



Mallard Creek STEM Academy

9142 Browne Rd

Please visit our website:

mcstemacademy.org

Staff Handbook

2023-2024

General

Mission Statement

Mallard Creek STEM Academy promotes high academic achievement by increasing student engagement through a workshop model that encourages and empowers students to take ownership of their own learning. Mallard Creek STEM Academy is excited to open this school year and serve students by providing them a true integration of a STEM focus beginning in kindergarten and using a workshop model for instruction that allows students to work on their own levels and to grow and improve at their own pace! Our students will be served by teachers who have been trained by curriculum and instructional experts including; The Teachers College of Columbia, Discovery Place Education Studio, MorphEd, Curriculum Associates, and Amplify to ensure they have the most advanced education using the best instructional practices. We accomplish this goal through research, curriculum development, and through working shoulder to-shoulder with students, teachers, and school leaders. The School has developed state-of-the-art tools and methods for teaching all content areas, using best practices in instruction, performance assessments and learning progressions to accelerate and improve student academic performance.

Equal Employment Opportunity Statement

MCSA provides equal employment opportunities to all employees and applicants for employment without regard to race, color, religion, gender, sexual orientation, gender identity, national origin, age, disability, genetic information, marital status, amnesty, or status as a covered veteran in accordance with the applicable federal, state, and local laws. MCSA complies with applicable state and local laws governing nondiscrimination in employment. This policy applies to all terms and conditions of employment, including hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation, and training. MCSA expressly prohibits any form of unlawful employee harassment based on race, color, religion, gender, sexual orientation, gender identity, national origin, age, disability, genetic information, marital status, amnesty, or veteran status. Improper interference with the ability of MCSA employees to perform their expected job duties is absolutely prohibited.

Blood Borne Pathogens Training

All staff will affirm completion of the Blood Borne Pathogens Training via an electronic signature provided by the Principal.

Mallard Creek STEM Academy Employee Handbook

All employees will confirm via attestation in an electronic Google form that you have received copies of the employee and student handbooks and that you will comply with the contents therein. You understand that

Mallard Creek STEM Academy (MCSA) may modify any of the provisions of this handbook at any time, with or without notice, and may deviate from any provision of this handbook at its discretion.

MCSA Policies and Procedures

Arrival/Dismissal (Student)

Teachers should be present in their classrooms and be ready for students as they enter the classroom at 7:30 a.m. Students who arrive prior to these times will be supervised in Before School Care and released to their buildings and/or classrooms at approximately 7:30 am. At 2:55 bus students and 5th grade siblings will be dismissed. At 3:00 the car line begins. Teachers will remain on campus until car line ends, assigned car line duty has ended, and/or all their students are dismissed.

Child Abuse and Neglect

Any staff member who has cause to believe that a child's physical health, mental health, or welfare has been or is being harmed or abused, or that the child is threatened with harm, or that the child is a victim of neglect is required to make a report promptly to the Department of Social Services in the county in which the child resides. Faculty/staff must notify their school principal prior to making the report. In the event a report must be filed, please contact the following agencies in Mecklenburg Counties:

Mecklenburg County: 980-31-HELPS (43577) 24 hours a day, 7 days a week

Closing Procedures

The Executive Director determines whether to close or delay school or to release students early in the event of inclement weather or another event. The decision to close or delay school, including how long to delay, will be shared with all, staff, students, and families in the following ways:

- MCSA Website/Social Media
- MCSA ParentSquare
- Mass Notification System

NOTE: If MCSA is closed due to inclement weather, staff may or may not be required to report, depending on the circumstances related to the closure. The closing procedures notification will include a determination on staffing for the day(s) of the closure.

Computers

Acceptable Use Policy for Mallard Creek STEM Academy: Faculty desktop and laptop computers, and all associated hardware and software, are to be used for academic purposes only. No hardware or software may be installed on any faculty computer without the approval of the Technology Coordinator. The email system and MCSA network are to be used only for the exchange of appropriate information.

Emails sent from and received on the schools' computers are not private and are subject to inspection at any time. Faculty must use their school email when corresponding with students and families regarding school related matters and when corresponding with school employees regarding school matters.

Intentionally accessing, storing, or displaying inappropriate material (e.g., pornography, vulgarity, racism, gambling, etc.) is prohibited on the school's computers. Copyright violations, with regards to software, files, or internet-based information will not be tolerated. Any questions about proper use of these resources should be directed to the Technology Coordinator. Materials obtained through research using the PC and then used in academic work must be properly cited. Computers and network resources, including the Internet, may not be used for commercial activities. Only files relevant to school activities may be stored on MCSA network servers. Teachers should limit the use of cell phones for personal calls during non-instructional times except in case of an emergency.

Human Resources

The Human Resources team is composed of the Payroll Administrator, Staff HR Representatives, and direct supervisors. For questions regarding payroll and benefits, contact the Payroll Administrator. For other concerns or complaints, contact a Staff HR Representative or direct supervisor in accordance with the grievance policy. Employees in need of any other type of support should contact their direct supervisor.

Maintenance Needs

Should a non-emergency item in your classroom need repair, contact April Manuel at amanuelmcastemacademy.org or 412-867-5990.

Observations

Formal and informal observations will be conducted of all teachers. MCSA uses the North Carolina Educator Evaluation System (NCEES). Teachers categorized as a “Beginning Teacher” (or the equivalent) will receive a Comprehensive Evaluation (including three formal observations) conducted by school leadership. Teachers with a Continuing License (or the equivalent) will receive an Abbreviated Evaluation conducted by school leadership. Mentors of teachers with Initial License are to conduct a minimum of one peer observation each year. A pre-conference is held for the first observation of all teachers and a post conference is held after all observations. A record of all observation information is housed in NCEES. Informal observations of all teachers will be conducted by school leadership and will occur at various times throughout the year.

Personal Items

Please mark all your personal belongings in your classroom. Any items of value should be safely secured at all times. The school’s insurance does not cover loss, breakage, or theft.

School Improvement

Schools will participate in collaborative, school improvement planning based upon a continuous improvement approach and research-based best practices. School improvement planning provides a mechanism for identifying needs and establishing a common approach to meeting those needs at the school level. Effective school improvement planning contributes to overall school performance by:

- Establishing an understanding of the “big picture” of a school’s current state, including student achievement, school environment, and feedback from teacher and parent stakeholder groups.
- Reaching consensus across the school community on which needs represent the highest priorities for action based upon the potential to improve overall student and school performance; and
- Identifying for implementation objectives and tasks, including specific targets, effective practices and milestones required to address the school priorities.

Supervision of Students

Supervision of students is a shared responsibility of employees at MCSA. In the event that you discover a student that appears to be unsupervised, secure active supervision for that student. If you arrive at any class and the supervising teacher is not there, do not leave the students. Please wait no more than five minutes, then call the office so the teacher can be located. In the event that you need to leave your supervisory duties at any time for any reason, employees must establish active supervision by another employee before relinquishing supervision. If this is not possible, notify the office immediately and await emergency coverage, which will be provided by school leadership.

Visitors and Volunteers

The following are expectations for visitors and volunteers while they are in the building:

- All guests must sign in with a valid photo ID at the office upon arrival to campus. This also applies to student sign-out.

- All guests must wear a name badge. For security purposes, any guest on campus without a name badge will be asked to return to the office to obtain one.
- The distribution of literature of any kind is not permitted.
- Prior to leaving the campus, guests must sign out in the office.
- Former students that withdrew from MCSA or otherwise no longer attend MCSA are not permitted to visit during school hours without prior written approval from the principal. Alumni, however, may be allowed to sign in under normal visitor procedures.

Employee Policies

Americans with Disabilities Act (ADA) and the ADA Amendments Act (ADAAA)

The Americans with Disabilities Act and the Americans with Disabilities Amendments Act, known as the ADAAA, are federal laws that prohibit employers with 15 or more employees from discriminating against applicants and individuals with disabilities and that, when needed, provide reasonable accommodations to applicants and employees who are qualified for a job, with or without reasonable accommodations, so that they may perform the essential job duties of the position. It is the policy of MCSA to comply with all federal and state laws concerning the employment of a person with disabilities and to act in accordance with regulations and guidance issued by the Equal Employment Opportunity Commission (EEOC). Furthermore, it is our policy not to discriminate against qualified individuals with disabilities in regard to application procedures, hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation, and training. MCSA will reasonably accommodate qualified individuals with a disability so that they can perform the essential functions of a job unless doing so causes a direct threat to these individuals or others in the workplace and the threat cannot be eliminated by reasonable accommodation and/or if the accommodation creates an undue hardship to MCSA. Contact the Human Resources department for any reasonable accommodation.

Background and Reference Checks

To ensure that individuals who join MCSA are well qualified and to ensure that MCSA maintains a safe working environment, it is our policy to conduct pre-employment background checks on all applicants who accept an offer of employment. Background checks may include verification of any information on the applicant's resume or application form. All offers of employment are contingent upon receipt of a background check report that is acceptable to MCSA. All background checks are conducted in conformity with Title VII, Federal Fair Credit Reporting Act, the Americans with Disabilities Act, and state and federal privacy and anti discrimination laws. Reports are kept confidential and are only viewed by individuals involved in the hiring process. Additional checks such as a driving record or credit report may be requested on applicants for a particular job category if appropriate and job related. MCSA reserves the right to conduct a background check for current employees at any time. MCSA shall not employ, or accept voluntary services from, any individual whose certificate or license has been denied, suspended or revoked by the SBE or any other licensing board or agency on the grounds of unethical or immoral behavior, including improper sexual or physical conduct with children or students.

