

Personnel

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School Calendar

LEGAL REFERENCE:	CROSS REFERENCE:
Ark. Code Ann. § 6-10-106	<u>Posting of School Calendar on Website</u>

Personnel Policy Committee

In order to support and maintain open lines of communication between the classroom teachers and administration, the school will elect and maintain personnel policy committees annually no later than October 15. The classroom teacher personnel policy committee shall consist of 2 classroom teachers and the President or his or her designee. The non-teaching staff personnel policy committee shall consist of 2 personnel who are not classroom teachers and the President or his or her designee. The committees shall meet once each quarter, or as needed, on a date mutually agreeable to all members. Members of the committees shall be elected by a majority of the teaching or non-teaching staff respectively. All votes conducted by the committees shall be kept separate and shall be conducted solely by the members served by that committee. The personnel policy committees shall maintain a complete and accurate record of agendas and minutes of meetings. Each meeting of a committee on personnel policies shall be audio recorded and made publicly available. Election announcements and results shall be placed on the school's website.

Each committee will be called upon to review changes in personnel policies, to recommend changes in personnel policies to the administration, and to approve mid-school year changes to policy, or mid-school year changes affecting the salary schedule.

LEGAL REFERENCE:
Ark. Code Ann. § 6-17-203
Ark. Code Ann. § 6-17-2303

Definitions

“Administrator,” as used in this policy manual, refers to those persons operating as supervisors charged with making executive decisions for the school. “Administrator” includes the Dean, President,, assistant dean, and/ or any other individuals designated as an “administrator” by the school.

“Teacher,” as used in this policy manual, means classroom teachers. Teachers’ aides are not included in the definition of teacher.

“Staff,” as used in this policy manual, means all employees other than teachers and administrators.

“Employees,” as used in this policy manual, means collectively all persons receiving pay from the school for services rendered, including both exempt and nonexempt employees, staff, teachers, aides, and administrators. “Employee” does not refer to short or limited service as an independent contractor with the school, nor does it refer to substitute teachers.

Qualifications for Hiring

The school is an equal opportunity employer. All core academic class teachers must be qualified as determined by applicable school requirements, state law, rules and regulations. All teachers must have, at minimum, a Baccalaureate Degree or equivalent certification allowed by Career Tech Education if teaching in a CTE program. The school shall abide by the veteran's hiring preference as set forth in Ark. Code Ann. § 21-3-302 and Ark. Code Ann. § 21-3-303.

LEGAL REFERENCE:	CROSS REFERENCE:
Ark. Code Ann. §21-3-302, Ark. Code Ann. §21-3-303	Anti-Discrimination Statement

Salary Schedules

In accordance with Arkansas law, the school's salary schedules are included in this policy manual on the following page(s): Inquiries regarding this policy may be directed to the Dean or President.

LEGAL REFERENCE:	CROSS REFERENCE:
Ark. Code Ann. § 6-17-201, Ark. Code Ann. § 6-17-2403 (or waiver), Ark. Code Ann. § 6-20-2305(f)(4)	Posting of Salary Schedule to Website

Employee Benefits

The school will provide employees with an accurate list of employee benefits at least annually. The benefits must be contained within this policy manual.

LEGAL REFERENCE:
Ark. Code Ann. § 6-17-1112 - 1117
Ark. Code Ann. § 6-17-201

At-Will Employment

All employees—classified, certified, and/or administrative—are employed at will.

The at-will employment relationship allows either party to end employment at any time, for any reason. At-will employees are free to resign at any time, or may be terminated at any time for any non-discriminatory reason. Employees may not be dismissed for their race, sex, gender, religion, age, disability, or nationality. Although certain aspects of the employment relationship have been reduced to writing, including but not limited to salary, days of work, and duties, this writing does not cause or create a contractual relationship between the school and the employee. All existing employment agreements between the school and the employee shall expire as of the ending date listed therein and are not subject to automatic renewal. Compensation will cease upon the date of termination or resignation of an employee as formally approved by the Board of Directors.

In order to ensure the continuity of quality education, the Board of Directors shall strive to avoid mid-school year terminations, except as warranted by the circumstances. It is desired and recommended that employees end the employment relationship at the end of the school year, should they choose to seek employment elsewhere. At the discretion of the President, employees who resign with less than one month's notice to administration may have a note placed in their personnel file noting the shortness of their notice to the school.

LEGAL REFERENCE:	CROSS REFERENCE:
Black's Law Dictionary, At-Will Title VI of the Civil Rights Act of 1964, and Title VII of the Civil Rights Act of 1964	Administrators' and Principals' Employment— Effect of At-Will Status

Nonrenewal of Employee Status

Non-renewal ends the employment relationship at the end of the school year. All employees are employed at will. There is no automatic renewal of employee agreements.

LEGAL REFERENCE:
Ark. Code Ann. § 6-17-201

Non-Instructional Duties

The purpose of this policy is to provide additional time for instructional purposes. “Non-instructional duties” means the supervision of students before or after the instructional day begins or ends for students or for the supervision of students during breakfasts, lunches, or scheduled breaks.

As used in this policy, “instructional purposes” means activities initiated by the teacher related to teaching duties, including, but not limited to, contacting parents, assessing student performance, documenting student performance, organizing the classroom, preparing instructional materials, and other teaching responsibilities related to instructional planning and the direct instruction of students.

Any teacher assigned more than 60 minutes of non-instructional duties per week shall be separately contracted for these duties. The Dean is tasked with scheduling teachers appropriately in accordance with this policy. Any separate agreement under this policy is at the discretion of the President and must receive prior approval from the Board of Directors.

LEGAL REFERENCE:
Ark. Code Ann. § 6-17-117
Ark. Code Ann. § 6-17-807

Duty Free Lunch for Licensed Employees

The Dean is tasked with ensuring that each teacher has a 30 minute uninterrupted duty-free lunch period during every student instructional day. Any teacher not receiving a duty-free lunch period as provided in this policy must alert the Dean and will be compensated at his or her hourly rate of pay for each missed lunch period. Lunchroom supervisors may be volunteers, aides, or other school personnel.

LEGAL REFERENCE:
Ark. Code Ann. § 6-17-111

Planning Time

The school shall provide a minimum of 200 minutes each week for each teacher to schedule time for conferences, instructional planning, and preparation for all classroom teachers employed by the school.

The planning time shall be in increments of no less than 40 minutes during the student instructional day unless a teacher submits a written request to be allowed to have his or her planning time scheduled at some time other than during the student instructional day. As used in this policy, “student instructional day” means the time that students are required to be present at school.

A teacher who does not receive the planning time required under this policy shall be compensated at his or her hourly rate of pay for each missed planning period except for planning periods missed because of occasional, not-regularly-scheduled field trips, fire drills, or bomb scares.

LEGAL REFERENCE:

Ark. Code Ann. § 6-17-114

Duty Free Lunch and Breaks for Unlicensed Employees

A classified employee means an employee who is not required to hold a valid Arkansas teaching license as a condition of employment with the school.

A classified employee shall be paid at a rate no less than \$8.50 per hour or the lowest wage permitted under state and federal laws.

Overtime Pay or Compensatory Time Off

For hours worked in excess of forty per regular week by a non-exempt employee, the school will either pay overtime at a rate of one and one-half the normal hourly pay rate or it will provide compensatory time off at the rate of one and one-half hours. Up to 240 hours of compensatory time may be accrued. If compensatory time is paid in lieu of cash, an employee must be permitted to use compensatory time on the date requested unless doing so would "unduly disrupt" the operations of the school.

Breaks

Any classified employee who works more than twenty (20) hours per week shall daily receive two fifteen-minute paid breaks during each regular workday. The district shall file an affidavit for compliance with the Department of Education regarding the Fair Labor Standards Act pursuant to Department regulations.

