

Excelsior Charter Schools

Personnel Rules & Employee Handbook



2014-2015 School Year

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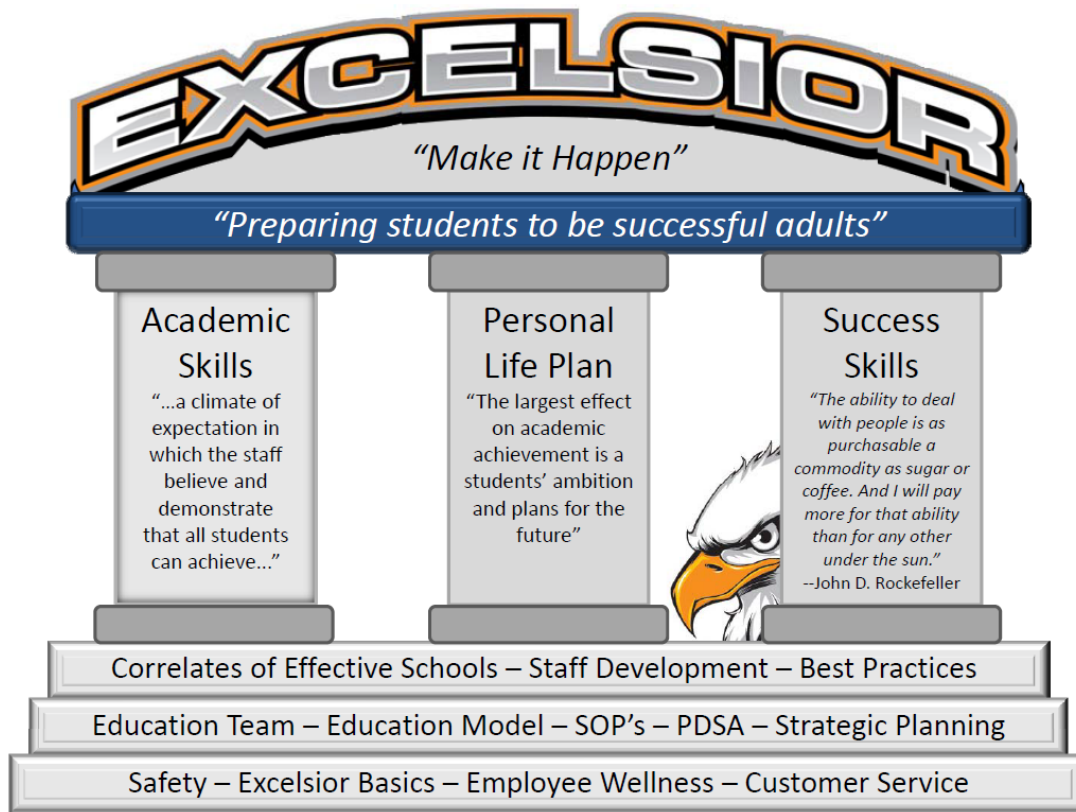
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I. House of Excelsior



The heart and soul of who we are and what we do is summarized in something we call the House of Excelsior. Our purpose is to prepare students to be successful adults. In order to accomplish that we start with the Excelsior Basics that define our culture (see section VIII(A) of this Handbook). Excelsior is committed to continuous improvement and the Baldrige Criteria for Performance Excellence provide a systems perspective for understanding performance management. They reflect validated, leading-edge management practices against which an organization can measure itself. With their acceptance nationally and internationally as the model for performance excellence, the Criteria represent a common language for communication among organizations for sharing best practices. The final layer in our foundation is our base of research as defined by the Effective Schools Correlates. The Correlates serve as a time tested picture of what a great school looks like.

On top of this foundation we have a three-fold plan to prepare students for life. Dr David Berliner states that, “The largest effect on academic achievement is a students’ ambition and plans for the future...when children have strong visions for their futures, they achieve more; *hope is a major predictor of learning.*” Rather than focus so much attention on trying to convince students that what they do in school now will affect their future, we are putting our effort into giving them a vision and a plan for their future so they will make the connection for themselves. Our facilitators work closely with students and parents to develop a Personal Life Plan for each student. **The power of Excelsior’s program is in the Educational Team. We believe that more can be accomplished in regular, quality Facilitator appointments than daily classroom attendance.** Finally, students need the skills (both academic and success skills) to achieve their life plan. Daniel Goleman states that, “A study of Harvard graduates in the fields of law, medicine, teaching, and business found that scores on entrance exams - a surrogate for IQ - had zero or negative correlation with their eventual career success.” Academic skills get students in the door, so they are vital, but life skills are what make them successful in life. We define those life skills as “Success Skills” and they include; Initiative, responsibility, teamwork, communication and social etiquette.

II. Introduction

This Handbook summarizes Excelsior Charter School's ("Excelsior") personnel policies applicable to all employees. Please review these policies carefully. If you have any questions about the policies outlined in this Handbook, or if you have any other personnel related questions, whether related to policies specifically addressed in this Handbook, please consult your supervisor and/ or Human Resources.

This Handbook is intended only as a guide to Excelsior's personnel policies, outlining and highlighting those policies and practices. It is not, therefore, intended to create any expectations of continued employment, or an employment contract, express or implied. This Handbook supersedes any previously issued handbooks, policies, benefit statements and/or memoranda, whether written or verbal, including those that are inconsistent with the policies described herein.

Excelsior reserves the right to alter, modify, amend, delete and/or supplement any employment policy or practice (including, but not limited to, areas involving hiring policies and procedures, general work place policies, hours of work, overtime and attendance, standards of conduct, employee benefits, employment evaluation and separation) with or without notice to you.

