communications systems.

### **Discipline**

Any violation of this Social Media Policy may result in disciplinary action, up to and including immediate termination.

### **Retaliation Is Prohibited**

The School prohibits retaliation against any employee for reporting a possible violation of this policy or for cooperating in an investigation of a potential violation of this policy. Any employee who retaliates against another employee for reporting a possible violation of this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.

### **Questions**

In the event you have any questions about whether a particular social media activity may involve or implicate the School, or may violate this policy, please contact Human Resources.

Social media is in a state of constant evolution, and the School recognizes that there will likely be events or issues that are not addressed in these guidelines. Thus, each School employee is responsible for using good judgment and seeking guidance, clarification, or authorization before engaging in social media activities that may implicate this policy.

### ***Employee References***

All requests for references should be directed to Human Resources. No other manager, supervisor, or employee is authorized to release references for current or former employees. The School's policy as to references for employees who have left the School is to disclose only the dates of employment and the title of the last position held. If you authorize disclosure in writing, the School will also provide a prospective employer with the information on the amount of salary or wage you last earned.

## *Conflicts of Interest*

While employed by the School, employees owe a duty of loyalty to the School and are required to avoid any situation that presents an actual or potential conflict of interest. An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of the School's business dealings. For purposes of this policy, "relatives" are defined to include spouses, registered domestic partners, children, siblings, parents, in-laws, and step-relatives. Instances where an actual or potential conflict of interest may arise include, but are not limited to, the acceptance of gifts, engaging in outside activities, and personal and familial relationships.

Notwithstanding this policy, if an employee is a "designated employee" under the Board's Conflicts of Interest Code (adopted pursuant to the Political Reform Act), then the employee must comply with those provisions in addition to this policy.

### **Gifts**

Improper personal gain may result not only where an employee or relative has a significant ownership interest in a company with which the School does business but also when an employee or relative receives any kickback, bribe, substantial gift, or special consideration as a result of any transaction or business dealings involving the School. The receipt of occasional flowers, candy or gifts worth less than \$250.00 from clients, customers, or vendors fall outside the intent of this policy and acceptance of such items is permissible. However, employees must obtain written approval from Human Resources before accepting any item worth in excess of \$250.00 from clients, customers, or vendors.

### **Outside Activities**

The School recognizes the right of employees to engage in activities outside of their employment that are of a private nature and unrelated to the School's business. However, employees may not engage in any outside activity, including outside employment, which presents an actual or potential conflict of interest. Such outside activities must not affect the employee's work hours, interfere or conflict with the employee's job duties, raise any ethical or conflict of interest concerns, or create any conditions that may impact the employee's job performance. Each employee must disclose any outside employment that creates a potential conflict so that the School may assess and prevent potential or actual conflicts of interest from arising. The employee is required to obtain written approval that such outside employment does not create an actual or potential conflict of interest from the Chief Executive Officer.

Employees also may not use the School's name, logo, supplies, equipment, or other property in connection with any outside activities. If you have any questions regarding the potential impact of any outside activities, including outside employment, please contact Human Resources prior to engaging in such activity.

### **Personal And Familial Relationships**

Employees have an obligation to place the School's interests before their own and to exercise good judgment on behalf of the School. Personal involvement with a competitor, customer, vendor, supplier, or subordinate employee of the School, which impairs an employee's ability to exercise good judgment on behalf of the School, creates an actual or potential conflict of interest. An employee involved in any such relationship must immediately and fully disclose the circumstances to Human Resources for a

determination as to whether a conflict exists. If an actual or potential conflict of interest exists, the School will take appropriate corrective action according to the circumstances, up to and including reassignment and termination.

Failure to comply with the Conflicts of Interest Policy may result in disciplinary action, up to and including termination.

### *Personal Standards*

Employees are expected to maintain the highest standards of personal cleanliness and present a neat, clean, tasteful and professional appearance at all times to the extent permitted by applicable law. Employees should wear clothing appropriate for the nature of our business and the type of work performed. Supervisors may issue more specific guidelines.

### *School Property*

Da Vinci Schools attempts to provide all staff members with the equipment and supplies needed to do their job. Providing equipment is a great expense to the school. It is expected that everyone will protect and care for all equipment and supplies issued to them. The School reserves the right to inspect all School property to ensure compliance with its rules and regulations, without notice to the employee and/or in the employee's absence. All School property must be immediately returned upon termination of the employment relationship. An employee's loss or damage of School property may result in discipline.

### *Employee Property*

For security reasons, employees should not leave personal belongings of value in the workplace. Employees are responsible for the security of their personal belongings. The School is not responsible for any lost or stolen personal items at work. Terminated employees should remove any personal items at the time they leave the School. Personal items left in the workplace by previous employees are subject to disposal if not claimed at the time of the employee's termination, unless the parties have arranged otherwise.

### *Security*

The security of the premises, as well as the welfare of employees and clients, requires that you be constantly aware of potential security risks. Therefore, please comply with the following security procedures to ensure a secure workplace. Be aware of persons loitering for no apparent reason (e.g., in parking areas, walkways, entrances/exits, and service areas). If you notice such a person, report it Human Resources, the Chief Executive Officer, or your supervisor. Secure your work area when called away from it for any length of time, and do not leave valuable and/or personal articles in or around your work area.

### *Health and Safety*

Every employee is responsible for the safety of himself or herself as well as others in the workplace. To achieve our goal of maintaining a safe workplace, everyone must be safety conscious at all times. In compliance with California law and to promote the concept of a safe workplace, the School maintains an

Injury and Illness Prevention Program. The Injury and Illness Prevention Program is available for review by employees and/or employee representatives.

### *Smoking Policies*

Smoking is not allowed on School premises. Employees who wish to smoke must limit their smoking to meal and rest periods if taken off premises.

### *Housekeeping*

All employees are expected to keep their work areas clean and organized. Common areas such as lunchrooms and restrooms should be kept clean by those using them. Please clean up after meals. Dispose of trash properly.

### *Lactation*

Employees may use their meal and/or rest periods for the purpose of expressing breast milk. If required, a reasonable amount of additional time will be provided. Such additional time will be unpaid. A private place to express breast milk, other than a toilet, will be provided in close proximity to the employee's work area. The employee's normal work area may be used if it allows the employee to express milk in private. Please see Human Resources for more information.

### *Parking*

Employees may use parking facilities as directed by their supervisors. The School is not responsible for any loss or damage to employee vehicles or contents while parked on School property.

### *Conducting Personal Business*

Employees are to conduct only School business while at work. Employees may not conduct personal business or business for another employer during their scheduled working hours. Any employee who violates this policy will be subject to appropriate disciplinary action, up to and including termination.

## EMPLOYEE HANDBOOK ACKNOWLEDGEMENT

By my signature below, I acknowledge that I have received a copy of Da Vinci Schools' Employee Handbook, on the date indicated below. I acknowledge that it is my responsibility to read and review the Employee Handbook carefully. I also acknowledge that it is my responsibility to ask for clarification if I do not understand any of the policies included in the Employee Handbook.

I understand that the Employee Handbook contains important information regarding Da Vinci Schools' expectations, policies and guidelines and that I am expected to comply with these expectations, policies and guidelines at all times. I understand that the Employee Handbook does not provide a binding contract, but provides guidelines for personnel concerning some of Da Vinci Schools' policies.

Da Vinci Schools reserves the right to modify, alter, add to or delete any of the policies, guidelines or benefits contained in this handbook at any time with or without notice. Other than Da Vinci Schools Board of Trustees, no other entity or person has the authority to modify this employee handbook.

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Employee Name (print)

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Employee Signature

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Date