An employee who believes this section has been violated should bring their concerns to their supervisor in writing as soon as possible. Supervisors should bring any reports to the President as soon as possible.

LEGAL REFERENCE:	CROSS REFERENCE:
Ark. Code Ann. § 6-17-2203 Ark. Code Ann. § 6-17-2205 Ark. Code Ann. § 11-4-210 29 U.S.C. § 201, et seq.	U.S. Dep. of Labor Wage and Hour Fact Sheet #7: State and Local Gov'ts Under FLSA elaws FirstStep Poster Advisor

Teacher Excellence and Support System (TESS)

Each teacher employed by the school shall be evaluated in writing under the Teacher Excellence and Support System (TESS). Teachers will participate in TESS, including classroom observations and pre-observation and post-observation conferences and will collaborate in good faith with the evaluator to develop the teacher's professional growth plan. If a teacher and evaluator cannot agree on the professional growth plan, the evaluator's decision shall be final.

At a time other than an evaluation conducted under the Teacher Excellence and Support System, if a President or other school administrator charged with the supervision of a teacher believes or has reason to believe that the teacher is having difficulties or problems meeting the expectations of the school or its administration and the administrator believes or has reason to believe that the problems could lead to termination or nonrenewal of contract, the President or other school administrator shall bring in writing the problems or difficulties to the attention of the teacher involved and document the efforts that have been undertaken to assist the teacher to correct whatever appears to be the cause for potential termination.

Annually in a summative evaluation year or an interim appraisal year, the school shall assign each teacher employed by the school an annual overall rating that is based on the teacher's professional practice. Annually during a school year, the school shall conduct a summative evaluation for every teacher employed in the public school who is a novice teacher, probationary teacher, or teacher who successfully completed intensive support status within the current or immediately preceding school year. For all other teachers, the school shall conduct a summative evaluation at least once every four years, or more often if needed.

A teacher shall submit artifacts agreed upon by the teacher and evaluator, or by the evaluator if the teacher and evaluator cannot agree, as evidence of professional practice in determining the performance rating for a summative evaluation. The artifacts considered by the teacher and evaluator in a summative evaluation for the performance rating shall consist of evidence related to each teacher evaluation domain.

In a school year in which a summative evaluation is not required under this policy, the teacher shall focus on elements of the teacher's professional growth plan as approved by the evaluator that are designed to help the teacher improve his or her teaching practices and with the evaluator's approval may collaborate with a team of teachers on a shared plan that benefits the whole

school, a content area, or a grade level, or conduct self-directed research related to the teacher's professional growth plan.

The school may use interim appraisals to support teachers on an ongoing basis throughout the school year, provide a teacher with immediate feedback about the teacher's teaching practices, engage the teacher in a collaborative, supportive learning process, help the teacher use formative assessments to inform the teacher of student progress and adapt teaching practices based on the formative assessments; and provide a performance rating that is included in the annual overall rating.

A teacher being evaluated and the evaluator, working together, shall develop a professional growth plan for the teacher that identifies professional learning outcomes to advance the teacher's professional skill and clearly links professional development activities and the teacher's individual professional learning needs identified through the Teacher Excellence and Support System. The professional growth plan for a teacher shall require that at least one-half of the professional development hours required by law or rule for teacher licensure are directly related to one (1) or more of:

- The teacher's content area;
- Instructional strategies applicable to the teacher's content area; or
- The teacher's identified needs.

If a teacher and evaluator cannot agree on a professional growth plan, the evaluator's decision shall be final. For a teacher in intensive support status, the evaluator or an administrator designated by the evaluator shall have final approval of the teacher's professional growth plan.

Until the teacher is removed from intensive support status, all professional development identified in the professional growth plan, except professional development that is required by law or by the public school where the teacher is employed, shall be directly related to the individual teacher's needs.

Intensive Support Status

An evaluator shall place a teacher in intensive support status if the teacher has a rating of "Unsatisfactory" in any one entire teacher evaluation domain of the evaluation framework. An evaluator may place a teacher in intensive support status if the teacher has a rating of "Unsatisfactory" or "Basic" in a majority of components in a teacher evaluation domain.

If a teacher is placed in intensive support status, the evaluator shall establish the time period for the intensive support status and provide a written notice to the teacher that the teacher is placed in intensive support status. The notice shall state that if the teacher's contract is renewed while the teacher is in

intensive support status, the fulfillment of the contract term is subject to the teacher's accomplishment of the goals established and completion of the tasks assigned in the intensive support status. The timeline set by the evaluator for intensive support shall afford the teacher enough time to accomplish the goals and completed the assigned tasks.

Intensive support status shall not last for more than 2 consecutive semesters unless the teacher has substantially progressed and the evaluator elects to extend the intensive support status for up to 2 additional consecutive semesters. The evaluator shall work with the teacher to develop a clear set of goals and tasks that correlate to the professional growth plan and evidence-based research concerning the evaluation domain that forms the basis for the intensive support status; and to ensure the teacher is offered the support that the evaluator deems necessary for the teacher to accomplish the goals developed and complete the tasks assigned while the teacher is in intensive support status.

If the intensive support status is related to student performance, the teacher shall use formative assessments to gauge student progress throughout the period of intensive support status. The teacher shall be offered the support necessary to use formative assessments under these rules during the intensive support status.

At the end of the specified period of time for intensive support status, the evaluator shall evaluate whether the teacher has met the goals developed and completed the tasks assigned for the intensive support status and will provide written notice to the teacher that the teacher either is removed from intensive support status or has failed to meet the goals and complete the tasks of the intensive support status.

If a teacher does not accomplish the goals and complete the tasks established for the intensive support status during the period of intensive support status, the evaluator shall notify the President and provide the President with documentation of the intensive support status. Upon review and approval of the documentation, the President shall recommend termination or nonrenewal of the teacher's contract.

This policy does not preclude a President from recommending the termination of a teacher's contract for any other lawful reason. Nothing in this policy shall be construed to limit the ability of the school to terminate any employee's contract at will nor shall anything in this policy limit the ability of any employee to end his/her contract at will.

LEGAL REFERENCE:	CROSS REFERENCE:
Ark. Code Ann. § 6-17-2801 et seq., Arkansas Department of Education Rules Governing the Teacher Excellence and Support System	TESS Resources

Fair Labor Standards Act

The President shall annually seek legal counsel before submitting a statement of Fair Labor Standards Act (FLSA) compliance to the Arkansas Department of Education.

Exempt Employees

Exempt employees are tasked with accurately and honestly recording their days of work. Employees are responsible for checking their paystub each pay period for accuracy. Errors in pay should be reported immediately to the President in writing. If the President finds that an error has resulted in incorrect pay amounts, the error will be corrected on or before the next pay period after the date the President receives the written complaint.

Nonexempt Employees

Nonexempt employees are tasked with accurately and honestly recording their hours of work. Employees must be paid for all time worked, including time which results from shortening a lunch period or staying later than the end of work hours. Nonexempt employees are not authorized to work more than 40 hours in a given week unless they obtain prior written approval from the President or his or her designee, owing to the need for the school to pay overtime pay in such circumstances.

Employees are responsible for checking their paystub each pay period for accuracy. Errors in pay should be reported immediately to the President in writing. If the President finds that an error has resulted in incorrect pay amounts, the error will be corrected on or before the next pay period after the date the President receives the written complaint. Employees who have a Fair Labor Standards Act concern with regard to their compensation should alert the President immediately so that the matter may be promptly reviewed and appropriately handled.