Once you have reviewed this Handbook, please sign the employee acknowledgement form at the end of this Handbook, keep a copy for your files and provide the original to Human Resources. This signed acknowledgement demonstrates to Excelsior that you have read, understand and agree to comply with the policies outlined in the Handbook.

III. Hiring Policies and Procedures

A. Employment Status

Except if stated expressly otherwise by an employment agreement, it is the policy of Excelsior that all employees are considered "at-will" employees. Accordingly, either Excelsior or the employee can terminate the at-will employment relationship at any time, for any reason, with or without cause, and with or without advance notice. No one other than the Excelsior Board of Directors ("Board") has the authority to enter into any agreement, express or implied, for employment for any specific period of time, or to make any agreement for employment other than at-will. Only the Board has the authority to make any such agreement and then only in writing signed by the Board President.

For those employees who are not employed on an at-will basis, and who have received fixed term/annual employment agreements with Excelsior, the Board of Directors may elect not to offer future employment agreements to such employees at its sole discretion, without cause, and such fixed term/annual employment agreements will lapse by their own terms. The decision to renew or not renew need not be based upon any cause and shall be final. If the Superintendent determines that a fixed term/annual employee should be dismissed for cause prior to the expiration of the employee's term of employment, the Superintendent shall comply with the process/procedures for such a dismissal outlined in the employee's employment agreement.

B. Equal Employment Opportunity Policy

Excelsior is an equal opportunity employer. It is the policy of Excelsior to afford equal employment and advancement opportunities to all qualified individuals without regard to race, creed, color, religion, national

origin, ethnicity, ancestry, sex, gender, gender identity, gender expression, sexual orientation, age, physical or mental disability, marital status, citizenship status, medical condition, or any other legally protected status. This policy extends to all employees and to all aspects of the employment relationship, including the hiring of new employees and the training, transfer, promotion, compensation and benefits of existing employees. Furthermore, Excelsior prohibits all unlawful discrimination against any employee or applicant for employment in its programs or activities based on race, creed, color, religion, national origin, ethnicity, ancestry, sex, gender, gender identity, gender expression, sexual orientation, age, physical or mental disability, marital status, citizenship status, medical condition or any other category protected by law.

To comply with applicable laws ensuring equal employment opportunities to qualified individuals with a disability, Excelsior will make reasonable accommodations for the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or an employee unless undue hardship would result. In order to perform the essential functions of the job, any applicant or employee requiring an accommodation should contact Human Resources and request such an accommodation.

If you believe prohibited discrimination has occurred, please contact your direct supervisor or Human Resources immediately. Reports will be investigated and appropriate corrective action will be taken.

C. Immigration Compliance

Excelsior does not discriminate against any individual because of his or her national origin, citizenship or intent to become a U.S. citizen in compliance with the Immigration Reform and Control Act of 1986. It is, however, the policy of Excelsior to only employ those individuals that are authorized to work in the United States. In furtherance thereof, Excelsior requires each prospective employee to provide documents verifying his or her identity and authorization to be legally employed in the United States. The employee will also be required to sign a legal verification attesting to her/his authorization to be legally employed in the United States.

D. Recruitment and Selection

For each open position Excelsior shall employ the qualified applicant who most exemplifies the Excelsior Basics and whose interests and abilities best align with Excelsior's Vision, Mission and Motto. Employees are selected on the basis of merit only. The use of any personal or political reference by or on behalf of an applicant, for the purpose of coercion, may warrant refusal of employment. The Board shall make the final decision on the election of all employees; however no person shall be employed by the Board without the recommendation or endorsement of the Superintendent. If the candidate is rejected, the Superintendent or designee shall recommend subsequent candidates until the Board elects someone to fill the position. Whenever vacancies occur within the school, notices of such vacancies shall be furnished to the present staff insofar as possible during the school year. Present employees shall be given the opportunity to submit written requests to be considered for the vacant position. No vacancy shall be filled until ten days after the notice of the vacancy has been issued. Following interviews and studies of the qualifications of all applicants, the best applicant shall be hired. However, all things being equal, preference shall be given to present staff members.

E. Employee Classification

Excelsior's employees are classified in the following categories: Exempt, non-exempt, and full-time,

part-time or temporary.

Exempt: Exempt employees are those employees with job assignments that meet exemption tests under state and federal law making them exempt from overtime pay requirements. Exempt employees are compensated on a salary basis, not pursuant to overtime pay requirements.

Non-Exempt: Non-exempt employees are those employees with job assignments that do not meet exemption tests under state or federal law. Thus, these employees are paid overtime wages for overtime worked in accordance with the law.

Full Time: Certificated Full time employees are those employees who are scheduled to work at least 35 hours in a week according to a Notice of Assignment (“NOA”). Classified Full time employees are those employees who are scheduled to work at least 40 hours in a week according to a NOA.

Part Time: Part time employees are those employees who are scheduled to work less than full time according to a NOA.

Temporary: Temporary employees are those employees who are hired for a limited time period, or for a specific project, including but not limited to substitutes and coaches. Temporary employees do not receive a NOA.

Part time and temporary employees working an average of less than 30 hours per week are not eligible to benefits provided by Excelsior. Independent contractors, consultants and leased employees (i.e., those working for an employment agency) are not employees of Excelsior and are not eligible for benefits provided by Excelsior.

