

CIRCLE OF NATIONS EMPLOYEE HANDBOOK



2014-2015

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Employment at Will

Nothing contained in this employee handbook is intended to create an employment contract between the Circle of Nations School and any of its employees for either employment or for the provision of any benefit. Employment with the Circle of Nations School is at the will of the school and its employees. The school or any employee may terminate employment at any time and for any reason not prohibited by law. Any representation to the contrary is not binding upon the school unless signed in writing by the superintendent and the employee.

The school reserves the right to change or revise all matters contained in this handbook and all other policies, rules and procedures at any time without prior notice as it is an inherent managerial right to do so.

The provisions of this handbook supersede the provisions of all previous handbooks and all other policies, procedures, rules, and any such previous policies; procedures and rules are hereby expressly revoked.

100-297 Grant Provisions

All grant provisions and conditions are followed.

Suspected Child Abuse Reporting

Mandated Reporters who learn of the facts that give reason to suspect that a child has suffered an incident of child abuse; know or have a reasonable suspicion that a child was abused or know that actions are being taken or will be taken that would reasonably be expected to result in the abuse of a child in, must immediately report the incident using the SFN 960. The entire policy is available to review from the Residential Director or Principal. Refer to North Dakota State Law and PL 101-630, Indian Child Protection and Family Violence Prevention Act.

Equal Employment Opportunity and Indian Preference

It is the policy of the Circle of Nations School to provide equal employment opportunity without regard to race, creed, color, national origin, religion, sex, age, marital status, or disability. A policy of Indian Preference will be followed in employment decisions, including hiring, promotions, transfers, and reduction in force. Preference in filling job positions is given to qualified Indian candidates in accordance with the Indian Preference Act. Title 25. US Code. Section 44-46 and 474. All position advertisements or postings shall include a statement of Indian Preference.

Harassment

It is the policy of the Circle of Nations School to make every effort to provide a working and learning environment free from sexual harassment or harassment on the basis of race, creed, color, national origin, religion, age, sex, marital status, or disability. The school accordingly strictly prohibits any such harassment.

It shall be a violation of this policy for any employee, student or other individual to harass any employee, student or other individual affiliated with the school. Any such individual determined to have violated this policy will be subject to appropriate disciplinary or other action, which, in the case of an employee, may include termination of employment.

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Prohibited Harassment

Prohibited harassment under this policy consists of unwelcome verbal or physical conduct or communication relating to an individual's sex, race, creed, color, national origin, religion, age, sex, marital status or disability, Sexual harassment is specifically prohibited. Sexual harassment may include, but is not limited to:

1. Unsolicited verbal sexual comments, suggestive comments, or repeated propositions;
2. Sexist remarks about an individual's body part, manner or sexual activities;
3. Patting, pinching or unnecessary touching;
4. Unwanted sexual advances or subtle pressure for sexual activity;
5. Unwanted staring or leering;
6. Demanding sexual favors accompanied by implied or overt threats of preferential treatment with regard to an individual's employment or education;
7. Granting employment or educational benefits or opportunities because of an individual's submission to sexual advances or sexual favors.

Complaint Procedure

Any individual who believes that he or she has been the victim of sexual harassment or other harassment prohibited by this policy, or has knowledge of any conduct of other employees or persons, which may constitute such harassment, must report the conduct. Failure to report conduct prohibited by this policy may lead to disciplinary action, including termination of employment.

The individual should report the conduct to his or her Supervisor, the Personnel Manager, the Principal, the Director of Residential Services or the Superintendent. It is NOT sufficient to report a complaint of harassment to any other person. THE INDIVIDUAL MUST NOTIFY his or her Supervisor, the Principal, and the Director of Residential Services or the Superintendent/CEO. (Unless the employee's complaint is against the Superintendent/CEO, then the employee will report the conduct to the Circle of Nations School Board).

Investigation and Action

Upon receipt of a report, the Superintendent or another person designated by the School will investigate the complaint. The School may take steps at its own discretion to protect the complainant or others pending investigation in as confidential a manner as possible.

The School will take disciplinary action up to and including termination of employment, in the case of an employee, or other action, in the case of a non-employee, in cases where it determines that this policy has been violated.

No Retaliation

No retaliatory action will be taken against any individual who reports conduct, which he or she honestly believes, may violate this policy. Any employee or other individual subject to this policy retaliating against any person for reporting alleged harassment, or for assisting or participating in an investigation, proceeding or hearing related to a harassment complaint, may be subject to disciplinary or other action, which, in the case of an employee, may include termination of employment.

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Grievance Procedure

The following procedure is to be used for employee grievances. A "grievance" is a complaint by an employee concerning the interpretation of application of policies and procedures governing personnel practices, departmental work rules, unsafe or unhealthy working conditions, or other policies or procedures of a working nature. It is crucial that the employees utilize this procedure in order to minimize disruption to the operations of the School, to support the maintenance of a positive school climate, and to provide the opportunity for resolution of the grievance at the lowest administrative level. If the appropriate procedural steps are not followed the grievance may be disallowed.

Step I: The employee is to meet informally with his or her immediate supervisor to discuss the grievance and attempt to agree on a resolution. This step must be completed prior to proceeding to Step II, unless the employee's supervisor is the subject of the grievance, in which case the employee may go directly to Step III (Step V if the School Superintendent/CEO is the employee's immediate supervisor).

Step II: If the grievance is not resolved in Step I, the employee may file a written grievance with his or her immediate supervisor within five (5) working days following the completion of Step I. The employee's written grievance must include date, reason for the grievance, a statement of the desired outcome (what the employee feels will resolve the difficulty), and the signature of the employee. A copy of the grievance must be filed with the School Superintendent/CEO.

Step III: If the employee is not satisfied with the response of his or her supervisor in Step II, the employee may submit his or her written grievance to the Next Line Supervisor, with a copy to the employee's immediate supervisor, within five (5) working days of receiving the supervisor's Step II response. The Supervisor will issue a written response to the employee and the employee's supervisor within five (5) working days.