Criminal History Reporting

Applicants must notify the Principal or Executive Director immediately if they are arrested, charged with, or convicted of a criminal offense (including entering a plea of guilty or nolo contendere) other than a minor traffic violation (i.e., speeding, parking, or a lesser violation). Notice must be in writing, must include all pertinent facts, and must be delivered to the Executive Director no later than the next scheduled business day following the arrest, charge, or conviction, unless the applicant is hospitalized or incarcerated, in which case the applicant must report the alleged violation within 24 hours after his or her release. Upon judicial action in the matter, the applicant must report the disposition and pertinent facts in writing to the Executive Director no later than the next business day following adjudication. A criminal history check and a check of sex offender registries must be conducted on all final candidates for employment with MCSA. Criminal history checks must

be conducted in accordance with state law and any procedures established by the Principal or Executive Director. School officials shall not require candidates to disclose expunged arrests, charges, or convictions and shall not ask candidates to voluntarily disclose such information without first advising that disclosure is not required. The Executive Director or designee shall report to the State Board of Education any licensed individual who is found to have a criminal history, as required by State Board policy. A final candidate for employment or for hiring as an independent contractor will be excluded from hiring on the basis of criminal conduct only when doing so is job-related and consistent with business necessity. If a final candidate is found to have been convicted of a criminal offense, other than a minor traffic violation, the Executive Director shall determine whether the individual is qualified for employment despite the criminal history by considering, among other things, whether the individual poses a threat to the safety of students or personnel or has demonstrated that he or she does not have the integrity or honesty to fulfill the duties of the position. The following factors will be considered in making this determination: (1) the nature and gravity of the offense or conduct; (2) the time that has passed since the offense or conduct and/or completion of the sentence; and (3) the nature of the job sought. Before the Principal or Executive Director may exclude a final candidate based on his or her past criminal convictions, the Executive Director must give the candidate the opportunity to demonstrate that the exclusion does not properly apply to him or her.

The board has determined that every position within the school system, regardless of whether the position is located in a school or elsewhere, potentially entails contact with students, either on a regular, occasional, or emergency basis. For that reason, no individual who is a registered sex offender will be hired for any position at MCSA. In addition, each contract executed by the board with an independent contractor or for services of independent contractors must require the contractor to check sex offender registries. Lastly, MCSA understands shall not employ any individual whose certificate or license has been denied, suspended or revoked by the SBE or any other licensing board or agency on the grounds of unethical or immoral behavior, including improper sexual or physical conduct with children or students. Noncompliance with all above stated requirements constitutes grounds for termination. Any change to Mecklenburg County's policy on hiring and background checks will automatically be considered a part of this policy.

Dress Code

MCSA expects employees to maintain a neat, well-groomed, and professional appearance at all times. Employees should avoid extremes in dress and appearance, such as extreme hairstyles, body piercings, and body art.

Appropriate dress "Business" and "Business Casual": includes dress slacks, dress shirts and ties, golf shirts, blouses, skirts, suits, and business dresses, and appropriate footwear conducive to the tasks related to the job. All articles of clothing should be in good repair. Sandals (open-toed shoes with a back strap) are permitted. Dress and skirt length should be at the top of the knee or longer. Leggings are permitted provided they are worn with a long tunic-type shirt, sweater, or cardigan that reaches the mid-thigh or longer. Hair styles (including facial hair) should be professional. Employees may wear jeans and spirit shirts/school colors on the last school day of the week.

Inappropriate dress: includes overtly casual clothing (shorts, sweatshirts, tee-shirts, spaghetti-strap and tank tops, casual sundresses, jeans on regular school days M-TH, etc.) and traditional style flip-flops. It is the employee's responsibility to correct, cover, or otherwise reconcile clothing, appearance, and/or other adornments that could be considered distracting to the learning environment including items that are revealing or overly tight, distracting tattoos or piercings, etc. In the event alternate dress is needed, seek permission for alternative dress from your direct supervisor prior to attending work that day.

Drug and Alcohol-Free Workplace

MCSA has a commitment to provide a safe and productive work environment. Alcohol and drug abuse pose threats to the health and safety of students, employees, and the security of our facilities. For these reasons,

MCSA is committed to the elimination of drug and/or alcohol use and abuse in the workplace. Employees should report to work fit for duty and free of any adverse effects of illegal drugs or alcohol. This policy does not prohibit employees from the lawful use and possession of prescribed medications. The illegal or unauthorized use of prescription drugs is prohibited; it is a violation of our drug-free workplace policy to intentionally misuse and or abuse prescription medications. Employees must, however, consult with their doctors about the effect of medications on their fitness for duty and ability to work safely and promptly disclose any work restrictions to their supervisor. Employees should not, however, disclose underlying medical conditions unless directed to do so. MCSA provides an Employee Assistance Program (EAP) that will provide resources for drug and or alcohol abuse. Information is available through the North Carolina State Health Plan or the Human Resources office. Any illegal drugs or drug paraphernalia will be turned over to the appropriate law enforcement agency and may result in criminal prosecution.

Drug and Alcohol Testing

Pre-employment—All applicants must pass a drug test before beginning work or receiving an offer of employment. Refusal to submit to testing will result in disqualification of further employment consideration. *Reasonable Suspicion*—Employees are subject to testing based on observations by a supervisor and/or one other person of apparent workplace use, possession, or impairment. Human Resources must be consulted before sending an employee for reasonable suspicion testing.

Post-accident—Employees are subject to testing when they cause or contribute to accidents that seriously damage school property, vehicles and/or result in an injury to themselves or another person requiring off-site medical attention. In any of these instances, the investigation and subsequent testing will take place within two (2) hours following the accident, if not sooner.

Follow up—Employees who have tested positive or otherwise violate this policy are subject to discipline, which may include termination.

Random screening—Employees with CDL licenses will undergo random screening for drug and alcohol as required by the NC Department of Transportation.

Employee Personnel Files

Employee personnel files are maintained by the Business Office and are considered confidential. Personnel file access by current employees upon request will generally be permitted within 3 business days of the request unless otherwise required under state law. Personnel files are to be reviewed under the supervision of the school principal or Executive Director. Representatives of government or law enforcement agencies, in the course of their duties, may be allowed access to file information.

Financial Policy—Purchasing, Reimbursement, and Payment/Collection

Purchasing—All school-related purchases must be approved by the school principal, AD, supervisor, or Executive Director before purchase to either receive requisition approval or reimbursement. For reimbursement, please submit original receipts and an approved check request to the Business Office for reimbursement. Reimbursements are processed once a week. Check request forms are available in the appendix.

Purchases with School Credit Card—The MCSA credit card may be used for vendors that do not accept purchase orders.

Mileage Reimbursement—School mileage must be pre-approved by the school principal or Executive Director to be eligible for reimbursement. After travel has been approved and completed, submit a mileage reimbursement form (in appendix) and mileage documentation (through Google Maps, etc.) as follows:

1. Your home to MCSA.
2. Your home to the school sponsored event.

Mileage submitted without the required documents will not be processed for payment.

Collection of Student/Family Payments—Funds will be paid through Parent Square Cash or Checks. If received by anyone other than the front office, these should be forwarded (in sealed envelopes with payor and payment reason noted) to the front office/finance for processing on the same day that funds are received. Do not store funds in the classroom or as a personal possession.

Fire and Safety Regulations

MCSA will be in full compliance with all federal, state, and local fire and safety regulations. Fire drills will be conducted once per month on average, tornado drills once per year, and lockdown drills twice per year. Evacuation plans will be posted in each classroom. All exits and stairways will be kept clear at all times to facilitate evacuation. All combustible materials such as cleaning supplies will be properly stored and maintained.

Grievance Policy - Employees

This policy is in place to respond to a grievance by an employee. It is expected that any employee with an issue should try to resolve the issue by using open communication with their supervisor/principal. This means that an employee's first level of grievance is with their supervisor/principal.

If an employee feels that their issue is still a concern after speaking to their supervisor/principal, the employee may then proceed to the second level of grievance by setting a meeting with the Executive Director or Board representative. To file a grievance, an employee must submit a letter in writing (email accepted) stating the school policy or law that was violated including details of the actions and the place, date, and time of the violation. The employee should make all efforts to include any details about the event that may be helpful in the decision-making process. The written letter should be submitted to the Principal or Executive Director. If the Principal or Executive Director is implicated in the grievance, the grievance should be submitted to the Board Representative.

In response to the formal grievance, the Principal or Executive Director shall have up to five business days from the time they receive the formal grievance to respond to the grievance in writing. If the employee is satisfied with the decision after they receive the response from the Principal or Director, the issue is considered resolved. The employee shall submit their satisfaction to the Director in written form.

If the employee feels their issue is still a concern after meeting with the Principal or Executive Director and the issue meets the definition of a grievance as described below, the employee may initiate the grievance procedures as described below. Many issues that an employee has will not rise to the Board level of a grievance and appropriate resolution will be found with the employee and their supervisor/principal.

Definition of a grievance: a grievance is defined as a formal written complaint by an employee stating that a specific action has violated a school policy, board policy, or law/regulation. Complaints that do not raise an alleged violation of School policy or law/regulation do not raise grievance issues and are not subject to these procedures and may be brought to the attention of the staff HR representatives. In addition, a grievance does not include the non-renewal or termination of employment. A complaint under Title IX is not grievance and this policy does not apply to such complaints. Please refer to the School's Title IX policies and procedures for Title IX matters (www.mcstemacademy.org). In addition, this procedure does not apply to complaints that fall under the School's Non-Title IX policies, including bullying and harassment. Please refer to the School's Non-Title IX Discrimination, Harassment, and Bullying complaint process for such matters (Appendix).

Time limits: a grievance will only be heard if the complaint has been filed within fifteen business days of the act that is being reported. The fifteen-day deadline may be extended at the discretion of the Principal or Executive Director.

The grievance process is as follows:

Step 1: If the employee is not satisfied with the decision of the Principal or Executive Director, and the grievance meets the definition set forth above, the employee must submit a letter in writing stating the school policy, board policy, or law/regulation that was violated including details of the actions and the place, date, and time of the violation. The employee should make all efforts to include any details about the event that may be helpful in the decision making process. The written letter should be submitted to the Principal or Executive Director and to the Board Representative. If the Principal or Executive Director is implicated in the grievance, the grievance should only be submitted to the Board Representative. This must be done within 5 business days of the initial response from the Principal or Executive Director.

Step 2: The Board Representative will review the facts and notify the parties in writing (email accepted) if further action is necessary or if further information is needed. The Board reserves the right to appoint a committee to investigate any grievance, to appoint an investigator, or take any other action to investigate the grievance and issue a decision. If the Board considers the matter should be heard, the employee will be called to meet with the Board at its next regularly scheduled monthly meeting provided such meeting is more than seven business days after the filing, or the Chairperson of the Board of Directors may call a special meeting of the Board to consider the appeal in accordance with the school's bylaws. The Board will consider and discuss the grievance at the meeting in accordance with Open Meetings laws. After the hearing, any decision of the Board will be communicated to the Principal or Executive Director and the employee who filed the grievance within five school days. If the Board issues a decision without a hearing, the Board will communicate such a decision to the Executive Director and the employee who filed the grievance within five school days. The Board's decision concerning the grievance is final.