F. Relationships Between Employees

Excelsior’s policies do not permit discrimination based on an individual’s marital status, the individual’s relations to another Excelsior employee or his or her lawful off duty conduct. However, some situations can create conflicts of interest requiring Excelsior to take the employee’s relationship with another employee into account.

An employee should not be in a supervisory role with another employee who is a relative (i.e., sibling, parent, spouse, domestic partner, etc.). Supervisors should avoid situations that result in actual or perceived conflicts of interest with supervised employees and situations of favoritism.

A supervisor should avoid forming special social relationships or dating employees under his or her direct supervision, or with other employees that would create actual or perceived conflicts of interest and situations of favoritism. If such relationship arises, both employees should notify Excelsior so that appropriate measures can be taken to prevent conflicts of interest or favoritism.

Excelsior reserves the right to take appropriate action if employee relationships interfere with the safety, morale or security of Excelsior, or if the relationships create an actual or perceived conflict of interest or favoritism.

G. Certification and Licensure of Instructional Staff

Each of Excelsior’s core academic teachers shall be required to hold a current California Commission on Teacher Credentialing certificate, permit or other document equivalent to that which a teacher in other public schools would be required to hold and shall be required to meet certain federal requirements related

to subject-matter expertise in order to meet federal requirements for “highly qualified teachers.” Paraprofessional staff may also be required to document that they meet federal requirements for paraprofessional staff. It is the responsibility and a condition of continued employment of all instructional staff, including teachers and paraprofessionals to provide, maintain and keep current such certificates, permits or other documentation to Human Resources no later than the close of business on the first day the employee reports for duty. If an instructional staff employee believes that he or she is assigned to teach in a subject in which he or she does not have subject matter competence, the employee should immediately report the same to Human Resources. Staff who are required to meet these state and federal certification, expertise, and related requirements must maintain such qualifications as a condition of employment at Excelsior.

H. Athletic Team Coaches

All employees coaching or supervising athletic teams shall be required to have received appropriate training and demonstrate competency in the care and the prevention of athletic injuries, basic sports injury first aide, emergency procedures, coaching techniques and the rules and regulations of the athletic activity being coached. The Superintendent or designee shall specify criteria, in accordance with state regulation, for determining competencies in these areas.

The Superintendent or designee may waive specific competency requirements for persons who enroll and successfully complete appropriate training programs or courses leading to acquisition of the competency. All such persons serve under the direct supervision of a fully qualified temporary athletic team coach until the required competencies are met.

The hiring of coaches shall be subject to Board approval and based upon the recommendation of the Superintendent or designee.

I. Tuberculosis Testing

Except for employees transferring from other schools, no person shall be employed by Excelsior unless the employee has submitted proof of an examination within the past 60 days that the employee is free of active tuberculosis. Employees transferring from other public or private schools within the State of California must either provide proof of an examination within the previous 60 days or a certification showing that he or she was examined within the past four years and was found to be free of communicable tuberculosis. It is also acceptable practice for the employee’s previous school employer to verify that it has a certificate on file that contains the showing that the employee was examined within the past four years and was found to be free of communicable tuberculosis.

The tuberculosis test shall consist of an approved intradermal tuberculin test, which if positive shall be followed by an X-ray of the lungs.

All employees shall be required to undergo the foregoing examination at least once every four (4) years, excepting “food handlers” who shall be examined annually. After such examination, each employee shall cause to be on file with Excelsior a certificate from the examining physician showing the employee was examined and found free from active tuberculosis.

The examination for applicants for employment is a condition of initial employment. The cost of the examination required of new and existing employees shall be borne by Excelsior. Employees should contact Human Resources for the specific process.

The County Health Department may provide skin testing to employees at regular intervals at no cost to the employee. The availability of this testing may be announced by Excelsior.

J. Criminal Background Checks

As a condition of employment, Excelsior requires all applicants for employment to submit two sets of fingerprints to the Department of Justice for the purpose of obtaining criminal record summary information from the Department of Justice and Federal Bureau of Investigation. Excelsior will not employ a person who has been convicted of a violent or serious felony or a person who would be prohibited from employment by a public school district because of his or her conviction for any crime, unless an applicable exception applies. Excelsior will not employ any applicant until the Department of Justice completes its check of the state criminal history file as provided by law. Excelsior shall also request subsequent arrest notification from the Department of Justice and take all necessary action based upon such further notification.

IV. General Workplace Policies

A. Prohibition of Bullying and Harassment and Protection Against Retaliation

1. Policy

Excelsior is committed to providing a workplace and educational environment free of bullying, sexual harassment, as well as harassment based on such factors as race, religion, creed, color, ethnicity, national origin, ancestry, age, medical condition including pregnancy, child-birth or related conditions, marital status, sex, sexual orientation, citizenship status, disability or any other category protected by law. Excelsior will not condone or tolerate harassment of any type by any employee, whether supervisory or co-employee, against an employee, third party vendor or student. Excelsior also does not condone or tolerate harassment of its employees by any third parties or students. Excelsior will promptly and thoroughly investigate any complaint of harassment and take appropriate corrective action, if warranted.

Excelsior will take all reasonable steps to prevent discrimination and unlawful harassment from occurring. Sexual or other unlawful harassment in employment violates Excelsior's policy and is prohibited under Title VII of the Civil Rights Act (42 U.S.C. sections 2000e, *et seq.*) and the California Fair Employment and Housing Act (Govt. Code sections 12940, *et seq.*).

2. Definition of Bullying

Bullying is exposing a person to abusive actions repeatedly over time. Bullying becomes a concern when hurtful or aggressive behavior toward an individual or group appears to be unprovoked, intentional, and (usually) repeated.