Step IV: If the employee is not satisfied with the response of his or her next line supervisor in Step III, the employee may submit his or her written grievance to the School Superintendent/CEO, with a copy to the employee's next line supervisor, within five (5) working days upon receiving the next line supervisor Step III response. The Superintendent/CEO will issue a written response to the employee and the employee's next line supervisor within five (5) working days.

Step V: If the employee is not satisfied with the Step IV decision of the Superintendent/CEO, the employee may request a hearing with the School Board. The request for a hearing with the School Board must be filed with the Superintendent/CEO within five (5) working days following the employee's receipt of the Superintendent's/CEO's Step IV decision. The Superintendent/CEO will schedule a hearing between the employee and the School Board at the next regularly scheduled School Board Meeting following the receipt of the employee's request for a hearing. The School Board will issue a decision within ten (10) days following the hearing. THE SCHOOL BOARD'S DECISION WILL BE FINAL.

Supervisor-Employee Relations

Consenting romantic and sexual relationships between supervisors and employees are not allowed. Dating a subordinate within their chain of command is prohibited. They are required to

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report any such relationships to the School Administration for appropriate reassignment of the subordinate employee.

Staff-Student Relations

Employees of the Circle of Nations School shall regard each student as an individual, shall assist each student in his or her learning, and shall treat each student with courtesy and consideration. Employees shall relate to students within guidelines established in the Code of Ethics portion of this handbook and the Quality Standards handbook. Failure to adhere to policies regarding staff-student relations may result in disciplinary action of the employee, up to and including termination of employment.

Employees are prohibited from fraternizing with students in an unethical manner, inclusive of, but not limited to the following situations:

- a. Having a romantic or intimate relationship with a student
- b. Contributing to the delinquency of a student
- c. Violations of any child protection laws
- d. Providing overnight or other lodging to a student without parental or legal guardian permission and authorization of the School Principal and Superintendent
- e. Providing or distributing alcohol or drugs to students, or consuming alcohol or drugs with students
- f. Other unethical conduct of the employee regarding this item as prescribed by community norms

Student Checkout Policy

A student may only be checked out by the parent or legal guardian as indicated by school board policy. If written permission is given from the legal guardian the Principal and Residential Director have the authority to allow the student to be checked out.

Mentor Checkout policy

See the mentor coordinator for mentor check out procedures.

Conflict of Interest (Nepotism)

The School attempts to avoid favoritism, the appearance of favoritism and conflicts of interest in employment decisions and reserves the right to take action when relationships or associations of employees impact the School's mission. To prevent situations in which a conflict of interest may arise, a School Board member shall excuse himself/herself from the meeting of the School Board when any personnel action involving an immediate relative of the member is being considered or discussed. Minutes of the Board proceedings shall reflect that the related Board member has excused himself/herself from the meeting. In addition, the School board and Superintendent/CEO shall not assign the direct supervision of any employee to an immediate relative. For the purposes of this policy, an immediate relative shall mean a father, mother, son, daughter, brother, sister, husband, wife, significant other and in-law to the same degree.

Employment of relatives under his/her direct supervision is prohibited under this policy. In addition, relatives should not participate in roles, which have the potential for influencing employment decisions.

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To avoid possible conflict of interest, no superintendent/CEO, principal, director, manager, shall supervise or participate in peer or administrative review procedures if they are related to an employee or job applicant. They may also not participate either formally or informally in decisions (including rendering advice on decisions) on personnel matters affecting the relative, including, but not limited to, decisions to hire, promote, or determine salary.

In circumstances, which have the potential for conflict of interest, individuals have the responsibility for disclosing that a conflict of interest may exist to the superintendent, principal, director, or manager prior to making any employment decisions. The specifics of the potential conflict do not have to be provided.

Decisions about individual cases should be made on the basis of these principles. In cases where the application of a principle is disputed, the superintendent/CEO may be asked to assist in resolution. If resolution cannot be achieved, an employee can follow the established procedure for filing a grievance. The superintendent/CEO shall have final approval regarding the application of the general principles to particular cases. Not every relationship that can create favoritism or the appearance of favoritism can be listed here. Whenever an employee enters into a relationship with another employee he/she should ask whether the appearance of nepotism or whether an audit or control function may be compromised.

In the event of potential conflict of interest the Superintendent/CEO has the authority to reassign that person to another position.

Circle of Nations Policy Statement Tobacco-Free Workplace:

The Circle of Nations School is committed to the active promotion of the goal of a smoke-free working environment for all its employees consistent with the objective of health promotion within an educational setting including on/off campus school related activities and school vehicles.

- 1.1 To protect non-smokers from the adverse health effects of environmental tobacco smoke in the workplace.
- 1.2 To demonstrate the school's commitment to promoting the health of students and staff.
- 1.3 To provide information and advice for those who wish to stop using tobacco products.

Failure to comply with its provisions of this policy will be dealt with through disciplinary procedures.

Cell Phone Use

Controlling the use of cell phones by students is a major challenge for school staff, especially teachers and other administrators. Employees should not use their personal cell phones in a manner that will compromise the enforcement of student policy. Teachers, staff, and all CNS employees should turn off their cell phones during regular work hours.

***The exception to this policy would be those CNS employees who are issued cell phones for official business.

Staff-Community Relations

To insure community involvement in the development and implementation of all programs of the school, the School Board believes it is the responsibility of the administration and professional staff to:

1. Identify through research, conferences, and in-service programs those innovative trends in the areas of curriculum, student activities, and professional personnel, which may be relevant to the Circle of Nations School.

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2. Develop and implement a sound, balanced, educational program throughout the Circle of Nations School, which reflects the needs of the students.
3. Parents may schedule individual conferences with school staff at any time.

Employees of Circle of Nations School shall conduct professional business in such a manner as to meet "Obligations to the Public" and "Obligations to the Profession" portions of the Code of Professional Ethics.

Staff members are considered a part of the community in which they work, and are encouraged to actively involve themselves in community activities. Staff shall refrain from community activities which create a conflict with personnel policies and procedures of the school or which negatively impact employee performance.

Community Use of Facilities

CNS will follow the written policy for community use of facilities. (See Facility Manager)

Political Activities

The School Board recognizes and encourages the right of its employees as citizens to engage in activities, which exemplify good citizenship. However, school property and school time may not be used for political purposes.