LEGAL REFERENCE:	CROSS REFERENCE:
29 U.S.C. 201 et seq., Ark. Code Ann. § 6-17-2205	Department of Labor - Fair Labor Standards Act

Break Time for Nursing Mothers

Following a maternity leave, any nursing employee shall notify the Dean if she requires breaks during the day to express milk. The Dean shall work with staff to cover breaks for nursing mothers to ensure any nursing employee receives a reasonable number of breaks as needed throughout the day. Each break shall be of a reasonable length of time and shall be in a fully private space with a door that may be locked by the employee to prevent accidental intrusion. Under no circumstances shall any employee be asked to use a bathroom for purposes of expressing or nursing. A nursing employee will endeavor to cooperate with the Dean and staff to ensure the smooth flow of the work day by helping to create a schedule for these breaks to the best of her ability. Nothing shall prevent a nursing employee from using her other break times to express milk, if needed, but no employee shall be required to use her planning time to express.

LEGAL REFERENCE:	CROSS REFERENCE:
29 U.S.C. §207(r), Ark. Code Ann. § 11-5-116	

Professional Leave

“Professional Leave” is paid leave granted only upon prior approval of the President for the purpose of allowing employees to conduct school business and pre-approved professional activities. Professional leave is at the sole discretion of the President. Any employee seeking to take professional leave must make a detailed written request to the President no later than 2 weeks prior to the beginning of the desired leave, unless the employee presents a subpoena. The cost of a substitute, if one is hired, shall be paid by the school.

In making a determination regarding optional professional leave, the President may consider factors including but not limited to the following:

- Budgetary concerns
- Relevance to the employee’s subject area(s) or Professional Learning Plan.
- Amount of professional leave previously used by the employee during the same school year
- Department staffing needs
- Benefit to the employee
- Benefit to the school
- Benefit to the students
- Program quality

Professional leave shall be granted when a school employee is subpoenaed for a matter arising out of employment with the school. Valid subpoenas giving rise to professional leave should be submitted to the President immediately.

LEGAL REFERENCE:	CROSS REFERENCE:
Ark. Code Ann. § 6-17-211	Dean and Administrator Leave

Jury Duty

In the event an employee receives a summons for jury duty, notice and a copy of the summons must be given to the Dean as soon as possible. Sanctions and disciplinary action may not arise from an employee's use of jury duty leave. The school shall grant paid leave to any employee who presents a valid summons for jury duty. The school shall not require any employee to submit to the school the amount that he or she receives in payment for performing jury duty.

LEGAL REFERENCE:

Ark. Code Ann. § 16-31-106

Sick Leave

All sick leave decisions are within the discretion of the Dean, and the President may review sick leave decisions at his or her discretion.

Sick leave is paid leave granted to full-time employees of the school for absences due to illness of the employee or the employee's immediate family, or for death in the employee's immediate family. Immediate family refers to the employee's spouse, child, parent, step-parent, or any member living in the employee's household. Sick leave is accumulated at the beginning of the school year at a rate of one day per month of employment in the school and should be used in increments of one full day.

Employees will not be paid for sick leave taken in excess of accrued sick leave. Sick leave used for purposes not authorized by this policy may lead to disciplinary action, up to and including non-payment for the unauthorized sick days and/or termination.

CROSS REFERENCE:
Dean and Administrator Leave

Accumulated Sick Leave

Full-time employees may accumulate unused sick leave, which may then be transferred to the next employment period, up to a maximum of 90 days. Teachers may be granted accumulated sick leave from another Arkansas school district, education service cooperative, state education agency, or a two-year college, upon receipt of written proof from the sending entity, up to a maximum of 90 days.

Previously accumulated leave granted to an employee under this policy shall be depleted before the employee uses leave granted by the school.

LEGAL REFERENCE:

Ark. Code Ann. § 6-17-1201 <i>et seq.</i>

Personal Leave

Full time school employees are granted a uniform and limited amount of personal leave per school year. Personal leave is used for absences that are not due to school functions, professional development, or jury duty. Personal leave is to be used when other types of leave do not apply. Personal leave should be taken in increments of one full day. Employees must give notice of no less than 24 hours to the President before using personal leave time. Personal leave does not accumulate from one contract year to the next.

LEGAL REFERENCE:	CROSS REFERENCE:
Ark. Code Ann. § 6-17-211	Dean and Administrator Leave

Leave for Injury from Assault

An employee shall be granted leave for up to 1 year with full pay from the date of an injury caused by either an assault or other violent criminal act committed against the employee in the course of his or her employment. Teachers who suffer personal injury while intervening in student fights, restraining a student, or protecting a student from harm shall be considered to be injured within the meaning of this policy.

Teachers must report the need for leave under this section to the Dean as soon as possible. The leave of absence under this policy will not be considered employee sick leave and will not affect the employee's accrued sick leave. A doctor's certification may be required to verify that the employee is unable to work due to the injury.

LEGAL REFERENCE:
Ark. Code Ann. § 6-17-1209

Family Medical Leave Act

The President shall annually ensure a notice of Family Medical Leave Act (FMLA) rights is posted in the office in a place that can be plainly seen and easily accessed by employees. A copy of the notice and/or this policy shall also be provided to employees upon request.

Sick Leave and Family Medical Leave Act (FMLA) Leave

Employees are eligible for FMLA leave if they have worked for the school for at least one year and for at least 1,250 hours over the previous 12 months. When an employee needs FMLA leave, the employee shall notify the Dena. The President shall consult legal counsel and the Board of Directors to determine whether the employee is eligible for FMLA leave and whether the requested leave qualifies for FMLA leave. Within 5 business days of a request for FMLA leave, administration may request additional information from the employee to help make the eligibility determination in the form of a request for certification of FMLA leave from the employee's doctor. Employees shall return certification within 15 calendar days of receiving the request. If the leave qualifies for FMLA coverage, the school will notify the employee, either orally or in writing, of the decision within 5 business days. If the leave is intermittent as defined in this policy and the circumstances of the leave do not change, the school shall be required to notify the employee only once of the determination regarding the applicability of sick leave and/or FMLA leave. To the extent the employee has any accrued paid leave, any remaining paid sick leave shall be expended concurrently with the FMLA leave.

Employees who have advance knowledge of the need for FMLA leave must notify the Dean in a timely manner in order to request FMLA leave, unless an unforeseen emergency condition arises, at which time administration shall strive to cooperate with the employee. Eligible employees are entitled to:

- Twelve workweeks of leave in a 12-month period for:
 - the birth of a child and to care for the newborn child within one year of birth;
 - the placement with the employee of a child for adoption or foster care and to care for the newly placed child within one year of placement;
 - to care for the employee's spouse, child, or parent who has a serious health condition;
 - a serious health condition that makes the employee unable to perform the essential functions of his or her job;

- any qualifying exigency arising out of the fact that the employee’s spouse, son, daughter, or parent is a covered military member on “covered active duty;” or
- Twenty-six work weeks of leave during a single 12-month period to care for a covered service member with a serious injury or illness if the eligible employee is the service member’s spouse, son, daughter, parent, or next of kin (military caregiver leave).

LEGAL REFERENCE:	RESOURCE:
29 USC §§ 2601 <i>et seq.</i>	Department of Labor - Family Medical Leave Act FMLA Chart

Military Leave (USERRA)

The school shall comply with the Uniformed Services Employment and Reemployment Rights Act (USERRA) and Ark. Code Ann. § 6-17-306. In the event an employee is given orders for military leave, the President or Dean shall contact legal counsel to ensure compliance with USERRA and Arkansas law. The President shall ensure that a copy of the U.S. Department of Labor Notice and Statement of Rights under USERRA is posted in the office in a location that can be plainly seen and easily accessed by employees. The Dean shall ensure that employees who may have rights under USERRA receive a copy of the notice and this policy.