Bullying is a form of *violence*. It involves a real or perceived imbalance of power, with the more powerful person or group attacking those who are less powerful. Bullying may be *physical* (hitting, kicking, spitting, pushing), *verbal* (taunting, malicious teasing, name calling, threatening), or *emotional* (spreading rumors, manipulating social relationships, extorting, or intimidating). Bullying can occur face-to-face or in the online world.

Bullying is also one or more acts by a person or a group directed against another person that constitutes sexual harassment, hate violence, or severe or pervasive intentional harassment, threats, or intimidation that is disruptive, causes disorder, and invades the rights of others by creating an intimidating or hostile educational environment, and includes acts that are committed personally or by means of an electronic act, as defined.

An “electronic act” is defined as transmission of a communication, including, but not limited to, a message, text, sound, or image by means of an electronic device, including but not limited to, a telephone, wireless telephone or other wireless communication device, computer, or pager.

3. Definition of Harassment

Harassment includes verbal, physical or visual conduct that creates an intimidating, offensive or hostile working or educational environment or that unreasonably interferes with job performance. Verbal harassment includes, but is not limited to, epithets, derogatory comments or slurs based on a protected category. Physical harassment includes, but is not limited to, assault, impeding or blocking movement or any physical interference with normal work or movement, when directed at a legally protected individual. Visual harassment includes, but is not limited to, derogatory posters, cartoons or drawings on a basis protected by law.

4. Definition of Sexual Harassment

Federal law defines sexual harassment as unwelcome sexual conduct that is a term or condition of employment. The Equal Employment Opportunity Commission's Guidelines define two types of sexual harassment: "quid pro quo" and "hostile environment." "Unwelcome" sexual conduct constitutes sexual harassment when "submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment," "Quid pro quo harassment" occurs when "submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual." A “hostile environment” claim for harassment occurs when discrimination based on sex has created a hostile or abusive work environment.

California law defines unlawful sexual harassment in largely the same ways. Sexual harassment occurs where a term of employment (i.e., compensation or in terms, conditions or privileges of employment), academic status or progress (i.e., a student’s grades or promotion to the next grade) is explicitly or implicitly conditioned upon submission to unwelcome sexual advances, as more fully described below. Sexual harassment also occurs where the submission to, or rejection of, the conduct by the individual is used as the basis of academic or employment decisions affecting the individual. Additionally, sexual harassment occurs where harassment (unwanted sexual advances, visual, verbal or physical conduct of a sexual nature) is sufficiently severe, persistent, pervasive or objectively offensive so as to alter the conditions of employment and create an abusive or hostile educational or working environment or to limit the individual’s ability to participate in or benefit from an education program or activity. Sexual harassment occurs where the conduct has the purpose or effect of having a negative impact on the individual’s academic performance, work or progress or has the purpose or effect of creating an intimidating, hostile, or offensive educational or working environment. Sexual harassment occurs where submission to or rejection of the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs or activities available at or through Excelsior.

The educational environment includes, but is not limited to, Excelsior’s campus or grounds, the properties controlled or owned by Excelsior and off-campus, if such activity is Excelsior sponsored or is conducted

by organizations sponsored by or under the jurisdiction of Excelsior.

The following are examples of offensive behavior:

- Unwanted sexual advances, flirtations, touching or requests for sexual favors;
- Verbal abuse of a sexual nature;
- Graphic or suggestive comments about dress or body and the sexual uses to which it could be put;
- Unwarranted graphic discussion of sexual acts.
- Sexually degrading words;
- Suggestive or obscene letters, notes or invitations;
- Verbal harassment including, but not limited to, unwelcome epithets, jokes, derogatory comments, or slurs of a sexual nature, or sexually degrading words used to describe a person;
- Physical harassment including, but not limited to, assault, impeding or blocking movement or any physical interference with normal work or Excelsior activities or movement, when done because of your sex;
- Visual harassment including, but not limited to, leering, making sexual or obscene gestures, displaying sexually explicit or derogatory posters, cartoons or drawings, or computer-generated images of a sexual nature;
- Making or threatening retaliatory action after receiving a negative response to sexual advances.

5. What to do if Bullying, Sexual and Other Unlawful Harassment Occurs

Internal Procedures:

School Level Investigation: Each supervisor has the responsibility to maintain a workplace and educational environment free from any form of sexual or other unlawful harassment. Consequently, should a supervisor become aware of any conduct that may constitute sexual harassment, discrimination or other prohibited behavior, immediate action will be taken to address and remediate such conduct.

Any employee who has experienced or is aware of a situation that is believed to be sexually or otherwise unlawfully harassing, or bullying, has a responsibility to report the situation immediately to the Assistant Superintendent of Human Resources by telephone at (760) 245-4262 or in person at 18422 Bear Valley Rd. BLDG 11, Victorville, CA 92395, Room 202. If the employee is not comfortable contacting the Assistant Superintendent of Human Resources or if that individual is not available, the employee should contact the Superintendent by telephone at (760) 245-4262 or in person at 18422 Bear Valley Rd. BLDG 11, Victorville, CA 92395. A Harassment Complaint Form may be obtained from Human Resources. A prompt investigation will take place and there will be appropriate corrective action where warranted. Complaints will be handled as discreetly as possible, consistent with the need to investigate effectively and promptly resolve the matter. Complaints relating to discrimination other than employment discrimination must be filed within six months of the alleged discrimination or when the complainant first obtained knowledge of the alleged discrimination, unless an extension has been obtained from the Superintendent or his/her designee. Such extension by the Superintendent or his/her designee shall be

made in writing. The period for filing may be extended by the Superintendent or his/her designee for good cause for a period not to exceed 90 days following the expiration of the six month time period. The Superintendent shall respond immediately upon a receipt of a request for extension.