Gifts and Gratuities

No employee of Circle of Nations may accept gifts, money or gratuities from persons receiving any benefits or services of the School. However, in recognition and support of local custom, those gifts given as part of community activities or in exercise of Indian customs, e.g. funeral giveaways are allowed.

Solicitations

There will be no outside solicitations.

Probationary Period

There is a 90-day probationary period for all new employees and employees who accept a transfer into a new position. All employees, regardless of status or duration of employment are required to meet and maintain Circle of Nations standards for job performance and behavior. Either the employee or Circle of Nations may end the employment relationship at any time during the probationary period with or without reason or advance notice. Completion of the probationary period does not guarantee employment for any specific period of time. Any new employee is not allowed to drive a CNS vehicle until the probationary period is satisfactorily completed.

Behavior Misconduct

The following actions may result in discipline up to and including termination of employment. This list is for illustrative purposes only and shall not be construed as limiting, in any way, the school's right to discipline any employee. The progressive disciplinary plan (written warning, write up, etc.) doesn't need to be followed depending on the severity of the incident. A plan of action (corrective action) may also be written in place of or in addition to the progressive disciplinary plan.

1. Use of alcohol or drugs on the job or at school-sponsored activities.
2. Absence from work without reporting it or receiving leave approval.

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3. Distribution, sale or use of illegal drugs.
4. Physical assault of a student, employee, or other individual at the school.
5. Failure to report child abuse or neglect.
6. Failure to use established grievance procedures in working toward a resolution of a grievance.
7. Failure to adhere to school policies or procedures.
8. Conviction of a crime.
9. Inappropriate conduct.
10. Failure to perform duties.
11. Theft, misuse, or embezzlement of school funds or property.
12. Falsification or misrepresentation in employment-related matters.
13. Inadequate supervision of students.
14. Use of corporal punishment or physical force with students as disciplinary measure; verbal abuse (name calling), swearing, or other non-professional communications in dealing with students and staff.
15. Disparagement of the school, students, or employees.
16. Breach of confidentiality regarding students or employees.
17. Open and/or public non-support of the school.

Notice of Resignation

Any employee wishing to resign from his/her position is asked to give written notice to the superintendent/CEO thirty (30) days prior to leaving duties.

Extra –Curricular and Community Activities

Each staff member is expected to assume his or her share of duties incidental to the program of extra-curricular activities and community activities assigned by the Superintendent/CEO. When applicable and approved by the Superintendent/CEO of the school, the staff member may receive additional compensation for performing such duties.

Travel Reimbursement

Employees who are authorized to travel in connection with school business will be reimbursed for mileage at the current government rate and will be reimbursed for other reasonable and appropriate travel expenses. In order to qualify for reimbursement, all travel must be approved in writing from the Superintendent/CEO prior to being undertaken, and all expenses must be documented. All travel expenses are subject to approval by the Superintendent/CEO. Travel must be reconciled within five days.

Outside Employment

No employee may engage in outside employment without prior written approval from his/her immediate supervisor and the Superintendent/CEO. Employees may not engage at any time in employment that would interfere with their effectiveness in performing regular assigned duties; that would compromise or embarrass the school; would adversely affect their employment status or professional standing; or would in any way conflict with their school duties.

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Staff/Student Protection

CNS shall demonstrate a commitment to the philosophy and content of the Nonviolent Crisis Intervention Program.

Internal Placement Policy

I. OBJECTIVE

To provide qualified employees the opportunity to be considered for job opportunities throughout Circle of Nations. While it is the intent of the policy to accommodate individual's requests where appropriate, that may not always be possible due to business and operational considerations.

II: SCOPE OF POLICY

Available openings for non-exempt and exempt positions will be posted. Any employee who meets all of the following criteria will be eligible for internal transfer:

- 1. Who has had (1) year of active service with CNS
- 2. Has been in current assignment for six months
- 3. Performing in a satisfactory manner
- 4. Qualified for the position

III: POSTING PROCEDURES

For non-exempt and exempt vacancies not filled from within the department in which they occur, a 'Position Vacancy Notice' will be posted at all locations campus-wide. The vacancy notice will be posted for five consecutive business days on common area bulletin boards and electronically.

IV: TRANSFER REQUEST PROCEDURES

Transfer requests should be made by submitting a letter of interest which will be forwarded to the Human Resources/Payroll Department.. Employees should discuss the request with their supervisor

V. OTHER

An employee selected for a position through the internal placement process may be retained in their former position until a replacement is obtained or satisfactory arrangement are made with their present department (minimum of two (2) week period). The employee will, upon transfer, start a new probationary period. The employee may use leave approved by new supervisor.

Employees who have been subject to recent (within the last 12 months) corrective action by CNS may not bid on posted jobs or request a transfer without the specific approval from their supervisor and Human Resources Department.

Educational Pay Increase

Any adjustment in salary because of college credits will be made in accordance with established salary schedules (School Board approved). Official transcript and written request must be received by the Human Resources/payroll office prior to June 30th in order to be processed for the current school year. Any requests received after the deadline will be effective for the next school year.

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Education Cap

The education step increase identified on the Circle of Nations pay scale will be capped at the Masters level.

The only exception to this policy will be Special Education Teachers teaching within the Special Education Department: those Special Education Teachers who receive their Masters and second credential will go up 5% on the scale; if they receive their Masters and third credential they will be eligible for the final step on the scale. The Special Education Teacher scale would then be capped at the Masters and third credential

Pay Cap

The pay range for paraprofessionals starts at \$9.00 and is capped at 15.38.

Negotiated Salary

The Superintendent/CEO and Principal positions will be negotiated with the School Board.

Jury Duty

Leave will be granted to any employee duly called and accepted for jury duty. The employee performing jury duty will turn in any compensation for doing such duty and the employee's will receive regular pay.

Reporting Absences

When unable to report to work due to personal illness, you must contact your supervisor immediately to report the nature of the problem and when you expect to return. In cases of prolonged absence, in addition to immediate reporting, it is suggested that you call in from time to time to keep your supervisor updated on your expected return-to-work date.