Employees who are uniformed service members have the right to be reemployed in the same job and without loss of benefits, promotion, or pay. Employees affected by this policy must notify the President prior to beginning leave and must submit updated contact information at that time, unless giving notice is impossible, unreasonable, or otherwise precluded by military necessity.

Employees have the right to be reemployed if they leave the school to perform service in the uniformed services and:

- the employee has five years or less of cumulative service in the uniformed services while with the school;
- the employee returns to work in a timely manner after the conclusion of service; and
- the employee has not been separated from service with a disqualifying discharge or under other than honorable conditions.

The leave of absence shall be in addition to the regular vacation, personal, and sick leave time allowed the employee.

Employees called to duty in emergency situations by the Governor or by the President shall be granted leave with pay for up to 30 working days, after which leave without pay will be granted. This leave shall be granted in addition to all other leave to which the employee is entitled.

Any employee of the school requesting a leave of absence in order to engage in military training programs or other official duties, including programs of the Public Health Service, National Guard, or reserve branches are entitled to a leave of absence for a period of 15 days plus necessary travel time in a fiscal year. Employees will submit notice to the Dean upon receiving notice that leave will be necessary. Unused leave will accumulate for use in the following

calendar year until it totals 15 days at the beginning of the calendar year or fiscal year, for a maximum number of paid military leave days available in any one calendar year or fiscal year to be 30 days.

Any employee taking leave under this policy may not be denied any rights and benefits which would have accrued to him/her had she/he not taken leave, including any retirement benefits, promotions, raises, insurance or disability benefits, and any other right or benefit to which they were previously entitled or would have become entitled.

The leave taken shall be considered continuous school employment for purposes of retirement and benefits, regardless of whether the employee makes contribution. Upon request by the employee, the school shall continue the employee's insurance during the leave on behalf of the employee, in order to maintain continuous coverage. If the employee leaves employment to perform military service, s/he may also elect to continue his/her existing health plan coverage, including dependent coverage, for up to 24 months while in the military.

For service of less than 31 days, the employee service member must return at the beginning of the next regularly scheduled work period on the first full day after release from service, taking into account safe travel home plus an eight-hour rest period. For service of more than 30 days but less than 181 days, the employee service member must submit an application for reemployment within 14 days of release from service. For service of more than 180 days, an application for reemployment must be submitted within 90 days of release from service.

Upon the end of orders, the employee will provide verbal or written notice to the President. The employee shall comply with his or her responsibilities under USERRA.

LEGAL REFERENCE:	RESOURCE:
Ark. Code Ann. § 6-17-306 38 U.S.C. § 4301 38 U.S.C. § 4313 38 U.S.C § 4323	US Department of Labor Model USERRA Notice US Department of Labor USERRA Advisor USERRA Order of Duties Chart

Sexual Harassment

Sexual harassment is prohibited. The school will not tolerate such conduct on the part of any employee. All complaints of sexual harassment under this policy will be thoroughly investigated by the President, and upon a finding that any employee has engaged in sexual harassment, immediate action will be taken, up to and including termination of the offending personnel. The President will consult with legal counsel as necessary.

The Equal Employment Opportunity Commission (EEOC) and the school define sexual harassment as unwelcome sexual advances, requests for sexual favors, and other verbal or physical contact of a sexual nature. Sexual harassment is recognized in the following forms:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment.
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting the individual.
- Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Sexual harassment may include, but is not limited to, the following:

- Verbal harassment;
- Gendered or sex-oriented jokes, comments, or threats;
- Physical harassment, which includes any intentional offensive touching or movements intended to threaten, block, intimidate, or violate;
- Visual harassment, which includes unwanted exposure to hand gestures, print media, video, or other visuals of a sexual or inappropriately gendered nature.

The school will provide information to students and employees about sexual harassment, including how to file a complaint of sexual harassment, the consequences of sexual harassment, and the remedies available to any student or employee who suffers sexual harassment.

HOW TO REPORT SEXUAL HARASSMENT:

Anyone who is a victim of sexual harassment or who witnesses sexual harassment should report the offensive conduct or communication to the alleged harasser's immediate supervisor, unless said supervisor is the person being accused of sexual harassment. In such a case, a report should be made to another appropriate immediate supervisor, Dean or President. The school will conduct any internal investigation in a private manner with the utmost

discretion. The investigation will be considered a personnel matter if it involves an employee, or a matter of student privacy if it involves a student, under applicable state and federal law.

The school shall not retaliate against any employee who acts in good faith under this policy. Anyone who intentionally files a false complaint, provides false information, or acts in any obstructionist manner under this policy is subject to disciplinary action, up to and including termination.

LEGAL REFERENCE:	CROSS REFERENCE:
Ark. Code Ann. § 6-15-1005	Reporting Bullying Mandated Reporters

Other Employment

No Employee shall accept any outside employment that would interfere with his or her professional responsibilities or create a conflict of interest. A conflict of interest occurs when a real or seeming incompatibility arises between an employee's work duties within the school and the employee's personal, private, or other employment interests. Employees in violation of this policy will be subject to disciplinary measures, up to and including termination.

LEGAL REFERENCE:

Black's Law Dictionary, Conflict of Interest
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Public Office

All school employees are encouraged to run for and accept appointments to public office, if they so desire. No employee will be subject to discipline, termination, or loss of benefits as a result of running for or accepting a public office. Employees must give notice to the President as soon as possible prior to taking leave associated with this policy and, if practicable, must provide a list of anticipated dates for which leave may be taken.

Employees running for public office may be subject to the following restrictions:

- A school board member may not work for the school which he or she serves.
- Schools may not grant any employee paid leave for activities related to public service or public office, but employees may use personal days for this purpose with the prior approval of the President.
- Sick leave may not be used for activities under this policy.
- Employees are not permitted to use school property, school supplies, or other school resources in furtherance of their bid for public office.

LEGAL REFERENCE:
Ark. Code Ann. § 6-17-115

Political Activity

Employees may engage in personal political expression and activities after school hours and not on school property. Employees are expected to ensure that personal political activities do not interfere with the performance of their duties or negatively affect the educational environment.

Employees may not employ, involve, or otherwise use students in their activities under this section. School forums, materials, and equipment may not be used by employees for political purposes. Employees may not create, post, or distribute political materials to anyone during work hours on school property. Materials to be posted or distributed which may fall under this policy must receive written approval from the Dean prior to being posted or distributed.

Travel and Expense Reimbursements

Employees are required to obtain prior approval for school and employment related travel that may result in reimbursable expenses. Employees may be reimbursed for travel expenses arising from the performance of duties within the scope of their employment, conducting official school business, or attending school-related functions. Requests for reimbursement must be submitted to the Dean or his or her designee within 30 calendar days and must be accompanied by clear and legible original receipts. Copies of receipts will not be accepted. The school does not reimburse alcohol and entertainment purchases.

Supervision of Students

Teachers' aides shall be assigned when necessary by the President, Dean, or his or her designee. Assignments are subject to change as needed in order to meet the staffing needs of the school or the educational needs of the students.

LEGAL REFERENCE:
Ark. Code Ann. § 6-17-201

Bullying and Abuse

The school shall strive to provide a learning environment for each student which is free from bullying, including cyberbullying, harassment, and intimidation.

Bullying of any student or school employee is strictly prohibited while in school, while on school property, including on school vehicles/buses and at designated school bus stops with school devices or property, including via school owned Wi-Fi or internet systems, at school-sponsored activities, at school-sanctioned events; or by an electronic act that results in the substantial disruption of the orderly operation of the school or educational environment, whether or not the electronic act originated on school property or with school equipment, if the electronic act is directed specifically at students or school personnel and intended for the purpose of disrupting school and has a high likelihood of succeeding in that purpose.