Homeless Assistance Act (McKinney-Vento)

In 2015, Congress reauthorized the McKinney-Vento Homeless Assistance Act to help people experiencing homelessness. The federal law includes the Education of Homeless Children and Youth Program that entitles children who lack a fixed, regular, and adequate nighttime residence to a free, appropriate education and requires schools to remove barriers to their attendance and success in school.

If you or someone you know is in transition and would like to speak with someone about the program, please contact the McKinney-Vento Liaison or your school counselor.

Examples of living situations that may qualify are:

- Living with a friend, relative or other person
- Hotel or motel
- Shelter or transitional housing
- Car, park, or another public place
- Campground, storage unit, abandoned building or other inadequate home
- Youth living on their own, runaway youth

The living situations above do not include all situations that may qualify.

McKinney-Vento Data

NC State data may be found at the following sites:

- The NCHEP Profile
- The NCHE NC State

Access to Programs & Services

Students will have access to the same programs and services that are available to all other students, including:

- Transportation

- Supplemental educational services
- Child Nutrition
- All eligible McKinney-Vento students will receive free meal benefits. There is no Free & Reduced Application required.

Visit the school website for information on Parent and Student rights.

Dispute Process

If the parent/guardian/youth disagree on the McKinney-Vento eligibility, a process is in place to appeal the decision. Please refer to the liaison for the MCSA Dispute Process guidelines.

Lindsey Masters, Homeless Liaison
lmasters@mcstemacademy.org

Lisa Phillips
State Coordinator
NC Homeless Education Program
<http://center.serve.org/hepnc/>

Anti-Harassment Policy

MCSA is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits unlawful discriminatory practices, including harassment. Therefore, MCSA expects that all relationships among persons in the school will be appropriate and free of bias, prejudice, and harassment.

It is the policy of MCSA to ensure equal employment opportunity without discrimination or harassment on the basis of race, color, religion, gender, sexual orientation, gender identity, national origin, age, disability, genetic information, marital status, amnesty, or status as a covered veteran. MCSA prohibits any such discrimination or harassment.

Definitions of Harassment

Sexual harassment constitutes discrimination and is illegal under federal, state, and local laws. For the purposes of this policy, sexual harassment is defined, as in the EEOC Guidelines, as unwelcome sexual advances, requests for sexual favors, and other verbal or physical contact of a sexual nature, when for example a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or c) such conduct has the purpose or effect of unreasonable interference with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Sexual harassment may include a range of subtle and not-so-subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include unwanted sexual advances or requests for sexual favors; sexual jokes and prowess or sexual deficiencies; leering; whistling or touching; insulting or obscene comments or gestures; display in the workplace of sexual suggestive objects or pictures; and or the physical, verbal, or visual conduct of a sexual nature.

Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal, written, or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, gender, sexual orientation, gender identity, national origin, age, disability, marital status, citizenship, genetic information or any other characteristic protected by law or that of his/her relatives, friends, associates, and that a) has the purpose or effect of creating an intimidating,

hostile or offensive work environment; b) has the purpose or effect of unreasonably interfering with an individual's work performance; or c) otherwise adversely affects an individual's employment opportunities. Harassing conduct includes epithets, slurs, or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes; and written or graphic material that denigrates or shows hostility or aversion toward an individual or group and that is placed on walls or elsewhere, via e-mail, phone (including voice messages), text messages, tweets, blogs, social networking sites, or other means.

These policies apply to all applicants and employees, whether related to conduct engaged in by other employees or someone not directly connected to MCSA (e.g., an outside vendor, consultant, or customer). Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings, and business-related social events. Individuals who believe they have been the victims of conduct prohibited by this policy statement or who believe they have witnessed such conduct should discuss their concerns with their immediate principal, supervisor, or the Executive Director. When possible, MCSA encourages individuals who believe they are being subjected to such conduct to promptly advise the offender that his or her behavior is unwelcome and request that it be discontinued. Often this action alone will resolve the problem. MCSA recognizes, however, that an individual may prefer to pursue the matter through the complaint procedure.

MCSA encourages prompt reporting of complaints or concerns to the Principal or Executive Director, or staff HR representative, so that rapid and constructive action can be taken before relationships become irreparably strained. Therefore, although no fixed reporting periods have been established, early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment.

Any reported allegation of harassment, discrimination, or retaliation will be investigated promptly. Please refer to MCSA's Title IX policies and procedures for Title IX matters (www.mcstemacademy.org). Sexual harassment concerns may be reported via the "Title IX Complaint/Reporting Form: Student-to-Student Sexual Harassment" in the staff handbook appendix. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge.

Confidentiality will be maintained throughout the investigatory process to the extent, consistent with, adequate investigation and appropriate corrective action.

Retaliation against an individual for reporting harassment or discrimination for participating in an investigation of a claim or harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action. Acts of retaliation should be reported immediately and will be promptly investigated and addressed. Misconduct constituting harassment, discrimination, or retaliation will be subject to appropriate disciplinary action.

False and malicious complaints of harassment, discrimination, or retaliation may be the subject of appropriate disciplinary action.

Title IX Discrimination and Harassment Policies for Students and Staff Members

Title IX provides that "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance."

It is the policy of MCSA that students and staff should not be subjected to forms of unlawful discrimination or harassment, while at school or school-sponsored activities. Furthermore, the policy's intent is to address the issue in a proactive manner through the establishment of a system for educating students and staff at MCSA regarding the identification, prevention, intervention, and reporting of such antisocial acts. MCSA

acknowledges the dignity and worth of all students and staff and strives to create a safe, orderly, caring and inviting school environment to facilitate student learning and achievement. MCSA strives to model an inclusive environment and prohibits discrimination and harassment on the basis of gender or sex, including sexual orientation and LGBTQ+ identification. The school will not tolerate any form of unlawful discrimination or harassment in any of its educational or employment activities or programs based on such protected classifications.

A. PROHIBITED BEHAVIORS AND CONSEQUENCES

1. Discrimination or Harassment

Students, employees, contractors, volunteers, and visitors are expected to behave in a civil and respectful manner. In accordance with Title IX, the School expressly prohibits discrimination or harassment, based on sex or gender, and prohibits sexual harassment (including sexual violence) and gender-based harassment. Sexual harassment is unwelcome conduct of a sexual nature. It includes unwelcome conduct on the basis of sex, requests for sexual favors in exchange for benefits (*quid pro quo*), and other verbal, nonverbal, or physical conduct of a sexual nature. Sexual violence is a form of sexual harassment. Sexual violence refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent. A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, sexual abuse, and sexual coercion. In accordance with Title IX, MCSA also prohibits gender-based harassment, which is unwelcome conduct based on a student's sex, harassing conduct based on a student's failure to conform to sex stereotypes.

Sex-based harassment can be carried out by school employees, other students, and third parties. All students and staff can experience sex-based harassment, including male and female students, LGBTQ+ students, students with disabilities, and students of different races, national origins, and ages. Title IX protects all students and staff from sex-based harassment, regardless of the sex of the parties, including when they are members of the same sex.

2. Retaliation

MCSA prohibits intimidation, threats, coercion, or discrimination against any individual for the purpose of interfering with any right or privilege secured by Title IX, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under Title IX. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX, constitutes retaliation. As such, MCSA prohibits reprisal or retaliation against any person for reporting or intending to report violations of this policy, supporting someone for reporting or intending to report a violation of this policy, or participating in the investigation of reported violations of this policy. After consideration of the nature and circumstances of the reprisal or retaliation and in accordance with applicable laws, policies, and regulations, the Executive Director or designee shall determine the consequences and remedial action for a person found to have engaged in reprisal or retaliation.

The exercise of rights protected under the First Amendment does not constitute retaliation. Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under Title IX does not constitute retaliation prohibited under this policy, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

B. APPLICATION OF POLICY

This policy prohibits unlawful discrimination or harassment by students, employees, volunteers, contractors, and visitors. This policy is intended to apply to students via other students, faculty, staff, volunteers/visitors, or contractors. This policy also applies to employees, volunteers/visitors, and contractors. This policy applies to behavior that takes place within MCSA's "education program or activity," which includes, but is not necessarily limited to, behavior:

1. in any school building or on any school premises before, during or after school hours. 2. on any bus or other vehicle as part of any school activity.
2. at any bus stop.
3. during any school-sponsored activity or extracurricular activity.
4. at any time or place when the individual is subject to the oversight and authority of school personnel.
5. at any time or place when the behavior has a direct and immediate effect on maintaining order and discipline in the schools; and
6. while using school or personal electronic communications, including employee and student emails, text messaging, instant messaging, chat rooms, blogging, websites, and social networking websites (i.e., Snapchat or Instagram).

C. DEFINITIONS

For purposes of this policy ONLY, the following definitions apply:

1. Discrimination

Discrimination means any act or failure to act that unreasonably and unfavorably differentiates treatment of others based solely on the basis of gender or sex (including transgender and LGBTQ+ identification). Discrimination may be intentional or unintentional.

2. Harassment

Prohibited harassment, including sexual harassment, under this policy means conduct on the basis of sex/gender that satisfies one or more of the following:

1. An employee conditioning the provision of an aid, benefit, or service on an individual's participation in unwelcome sexual conduct (i.e., quid pro quo)
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to an education program, employment, or activity (i.e., hostile environment)
3. Sexual assault (as defined by Clery Act), or "dating violence," "domestic violence" and "stalking" (as defined by Violence Against Women Act).

For purposes of this policy, "hostile environment" means that the harassment is objectively severe and pervasive enough that a reasonable person would agree that it is harassment and must be based on sex or gender. A hostile environment may be created through pervasive or persistent misbehavior if sufficiently severe.

Examples of behavior that may constitute harassment include, but are not limited to, verbal taunts, name-calling and put-downs, epithets, derogatory comments or slurs, lewd propositions, exclusion from peer groups, extortion of money or possessions, implied or stated threats, assault, impeding or blocking movement, offensive touching or any physical interference with normal work or movement, and visual insults, such as derogatory posters or cartoons. Legitimate age-appropriate pedagogical techniques are not considered harassment. Harassment, including sexual or gender-based harassment, is not limited to specific situations or relationships. It may occur between fellow students or co-workers, between supervisors and subordinates, between employees and students, or between non-employees, including visitors, and employees or students. Harassment may occur between members of the opposite sex or the same sex.