Bereavement Leave

Bereavement *leave is granted for your spouse, Mother, Father, Sister, Brother, Child, Mother in law, Father in Law, Brother in Law, Sister in Law, niece or nephew* for initial burial/funeral services. Appropriate leave forms are found on the website. Leave is granted for three days unless extenuating circumstances are identified by the Superintendent/CEO. I.e. extended travel to service.

Sick Leave

In accordance with Federal and State Laws, paid sick leave is intended to provide protection against lost income due to illness or injury.

Full-Time employees will accrue sick leave at the rate of four (4) hours per pay period while in pay status.

In no event will the School compensate an employee for accrued sick leave upon separation from employment.

Employees using sick leave must notify their immediate supervisor prior to the start of the workday. The school may require a doctor's statement for any sick leave taken.

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With initial employment, full-time employees will begin earning paid sick leave at the rate of four (4) hours per pay period to be utilized as needed at the beginning of employment.

Whenever medical and dental appointments are taken during normal work hours, accrued sick leave must be taken.

Unused sick leave may be carried forward up to a maximum of 480 hours.

Employees may elect to contribute any portion of their sick leave, up to ten (10) days, to the sick bank.

Employees may elect to donate leave to individuals based on the criteria for the sick bank.

The school will require a doctor’s statement after three consecutive work days. A supervisor may request a doctor’s statement at any time.

Sick Bank

Occasionally, a situation may arise where an employee has exhausted all their accrued sick leave, personal days, and accrued annual leave and continue to require recovery time from a catastrophic or life threatening illness or accident. To help the employee continue receiving paid time off, CNS has established a sick bank. The sick bank relies entirely on voluntary contributions.

In order to receive hours from the sick bank all of the following conditions must be met:

1. The employee has used all other leave available to them.
2. The employee has provided verification of a catastrophic/life threatening illness or accident.
3. The Superintendent/CEO makes the recommendation to the School Board per fiscal year.
4. The School Board gives their approval and determines (up to 160 hours) the maximum amount of hours that can be used by the employee.

Fitness for duty

A. Policy Statement

Circle of Nations School is committed to providing a safe workplace for the benefit of the school community. In order to provide a safe work environment, employees must be able to perform their job duties in a safe, secure, productive, and effective manner, and remain able to do so throughout the entire time they are working. Employees who are not fit for duty may present a safety hazard to themselves, to other employees, to the school, or to the public.

B. Scope

This policy applies to all staff.

C. Purpose

The purpose of this policy is to establish procedures by which Circle of Nations will evaluate an employee’s fitness for duty when an employee is:

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1. Having observable difficulty performing work duties in a manner that is safe for the employee, for the employee's coworkers, for the School, or for the public, as determined by the supervisor; or
2. Posing an imminent and serious safety threat to self or others.

D. Definitions

***Fit for duty** means able to perform the duties of the job in a safe, secure, productive, and effective manner.*

***Health service provider** is a doctor of medicine or osteopathy, dentist, podiatrist, clinical psychologist, optometrist, nurse practitioner, nurse-midwife, or a licensed clinical social worker that is authorized to practice in the state of North Dakota or in the state the person resides for persons who reside outside the state of North Dakota.*

***Supervisor** means: for staff, the person to whom they report.*

E. Employee Responsibilities

1. Employees are responsible for managing their health in a manner that allows them to safely perform their job responsibilities.
2. Employees must come to work fit for duty and must perform their job responsibilities in a safe, secure, productive, and effective manner during the entire time they are working.
3. Employees are responsible for notifying their supervisors when they are not fit for duty.
4. Employees are responsible for notifying the supervisor when they observe a coworker acting in a manner that indicates the coworker may be unfit for duty. If the supervisor's behavior is the focus of concern, an employee may inform the upper level manager.

F. Employer Responsibilities

1. Supervisors are responsible for observing the attendance, performance, and behavior of the employees they supervise.
2. Supervisors/managers are responsible for following this policy's procedures when presented with circumstances or knowledge that indicate that an employee may be unfit for duty. (FMLA paperwork from HR)
3. Confidentiality of medical records

Any document containing medical information about an employee is considered a medical record and is regarded as confidential. The Human Resource Office will maintain medical records in a file separate from all other employee records.

G. Procedures

1. The supervisor who receives reliable information that an employee may be unfit for duty, or through personal observation believes an employee to be unfit for duty, will validate and document the

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information or observations as soon as is practicable. Actions that may trigger the need to evaluate an employee's fitness for duty include, but are not limited to, problems with dexterity, coordination, concentration, memory, alertness, vision, speech, inappropriate interactions with coworkers or supervisors, inappropriate reactions to criticism, or suicidal or threatening statements.

2. The supervisor will present the information or observations to the employee at the earliest possible time in order to validate them; and will allow the employee to explain his or her actions, or to correct any mistakes of fact contained in the description of those actions. The supervisor will then determine whether the employee should leave the workplace immediately for safety reasons.

3. In situations where there is a basis to think that a crime may have been committed and/or the employee is making threats to harm himself or herself or others, or is acting in a manner that is immediately dangerous to himself or herself or others, the supervisor shall contact The Wahpeton Police Department. Human Resources should be consulted regarding the fitness for duty procedure after the immediate safety issue has been addressed.

4. In all other circumstances the supervisor shall take appropriate action as soon as possible after he or she receives reports and validates or personally observes an employee's unfit behavior. (For situations arising outside the 8:00 a.m. to 5:00 p.m. workday, the supervisor/manager will make a determination of whether the employee should leave the workplace immediately for safety reasons.)

5. Based on the descriptions provided by the supervisor, HR will determine whether a fitness for duty evaluation is required and, if so, the type of evaluation needed and the type of health service provider to make the evaluation. HR will then provide a form to the supervisor containing that information, and the supervisor will convey the form to the employee.

6. HR will provide a form for the designated health service provider for completion to certify whether the employee is fit to return to work. The health service provider form will include a behavioral description of the circumstances leading to the request for evaluation, and a list of the employee's relevant duties. HR may facilitate communication with the health service provider as necessary.

7. In most cases, the employee will be responsible for the cost of the fitness for duty evaluation not covered by the employee's health plan.