“Bullying” means the intentional harassment, intimidation, humiliation, ridicule, defamation, or threat or incitement of violence by a student, parent, school employee, school volunteer, school vendor, or school board member against a student, parent, school employee, school volunteer, school vendor, or school board member. Bullying may be communicated in writing, orally, electronically (“cyberbullying”), physically or a combination of any of these.

PROCEDURE UPON RECEIPT OF A REPORT OF BULLYING

Any school employee who receives a complaint of bullying, by any school stakeholder, regardless of whether the alleged bully is a student, shall write down the complaint on the Bullying Report Form or provide the Bullying Report Form and ask the person to write down their allegations, if they are able. The Form should be marked with the time and date received.

As soon as reasonably practical, the employee shall provide the form to the School Dean or his or her designee. If the report also meets the definition of child maltreatment, the school employee must make the Mandated Reporter report in addition to the Bullying form. This is a state law requirement. Failure to file both of these forms when warranted, can lead to discipline, including termination, and potential loss of licensure.

As soon as reasonably practicable, a public school Dean or his or her designee, who receives a credible report or complaint of bullying alleged to have occurred, or partially occurred, during school hours or on school property, or during a school activity, a school-sanctioned event, or with school-owned

property shall prepare a written report, if none has been prepared, or review any written report filed and add any information that is missing if the information is known or easily discerned. The written report should be marked with the time and date that the information was first received

If the alleged victim is a student, the Dean shall immediately after writing or reviewing the written report, communicate the fact that allegations of bullying were raised to the alleged victim's parent, parents, legal guardian(s) or person standing in loco parentis.

The identity of the alleged bully shall not be disclosed to the alleged victims' parents, by any school employee unless the parents of the alleged bully have signed a FERPA waiver permitting such disclosure.

Following promptly investigate the credible report or complaint.

(B)(i) The investigation conducted under subdivision (d)(2)(A) of this section shall be completed as soon as possible but not later than five (5) school days from the date of the written report of the alleged incident of bullying as required Under subdivision (d)(1)(B) of this section.

(ii) Following the completion of the investigation into the alleged incident of bullying conducted under Subdivision (d)(2)(A) of this section, an individual licensed as a public school district building-level

Administrator or his or her designee may without limitation:

- (a) Provide intervention services;**
- (b) Establish training programs to reduce bullying;**
- (c) Impose discipline on any of the parties involved in the incident of bullying;**
- (d) Recommend counseling for any of the parties involved in the incident of bullying; or**
- (e) Take or recommend other appropriate action;**

The School may address and discipline bullying communicated off campus and not with school property if the bullying causes or creates actual or reasonably foreseeable:

- Physical harm to a school employee or student or damage to the school employee's or student's property;
- Substantial interference with a student's education or with a school employee's role in education;
- A hostile educational environment for one or more students or school employees due to the severity, persistence, or pervasiveness of the act; or
- Substantial disruption of the orderly operation of the school or educational environment.

As used in this policy, “attribute” means an actual or perceived personal characteristic including without limitation race, color, religion, ancestry, national origin, socioeconomic status, academic status, disability, gender, gender identity, physical appearance, health condition, or sexual orientation.

“Electronic act” means without limitation a communication or image transmitted by means of an electronic device, including without limitation a telephone, cell phone, tablet, computer, or other electronic communications device.

“Harassment” means a pattern of unwelcome verbal or physical conduct relating to another person’s constitutionally or statutorily protected status that causes, or reasonably should be expected to cause, substantial interference with the other’s performance in the school environment.

“Substantial disruption” means without limitation that any one or more of the following occur as a result of the bullying:

- Necessary cessation of instruction or educational activities;
- Inability of students or educational staff to focus on learning or function as an educational unit because of a hostile environment;
- Severe or repetitive disciplinary measures are needed in the classroom or during educational activities; or
- Exhibition of other behaviors by students or educational staff that substantially interfere with the learning environment.

Upon receiving a credible report or complaint of bullying, the Dean shall promptly investigate the complaint or report and make a record of the investigation and any action taken as a result of the investigation, guided by the recommendations of the ADE guidance document, as required by Ark. Code Ann. § 6-17-709.

Students who are found to have engaged in bullying shall be disciplined. Discipline may include detention, exclusion from field trips or other school events, suspension, or expulsion.

Any school employee who has witnessed or has reliable information that a pupil has been a victim of bullying, as defined by the ADE guidance document on bullying, shall report the incident to the Dean. Students, school employees, or parents who file a complaint will not be subject to retaliation or reprisal in any for Notice of what constitutes bullying, that bullying is prohibited, and that the consequences of engaging in bullying shall be conspicuously posted in every room or space in the school, including every classroom, cafeteria, restroom, gymnasium, auditorium, and school bus in the school and shall be provided to parents, students, school volunteers, and employees. A full copy of this policy shall be made available upon request.

The school shall provide professional development on bullying prevention and recognition of the relationship between incidents of bullying and the risk of suicide according to the professional development schedule under Ark. Code Ann. § 6-17-709.

A school employee who has reported violations under the school’s policy shall be immune from any civil liability arising from allegations of failure to remedy the reported incident.

The school shall display the Child Abuse Hotline Posters promulgated by the Arkansas Department of Education in each restroom accessible to students. Additionally, the posters shall be displayed in various common areas accessible to students throughout the school.

LEGAL REFERENCE:	CROSS REFERENCE:
Ark. Code Ann. § 6-17-709 Ark. Code Ann. § 6-17-711 Ark. Code Ann. § 6-18-507(b) Ark. Code Ann. § 6-18-514	Sexual Harassment Mandated Reporters

RESOURCE
Bullying/Cyberbullying Incident Report Form Hotline Posters

Mandated Reporters and Hotline Posters

School employees are mandatory reporters and have a duty to immediately report suspected child abuse. Employees shall call the Child Abuse Hotline at 1(800)-482-5964 if there is reasonable cause to suspect that a child has been subjected to child maltreatment or reasonable cause to suspect that a child has died as a result of child maltreatment. Employees must contact the Hotline upon learning of or observing a child being subjected to conditions or circumstances that would reasonably result in child maltreatment. The school shall not contact the parent or guardian of any student who is the subject of a report to the Hotline of the student's contact with law enforcement if the parent or guardian is suspected of committing child maltreatment.

Any mandated reporter who knowingly fails to notify the Child Abuse Hotline of the child maltreatment or suspected child maltreatment is subject to job action up to and including termination. Licensed employees who knowingly fail to report may also be subject to an ethics complaint before the Professional Licensure Standards Board. Mandated reporters who fail to make a timely and accurate report may be subject to criminal penalties, as provided by law.

Reporters are requested to inform the Dean after a call to the Hotline regarding a student within the school. Reporters are not required to inform anyone prior to making a report. The school shall cooperate with reporters and law enforcement. Reporters shall not be subject to any type of discipline for making a report in good faith. Reports shall be held in the strictest confidence, in the best interest of the student. Any employee who is found to have violated the confidentiality of the reporting process shall be subject to disciplinary measures, up to and including termination.

The school shall place hotline posters published by the Arkansas Department of Education and printed in color on paper that is at least eleven (11) inches by seventeen (17) inches in size and placed at a height easily viewable by students in the following locations: 1) in a clearly visible location in the school that is readily accessible to students; 2) in each bathroom that is accessible to students, so that students may privately access the information.