Board of Directors Level Investigation:

If the employee is not satisfied with the outcome of the school level investigation, the employee, in writing, should bring the matter to the attention of the President of the Board by telephone at (760) 245-4262 extension 405 or in-person at 18422 Bear Valley Rd. BLDG 11, Victorville, CA 92395. If the parties mutually agree, the complainant and the Board may resolve the matter through mediation or informally before a written complaint is filed. If mediation fails to resolve the matter, or the parties do not agree to mediate the matter, the formal complaint procedure identified below shall be followed.

If the complaint alleges wrongdoing involving discrimination, other than employment discrimination, or claims of failure to comply with applicable state or federal laws or regulations, within 60 days of receipt of the complaint, the President of the Board or designee will complete an investigation where the complainant, his/her representative or both, and representatives of Excelsior, have the opportunity to present the complaint and evidence or information leading to evidence to support the allegations of non-compliance with state or federal laws and/or regulations. The 60 day timeframe may be extended by the written consent of the complainant.

Refusal by the complainant to provide the investigator with documents or other evidence related to the allegations in the complaint, or to otherwise fail or refuse to cooperate in the investigation or engage in any other obstruction of the investigation, may result in the dismissal of the complaint because of lack of evidence to support the allegations.

The President of the Board or designee shall prepare a written decision, which shall contain the following: 1) findings of fact based on the evidence gathered; 2) conclusions of law; 3) disposition of the complaint; 4) the corrective actions, if any are warranted; 5) notice of the complainant's right to appeal Excelsior's decision to the California Department of Education; and 6) the procedures to be followed for initiating an appeal to the Department of Education. Within 60 days of receipt of the complaint, the Superintendent will send a copy of the written decision to the complainant.

Complaints will be handled as discreetly as possible, consistent with the need to investigate effectively and promptly resolve the matter. The President of the Board or designee will be knowledgeable of the laws/programs that he/she is assigned to investigate. If the complaint alleges employment discrimination, Excelsior will send it to the Department of Fair Employment and Housing (the "DFEH") for investigation as required by law.

Any employee found to have participated in improper harassment will be subject to disciplinary action, up to and including termination.

External Procedures: Filing a Complaint with the DFEH.

Employees or job applicants who believe that they have experienced unlawful employment discrimination may file a complaint directly with the DFEH. The DFEH serves as a neutral fact-finder and attempts to help the parties voluntarily resolve disputes. If the DFEH finds sufficient evidence to establish discrimination occurred and settlement efforts fail, the DFEH may file a formal accusation. The accusation will lead to either a public hearing before the Fair Employment and Housing Commission (the "Commission") or a lawsuit filed by the DFEH on behalf of the complaining party.

If the Commission finds that discrimination has occurred, it can order remedies including: fines or damages for emotional distress from each employer or person found to have violated the law; hiring or reinstatement; back pay or promotion; changes in the policies or practices of the involved employer.

Employees can also pursue the matter through a private lawsuit in civil court after a complaint has been filed with the DFEH and a Right to Sue Notice has been issued. For more information, contact the DFEH and Commission toll free at (800) 884-1684, in the Sacramento area and out of state at (916) 227-0551 or visit its website at www.dfeh.ca.gov. To contact the nearest field office of the Equal Employment Opportunity Commission ("EEOC"), call 1-800-669-4000. You should be aware that state and federal law provide time limits within which complaints must be filed. Contact the relevant agency to determine the applicable time limit.

6. Retaliation Policy

It is in violation of Excelsior's policy for Excelsior or any employee to demote, suspend, reduce, fail to hire or consider for hire, fail to give equal consideration in making employment decisions, fail to treat impartially in the context of any recommendations for subsequent employment that Excelsior may make, adversely affect working conditions or otherwise deny any employment benefit to or take actions that are materially adverse against an individual because that individual has opposed practices prohibited by law or has filed a complaint, testified, assisted or participated in any manner in an investigation, proceeding or hearing conducted by the Commission or DFEH or their staff. Any employee retaliating against another employee, applicant or student will be disciplined, up to and including termination.

Examples of protected activities under Excelsior's retaliation policy include seeking advice from the DFEH or Commission; filing a complaint with the DFEH or Commission, irrespective of whether the complaint is actually sustained; opposing employment practices the employee reasonably believes to exist and believes to be a violation of the law; participating in an activity that is perceived by Excelsior as opposition to discrimination, whether or not so intended by the employee expressing the opposition; participating in the proceeding of a local human rights or civil rights agency on a legal basis.

Nothing in this policy shall be construed to prevent Excelsior from enforcing reasonable disciplinary policies and practices, nor from demonstrating that the actions of an applicant or employee were either disruptive or otherwise detrimental to legitimate business interests so as to justify the denial of an employment benefit.

B. Workplace Violence

Excelsior takes the safety and security of its employees seriously. Excelsior does not tolerate acts or threats of physical violence, including but not limited to intimidation, harassment and/or coercion, that involve or affect Excelsior or that occur, or are likely to occur, on Excelsior property. Employees should report any act or threat of violence immediately to their supervisor.