8. Based on information provided by the health service provider, HR will advise the supervisor whether the employee should return to work and, if so, the conditions of return, including whether the employee must attend a reentry conference with the supervisor and HR, and whether additional follow-up meetings are necessary. The final decision on whether a provider's certification will be accepted lies with the employee's departmental management. A second independent health service provider certification may be requested in some cases. The employer will be responsible for the cost of the second independent provider's certification.

9. The employee must comply with all aspects of the fitness for duty and evaluation procedures, including furnishing necessary consent and release forms to the health service provider. Noncompliance may be grounds for disciplinary action up to and including termination. Information will be requested from the health service provider regarding work restrictions that may be required upon the employee's return to work

10. Application of this policy is not intended as a substitute for other school policies or procedures related to performance; nor is it intended as a substitute for discipline.

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For Assistance: Questions regarding fitness for duty should be directed to the HR office at (701) 672-7221.

Personal Leave

Full-Time school term employees will receive twenty-four (24) hours personal leave when they return to work at the beginning of the school term.

Ten month employees will receive twenty-seven 27 hours of personal leave.

Full-Time twelve-month employees will receive forty (40) hours of personal leave on July 1, the beginning of the fiscal year.

*Persons beginning employment later will receive prorated personal leave to be utilized after the probationary period is satisfactorily completed.

There will be no carryover of personal leave. CNS will compensate school term employees for unused personal leave at the end of the school term. Twelve month employees will be compensated for unused personal leave at the end of the fiscal year.

*CNS will compensate an employee for unused personal leave upon separation from employment.

Military Leave

Any employee of the school who is a member of the National Guard or member of the Armed Forces Reserve of the United States, subject to call in the Federal service by the President of the United States, when ordered by proper authority to active non-civilian employment, shall be entitled a leave of absence without loss of status.

If such person has been a continuous employee of the Circle of Nations School for ninety (90) days immediately preceding the leave of absence, the first fifteen (15) days of such leave will be without loss of pay.

AWOL or Abandonment of Position

1. A no-show or no-call to your immediate supervisor will be considered AWOL (absent without leave) status.
2. Three consecutive days AWOL constitutes abandonment of position and result in immediate termination.
3. Any pattern of absence or excessive AWOL throughout the year may also result in immediate termination.

Leave Without Pay (LWOP)

Any leave not approved by your immediate supervisor will be considered AWOL or absent without leave. Leave without official pay is requested leave by the employee and must be approved in advance by the immediate supervisor with final approval by the Superintendent. (Can only be requested if no personal or vacation leave is available). Leave without official pay may be requested when no other leave is available and must be approved in advance by the Supervisor and Superintendent/CEO.

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Annual Leave-Twelve Month Employees

Twelve-month employees will accrue annual leave at four (4) hours per pay period for the first five years. From year six (6) through year ten (10) they will accrue six hours per pay period and after ten (10) years they will accrue eight (8) hours per pay period.

Accrued and unused annual leave will be carried over from year to year up to 240 hours. Any leave beyond, 240 hours is forfeited.

An employee transferring from a nine month position to a twelve month position will receive years of experience based on adding months together from previous years and dividing that number by twelve months. Employees that were part-time permanent will also receive experience; the number of years will be based on hours and divided by a twelve month equivalency.

The school will compensate an employee for accrued annual leave upon separation from employment.

Paid Holidays

Each spring the School Board approves the School Calendar for the upcoming Fiscal year. The board designates paid holidays, defines the conditions under which employees will be eligible for holiday pay, and defines how employees will be compensated for work performed on a paid holiday.

In general CNS provides full-time employees with six paid holidays per fiscal year (July 1 to June 30). Full-time employees will be eligible for designated holiday pay beginning on the date of employment.

CNS observes the following holidays:

July 4	Labor Day
Thanksgiving Day	Christmas Day
New Years Day	Memorial Day

Benefits:

Health Care and Dental Plan

A health care and dental plan for full-time staff and their dependents is available beginning at the time of employment or during open enrollment. Health insurance coverage is effective the 1st or the 16th of the month after you have been employed 30 days. You must be actively at work on the day your coverage is scheduled to begin. A more detailed description of coverage is provided in a separate handout.

Employees can make changes to their existing insurance plan during open enrollment (in August) unless they have a qualifying event.

If you do not have a dependent at the time of enrollment in the plan, but later acquire a dependent, this person becomes eligible to participate in the plan on the date that he or she becomes your dependent.

Dependent includes your lawful spouse, your children and stepchildren younger than 19 who are not full time students and your children and stepchildren younger than 26 who are full-time students.

Dependents can be added to your policy within 60 days of the date of a dependent is acquired. The

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“acquired date” is the date of birth, marriage, or in the case of adoption, the date the child enters the home.

Unmarried financially dependent children under the age of 22 and up to the age of 26 (if they are full-time students at an accredited institution) are considered eligible dependants. See Insurance Carrier Summary Plan for full description of services.

The staff member and Circle of Nations School, Inc. will share the cost of coverage. The staff member’s share is 25% of the premium with the Circle of Nations School paying the remaining 75%.

Before your coverage or that of your dependants becomes effective, you must fill out an application. The form also authorizes pretax payroll deductions for coverage. This form is available from the payroll department.

Our insurance carrier will issue ID cards any time a change is made. If you need replacement cards, you may contact BCBS customer service at 1-800-342-4718 or CNS Payroll Manager at extension 227.

If you terminate employment at CNS, your insurance coverage will terminate on the 1st or the 15th day of the month dependant whichever is after and closer to your termination date.

Vision Insurance

A vision plan is available to you and eligible dependents; eligibility is the same as for health and dental coverage. The premium is a pretax payroll deduction. Circle of Nations School does not share the premium for the vision coverage.

Life Insurance, Dependent Life and Accidental Death and Dismemberment (AD&D)

Full-time and part-time staff that regularly work a minimum of 30 hours per week have \$25,000 life insurance protection. This insurance becomes effective your first day of employment. Also included is life insurance coverage for your dependents. The staff members’ coverage is automatic. You must fill out a form to obtain coverage for your dependents. Circle of Nations School pays the cost of the insurance.