LEGAL REFERENCE:	CROSS REFERENCE:
Ark. Code Ann. § 6-18-712 Ark. Code Ann. § 12-18-201 et seq.	Sexual Harassment Reporting Bullying

RESOURCE
Hotline Posters



Sex Offenders

Under the Arkansas Sex and Child Offender Registration Act, also known as “Megan’s Law,” law enforcement may notify the school when a sexual offender is in the area who potentially poses a risk to the school population. Law enforcement uses a rating system to assess offenders and determine the risk an offender may pose to the community. The rating system places offenders on a scale from Level 1 (lowest risk offenders) to Level 4 (high-risk and/or violent offenders). Employees are not permitted to notify parents, students, or other members of the community unless specifically requested by the President or Dean to do so upon request from law enforcement. When notified by law enforcement, the Dean will work with the President to determine which employees within the school should be informed of the notification. The Dean shall share the notice with any person who in the course of their employment or assignment is regularly in a position to observe unauthorized persons on or near the property of the notified school, which may include, but are not limited to:

- Aides
- Bus drivers
- Coaches
- Maintenance staff
- Professional support staff
- School level administrative staff
- Security personnel
- Teacher’s assistants
- Teachers

The Dean will impress upon school personnel receiving notice the importance of confidentiality. Employees shall be informed that they shall not disseminate information about an offender to anyone outside of the school.

Any breach of confidentiality about an offender may lead to disciplinary action, up to and including termination. If any school employee has reason to believe that an offender is a danger to someone outside of the school, he or she should immediately contact local law enforcement.

Level II Offenders

Level I and Level II offenders are considered low-risk offenders and are permitted to enter a school campus under the same terms and circumstances as other members of the community. If the school is informed of the presence of a Level I or II offender, administrators and other employees are not permitted to disseminate this information to the following:

- Members of the parent-teacher organizations
- Organizations using school facilities
- Other schools
- Parents or guardians of students
- Press
- Students

In the event any organization using school facilities requests this information from school personnel, the organization should be directed to the area law enforcement that issued the notice. If members of the press contact the school for information relating to sex offenders, they may be informed about the procedures that have been put in place and other general topics. No one may reveal the name or any other specifics regarding an offender and no one should confirm or deny whether notice as to any particular offender has been disseminated.

Level III or Level IV Offenders

In the case of a Level III or Level IV notification, if the school is located in an area affected by the presence of an offender, area law enforcement notification may include the students in the school and, within law enforcement's discretion, notice will be given to the parents or guardians of those students by the school. The determination as to the appropriate method to use in the dissemination of the notice will be reached through cooperation with area law enforcement. Any notice generated under this policy will be kept in a secure place accessible to teachers and staff, but not accessible to students or members of the community at large. Under no circumstances will the school post such a notice.

A Level III or Level IV Offender may enter the campus for the purpose of attending a graduation or baccalaureate ceremony.

Offenders who are parents, guardians, or students

This policy does not operate to prevent a sex offender registrant from attending school as a student. The procedures in this policy applying to

notification for sex offenders will also apply to students who are sex offender registrants. For any student sex offender registrant, the school will implement a juvenile safety plan, which shall be held in strict confidence. The President is charged with effectively communicating the terms of the juvenile safety plan to only those teachers and employees who are in direct regular contact with the student and who may be responsible for the student. Anyone receiving notice and instructions under a juvenile safety plan will be required to sign a confidentiality statement outlining the obligation to keep the plan confidential and any corresponding obligations which may exist with regard to student privacy.

This policy does not operate to prevent a sex offender registrant who is the parent or guardian of a student from entering school property for parent-teacher conferences, for dropping off the child at school, or for any other activity which is appropriate for a parent or guardian, unless otherwise limited by an applicable judicial restraining order or conditions of probation or parole.

A Level III Offender may enter the campus for the purpose of attending a school-sponsored event for which an admission fee is charged or tickets are sold or distributed if the sex offender is the parent or guardian of or is related by blood or marriage within the second degree of consanguinity to or is a great-grandparent of a student enrolled in the public school as computed by Ark. Code Ann. § 28-9-212 AND the sex offender notifies the administration of the school in writing at least twenty-four (24) hours before the start of the school-sponsored event for which an admission fee is charged or tickets are sold or distributed that he or she will be attending the school-sponsored event.

The school shall make every effort to protect students and comply with the law without stigmatizing any student whose parent or guardian is a registered sex offender. The President shall create a detailed procedure to allow a sex offender registrant parent to pass safely through the school for one of the reasons authorized by this policy without drawing attention or alerting others to the parent’s sex offender status. The procedure will take into account any relevant orders or limitations. The parent’s sex offender status and any procedures created to assist the parent will be kept confidential and will not be disseminated.

LEGAL REFERENCE:	CROSS REFERENCE:
Ark. Code Ann. § 5-14-132(b) and (c) Ark. Code Ann. § 12-12-901 et seq. Ark. Code Ann. § 28-9-212;	Visitors

Professional Development

The school shall provide no less than 6 professional development days to be included in the teacher contract or agreement with the school. The purpose of professional development is to improve knowledge and skills in order to facilitate individual, team, and school-wide improvement designed to ensure that all students demonstrate proficiency on the state academic standards.

Definitions

Professional Development Day – six (6) hours of professional development equals one (1) professional development day.

Professional Development Plan - outlines the professional development program of activities for a district, school, or educator that is based on student data and is aligned to the ACSIP and incorporates an educator's professional growth plan.

Professional Growth Plan – is an educator's plan for professional growth that identifies professional learning outcomes to advance the educator's professional skills and clearly links professional development activities and the educator's individual professional learning needs identified through TESS or LEADS.

Professional Development Generally

Professional development is a set of coordinated planned learning activities for educators that:

- Improves the knowledge, skills, and effectiveness of teachers, including the ability to apply what is learned;
- Improves the knowledge and skills of administrators and paraprofessionals concerning effective instructional strategies, methods, and skills, including the ability to apply what is learned;
- Leads to improved student academic achievement;
- Is research-based and standards-based;
- May incorporate educational technology as a component of the professional development, including without limitation taking or teaching an online or blended course; and
- May provide educators with knowledge and skills needed to teach:

- Students with intellectual disabilities, including without limitation Autism Spectrum Disorder;
- Students with specific learning disorders, including without limitation dyslexia;
- Culturally and linguistically diverse students; and
- Gifted students.

The annual professional development requirement must be fulfilled between July 1 and June 30 unless the school approves and documents the professional development year as between June 1 and May 31. Approved professional development activities that occur during the instructional day or outside the educator’s annual contract days may apply toward the annual minimum professional development requirement.

Any educator who misses any part of regularly scheduled professional development activities for any reason (such as illness) must make up that time in other approved professional development activities. An educator shall complete any missed hours of professional development through professional development that is:

- Approved by the person responsible for the teacher’s summative evaluation;
- Is substantially similar to the professional development missed and approved by the person responsible for the educator’s summative evaluation; and
- Delivered by any method approved by ADE.

College Courses

Five hours of credit for professional development shall be given for each one hour of college credit for a graduate-level course, if the college credit:

- Is related to and enhances the educator’s knowledge of the subject area in which the educator is currently employed and is related to the educator’s professional growth plan;
- Is part of the requirement for the educator to obtain additional certification in a subject matter that has been designated by ADE as having a critical shortage of educators; or
- Is otherwise approved by ADE as a graduate level course eligible for professional development credit.

Professional development obtained through college courses may be allocated as follows:

- Up to 15 hours may be credited to the professional development requirements for licensure; and

- Hours obtained in excess of 15 may be credited to any remaining requirements for professional development generally, if approved by the school in a professional development plan.

The allocation of professional development credit obtained through college credit shall be approved by the person responsible for the educator's summative evaluation. The focus of the course must specifically relate to the job assignment as approved by the person responsible for the educator's summative evaluation.