C. Open Door Policy

Excelsior is committed to provide the most positive and productive work environment possible. To that end, it has an open door policy where it welcomes employee questions, suggestions or complaints relating to the employee's job, conditions of employment, Excelsior or the treatment the employee is receiving. Other than in situations involving harassment (as outlined and described above), employee's should contact their supervisor with their questions or concerns. If the situation is not resolved to the employee's satisfaction, they should contact the Assistant Superintendent of Human Resources who will further

investigate the issue.

D. Drug Free Workplace

It is Excelsior's policy to maintain a drug and alcohol-free workplace. No employee may use, possess, offer for sale or be under the influence of any illegal drugs or alcohol during working hours, including lunch and break periods, in the presence of pupils or on Excelsior property at any time.

Engaging in any of the activities above shall be considered a violation of Excelsior policy and the violator will be subject to discipline, up to and including termination. Excelsior complies with all federal and state laws and regulations regarding drug use while on the job.

E. Smoking

All Excelsior buildings and facilities are non-smoking facilities.

F. Health, Safety and Security Policies

Excelsior has a long-standing philosophy of taking pride in its practices to ensure the safety, health and well-being of all of our employees. This program serves to outline our commitment to this philosophy and provide guidance to all employees on the standards the company expects its employees to adhere to.

Excelsior has also instituted an Injury and Illness Prevention Program designed to protect the health and safety of all personnel. The Injury and Illness Prevention Program is kept by Human Resources and is available for review.

Fires and Other Emergencies:

The facility where you are assigned has an emergency procedures and evacuation plan to follow in the event of fire or other disaster. These are posted prominently in all rooms and bulletin boards of the facility. Exits, fire extinguishers and first aid kits are located on each floor. All employees are expected to familiarize themselves with the location of such equipment.

On-the-Job Injuries/Illnesses:

Any job-related injury or illness, regardless of severity, must be reported immediately to your supervisor or the human resources department for prompt medical attention as necessary. Your supervisor will complete an initial safety incident report and forward it to Human Resources. Even if you do not feel that you need medical attention, an incident report must be filed.

General Safety Rules:

Our employees perform a wide range of functions in various locations. Although some safety rules apply only to specific positions, all employees are expected to comply with the rules in this procedure:

- Use common sense in performing your duties.
- Report any work injury/illness to your supervisor.
- Report unsafe conditions to your supervisor or safety committee member.

- Do not use any equipment, vehicles or materials when overly tired, nauseated, feverish or under the influence of any substance that may affect your judgment.
- Keep your work area neat and tidy.
- Use mechanical devices or request assistance in lifting heavy loads.
- Wear seat belts when operating any company or rented vehicle or driving your own personal vehicle while on company business.
- Do not use tops of cabinets or bookcases for extra storage or displays.
- Be sure that aisles or exits are kept clear; do not let cords interfere with walkways.
- Keep paper clips, tacks, pins and other objects off the floors.
- Store all sharp objects properly when not in use.
- Open and close doors cautiously and use extra caution at blind hallway intersections.
- Open only one file cabinet drawer at a time to avoid tip-over. Cabinets should also be loaded from bottom to top and emptied in the reverse order.
- Report or clean up all spills immediately.
- Use stepstools, platforms or ladders for climbing. Never use chairs.
- Report or replace frayed electrical cords.

Emergency Evacuation Plans and Re-entry:

In any emergency, employees should follow alarms or other alerts to evacuate the building and/or area near the premises. Always follow the basic evacuation procedures but remember that personal safety is paramount and takes precedence.

- Check work area for anything needing to be secured and store it quickly.
- Secure locks on all secured containers and cabinets.
- Leave your work area and report to your designated assembly area.

Administration will coordinate with fire, police or other emergency preparedness personnel to determine when the building may be re-entered.

Improper Health and Safety Practices :

All employees are expected to abide by safe work practices and adhere to general safety rules to ensure their safety as well as the safety of coworkers.

Infractions of company health and safety practices will be dealt with in accordance with the company's policies on discipline and will be based on the following factors:

- Severity of the infraction.

- Whether the infraction endangered only the employee or coworkers.
- Whether the infraction was a first or repeat violation.

In compliance with Proposition 65, Excelsior will inform all employees of any known exposure to a chemical known to cause cancer or reproductive toxicity.

G. Video Surveillance Policy

In order to promote the safety of students, employees and school visitors, as well as the security of its facilities, Excelsior may conduct video surveillance of any portion of its premises at any time, the only exception being private areas of restrooms. Video cameras will be positioned in appropriate places within and around Excelsior buildings and used in order to help promote the safety and security of people and property.

By signing this Handbook employees release Excelsior from all liability, including liability for negligence, associated with the enforcement of these policies and/or any searches or surveillance undertaken pursuant to these policies.

H. Company Property Inspections

Excelsior is committed to providing a work environment that is safe and free of illegal drugs, alcohol, firearms, explosives and other improper materials. Additionally, Excelsior provides property and facilities to its employees to carry out business on behalf of Excelsior. Accordingly, employees do not have a reasonable expectation of privacy when using any Excelsior property or facilities. In accordance with these policies, all Excelsior facilities and property, including all items contained therein, may be inspected by Excelsior at any time, with or without prior notice to the employee. Excelsior property includes, but is not limited to, all desks, storage areas, work stations, lockers, file cabinets, computers, telephone systems, email systems and other storage devices.

Excelsior provides all necessary equipment for employees to perform essential job duties. Accordingly, Excelsior is not responsible for any personal property that employees bring to Excelsior or Excelsior sponsored activities.