Long-Term Disability

Circle of Nations School, Inc. provides long-term disability (LTD) insurance that provides you with income protection if you become totally disabled from a covered sickness, accidental bodily injury, or pregnancy requiring absences from work for periods exceeding six months. This type of leave must be supported by a doctor’s statement indicating the type of illness or injury and the expected duration. This free benefit is provided to employees who work an average of 30 or more hours per week.

The plan provides you with an LTD benefit while you are totally disabled equal to 66 2/3 percent of your insured earnings. The insurance is provided through UNUM Provident group number 0948872. There are certain requirements for receiving benefits under this policy; they are described in the insurance certificate. You should read this certificate and become familiar with the terms and conditions of the policy. The policy will govern the terms of the insurance and any other descriptions of the coverage. Coverage under this plan is effective your first day of employment.

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Voluntary Group Life Insurance

Circle of Nations School, Inc. has available group term life insurance beginning at the time of employment or during open enrollment each year. The insurance includes double indemnity and family options. Circle of Nations School does not share in the cost of this insurance. To obtain this additional insurance, you must authorize payroll deductions for the coverage by filling out a form available from the payroll department. Deductions for this coverage are not with pretax earnings. A more detailed description of coverage is provided in a separate handout.

Benefits Continuation (COBRA)

Circle of Nations School provides each eligible staff member with a written description of his or her COBRA rights when the staff member becomes eligible for coverage under CNS's health insurance plan.

Worker's Compensation

Staff is protected under the State Worker's Compensation law against loss of income due to injury or death that occurs during work activities. This is a free benefit to all employees of CNS. Staff must report all job-related accidents, injuries, and illness immediately (paperwork must be submitted by HR within 24 hours so \$250 deductible fee is not incurred) to their supervisor who will fill out an incident report. The employee must then go to the Human Resource department who will have them fill out the proper forms (first report of injury) and any other forms that are appropriate and submit them to the State Worker's Compensation who will then determine the benefits, if any, the staff member is entitled to.

- The worker's compensation form report of injury must be filed immediately after any injury, accident or illness to ensure proper documentation of the incident and prompt payment of benefits if entitled.

Employee Assistance Program (EAP)

Circle of Nations School provides free short-term employee assistance services designed to assist employees and their dependent family members with a means to solve problems. All employees and their dependent family members may use these services. A professional counselor is available to assist with problems such as depression, anxiety, marital conflict, alcoholism, drug abuse, legal, financial, and other stresses.

Use of the Employee Assistance Program is strictly confidential. Information will not be released to anyone, including CNS, information about any individual employee or family member, unless the employee authorizes it in writing. Federal and state laws on confidentiality guarantee privacy.

To access these services, employees should Unum Provident EAP at 1-800-854-1446 anytime day or night.

You can also access the website at www.lifebalance.net.

The user id is - lifebalance

The password is - lifebalance

Terms

Catastrophic Physical Illness- A physical condition which has the potential to cause financial ruin, permanent disability, or death. These illnesses are limited to the following conditions: Malignant Neoplasm Leukemia, Cancer in Situ, AIDS and related illnesses (Kaposi's Sarcoma, Pneumocystis Carinii

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Pneumonia, Toxoplasmosis in Adult Male), Sickle Cell Anemia, Cerebral Vascular Accidents (Stroke) resulting in coma or paralysis, Spinal Cord Injury, Multiple or Crushing Injuries, Multiple Fractures, Degenerative Neurological Conditions (Multiple Sclerosis, Cerebral Palsy, Muscular Dystrophy, Lateral Sclerosis), Meningitis, Encephalitis, Kidney Failure, Chronic Cardiac Conditions, Organ Transplants, Congenital Anomalies, Amputations involving Major Extremities, Second or Third Degree Burns over at least 20% of the Body, or Severe Respiratory Conditions Requiring Chronic Ventilator Dependency. Mental illnesses other than those listed are excluded.

Employee Classifications

Full-Time Employee-An employee who normally works at least 32 hours per week. Full-Time employees are eligible for company benefits.

Part-Time Employee- An employee who is hired for less than an eight hour work day or works less than 32 hours per week. Part-Time employees that work less 30 hours per week are not eligible for company paid life insurance benefits.

Temporary Employee- An employee-An employee who is hired for a job established for a specific period of time or for duration of a specific assignment or group of assignments. Normally, temporary jobs do not exceed three months. Temporary employees are not eligible for company benefits.

Exempt employee - An employee that is not eligible for overtime benefits.

Non-exempt employee - An employee that is eligible for overtime benefits and must clock in and out.

Hours of Work-The normal work week is 40 hours. The normal workday for employees consists of 8 hours of work. Departments may determine their "normal" work week to meet their work requirements. Employees are expected to start work promptly at their regularly scheduled start time.

Pay Day- Pay Days are every other Thursday. Paychecks will be distributed to employees by their supervisor.

Pay Period-Circle of Nations School accrues payroll on a bi-weekly basis with the payday on the following Thursday (i.e., an employee will work two consecutive 40 hour weeks and will be paid for the total of 80 hours on the next Thursday after the payroll period ended). Weekly work periods are recorded from Sunday 12:00 A.M. through Saturday at 12:00 Midnight. If a Holiday occurs on a day when payday is due CNS will pay on the Wednesday prior to the Thursday.

Overtime- Periodically overtime may be required of employees and is a condition of employment at CNS. Supervisors are responsible for authorizing any overtime and notifying employees as far in advance as possible.

Pay and Payroll Matters/ Payroll Deductions By law, CNS is required to deduct, where applicable, federal and state withholding taxes, Social Security taxes and garnishments. Voluntary deductions may include group health and life insurance premiums, credit union deductions, etc.

Reimbursements for expenses incurred by CNS employees while on school business, which is approved in advance, shall be reimbursed consistent with the current policy. If an employee does not complete an expense report within five (5) working days following their return from a trip when a travel authorization has been issued, the amount of the travel authorization will be deducted from the next payroll check of the employee.

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Pay Adjustments - If an employee notices an error in their paycheck, they should review the matter with the Business Manager. Changes to an employee's income tax withholding (W-4 form) filing should be submitted along with their time sheet for the period the change is to become effective.