An educator may earn up to 12 hours of professional development credit approved by the school, which may be applied toward the professional development requirement for the time period at the beginning of each school year that is used to plan and prepare curriculum or develop other instructional material. Educators shall be entitled to one hour of professional development credit for each hour of approved preparation, provided the educator spends the time:

- In his/her instructional classroom, office or media center at the school;
- Prior to the first student teacher interaction day of the school year; and
- In a focus area as defined by the ADE Rules Governing Professional Development, and may include but is not limited to time spent in the following areas:
 - Grade level and/or vertical team planning to integrate subject areas;
 - Team work to analyze student data;
 - Team work to develop academic improvement plans (AIP) or individual educational programs (IEP);
 - Developing and/or revising curriculum, including student-centered units and assessments aligned to state curriculum frameworks;
 - Professional book studies;
 - Developing intervention strategies to support remediation and/or acceleration;
 - Developing and/or revising the Arkansas Comprehensive School Improvement Plan (ACSIP);
 - Pursuing study as noted in an educator's professional growth plan;
 - Arkansas IDEAS on-line professional development related to ACSIP or the educator's professional growth plan.

Specific activities which do not qualify for professional development credit include without limitation:

- Making and putting up bulletin boards;
- Clerical work associated with documents such as ACSIP, AIP and IEPs; and
- Administrative faculty or team administrative meetings.

Nothing in this policy shall prevent or restrict the school from requiring additional in-service training.

Minimum Annual Requirements

Each educator shall obtain 36 hours of professional development annually for renewal of an educator's license. The 36 professional development hours under this policy shall include, at a minimum the professional development required in the educator's professional growth plan under the requirements of TESS or LEADS and professional development required by law or by rule.

Scheduled Professional Development

The professional development required under this policy must come from an approved provider. The 2 hours in each area of professional development required under this policy shall be counted in the school year in which the professional development is taken toward the minimum number of hours of professional development required for educators for that school year. If an educator obtains additional hours above the minimum requirements, the educator may count those additional hours toward the total minimum hours of professional development required for educators for that school year.

The school shall make available to the appropriate educator professional development according to the state-mandated schedule on:

- Child maltreatment mandated reporter training;
- Family and community engagement;
- Teen suicide awareness and prevention;
- Arkansas History;
- Human trafficking; and
- Requirements for specific licensure areas, including those for administrators as applicable.

School and School District Professional Development Plans

The school shall develop and implement a professional development plan. Teachers, administrators, and paraprofessionals shall be involved in the design, implementation and evaluation of their respective professional development offerings under the school professional development plan. The school's professional development plans shall be included in the school's Arkansas Comprehensive School Improvement Plan (ACSIP) and shall be reviewed annually by the school.

Reporting, Monitoring, and Evaluation

The school shall maintain all documents for its employees that reflect completion of professional development programs, whether such programs were provided by an outside organization or by the school itself. The school shall report the amount of all professional development programs completed by its employees to the ADE at the time and in the manner specified by the ADE.

LEGAL REFERENCE: Ark. Code Ann. § 6-15-404(f)(2), Ark. Code Ann. § 6-17-701 et seq., Ark. Code Ann. § 6-15-1004(c), Ark. Code Ann. § 6-15-1703 Arkansas Department of Education Rules Governing Professional Development, ADE Rules Governing Standards for Accreditation 15.04

Parent-Teacher Relations

The school understands and appreciates that a close working relationship with parents and guardians is pivotal to student growth and achievement. In recognition of this important relationship, teachers and administrators will exercise every effort to involve and engage parents and family in the education process. The school will assist parents and guardians by providing any necessary resource to communicate clearly and effectively, making every effort to eliminate all barriers to communication and understanding, including but not limited to language barriers.

Teachers are expected and required to communicate with the parent(s) or guardian(s) of every student during the school year to discuss the student's academic progress and must do so in a minimum of two parent-teacher conferences per year for each student. More frequent communication will be expected with the parent(s) or guardian(s) of students not performing at the level expected for their grade. All conferences will be scheduled at a time and place agreed upon by the parent/guardian and teacher. Teachers will strive to accommodate parent/guardian preferences for the time and location of the meeting to best ensure parent participation.

The school shall document parent/guardian participation or nonparticipation in all mandatory conferences. If a student is to be retained at any grade level, notice of retention and the reasons for retention shall be communicated to the parent(s)/guardian(s) in a timely manner in a conference with the Dean and the student's teacher(s). The school shall make a good faith effort to make contact with the parent(s)/guardian(s) by all means available to the school. In the event a parent/guardian cannot be reached by these methods, the school will send a notice of retention and request for a conference by certified mail to the parent/guardian address on file.

LEGAL REFERENCE:	CROSS REFERENCE:
Ark. Code Ann. § 6-15-1701; ADE Rules Governing Standards for Accreditation § 12.04	Arkansas Comprehensive School Improvement Plan (ACSIP)

Religious Clothing

It is the school's policy that any employee may wear the clothing of any religion in the public schools and institutions of this state. No employee will be subject to discipline or retaliation based on religion.

LEGAL REFERENCE:	CROSS REFERENCE:
Ark. Code Ann. § 6-17-108	Anti-Discrimination Statement

Employee Use of Technology

The school provides certain technological tools to assist employees in performing work tasks. These tools and devices may include computers, internet access, or other tools. Employees are advised that school owned computers and other school-provided devices are the property of the school. Employees have no reasonable expectation of privacy in school owned devices. Use of school internet is a privilege and may be revoked upon employee violation of this policy. School computers, internet access, and devices are to be used solely for educational and instructional purposes. Violations of this policy may result in disciplinary action up to and including termination.

Employees using school devices are subject to the following terms and conditions:

- Employees agree that they will abide by state and federal laws regarding internet activity.
- Employees agree that internet and technology use will be restricted to educational and instructional purposes only.
- Employees agree that no personal use of school-owned devices or internet will be permitted, unless otherwise stated in writing by the President.

Violation of the school's internet and technology use policy include, but are not limited to:

1. Using the internet for personal purposes not related to instruction.
2. Accessing inappropriate or pornographic images.
3. Using the login or password information of any other person without prior approval.
4. Employing any program or device to thwart school detection or security.
5. Using school internet or devices to access information that may be used to create, obtain, or inform about the creation of prohibited materials or devices, including information on the creation of illegal substances, weapons, or explosives.
6. Seeking or gaining unauthorized access to programs or files.
7. Conveying messages or information otherwise prohibited by this policy manual or the law, including messages that are threatening, lewd, inappropriate, or otherwise in violation of law or policy.
8. Violations of school network security, including the distribution of confidential information, logins, or passwords; hacking and other intrusions; and the intentional introduction of viruses or malware.
9. Using the school's resources for personal profit or gain.

10. Unauthorized uses of the school’s logo, name, or other school-owned information.
11. Violations of student and personnel privacy, including violations of FERPA.
12. Violations of copyright law.
13. Refusal to comply with additional school technology directives or procedures, as may be added by the President or technology staff.

LEGAL REFERENCE:	CROSS REFERENCE:
Ark. Code Ann. § 6-21-107 Ark. Code Ann. § 6-21-111	FERPA Policy

RESOURCE
Employee Technology Agreement

Computer Privacy and VPN Policy

The school owns and provides access to computers and the internet for work and instructional purposes.

Employees are notified they have no expectation of privacy in any aspect of their school computer or school internet use, including school email. The school may, at its option, monitor school internet and computer use to ensure safety and compliance with school policy. Violations of ethics, law, or policy will result in action by the school which may include the filing of an ethics complaint with the Professional Licensure Standards Board, criminal sanctions, and/or discipline, up to and including termination.

Teachers are notified that electronic documents, email and other records maintained by the school may be subject to disclosure under the Arkansas Freedom of Information Act.