Examples of sexually harassing conduct includes, but is not limited to, deliberate, unwelcome touching that has sexual connotations or is of a sexual nature, suggestions or demands for sexual involvement accompanied by implied or overt promises of preferential treatment or threats, pressure for sexual activity, continued or repeated offensive sexual flirtations, advances or propositions, continued or repeated verbal remarks about an individual's body, sexually degrading words used toward an individual or to describe an individual, sexual violence, or the display of sexually suggestive drawings, objects, pictures or written materials. Acts of verbal, nonverbal, or physical aggression, as well as intimidation or hostility based on sex, but not involving sexual activity or language, may be combined with incidents of sexually harassing conduct to determine if the incidents of sexually harassing conduct are sufficiently serious to create a sexually hostile environment.

Gender-based harassment is also a type of harassment. Gender-based harassment may include acts of verbal, nonverbal, or physical aggression, as well as intimidation or hostility based on sex or sex-stereotyping but not involving conduct of a sexual nature.

3. Conduct Not Covered by This Policy

Conduct that does not meet the definitions set forth above in this Title IX Policy are not subject to the School's Title IX Policy or any reporting/grievance procedures that govern Title IX matters. However, such conduct may still constitute a violation of other School policy, including MCSA's Non-Titles IX Discrimination, Harassment, and Bullying Policy (appendix). Please refer to and follow those policies for such conduct.

TO REPORT A VIOLATION OF THIS POLICY

Please contact the Title IX Coordinator in accordance with the MCSA Title IX Fact Sheet found on our website at www.mcstemacademy.org. This Policy as it pertains to Title IX shall remain in effect to the extent required by law.

Hours

All staff are expected to report to work and be ready to receive students from 7:30-3:45. In the event an employee is working outside of regular operating hours, he/she should be mindful of safety especially in early morning or late evening hours. Please remember to turn off all lights (including lamps) and lock all exterior doors as you leave.

Injury or Accident

If you are injured at school or supervising a school event, please notify the front office immediately. Depending upon the situation, any employee may also contact 911. The school principal, Executive Director or school health officer will also consider if 911 should be called if contact has not already been made. After 911, your emergency contact may also be called. You are required to complete an Employee Injury Report form and/or the required Worker's Compensation Insurance form. Please contact the human resources office as soon as medically reasonable.

Nepotism

The employment of immediate family can cause various problems including but not limited to charges of favoritism, conflicts of interest, family discord and scheduling conflicts that may work to the disadvantage of both the school and its employees. It is the goal of the school to avoid creating or maintaining circumstances in which the appearance or possibility of favoritism, conflicts or management disruptions exist. For the purposes of this section, the term "immediate family member" is as set forth in N.C.G.S. Section 115C-12.2 and means a spouse, parent, child, brother, sister, grandparent, or grandchild. The term includes the step, half, and in-law relationships. The term also includes domestic partners (a person with whom the employee's life is interdependent and who shares a common residence) and a daughter or son of an employee's domestic partner. The school may allow existing personal relationships to be maintained or employ individuals with personal relationships to current employees under the following circumstances:

1. No voting members of the Board of Directors shall be an employee of a for-profit organization that provides substantial services to the school for a fee.
2. No employee of MCSA shall be a voting member of the Board of Directors.
3. No teacher or staff member that is an immediate family of the Principal or Executive Director shall be hired without the Board evaluating their credentials, establishing a structure to prevent conflicts of interest, and notifying the Department, with evidence that this process has occurred.
4. Before any immediate family of any member of the Board of Directors or a School employee with supervisory authority shall be employed or engaged as an employee, independent contractor, or otherwise by the Board of Directors in any capacity, such proposed employment or engagement shall be:
 - a. Disclosed to the Board of Directors; and
 - b. The Board of Directors must approve the hiring or contract in a duly called open session meeting.

No personal employee relationship covered by this policy will be allowed to be maintained, regardless of the positions involved, if it creates a disruption or potential disruption in the work environment, creates an actual or perceived conflict of interest or is prohibited by any legal or regulatory mandate. This policy must be considered when electing, hiring, promoting, or transferring any employee. The school reserves the right to exercise appropriate managerial judgment to take such actions as may be necessary to achieve this intent of this policy. The burden of disclosure of such personal relationships covered in this policy shall be on the applicable Board member or employee with supervisory authority. If the requirements of this policy are complied with, the school may employ the immediate family of any member of the Board or a School employee with supervisory authority consistent with this policy and applicable law. It is the responsibility of every employee to identify to the organization's Principal/Executive Director any potential or existing personal relationship, which falls under the definitions provided in this policy. Employees who fail to disclose personal relationships covered by this policy will be subject to disciplinary action up to and including the termination of employment. Under the MCSA student leadership program, a student whose immediate family member is either an employee or board member may become an employee of MCSA on a part-time basis under the following conditions:

- Students meet all pre-employment criteria based on school policy and current law.
- Students meet all applicable pre-employment criteria under the MCSA student leadership program, which minimally requires job training and volunteer service prior to employment eligibility.
- Student meets eligibility criteria subject to ED approval and employment approval by the Board
- If a student is directly supervised by an immediate family member, that immediate family member must provide job performance updates on a monthly basis to ED for review.

Outside Employment

For all employees, MCSA is considered the primary employer. Employees that hold a second job (part time or full time) or engage in a personal business enterprise must notify their principal. In the event that the school leader believes that there is any risk that the additional employment competes against, conflicts with or otherwise impedes the employee's ability to perform any job-related tasks or work schedules of their primary employer, restrictions on the additional employment may be imposed.

Professional Conduct

Employees are to adhere to the NC Board of Education Quality Teachers, Administrators, and Staff Policy (a copy of which is included in the appendix). Due to their roles in school, many of the school's employees are easily recognized in public while conducting off-duty personal activities. Employees must understand that their actions in public can adversely impact the reputation of the school, which may have an impact on their employment by the school. Employees who have family members enrolled as students at MCSA must observe professional norms at all times. Access to information and school personnel gained through one's status as an employee must not be used when addressing issues that one may have as a parent or guardian. When acting as a

parent or guardian, the employee should adhere to all guidelines contained in the Parent/Student Handbook, including the “Expectations for Adult Visitors.”

Return of MCSA Property

Upon conclusion of employment, the separating employee must return any and all school property at the time of separation, including but not limited to computers, keys, and name tags.

School Property

School property is not to be removed from the school without the permission of the school principal or Executive Director. Classrooms may be used during non-school hours on an occasional basis by the teacher assigned to that room, subject to formal approval by the school principal or Executive Director.

Separation of Employment

MCSA is an “at will” employer, which means that the employer can terminate an employee’s employment at any time without cause or notice. In such an event, the employee will only be paid through the date of separation. Should an employee choose to terminate his/her employment, the employer reserves the right to require up to 30 calendar days prior written notice from the employee, and at the employer’s sole discretion may adjust the total number of days’ notice needed in order to preserve the school’s educational environment and program.

Smoking

MCSA is a tobacco-free, non-smoking campus. The use of tobacco products, electronic cigarettes, vapor pens, or similar devices is not permitted by law and applies to anyone, anywhere on campus including outdoors or in a vehicle. MCSA promotes the health and safety of all students and staff and the cleanliness of all school facilities. MCSA believes that the use of any of the above products, regardless of tobacco or nicotine content, on school grounds, in school buildings and facilities, in or on any other school property owned or operated by MCSA, or at school-related or school-sponsored events is detrimental to the health and safety of students, staff, and school visitors. To this end, and to comply with state and federal law, MCSA adopts this tobacco-free, non smoking policy.

Social Media

MCSA views social networks such as web-based discussions or conversation pages and other forms of social networking such as Facebook, Twitter, etc. as significant forms of public communication. As such, we hold all of our employees who engage in social networking to the same standards we hold for any public communication including comments on TV, radio, or news reporters. Therefore, all employees have an obligation to MCSA to ensure that any public communication they make, including social networking communications, must not negatively impact the reputation of MCSA or bring disrepute in any way to MCSA, its students, school leadership, board of directors, fellow employees, parents, or other stakeholders. Further, only a select group of employees are authorized to publicly speak on behalf of MCSA. Therefore, employees must have prior authorization to be a spokesperson for MCSA to the extent their social networking communications represent, or appear to represent, the official MCSA view or perspective on any particular topic. Violations of this policy will result in discipline, which may include termination, depending on the severity of the situation and its impact on MCSA. No right of privacy exists while accessing social media at work or with MCSA provided equipment.

General guidelines for communications:

- When engaging in any form of social networking, your comments will reflect on you and MCSA.
- Assume at all times you are representing MCSA when involved in any form of social networking.
- If you wouldn’t say it on the air or have a reporter, write it in a column, don’t tweet it, post it on Facebook, or post it on any public web page.
- Exercise discretion, thoughtfulness, and respect for your colleagues, students, and MCSA stakeholders.

- Confidential MCSA information or similar information of third parties who have shared such information with MCSA should not be shared on any social network site.

MCSA requests that you carefully consider all posts to your social networking communications. Parents and students may perceive information differently than you intend.

Solicitations, Distributions, Posting of Materials, and Fundraising

MCSA prohibits the solicitation, distribution (by any means, including email) and posting of materials on or at school property by any employee or non-employee. Fundraising efforts of any kind must support MCSA and be pre-approved by school leadership. Support of outside programs that benefit our community and those in need is encouraged, but only should be achieved through sharing time and talent (volunteering or service projects), not monetary donations.

Wage and Salary Information

All Exempt employees and 12-month employees will be paid on a bimonthly basis over a period of 12 months, subject to withholding for taxes and benefits. Each payment shall represent 1/24 of the employment agreement's salary. For 10- and 11-month employees, a portion of your earned pay shall be accrued each paycheck and paid to you during the summer months. You will receive a payroll voucher confirming your direct deposit and you should confirm your selected payroll deductions are accurate.