I. Soliciting/Conducting Personal Business While on Duty

Employees are not permitted to conduct personal business or solicit personal business for any cause or organization while on-duty, or when the employee being solicited is supposed to be working. This prohibition includes distributing literature and other material. Distribution of materials is also against Excelsior's policy if it interferes with access to facility premises, if it results in litter or is conducted in areas where other employees are working. Solicitation during non-work time, e.g., paid breaks, lunch periods or other such non-work periods, is permissible. Entry on Excelsior premises by non-employees is not permitted, unless related to official Excelsior business. Solicitation or distribution of written materials by non-employees is strictly prohibited.

J. Use of Company Communication Equipment and Technology

All Excelsior owned communications equipment and technology, including computers, electronic mail systems, voicemail systems, internet access, software, telephone systems, document transmission systems and handheld data processing systems remain the property of Excelsior and are provided to the employee to

carry out business on behalf of Excelsior, unless previously authorized for non-business use. Employees have no expectation of privacy in any communications made using Excelsior owned equipment and technology. Communications (including any attached message or data) made using Excelsior owned communications equipment and technology are subject to review, inspection and monitoring by Excelsior.

Additionally, Excelsior uses technology protection measures that protect against Internet access (by both minors and adults) to visual depictions that are obscene, child pornography and/or with respect to use by minors, images harmful to minors. These measures may include, but are not limited to, installing a blocking system to block specific internet sites, setting Internet browsers to block access to adult sites, using a filtering system that will filter all Internet traffic and report potential instances of misuse and using a spam filter.

In addition, employees are required to safeguard their passwords to limit unauthorized use of computers by minors in accordance with the Student Internet Use Policy and Agreement. Employees that do not safeguard their passwords from unauthorized student use, or that allow a student to access computers in violation of the Student Internet Use Policy and Agreement, will be subject to discipline, up to and including termination.

Internet use is for business purposes only. All employees using the internet through Excelsior's communications equipment and technology must respect all copyright laws. Employees are not permitted to copy, retrieve, modify or forward copyrighted materials unless authorized by law or with express written permission of the owner of the copyright. Employees are not permitted to use Excelsior's communications equipment and technology to view visual images that are obscene, child pornography and/or images harmful to minors.

The e-mail system and internet access is not to be used in any way that may be disruptive, harassing or offensive to others, illegal or harmful to morale. For example, sexually explicit images, ethnic slurs, racial epithets or anything else that may be construed as harassment or disparagement of others based on their race, national origin, gender, sexual orientation, age, religious beliefs or political beliefs may not be displayed or transmitted. The e-mail system and internet access is not to be used in any manner that is against the policies of Excelsior, contrary to the best interest of Excelsior or for personal gain or profit of the employee against the interests of Excelsior. Employees must not use Excelsior's communications equipment and technology for the unauthorized disclosure, use and dissemination of personal information regarding students.

Employees should not attempt to gain access to another employee's email files or voicemail messages without the latter's express permission. Each employee is responsible for the content of the messages sent via his/her Excelsior issued equipment. It is strictly prohibited to use another employee's account to send messages to create the appearance that they are from that employee, unless that employee expressly authorizes such use.

For information on all other school issued equipment/property refer to the related policy located in the Standard Operation Procedure Manual.

K. Employee Blogs, Internet based business and Websites

If an employee maintains a personal blog , social media site, internet based business or website(s) that

discusses any aspect of his/her workplace activities, the following restrictions apply:

- Excelsior equipment, including its computers and electronics systems, may not be used for these purposes;
- Student and employee confidentiality policies must be adhered to;
- Employees must make clear that the views expressed in their blogs are their own and not those of Excelsior;
- Employees may not use Excelsior's logos, trademarks and/or copyrighted material and are not authorized to speak on Excelsior's behalf;
- Employees are not authorized to publish any confidential information maintained and published by Excelsior;
- Employees are prohibited from making discriminatory, defamatory, libelous or slanderous comments when discussing Excelsior, the employee's supervisors, co-workers and competitors;
- Employees must comply with all Excelsior policies, including, but not limited to, rules against sexual harassment and retaliation.

Excelsior reserves the right to take disciplinary action against any employee whose blog violates this or other Excelsior policies.

L. Participation in Recreational or Social Activities

Employees may participate in recreational or social activities sponsored by or supported by Excelsior. Participation in such activities is strictly voluntary. As such, employees have no obligation to participate in recreational or social activities and no employee has work-related duties requiring such participation. An employee's participation in social and recreational activities is at the employee's own risk and Excelsior disclaims any and all liability arising out of the employee's participation in these activities.

M. Personnel Files and Record Keeping Protocols

At the time of employment, a personnel file is established for each employee. An employee is responsible for notifying the Human Resources Department about changes in the employee's personal information and changes affecting the employee's status (for example, name changes, address or telephone number changes, marriages or divorces, etc.). This notification by the employee must occur as close to the change as possible, but no later than 30 days following the change.

An employee or former employee (or designee) has the right to inspect or receive a copy of his or her personnel records at reasonable times, at a reasonable place, and on reasonable advance notice to the Superintendent or his/her designee. All requests should be put in writing preferably on the form maintained by the human resources department. If the request includes a request for copies the employee or former employee may be required to pay for the actual costs of copying. Employer will respond to such a request within 30 days of receipt of the written request.

Employees are not entitled to inspect or copy: letters of reference, records that relate to an investigation of possible criminal activity, ratings, reports or records obtained prior to employment, prepared by examination committee members or obtained in connection with a promotional examination.