VPN Policy

The School's Virtual Private Network (VPN) provides a secure encrypted network connection over the Internet between authorized users and the School's network. The VPN offers secure access for employees and staff who need access to information technology systems that are not otherwise available from off-campus networks. In an effort to ensure the security and integrity of the service, certain requirements and guidelines must be met by the administrators and users of this service.

School VPN users must adhere to all established policies relating to the use of the network and associated technology resources as well as applicable local, state and federal laws. Remote computers attaching to the VPN become an extension of the school's data network and are therefore subject to the same network use guidelines and policies extended to any other host on the network.

Usage Policy

Individual users are responsible for obtaining their own Internet Service Provider, coordinating installation and installing any software necessary for internet service.

It is the responsibility of each VPN user that they do not allow any other individual to use their account or user certificate to access the VPN.

VPN users will be automatically disconnected from the network after thirty minutes of inactivity. The user must then login again to connect to the network.

Concurrent logins are not permitted.

Users will be granted access to the VPN on an as-needed basis and as approved by the President.

VPN access will require authentication by user account/password, digital certificate or both and all traffic will be encrypted using standard protocols. All authentication attempts will be logged.

VPN passwords must be at least 16 digits long and include at least one special character, one upper case letter, one lowercase letter and one number.

Enforcement

If any violation of policy occurs, the School may take any necessary step in ensuring the security of the VPN and the greater network. This may include temporary suspension of accounts and/or network access. Additionally, any employee found to have violated this policy may be subject to disciplinary action, up to and including termination of employment.

LEGAL REFERENCE:
Ark. Code Ann. § 6-21-107
Ark. Code Ann. § 6-21-111

Employee Cell Phone Agreement

Employees may not use cell phones, tablets, laptops, or other personal electronic devices when students are present, unless use of the device is necessitated by emergency circumstances or for instructional purposes. No employee shall use a school-issued cell phone while driving any vehicle at any time. Violation of any part of this policy may result in disciplinary action, up to and including termination.

RESOURCE
Employee Cell Phone Agreement Driver Cell Phone Agreement

Operation of a School Vehicle While Using Cell Phones

Any employee operating a school bus or any vehicle owned by the school or operated under contract for the school and used for the transportation of students to or from school or school-sponsored activities is prohibited from using a cell phone or other electronic device while driving the school vehicle.

This policy does not apply to the use of a cellular telephone for the purpose of communicating with any of the following regarding an emergency situation:

- An emergency system response operator or 911 public safety communications dispatcher;
- A hospital or emergency room;
- A physician's office or health clinic;
- An ambulance or fire department rescue service;
- A fire department, fire protection district, or volunteer fire department;
or
- A police department.

Drivers may use a cell phone to call for assistance but should first ensure the safety of any students who may be present and that the vehicle is safely parked. Any employee in violation of this policy is subject to discipline up to and including termination and may be subject to fines as provided by law.

Any position in which an employee is required to operate transportation for students or may be required to operate transportation for students is designated a safety-sensitive position.

LEGAL REFERENCE:	CROSS REFERENCE:
Ark. Code Ann. § 6-19-120	Driver Cell Phone Agreement

Reports & Records

Teachers may, from time to time, be required to keep certain records and make certain reports as may be necessitated by law or the school board of directors. Teachers will have clear instructions and timely notice from the Dean of what records and reports are to be maintained and when they are due. Teachers are expected to provide all records and reports to the school before s/he will be entitled to receive the last paycheck of the school year from the school.

LEGAL REFERENCE:
Ark. Code Ann. § 6-17-104

Nurses

School nurses are subject to the requirements of the Arkansas Nurse Practice Act and applicable rules and regulations promulgated by the Arkansas State Board of Nursing. School nurses are also subject to supervision by school administration.

Nurses are charged with strict compliance with all applicable privacy laws.

LEGAL REFERENCE:	CROSS REFERENCE:
Ark. Code Ann. § 17-87-101 et seq. Arkansas State Board of Nursing Rules: Chapter 5 – Delegation	FERPA Policy

Glucagon and Insulin Administration

Insulin or glucagon or both shall be administered only in accordance with a valid health or 504 plan that covers diabetes management and is based on the orders of a treating physician.

Glucagon and insulin may be administered by trained volunteer school personnel designated as care providers in the student health or 504 plan. A licensed registered nurse employed by the school shall annually train volunteer personnel designated as care providers to administer glucagon and insulin. If a parent or guardian of a student with diabetes chooses to have care provided by a care provider, the parent or guardian of a student with diabetes shall sign an authorization to allow the administration of glucagon to the student by volunteer school personnel designated as care providers. The school shall maintain a copy of the health or 504 plan, a list of volunteer school personnel who are designated as care providers and trained to administer glucagon, and a copy of the parent's or guardian's signed authorization.

Upon written request of a parent or guardian of a student with diabetes and authorization by the treating physician of the student, a student in the classroom, on school grounds, or at a school-related activity may perform blood glucose checks, administer insulin through the insulin delivery system the student uses, treat hypoglycemia and hyperglycemia, and possess on his/her person the necessary supplies and equipment to perform diabetes monitoring and treatment functions. A student shall have access to a private area to perform diabetes monitoring and treatment functions upon request of the parent or guardian of the student, as outlined in the student health plan.

The school shall not require or pressure a parent or guardian of a student with diabetes to provide diabetes care at school or a school-related activity.

Emergencies

A public-school employee may volunteer to be trained to administer and may administer glucagon to a student with Type 1 diabetes in an emergency situation.

LEGAL REFERENCE:	CROSS REFERENCE:
Ark. Code Ann. § 6-18-711 Ark. Code Ann. § 17-87-103 (11)	Student Medications

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Teachers Volunteering to Teach More than 150 Students Per Day

If the President determines that the need exists and the Board of Directors approves such need, a teacher in grades seven through twelve may volunteer to teach more than 150 students per day and receive increased pay under his or her contract proportionate to the amount of base pay and the additional number of students taught above 150. The school will memorialize the agreement with the teacher in writing, including applicable dates and payment terms. The agreement will last one semester only and will terminate upon the date stated in the agreement. The agreement shall not automatically renew.

Need will be determined at the sole discretion of the President, who will document the factors considered in determining need in writing. If more than the necessary number of teachers volunteer, the school reserves the right to choose the volunteer teacher that best suits the school's needs, including but not limited to teacher experience, scheduling considerations, specific training, or subject matter area.

Under no circumstances will the school exceed the maximum class size for any class. If a teacher volunteers to use his or her conference period during the day to teach an additional class period, the teacher will be compensated for both the missed conference period at his or her hourly rate of pay and for the additional students, as set forth in this policy.

The additional pay when students are added to an existing schedule will be calculated as follows:

The teacher's base pay will be divided by 150 students and by the number of days in the base contract to arrive at the amount of pay per student per day. The amount of pay per student per day will then be multiplied by the additional number of students above 150 to arrive at the additional pay amount per day. If an additional student is permanently removed from a teacher's class for any reason, the teacher's additional pay shall be prorated to exclude that student, effective as of the date the school determines the student has been permanently removed.

Example:

Base pay of \$30,000 ÷ 190 days= \$157.89 per day

$\$157.89 \div 150 \text{ students} = \$1.07 \text{ per student per day}$

Teacher receives 160 students, which leaves teacher with 10 additional students.

$\$1.07 \times 10 = \10.70

The teacher will receive \$10.70 in additional pay for every day that teacher teaches these 10 additional students, resulting in approximately \$1,016.50 in additional pay over the course of a semester.

If the teacher also voluntarily surrendered a daily 1 hour conference period, teacher would receive $\$157.89 \div 8 \text{ hours worked daily} = \19.74 per day above the additional student pay.

LEGAL REFERENCE:
Ark. Code Ann. § 6-17-812