Hourly employees and non-exempt employees will use an online timekeeping system and report actual hours worked accurately to ensure compliance with the federal and NC Department of Labor requirements. Overtime must be approved before hours are worked. Payroll will be based on work schedule and most employees working a 10-month schedule, over a traditional school year, will receive 20 paychecks over that 10-month period.

Payment of Wages: Pay dates are the 15th and 30th of each month. If the 15th or the 30th of the month falls on the weekend, payroll will be provided on the Friday before. In accordance with the fiscal year end (June 30), The payroll for June 30th will be posted on or before June 25th. If it falls on the weekend then the Friday before will be the pay date to allow for a successful year end.

Weapons

In accordance with the concealed weapons law, effective in North Carolina on December 1, 1995, companies have the right to prohibit concealed weapons in the workplace. At MCSA employees are not allowed to bring weapons of any description onto school property or into any building at any time. This includes visible and concealed weapons, even those for which the owner has obtained permits. Firearms, of any make or model, knives with fixed position blades or blades in excess of four inches, any instrument constructed as one used for fighting or for defense, such as a club, chain, tear gas ejector, etc. are prohibited. In addition, any explosive materials or other objects that could be used to harass, intimidate, or injure another individual are also prohibited.

Employee Leave

Bereavement Leave

Employees will be granted up to three days paid leave in the event of a family death for services and estate planning. Days should be taken within 30 days of family death and coordinated with your direct Supervisor. Family includes parents, grandparents, mother-in-law, father-in-law, brother-in-law, sister-in-law, spouse, children, brothers, sisters, and others who may reside on a full-time basis in the house of the employee.

Family and Medical Leave Act Policy

The Family and Medical Leave Act (FMLA) provides eligible employees with up to 12 calendar weeks of unpaid leave for certain family and medical reasons during a 12-month period. During this leave an eligible employee is entitled to continue group health plan coverage as if the employee had continued to work. At the conclusion of the leave, subject to some exceptions, an employee generally has the right to return to the same or to the equivalent position. In compliance with FMLA it is the policy of MCSA to provide eligible employees with unpaid family and medical leave of absence from work for the following circumstances:

- The birth of a child
- The adoption of a child
- To care for a foster child
- The employee's own serious health condition that renders the employee unable to perform the functions of his/her position.
- Employees may qualify for additional leave under the Americans with Disabilities Act

To be eligible for FMLA an employee must be employed by the school for at least 12 months at the time the leave is requested to begin. During FMLA leave an employee is entitled to continued group health plan coverage under the same conditions as if the employee had continued to work. For further information regarding FMLA, please see your direct supervisor.

Pregnant Workers Fairness Act

In accordance with NCGS 126-8.6, permanent full time employees may take up to eight weeks of paid leave after giving birth to a child or up to four weeks of paid leave after any other qualifying event. A permanent part time employee may take a prorated amount of paid leave after giving birth, not to exceed four weeks, or paid leave after any other qualifying event, not to exceed two weeks. The paid parental leave is available without exhaustion of the employee's PTO and is awarded in addition to shared leave. This is effective as of July 1, 2023, and applies to requests for paid parental leave related to births occurring on or after that date.

Parenting Leave (NC general statutes 95-28.3)

Four hours of paid leave per year are available to any employee who is a parent or guardian of a school-aged child so that the employee may attend or otherwise be involved with the child's school activity. Please arrange this with your school principal. Documentation is required and should be available from the child's school.

Jury Duty

Please notify your school principal as soon as you receive your summons. All employees will continue to receive their salary and benefits with a 10-day maximum. Proof of service provided by the court should be submitted to your direct supervisor.

Military Leave

In accordance with USERRA and North Carolina State Law, MCSA will grant leave of absence for military service. Employees should submit a copy of their orders to their school principal as soon as possible so that a substitute may be obtained. The school will pay any difference between their military pay and their school salary up to a period of 2 months.

Paid Time Off (PTO)

Mallard Creek STEM Academy (MCSA) grants paid time off ("PTO") in accordance with this policy for eligible employees to accrue and use PTO for vacation and absences due to illness, family matters, and other personal business. This policy does not apply to seasonal, temporary, or project-based employees, nor does it apply to employees working fewer than 30 hours per workweek.

Eligibility and Accrual: To be eligible to accrue PTO under this policy, an employee must be actively employed in a position in which the employee works at least 30 hours per workweek as of the PTO accrual date for that

month (unless otherwise approved by school leadership). Eligible employees accrue PTO days/hours in accordance with the following schedule:

Working Days Per Year	Working Months Per Year	PTO Accrual	Maximum PTO Accrual Per Year
≥180 days and <196 days	Up to 10 Months	1 day/month August –May only	8 days
≥196 days	10 to 12 Months	1 day/month	10 days

For eligible employees working up to 10 months per year, PTO accruals occur on the first teacher workday in August and on the 15th day of each month during the remainder of the academic year (September through May), up to a maximum of 8 days per academic year. For eligible employees working 10 to 12 months per year, accruals occur on the 15th day of each month up to a maximum of 10 days per fiscal year. New, eligible employees begin accruing PTO once an accrual date is reached. For example, a new teacher who starts in November would accrue his/her first day of PTO on November 15 if the teacher started work on or before November 15 but would not begin accruing PTO until December 15 if his/her start date was on November 16 to 30.

Use of PTO

PTO may be requested and taken as either half day or full day. An eligible employee who wishes to take PTO should provide written notice to his or her supervisor or supervisor’s designee as soon as feasible, but no later than 24 hours prior to the requested leave (except in the case of an emergency). Providing sufficient advance notice gives MCSA a better opportunity to provide a suitable substitute or other coverage. MCSA reserves the right in its discretion to refuse requests for vacation (and similar voluntary PTO requests) based on staffing requirements and other organizational needs. For example, to maintain continuity, usually only one employee in a department will be granted permission to take PTO for vacation at any given time. Blackout dates for PTO include the first and last 10 days of school and testing windows. You must seek approval from your supervisor for any exceptions, but exceptions are not guaranteed.

Employees also should note that any use of PTO to extend a holiday must receive prior approval from the principal. Further, an employee may not use PTO while on an unpaid disciplinary suspension. PTO is paid at the employee’s base hourly rate or base salary at the time it is used and paid in the pay period in which it is taken. PTO does not count as hours worked for purposes of calculating overtime.

General Standards for PTO

PTO hours may not be used prior to their accrual. Up to 20 days of accrued PTO may be carried over at the end of the fiscal year to subsequent fiscal years. If an employee has accumulated more than 20 days of PTO at the conclusion of the fiscal year, they will be paid for one half of the accumulated PTO days exceeding 20 days (less deductions and withholdings). The other half of the accumulated PTO days exceeding 20 days will be forfeited. Whenever employment with MCSA ends (regardless of the reason or who initiates separation,), MCSA will pay out the value of one half of the employee’s accumulated, unused PTO as of the date of separation (less deductions and withholdings). The other half of the employee’s accumulated, unused PTO is forfeited at the time the employment relationship ends.

In the event PTO leave is granted and the employee does not have adequate accrued days in their PTO bank, the school at its sole discretion may either process a salary reduction or otherwise charge PTO time against earned salary accrued throughout the school year. When eligible employees move to ineligible status, their accrued, unused PTO will be treated in accordance with this policy as if employment ended on their last day of eligible

status. To the fullest extent permitted by law, MCSA reserves the right to interpret and apply all terms and conditions provided by this policy in its discretion.

Religious Holidays

Employees may use PTO for religious holidays.

Voluntary PTO Donation

The purpose of voluntary PTO donation is to provide economic relief for full-time regular employees who are likely to suffer financial hardship due to an absence.

Eligibility

Only full-time regular employees who have exhausted all accumulated leave are eligible to receive donated PTO.

Qualifying to receive donated PTO

In order to receive donated PTO, an employee must have complied with existing leave rules and:

- Have a medical condition; or have an immediate family member as defined under the FMLA policy whose medical care will require the employee's absence for a period of time.
- Apply to become a recipient of a specified amount of PTO.
- Produce medical evidence from a healthcare professional to support the need for the requested amount of PTO beyond the available accumulated PTO, and.
- Be approved by the Principal or Executive Director to participate in the program.

Application

An employee who, due to a serious medical condition of self or of his/her family member (defined under the FMLA policy), faces an absence from work may apply for donated PTO by completing a "Voluntary PTO Donation Application" and submitting it to the Executive Director. Application may also be made by someone acting on the employee's behalf if the employee is unable to make the application. The application must include a healthcare provider's (as defined by FMLA) statement and verification of the need for additional leave.

Donation

Any eligible employee may donate PTO days to any approved employee. In order to donate leave, an employee must complete a "Voluntary PTO Donation Authorization" form and submit it to the human resources director.

Restrictions on Donation of PTO

1. All leave donations must be to a designated employee approved by the Executive Director for receipt of donated leave.
2. All donations must be completed using the "Voluntary PTO Donation Application" and be signed by the donating employee.
3. Any eligible employee may donate PTO days to any approved employee.
4. The maximum donation of PTO to an eligible employee is up to 2 full-day PTO days. Only full-day PTO days may be donated (no half-day or hourly donations).
5. Employees must have 4 full days of PTO days in their PTO bank to be eligible to donate.
6. The amount of PTO donated to an employee may not exceed the amount of leave requested unless an extenuating circumstance is approved by the Executive Director.
6. Once a PTO transfer is complete, all other rules for PTO (e.g., value, accrual, payout, etc.) are followed according to the current MCSA PTO policy.
7. The transfer of PTO is permanent and irrevocable.

Use of Donated Leave

1. All donated PTO must be used as full days.

2. Holidays occurring while the employee is using donated PTO will be paid. PTO will continue to be earned by the employee while he/she is using donated PTO. Available PTO accrued during this period must be used by the employee prior to continued use of any donated PTO.

Required Process

1. Requests to participate in the Voluntary PTO Donation Program shall be submitted to the Executive Director or human resources. All requests must include a doctor's statement regarding the medical condition of the recipient or FMLA defined family member of the recipient before action can be taken. Human resources will edit out all protected health information and forward the request, along with the human resources recommendation for approval or denial, to the Principal or Executive Director for final approval/denial.
2. Human resources shall give written acknowledgement to both recipient and the donor(s) of his/her request to participate in the program.