Garnishments- By law, CNS is required to honor legal garnishments of employee's wages. The affected employee will be notified of CNS receiving the order to garnishment of their wage.

Lost check - Employees should report checks lost or otherwise missing to the business office immediately so that stop-payment order may be initiated. The Business Manager will determine when a replacement check can be issued. The employee will be responsible for the stop payment bank charge.

Final Paychecks - The final paycheck for a voluntarily or involuntarily terminated employee will be made available on the regularly scheduled payday for the time accrued.

Time clock – non-exempt employees

Nonexempt employees are required to use the time clock system to record their hours worked. Nonexempt employees are required to clock in/out for payroll and attendance purposes. The time clock records will be used to track attendance for the exempt employee.

Employees are required to clock in/out at the time clock located in their department. If there is a problem with the time clock, the employee should notify the supervisor and the supervisor will direct the employee to the next appropriate time clock station.

Employees should clock in no sooner than 7 minutes before/after the scheduled shift and clock out no later than 7 minutes before/after the scheduled shift. Nonexempt employees are required to clock in/out for lunch breaks in addition to the beginning and end of the day.

It is prohibited to abuse or take advantage of the time clock rounding, e.g. clocking in at 8:07am knowing the clock will round back to 8:00 a.m. or clocking out at 4:53 p.m. knowing the clock will round forward to 5:00p.m.

If the employee misses an entry into the timekeeping system, the employee will notify the supervisor as soon as possible. The supervisor will manually enter the employee's work hours via the manager time clock portal. Supervisors will send an email to payroll notifying him/her for the reason the time was manually entered. Employees who consistently miss time clock entries will be subject to disciplinary action.

Nonexempt employees are permitted to work overtime with prior authorization from the supervisor. Overtime includes clocking in early, late or working through the scheduled lunch period. Nonexempt employees who work overtime without prior authorization will be subject to disciplinary procedures.

Employees may not use another employee's badge to clock in or clock in for another employee. Employees who have lost a badge will report the lost badge to the facilities and payroll departments. The employee will be issued a new badge with the same employee and department numbers. A new code will be assigned to the new badge. Payroll will notify each department of new badge codes each pay period.

Supervisors are free to use discretion in disciplinary actions when employees have various, albeit repeated offenses to the time keeping policy and/or procedure. This could include situations where

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employees may have clocked in, but are repeatedly absent from their work station during work hours or have missed time clock entries in addition to working unscheduled overtime.

Please refer to the Circle of Nations Employee Disciplinary Action policy for direction on the appropriate disciplinary actions.

FALSIFICATION, TAMPERING, AND UNAUTHORIZED VIEWING

Due to the severity of the infractions below, there will be immediate discipline enforced up to and including termination .

- Any attempt to tamper with timekeeping hardware or software.
- Punching in for an absent or late employee (a.k.a. "buddy punching").
- Anyone interfering with other employees' use of the Time Clock Plus system.
- Unauthorized viewing of another employee's time in the Time Clock Plus system.

The Supervisor and the Human Resources department will review the specific details of such an infraction (including but not limited to the above infractions) and develop an appropriate response.

Family Medical Leave Act

See Circle of Nations website

Code of Professional Ethics

Obligation to the Students: In fulfilling their obligations to the students staff shall:

1. Not without cause restrain students from independent action in their pursuit of learning, and not without just cause deny to the students access to varying points of view.
2. Not deliberately suppress or distort subject matter for which they bear responsibility.
3. Maintain adequate supervision and order in the classroom and the school system to protect the students from conditions harmful to learning, health and safety.
4. Conduct professional business in such a way that they do not expose the students to unnecessary embarrassment or disparagement.
5. Not for reasons of race, color, creed, sex, national origin, material status, political affiliation, or family, social or cultural background exclude any students from participation in or deny them benefits under any program, nor grant any discriminatory consideration or advantage.
6. Not use relationships with students for private advantage.
7. Keep in confidence information that has been in the cause of professional service, unless disclosure serves professional purposes or is required by law.
8. Not tutor for remuneration students assigned to their classrooms.
9. Maintain professional relationships with students in a manner, which is free of vindictiveness and recrimination.
10. Accept no gratuities, gifts or favors from any student that might impair or appear to impair professional judgment, nor offer any favor, service or thing of value to obtain special advantages.

Obligation to the Public: In fulfilling their obligations to the public, staff shall;

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1. Not misrepresent an institution or organization with which they are affiliated; and take adequate precautions to distinguish between their personal and instructional or organizational views.
2. Not knowingly distort or misrepresent the facts concerning educational matters in direct and indirect public expression.
3. Not interfere with a colleague's exercise of political and citizenship rights and responsibilities.
4. Not use institutional privileges for private gain or to promote political candidates or partisan political activities.
5. Accept no gratuities, gifts or favors that might impair or appear to impair professional judgment, nor offer any favor, service or thing of value to obtain special advantages.

Obligations to the Profession: In fulfilling their obligation to the profession staff shall:

1. Not interfere with free participation of co-workers in the affairs of their associates.
2. Accord just and equitable treatment of all members of the profession in the exercise of their professional rights and responsibilities.
3. Not use coercive means or promise special treatment in order to influence professional decisions of co-workers.
4. Withhold and safeguard information acquired about co-workers in the course of employment, unless disclosure serves professional purposes.
5. Not misrepresent their professional qualifications.
6. Not knowingly distort evaluation of co-workers
7. Not disparage a co-worker before others nor criticize a co-worker before students.

Obligations to Professional Employment Practice: In fulfilling their obligations to professional employment practices staff shall:

1. Apply for, accept, offer, or assign a position or responsibility on the basis of professional preparation and legal qualifications.
2. Apply for a specific position only when it is known to be vacant, and refrain from underbidding or commenting adversely about other candidates.
3. Not knowingly withhold information regarding a position from an applicant or misrepresent an assignment of conditions of employment.
4. Give prompt notice to the employing agency of any change in availability of service; and the employing agency of any change in availability or nature of a position.
5. Not conduct or carry on personal activities during their regular work hours. I.e. School work, text book reading
6. Conduct professional business through channels that have been developed and approved by the employing agency when available.
7. Not delegate assigned professional responsibilities to unqualified personnel.
8. Permit no commercial exploitation of their professional position.