Employee Benefits

Due to the nature of all employees' expected conduct as representatives of the school community, MCSA is considered to be the primary employer of all employees currently under an Employment Agreement. Employee benefits are available for all employees that are actively employed in a position at MCSA; the number of hours an employee works per work week determines the type of benefits for which they are eligible. All employees are therefore entitled to specific wage benefits including but not limited to: 403b retirement programs, childcare for K-8 children, and employee discounts and/or other perks negotiated by the school and benefiting the employee. Employees must average at least 10 hours per week to be eligible for complementary aftercare for eligible children and must work 30 or more hours per week to be eligible for employer-provided healthcare and preferential enrollment.

Insurance

Health insurance benefits are provided to employees (employees that work 30 hours a week or more) through the North Carolina State Health Plan. There are two Basic Plans available: the 70/30 Plan (\$25.00 per month for the employee only) and the 80/20 Plan (\$50 per month for the employee only) through payroll deductions. Additional family members can be covered at an additional cost. If you wish to cover dependents, the additional costs for coverage will be deducted from your payroll on a pretax basis. New hires will receive this information at the time of hire. Information is available at <http://statehealthplan.state.nc.us/> or you may contact the Business office. Open Enrollment for returning staff will begin October 9th, 2023 and continue through October 27th, 2023. New hires can also make changes to their selections at this time. All employees (including new hires) will be required to re-enroll. All policies will default to the 70/30 plan without re-enrollment.

COBRA (Consolidated Omnibus Budget and Reconciliation Act of 1985)—As an employee of MCSA covered by its group health plan, you have the right to choose this continuation of coverage if you lose your group health coverage and other applicable policies because of a reduction in your hours of employment or the termination of your employment (for reasons other than gross misconduct on your part). In case of termination of employment, Health insurance terminates the last day of the month of employment. Employees will receive COBRA information at the mailing address on file with the North Carolina State Health Plan.

MCSA health insurance plans are governed by the requirements of the Health Insurance Portability and Accountability Act (HIPAA) of 1996. HIPAA includes important protections for employees and their families with regard to privacy rights, including rights to restrict disclosure of your health insurance information, and rights that prohibit discrimination for those who have pre-existing medical conditions or might suffer discrimination in health coverage based on a factor that relates to an individual's health.

- Life Insurance in the amount of \$10,000.00 is provided by MCSA at no cost to the employee (employees that work 30 hours a week or more).

- Dental supplemental insurance is available on a pre-tax basis through MetLife Insurance Company (employees that work 30 hours a week or more).
- Vision supplemental insurance is available on a pre-tax basis through MetSunLife Company (employees that work 30 hours a week or more).

Worker's Compensation Insurance

Injuries or accidents that occur on the job are covered under worker's compensation and are excluded from the group health insurance. If an employee is injured on the job, no matter how minor, a report must be completed immediately. Please advise your direct supervisor so that the health and welfare of each employee can be protected and the requirements of the law can be met.

403 (B) Retirement Plan

All employees may participate in the retirement deferral plan. Employees actively employed in a position in which the employee works at least 20 hours per workweek on average are eligible to receive a matching contribution of 3% of their salary.

Before School Care/After School Care

Before School and After School Care are offered at no cost for children of employees working at least 10 hours per week. Before School and After School Care can only be used while the employee is working and during normal operating hours of the Before School and After School Care program.

Athletic Participation Fee Discount

Employees receive a 50% reduction of athletic participation fee for their children participating in MCSA athletics program. This benefit does not stack with any free and reduced lunch discounts.

Flex Spending

You may participate in the (medical or dependent) flex spending accounts. Maximum medical deferred amount is \$3000.00. Employees who qualify for health insurance also qualify for this benefit. Maximum dependent deferred amount is \$5,000.00.

Tuition Reimbursement

MCSA employees may qualify for tuition reimbursement/forgiveness. The intent of the program is to assist teachers teaching under restricted alternative licensure to become licensed in their areas of assignment and to assist non-teaching employees in obtaining licensure as teachers.

Current full-time MCSA employees within 12 credit hours of completion of an educational program that directly leads to licensure in an eligible area of need as determined by the school principal must meet one of the following eligibility criteria:

- Employee is on Traditional Licensure Pathway - Completing credential courses through a state-approved Education Preparation Program and required exam/s to gain an "SP1 - Initial License" in an eligible area.
- Employee is on Alternate Licensure Pathway:
 - Residency - Completing credential courses through a state-approved Education Preparation Program and required exam/s to gain an "SP2 - Continuing License".
 - Add-on - Completing pre-approved coursework and required exam/s to add license area to pre existing Continuing License.
 - Employee working toward meeting Minimum Admissions Requirements and Exceptions for Initial Teacher Preparation Programs (EPPs) per state policy.

Prior to enrollment in a course for which reimbursement/forgiveness would be requested, the employee must submit course details to leadership to verify that the course leads to licensure in an eligible content area. Coursework must be passed and /or Praxis exam scores must meet proficiency threshold to be eligible for

reimbursement. Final transcripts showing successful course completion and/or passing Praxis exam scores must be submitted to school leadership. Up to 50% of verifiable costs associated with tuition, fees, and assessments (such as PRAXIS), not to exceed \$3,000 total, would be eligible for reimbursement at the end of the school year. Funds reimbursed would be forgiven over the three subsequent years in three equal amounts at the end of each school year, provided the employee remains employed at MCSA. Should the employee leave MCSA during the three years following reimbursement, funds not yet forgiven would be recouped from the employee by the school.

Appendix

A. Non-Title IX Discrimination, Harassment, and Bullying Complaint Process

Equal Education Opportunities

MCSA provides equal education opportunities for all students and does not discriminate on the basis of race, gender, sex, disability, nationality, religious affiliation or any other protected class. MCSA adheres to the legal obligations and requirements under all state and federal laws, including without limitation, section 504 of the Rehabilitation Act of 1973 and the Individuals with Disabilities Act Amendments of 1997, including identification, evaluation, and provision of an appropriate education.

MCSA takes all complaints of discrimination, harassment, and bullying. The process provided in this policy is designed for those individuals who believe that they may have been discriminated against unlawfully, bullied, or harassed in violation of the MCSA' Equal Education Opportunities Policy. Individuals who have witnessed or have reliable information that another person has been subject to unlawful discrimination, harassment, or bullying also should report such violations in the manner provided in this policy. Reports may be made anonymously and reports do not need to be made in a particular format or in a particular form. This policy applies to all discrimination, harassment or bullying on the basis of race (including Title VI), disability (including Section 504), nationality, religious affiliation or any other protected class.

This policy does not apply where an individual seeks to assert allegations regarding or related to the identification, evaluation, educational placement, or free appropriate public education of a student under Section 504 or the IDEA, such allegations may be raised through the procedures governing such matters. This Policy also does not apply to Title IX complaints, behavior falling within Title IX or Title VII complaints. Please refer to the School's Title IX policies for Title IX and VII matters.

If you have any questions as to what complaint process to use to address your concern, please contact the Principal, Executive Director or Title IX Coordinator, who will direct you to the proper process.

A. Reporting by Employees or Other Third Parties

1. Mandatory Reporting by MCSA Employees

Any employee who witnessed or who has reliable information or reason to believe that an individual may have been discriminated against, harassed, or bullied in violation of MCSA Non-Title IX Prohibition Against Discrimination, Harassment, and Bullying Policy must report the offense immediately to an appropriate individual designated in subsection B.1., below. An employee who does not promptly report possible discrimination, harassment, or bullying shall be subject to disciplinary action.

2. Reporting by Other Third Parties

All members of the MCSA community including students, parents, volunteers, and visitors are also strongly encouraged to report any act that may constitute an incident of discrimination, harassment, or bullying.

3. Anonymous Reporting

Reports of discrimination, harassment, or bullying may be made anonymously, but formal disciplinary action may not be taken solely on the basis of an anonymous report.

4. Investigation of Reports

Reports of discrimination, harassment, or bullying under this policy will be investigated sufficiently to determine whether further action under this policy or otherwise is necessary, and MCSA officials shall take such action as appropriate under the circumstances. At the option of the alleged victim, the report may be treated as a complaint by the alleged victim under this policy.

B. Complaints Brought by Alleged Victims of Discrimination, Harassment, or Bullying

1. Filing a Complaint

Any individual who believes that he or she has been discriminated against, harassed, or bullied in violation of MCSA's Non-Title IX Prohibition Against Discrimination, Harassment, and Bullying Policy is strongly encouraged to file a complaint orally or in writing to the following individuals as applicable:

- a. MCSA counselor, teacher, dean of students, ED, principal or assistant principal of MCSA for any claim of discrimination, harassment or bullying, including Title VI complaints;
- b. the Title IX coordinator for claims of sex discrimination or sexual harassment;
- c. the Section 504 coordinator or the ADA coordinator for claims of discrimination on the basis of a disability; or the Board Representative if the alleged perpetrator is the Principal (when there is no ED) or Executive Director.

2. Time Period for Filing a Complaint

A complaint should be filed as soon as possible but no later than 30 days after disclosure or discovery of the facts giving rise to the complaint. Complaints submitted after the 30-day period may be investigated at the discretion of MCSA officials and outside the formal process described in Section C of this policy; however, individuals should recognize that delays in reporting may significantly impair the ability of MCSA officials to investigate and respond to such complaints.

3. Informal Resolution

MCSA acknowledges that many complaints may be addressed informally through such methods as conferences or mediation. MCSA encourages the use of informal procedures such as mediation to the extent possible; however, mediation or other informal procedures will not be used to resolve complaints alleging sexual assault or sexual violence or complaints by a student of sexual harassment perpetrated by an employee. Informal procedures may be used only if the parties involved voluntarily agree. Any informal process should be completed within a reasonable period of time, not to exceed 30 days unless special circumstances necessitate more time.

C. Process for Addressing Complaints of Alleged Incidents of Discrimination, Harassment, or Bullying

1. Initiating the Investigation

- a. Whoever receives a complaint of discrimination, harassment, or bullying pursuant to subsection B.1. shall immediately notify the Principal who shall designate an individual to conduct an investigation and respond to the complaint, such individual may be a MCSA employee or outside consultant.
- b. As applicable, the investigator shall immediately notify the Title IX, or other relevant coordinator of the complaint, and, as appropriate, may designate the coordinator to conduct the investigation.
- c. The investigator shall explain the process of the investigation to the complainant and the alleged perpetrator.
- d. Written documentation of all formal reports and complaints, as well as MCSA system's response, must be maintained in accordance with MCSA's Non-Title IX Prohibition Against Discrimination, Harassment, and Bullying Policy.