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Drug Free Workplace Policy

Use of alcohol, drugs, and controlled substances by employees (drug free workplace) P.L. 100-690

Student and employee safety is a paramount concern to the Circle of Nations School Board. Employees under the influence of alcohol, drugs, or controlled substances are a serious risk to themselves, to students, and to other employees.

Therefore, the Circle of Nations School Board will not tolerate the unlawful manufacture, use, possession, sale, distribution or being under the influence of drugs or controlled substances. Nor will the Circle of Nations School Board tolerate the unlawful use of or being under the influence of alcohol by an on-duty-employee.

Any employee who violates this policy is subject to disciplinary action, which may include dismissal. Each employee of the school is hereby notified that, as a condition of employment, the employee must abide by the terms of this policy and will report to the Superintendent any criminal drug statute convictions for a violation occurring in or on the premises of this school or while engaged in regular employment.

Such notification must be made by the employee to the Superintendent/CEO no later than five (5) days after the conviction, within ten (10) days after the Superintendent receives such notification in any school receiving direct federal aid, the Superintendent will report the violation to the United States Department of Education.

Thirty (30) days after receipt of information concerning a violation of this policy, the school will take appropriate disciplinary action, which may include termination of employment or may require the employee to participate in drug abuse assistance or rehabilitation programs.

All employees will attend a school drug-free awareness program at which employees will be informed about the dangers of drug abuse in the workplace, this policy of maintaining a drug-free workplace, available drug counseling, rehabilitation, employee assistance programs and penalties that may be imposed on employees for drug abuse violations occurring in the workplace.

Employees may be subject to random drug testing. Reasonable suspicion will result in immediate drug testing.

The school recognizes that employees who have a drug/alcohol abuse problem should be encouraged to seek professional assistance. An employee who requests assistance shall be referred to a treatment facility or agency in the community if such a facility or agency is available, or act as a referring agent to other mental health agencies.

When a staff member has consumed alcoholic beverages or illegal drugs off or on school property and/or before a school activity, the staff member will not be allowed on school property or to participate in school activities. Staff members who violate this regulation will be subject to the same penalties as for possession or consumption on school property.

The Circle of Nations School hereby commits itself to a continuing good faith effort to maintain a drug-free workplace.

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CNS Technology Acceptable Use Policy

The use of Circle of Nations School technology and Internet access is a privilege, not a right. Students and staff are responsible for appropriate behavior while using school technology.

It is the Philosophy of Circle of Nations School that access to the Internet is necessary to provide electronic research skills that are now important to prepare citizens and future employees in today's Information Age. Access to the Internet will allow students and staff to research valuable information and allow them to communicate electronically.

The Internet also contains information that is inappropriate for student and staff use. The Circle of Nations School has taken precautions to restrict access to inappropriate material using an Internet content filtering system. We cannot guarantee that you will not gain access to inappropriate material.

Access to school technology will be provided to users who agree to act in a responsible manner. Network storage areas shall be subject to the same scrutiny as other school property and facilities. Technology Managers may view files and communication to maintain the integrity of the system and ensure the appropriate and responsible use of school technology. Users of school technology agree that violations of acceptable use policy will be subject to disciplinary consequences. All Circle of Nations School and Bureau of Indian Affairs policies will be followed. If disciplinary consequences are necessary due to violation of BIA policies the actions will be followed according to BIA policy.

All employees are responsible for taking the security awareness training annually.

The following actions and/or activities are not permitted and will be subject to disciplinary action:

- Violating copyright laws
- Accessing and/or creating files or sites containing pornography, gang related material, and/or other inappropriate material
- Harassing, insulting or attacking others
- Physically or electronically damaging any school technology such as computer systems, other hardware and software
- Using obscene language such as vulgar, obscene and/or sexually explicit
- Participating or using unauthorized chat lines
- Employing of school technology for commercial purposes or personal gain or personal use
- Using another person's user name or password.
- Trespassing into another's folder, data, work, or files
- The inappropriate broadcasting of messages to mailing lists or individual's including "chain letters"
- Revealing a personal address or telephone number of anyone (including one's self without permission of an administrator
- Pursuit of personal educational purposes not approved by the school
- Other activities or actions deemed inappropriate and not in the best interest of the Circle of Nations School

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Violation of these policies will result in the following discipline consequences:

First Offense: Letter of warning.
(Level I)

Second Offense: Loss of all Internet Privileges for one week and disciplinary action.
(Level II)

Third Offense: Loss of all Internet Privileges for the remainder of the school year and
(Level III) possibility a note for future years.

**** May be subject to level two and three disciplinary action on his/her first or second offense if the school administration finds the offense needs further consequences.**

By signing this waiver, I understand that Circle of Nations School makes no guarantee of any kind, whether expressed or implied, for network services it is providing. The Circle of Nations School will not be responsible for any damages a user may suffer.

I acknowledge that I have read the Acceptable Use Policy and will comply with its' requirements. This consent will continue in effect as long as the staff member is employed at Circle of Nations School.

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Employee Acknowledgment

I acknowledge that I have read and understand the provisions of the Circle of Nations School Employee Handbook, Circle of Nations Drug Free Workplace Policy, and Circle of Nations Technology Acceptable Use Policy.

I understand that nothing contained in the Circle of Nations School Employee Handbook is intended to create an employment contract between the Circle of Nations School and any of its employees for either employment or for the provisions of any benefit. I understand that employment with the Circle of Nations School is at the will of the Circle of Nations School and its employees. This means that the Circle of Nations School or any employee may terminate employment at any time and for any reason not prohibited by law. I further understand that the Circle of Nations School reserves the right to change or revise all matters contained in the Employment Handbook and all other policies, rules and procedures at any time without prior notice. I understand that the Circle of Nations School retains discretion to interpret the provisions or any other policies, procedures and rules, as it is an inherent managerial right to do so.

I understand that the provisions of the Employee Handbook supersede the provisions of all previous policies, procedures and rules, such as previous policies, procedures and rules hereby expressly revoked.

Employee Signature

Date

Printed Name

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