- e. Failure to report, investigate, and/or address claims of discrimination, harassment, or bullying may result in disciplinary action.
2. Conducting the Investigation
 - a. The investigator is responsible for determining whether the alleged act(s) constitutes a violation of the Non-Title IX Prohibition Against Discrimination, Harassment, and Bullying Policy. In so doing, the investigator shall impartially, promptly, and thoroughly investigate the complaint. The investigator shall interview (1) the complainant; (2) the alleged perpetrator(s); (3) individuals identified as witnesses by the complainant or alleged perpetrator(s); and (4) any other individuals, including other possible victims, deemed likely to have relevant information. The alleged perpetrator shall be notified of the general nature of the allegations. The investigation will include a review of all evidence presented by the complainant and/or alleged perpetrator.

If the investigator, after receipt of the complaint, an interview with the complainant, and consultation with the board attorney, determines that the allegations submitted, even if factual, do not constitute discrimination, harassment, or bullying as defined in MCSA' Non-Title IX Prohibition Against Discrimination, Harassment, and Bullying Policy, the matter will be treated outside the scope of this policy. Information regarding the investigator's determination and the process for addressing the complaint will be provided to the complainant.
 - b. The complaint and investigation will be kept confidential to the extent possible. Information may be shared only with individuals who need the information in order to investigate and address the complaint appropriately and those with a legal right to access the information. Any requests by the complainant for further confidentiality will be evaluated within the context of the legal responsibilities of the MCSA system.
 - c. The investigator shall review the factual information gathered through the investigation to determine whether, based on a preponderance of the evidence, the alleged conduct constitutes discrimination, harassment, or bullying, giving consideration to all factual information, the context in which the alleged incidents occurred, the age, and maturity of the complainant and alleged perpetrator(s), and any other relevant circumstances.
 3. Notice to Complainant and Alleged Perpetrator
 - a. The investigator shall provide written notification to the complainant of the results of the investigation within 15 days of receiving the complaint, unless additional time is necessary to conduct an impartial, thorough investigation. The investigator shall specify whether the complaint was substantiated and, if so, shall also specify:
 - i. reasonable, timely, age-appropriate, corrective action intended to end the discrimination, harassment, or bullying, and prevent it from recurring;
 - ii. as needed, reasonable steps to address the effects of the discrimination, harassment, or bullying on the complainant; and
 - iii. as needed, reasonable steps to protect the complainant from retaliation as a result of communicating the complaint.
 - b. Information regarding specific disciplinary action imposed on the alleged perpetrator(s) will not be given to the complainant unless the information relates directly to the complainant (e.g., an order requiring the perpetrator not to have contact with the complainant).
 - c. If the investigator determines that the complaint was substantiated, the perpetrator(s) shall be subject to discipline or other corrective steps, as set forth in MCSA policy. If the corrective steps involve actions outside the scope of the investigator's authority, the Principal or designee will be notified so that responsibility for taking the corrective steps may be delegated to the appropriate individual.

- d. The alleged perpetrator will be provided with a written summary of the results of the investigation in regard to whether the complaint was substantiated, whether the alleged perpetrator violated relevant law or MCSA policies by his or her actions, and what, if any, disciplinary actions or consequences may be imposed upon the perpetrator in accordance with MCSA policy. The perpetrator may appeal any disciplinary action or consequence in accordance with any MCSA policy governing disciplinary action. However, an appeal by the perpetrator of disciplinary action does not preclude MCSA officials from taking appropriate action to address the discrimination, harassment, or bullying.

4. Appeal

- a. If the complainant is dissatisfied with the results of the investigation, he or she may appeal the decision to the Principal or Executive Director. The appeal must be submitted in writing within ten days of receiving the notice of the results of the investigation. The appeal must state with particularity whether the complainant is appealing (1) the investigator's determination of whether the alleged conduct constitutes discrimination, harassment, or bullying in violation of the MCSA Non-Title IX Prohibition Against Discrimination, Harassment, and Bullying Policy, or (2) the MCSA response to any violation, including the appropriateness of any remedial measures taken by MCSA. If the complainant is appealing pursuant to option (2), he or she must state what additional measures the complainant believes should have been taken by MCSA. The Principal or designee may review the documents, conduct any further investigation necessary, or take any other steps the Principal or designee determines to be appropriate in order to respond to the complaint. The Principal or designee shall provide a written response within 10 days after receiving the appeal, unless further investigation is needed. The Principal's decision is final.
- b. If the alleged perpetrator is the Principal or the Principal declines to hear the appeal and refers it to the Executive Director or Board Representative. The complainant may appeal the decision in writing within ten days of receipt directly to the Board Representative. The appeal must state with particularity whether the complainant is appealing the Principal's decision with regard to (1) the investigator's determination of whether the alleged conduct constitutes discrimination, harassment, or bullying in violation of MCSA' Non-Title IX Prohibition Against Discrimination, Harassment, and Bullying Policy, or (2) MCSA' response to any violation, including the appropriateness of any remedial measures taken by MCSA. If the complainant is appealing pursuant to option (2), he or she must state what additional measures the complainant believes MCSA should have taken. Upon receipt of the appeal, the Board Representative shall appoint a panel of not less than two members of the Board to hear and decide the appeal. The panel shall make reasonable efforts to meet and consider the appeal within twenty days after the chairperson refers the grievance to the panel. The panel shall review the complaint on the record unless it determines that additional information may be presented. No new evidence, written or verbal, may be presented without the prior knowledge and consent of both parties. At the Board Panel's discretion, they may hold a hearing and ask each party to make a brief oral presentation of no more than twenty minutes to summarize his or her position. The panel has the authority to ask questions, extend time limits, exclude extraneous or duplicative information, and otherwise maintain an efficient and fair appeal hearing. If a hearing is held, it will be recorded and shall be held in closed session. The Board panel may affirm, reverse, or modify the decision. The Board panel shall use the preponderance of the evidence standard in reaching its decision. The Board panel will provide a final written decision within twenty days after the Board hearing unless the panel determines that additional time is needed for further review. The decision of the Board panel shall be final.

D. Timeliness of Process

If any MCSA official charged with investigating the complaint or reviewing the investigation fails at any step in the process to communicate a decision within the specified time limit, the complainant will be entitled to appeal the complaint to the next step unless the official has notified the complainant of the delay and the reason for the delay. MCSA officials shall make reasonable efforts to keep the complainant apprised of progress being made during any period of delay. Delays that interfere with the exercise of any legal rights are not permitted. Failure by the complainant at any step in the process to appeal to the next step within the specified time or to attend a scheduled meeting or hearing under this policy will be considered acceptance of the results of the investigation and MCSA's response to the complaint, unless the complainant provided notice of the delay and the reason for the delay and MCSA consented in writing to the delay.

E. General Requirements

1. No reprisals or retaliation of any kind will be taken by the Board or by any MCSA employee against the complainant or other individual on account of his or her filing a complaint or report or participating in an investigation of a complaint or report filed and decided pursuant to this policy. Disciplinary or other action may be taken against the complainant or other individual if the person knew or had reason to believe that the complaint or report was false or knowingly provided false information.
2. All meetings and hearings conducted pursuant to this policy will be private.
3. The complainant may be represented by an advocate, such as an attorney, at any meeting with MCSA under this policy. Should the complainant choose to be represented by an attorney, an attorney for MCSA may also be present.
4. Nothing in this policy shall prevent the Principal or Board from suspending the alleged perpetrator without pay during the course of the investigation or taking any other action deemed appropriate where the alleged perpetrator is an employee.

F. Records

Records will be maintained as required by MCSA's Non-Title IX Prohibition Against Discrimination, Harassment, and Bullying Policy.

B. NORTH CAROLINA STATE BOARD OF EDUCATION

Policy Manual

Policy Identification

Priority: Quality Teachers, Administrators, and Staff

Category: Qualifications and Evaluations

Policy ID Number: QP-C-014

Policy Title: 16 NCAC 6C .0601 and 16 NCAC 6C .0602 Policy regarding the Code of Ethics for North Carolina Educators

Current Policy Date: 02/05/1998

Other Historical Information: Previous board dates: 06/05/1997

Statutory Reference:

Administrative Procedures Act (APA) Reference Number and Category: 16 NCAC 6C .0601 and .0602

Preamble: The purpose of this Code of Ethics is to define standards of professional conduct.

The responsibility to teach and the freedom to learn, and the guarantee of equal opportunity for all are essential to the achievement of these principles. The professional educator acknowledges the worth and dignity of every person and demonstrates the pursuit of truth and devotion to excellence, acquires knowledge, and nurtures democratic citizenship. The educator exemplifies a commitment to the teaching and learning processes with accountability to the students, maintains professional growth, exercises professional judgment, and personifies integrity. The educator strives to maintain the respect and confidence of colleagues, students, parents and legal guardians, and the community, and to serve as an appropriate role model.

To

- A. Protects students from conditions within the educator's control that circumvent learning or are detrimental to the health and safety of students.
- B. Maintains an appropriate relationship with students in all settings; does not encourage, solicit, or engage in a sexual or romantic relationship with students, nor touch a student in an inappropriate way for personal gratification, with intent to harm, or out of anger.
- C. Evaluates students and assigns grades based upon the students' demonstrated competencies and performance.
- D. Disciplines students justly and fairly and does not deliberately embarrass or humiliate them.
- E. Holds in confidence information learned in professional practice except for professional reasons or in compliance with pertinent regulations or statutes.
- F. Refuses to accept significant gifts, favors, or additional compensation that might influence or appear to influence professional decisions or actions.

II Commitment to the School and School System

- A. Utilizes available resources to provide a classroom climate conducive to learning and to promote learning to the maximum possible extent.
- B. Acknowledges the diverse views of students, parents and legal guardians, and colleagues as they work collaboratively to shape educational goals, policies, and decisions; does not proselytize for personal viewpoints that are outside the scope of professional practice.
- C. Signs a contract in good faith and does not abandon contracted professional duties without a substantive reason.
- D. Participates actively in professional decision-making processes and supports the expression of professional opinions and judgments by colleagues in decision-making processes or due process proceedings.
- E. When acting in an administrative capacity:
 - Acts fairly, consistently, and prudently in the exercise of authority with colleagues, subordinates, students, and parents and legal guardians.
 - Evaluates the work of other educators using appropriate procedures and established statutes and regulations.
 - Protects the rights of others in the educational setting, and does not retaliate, coerce, or intentionally intimidate others in the exercise of rights protected by law.
 - Recommend persons for employment, promotion, or transfer according to their professional qualifications, the needs, and policies of the LEA, and according to the law.

III Commitment to the Profession

- A. Provides accurate credentials and information regarding licensure or employment and does not knowingly assist others in providing untruthful information.
- B. Takes action to remedy an observed violation of the Code of Ethics for North Carolina Educators and promotes understanding of the principles of professional ethics.
- C. Pursues growth and development in the practice of the profession and uses that knowledge in improving the educational opportunities, experiences, and performance of students and colleagues.

Adopted by the State Board of Education June 5, 1997.

.0601 PURPOSE AND APPLICABILITY

The purpose of these rules is to establish and uphold uniform standards of professional conduct for licensed professional educators throughout the State. These rules shall be binding on every person licensed by the SBE, hereinafter referred to as "educator" or "professional educator," and the possible consequences of any willful breach shall include license suspension or revocation. The prohibition of certain conduct in these rules shall not be interpreted as approval of conduct not specifically cited.

History Note: Authority G.S. 115C-295.3; Eff. April 1, 1998.

.0602 STANDARDS OF PROFESSIONAL CONDUCT

- (a) The standards listed in this Section shall be generally accepted for the education profession and shall be the basis for State Board review of performance of professional educators. These standards shall establish mandatory prohibitions and requirements for educators. Violation of these standards shall subject an educator to investigation and disciplinary action by the SBE or LEA.
- (b) Professional educators shall adhere to the standards of professional conduct contained in this Rule. Any intentional act or omission that violates these standards is prohibited.
 - (1) Generally recognized professional standards. The educator shall practice the professional standards of federal, state, and local governing bodies.
 - (2) Personal conduct. The educator shall serve as a positive role model for students, parents, and the community. Because the educator is entrusted with the care and education of small children and adolescents, the educator shall demonstrate a high standard of personal character and conduct.
 - (3) Honesty. The educator shall not engage in conduct involving dishonesty, fraud, deceit, or misrepresentation in the performance of professional duties including the following:
 - (A) statement of professional qualifications;
 - (B) application or recommendation for professional employment, promotion, or licensure;
 - (C) application or recommendation for college or university admission, scholarship, grant, academic award, or similar benefit;
 - (D) representation of completion of college or staff development credit;
 - (E) evaluation or grading of students or personnel;
 - (F) submission of financial or program compliance reports submitted to state, federal, or other governmental agencies;
 - (G) submission of information in the course of an official inquiry by the employing LEA or the SBE related to facts of unprofessional conduct, provided, however, that an educator shall be given adequate notice of the allegations and may be represented by legal counsel; and
 - (H) submission of information in the course of an investigation by a law enforcement agency, child protective services, or any other agency with the right to investigate, regarding school-related criminal activity; provided, however, that an educator shall be entitled to decline to give evidence to law enforcement if such evidence may tend to incriminate the educator as that term is defined by the Fifth Amendment to the U.S. Constitution.
 - (4) Proper remunerative conduct. The educator shall not solicit current students or parents of students to purchase equipment, supplies, or services from the educator in a private remunerative capacity. An educator shall not tutor for remuneration students currently assigned to the educator's classes, unless approved by the local superintendent. An educator shall not

accept any compensation, benefit, or thing of value other than the educator's regular compensation for the performance of any service that the educator is required to render in the course and scope of the educator's employment. This Rule shall not restrict performance of any overtime or supplemental services at the request of the LEA; nor shall it apply to or restrict the acceptance of gifts or tokens of minimal value offered and accepted openly from students, parents, or other persons in recognition or appreciation of service.

(5) Conduct with students. The educator shall treat all students with respect. The educator shall not commit any abusive act or sexual exploitation with, to, or in the presence of a student, whether or not that student is or has been under the care or supervision of that educator, as defined below:

(A) any use of language that is considered profane, vulgar, or demeaning;

(B) any sexual act;

(C) any solicitation of a sexual act, whether written, verbal, or physical;

(D) any act of child abuse, as defined by law;

(E) any act of sexual harassment, as defined by law; and

(F) any intentional solicitation, encouragement, or consummation of a romantic or physical relationship with a student, or any sexual contact with a student. The term "romantic relationship" shall include dating any student.

(6) Confidential information. The educator shall keep in confidence personally identifiable information regarding students or their family members that has been obtained in the course of professional service, unless disclosure is required or permitted by law or professional standards, or is necessary for the personal safety of the student or others.

(7) Rights of others. The educator shall not willfully or maliciously violate the constitutional or civil rights of a student, parent/legal guardian, or colleague.

(8) Required reports. The educator shall make all reports required by Chapter 115C of the North Carolina General Statutes.

(9) Alcohol or controlled substance abuse. The educator shall not:

(A) be under the influence of, possess, use, or consume on school premises or at a school-sponsored activity a controlled substance as defined by N.C. Gen. Stat. § 90-95, the Controlled Substances Act, without a prescription authorizing such use;

(B) be under the influence of, possess, use, or consume an alcoholic beverage or a controlled substance on school premises or at a school-sponsored activity involving students; or

(C) furnish alcohol or a controlled substance to any student except as indicated in the professional duties of administering legally prescribed medications.

(10) Compliance with criminal laws. The educator shall not commit any act referred to in G.S. 115C-332 and any felony under the laws of the United States or of any state.

(11) Public funds and property. The educator shall not misuse public funds or property, funds of a school-related organization, or colleague's funds. The educator shall account for funds collected from students, colleagues, or parents/legal guardians. The educator shall not submit fraudulent requests for reimbursement, expenses, or pay.

(12) Scope of professional practice. The educator shall not perform any act as an employee in a position for which licensure is required by the rules of the SBE or by Chapter 115C or the North Carolina General Statutes during any period in which the educator's license has been suspended or revoked.

(13) Conduct related to ethical violations. The educator shall not directly or indirectly use or threaten to use any official authority or influence in any manner that tends to discourage, restrain, interfere with, coerce, or discriminate against any subordinate or any licensee who in good faith reports, discloses, divulges, or otherwise brings to the attention of an LEA, the SBE, or any other public agency authorized to take remedial action, any facts or information relative

to actual or suspected violation of any law regulating the duties of persons serving in the public school system, including but not limited to these Rules.

Tuition Reimbursement Request

Date: _____ Certified employee Classified employee
Name: _____ SS No: _____
Home Address: _____ City: _____ Zip: _____
Work Location & Assignment: _____
Date of employment (Required): _____
If a teacher, are you on an out-of-field permit?: Yes No

Information on Course Submitted for Approval:

Course Title: _____ Course Number: _____
Actual date of enrollment: _____ Date of expected completion: _____
College/University: _____
Credit hours: _____ Tuition: _____

Employee:

My signature below certifies that I have read the criteria for tuition reimbursement in the handbook and that I meet all eligibility criteria documented there. I understand that tuition reimbursement is not guaranteed until I receive written approval back from my direct supervisor.

Employee Signature: _____ Date: _____

Supervisor:

I certify that the above **assignment** information is correct. I certify that this course will improve current job skills, or prepare for promotion.

Principal/Department Head's Signature*: _____ Date: _____

****By signing here, you are verifying that this employee is not on an improvement plan***

Return form and required documentation to your direct supervisor.

DO NOT WRITE BELOW THIS LINE

Date Received: _____ Approved Denied

If denied, reason: _____

Supervisor's Signature: _____ Date: _____

USE ONLY FOR CHECK DISBURSEMENT

Employee Name: _____ Date: _____

Work Location: _____

I acknowledge receipt of a tuition reimbursement check in the amount of \$_____. I certify that the reimbursement that I am receiving does not exceed the actual tuition paid for the course.

Employee Signature _____

THIS FORM SUPERCEDES ANY PREVIOUS FORMS

Voluntary PTO Donation Application

Name: _____

- I certify that myself or an immediate family member as defined under the FMLA has a medical condition that requires me to take an extended leave. _____(initials)
- I agree to produce a statement from a healthcare provider (defined by FMLA) supporting the need for the requested amount of leave time beyond my available amount of PTO. _____(initials)
- I agree that MCSA may release a statement to MCSA staff that I may receive a PTO donation if my PTO donation application is approved. No confidential information will be released. _____(initials)
- I have read, understand, and agree with the Voluntary PTO Donation policy in the MCSA Staff Handbook.

Employee Signature Date

If form is completed by someone other than the employee:

Agent printed name Agent signature Date

ADMINISTRATIVE USE ONLY

Date received _____

Date approved _____ Date declined _____

Executive Director Date

Voluntary PTO Donation Authorization

Name of employee donating PTO:

_____ Donating PTO to:

_____ Number of

full-day PTO days donating (max of 2 full days): _____

- I understand that the transfer of my PTO day(s) is permanent and irrevocable.
- I have read, understand, and agree with the Voluntary PTO Donation policy in the MCSA Staff Handbook

Employee Signature Date

ADMINISTRATIVE USE ONLY

Date received _____

Date approved _____ Date declined _____

Executive Director Date

Title IX Complaint/Reporting Form: Student-to-Student Sexual Harassment

Please complete form as clearly and with as much detail as possible and to the extent you have such information.

Reporter Information

Name: _____

School: _____

Reason for Making this Report

Are you making this report because you were a victim of an incident of student-to-student sexual harassment?

Yes No

Are you making this report because you witnessed an incident of student-to-student sexual harassment?

Yes No

Are you making this report because an incident of student-to-student sexual harassment was reported to you?

Yes No

If you answered "Yes" to the above question, please indicate the:

1. Name/title of the person who reported it to you:

2. Date you verbally reported incident to the Title IX Coordinator:

Incident Overview

Name(s) of the students involved in the incident:

Date, Time, and Location

Date(s), time(s), and location(s) where the alleged behavior occurred (if known):

Witnesses

Please list the names of any witnesses or any individuals who may have information about the incident:

Description of Incident

Please describe the incident as clearly and with as much detail as possible (use additional pages if necessary):