Excelsior will restrict disclosure of employee personnel files to authorized individuals within Excelsior. Only the Superintendent or his/her designee is authorized to release information about current or former employees. Excelsior will cooperate with requests from authorized law enforcement or local, state or federal agencies conducting official investigations or as otherwise legally required.

v. Mentor Program

Excelsior is committed to continuous improvement. As such, all new facilitators and any returning facilitators as deemed necessary by administration shall be assigned a mentor facilitator. At the end of each year, the Superintendent or designee will work with site administration to determine how many mentor facilitators will be appropriate for the following school year. The number of mentors required will be based on several factors including the number of certificated staff that has been identified as needing a mentor, instructional program changes, staff turnover, budgetary concerns, or any other factor that the Superintendent or designee deems appropriate. Once the Superintendent or designee has determined the number of mentor facilitators that are required, site administration will nominate candidates accordingly. The Superintendent or designee will select mentors from the nominated candidates.

The Superintendent retains the right to reject any and all mentor candidates; in such a case, site administration shall submit additional nominee(s) to the Superintendent.

Site administration will consider the following guidelines when nominating a mentor facilitator:

- Qualifications as outlined in the Mentoring Success Workbook
- Commitment to Excelsior's Vision, Mission and Basics
- Exemplary ability as a facilitator
- Effective communication and interpersonal skills
- Subject matter knowledge
- Knowledge of the California Standards of the Teaching Profession
- Demonstrated ability to work cooperatively and effectively with other staff members

The duration of a designation as mentor shall normally be for a period of one (1) year. Review and re-nomination shall be initiated and conducted in the same manner as cited above. First consideration shall be given to mentors if they continue to qualify for re-nomination and have served effectively as a mentor.

If for any reason a mentor is unable to complete the term of selection, the Superintendent or designee may select a replacement from the nominated alternates.

Persons designated as mentor facilitators shall be assigned duties and responsibilities in accordance with the following:

- The primary function of a mentor facilitator shall be to provide assistance and guidance to new

and/or experienced facilitators that have been assigned to them.

- A mentor facilitator shall not participate in the evaluation of facilitators.
- No Administrative or Pupil Personnel Services Credential shall be required of any mentor facilitator.
- The time and manner in which each mentor facilitator shall render service in the program shall be determined on an individual basis.
- A mentor facilitator shall have no authority over any other facilitator because of this position.

VI. Hours of Work, Overtime and Attendance

A. Work Hours and Schedules

The work schedule for full-time non exempt employees is normally 40 hours per week. Your supervisor will assign your work schedule.

B. Overtime

Excelsior follows all federal and state laws regarding the payment of overtime wages by compensating all non-exempt employees for overtime hours worked. For purposes of overtime calculations for non-exempt employees, Excelsior's workweek begins on Monday and ends the following Sunday. The workday begins at midnight and ends the following day at 11:59 p.m. You will be informed when you are required to work overtime hours. All overtime hours worked must be preauthorized in writing by your supervisor.

Only those hours that are actually worked are counted to determine an employee's overtime pay. Compensated holidays, for example, are not hours worked and are therefore not counted in overtime calculations.

It is a policy of Excelsior Charter Schools that all preauthorized overtime shall be paid based on the above criteria, however, non-exempt employees who have been preauthorized to work overtime may request in writing to their supervisor to be credited flex-time in lieu of paid overtime. A flex-time request form may be obtained from your supervisor. Flex-time is earned at the same rate that overtime would be paid. For example if an employee works two (2) hours of overtime at time-and-a-half that would equate to three (3) hours of flex-time. Flex-time must be used within the same school year as that of the day it was earned.

C. Meal and Rest Periods

Excelsior employees are allowed one 30 minute unpaid meal break each work day where the employee works more than six (6) hours in one day. Employees are not allowed to work more than six (6) hours in one period without taking a meal break. If the employee works less than six (6) hours in one day, the meal period may be waived by mutual consent of both the employer and the employee.

Non-exempt employees must take two ten-minute paid break periods for each full workday, as close as practicable to the mid-point of any continuous four (4) hour work period. Employees should contact

their supervisor to schedule their meal and break periods.

D. Pay Days

For all employees paydays are scheduled on the last working day of each month. Each paycheck will include earnings for all reported work performed through the end of the payroll period. Employees should promptly notify the Assistant Superintendent of Business Services if they have a question regarding the calculations of their paycheck; any corrections will be noted and will appear on the following payroll.

E. Payroll Withholdings

Excelsior is required by law to withhold Federal Income Tax, State Income Tax, Social Security (FICA) and State Disability Insurance from each employee's pay as follows:

Federal Income Tax Withholding: The amount varies with the number of exemptions the employee claims and the gross pay amount.

State Income Tax Withholding: The amount varies with the number of exemptions the employee claims and the gross pay amount.

Social Security (FICA): The Federal Insurance Contribution Act requires that a certain percentage of employee earnings be deducted and forwarded to the federal government, together with an equal amount contributed by Excelsior.

State Disability Insurance (SDI): This state fund is used to provide benefits to those out of work because of non-work related illness or disability.

Every deduction from an employee's paycheck is explained on their check voucher. If an employee does not understand the deductions, they should contact the Business Office.

Employees may change the number of withholding allowances they wish to claim for Federal Income Tax purposes at any time by filling out a new W-4 form and submitting it to the Business Office. Excelsior's Business Office maintains a supply of these forms.

All Federal, State and Social Security taxes will be automatically deducted from paychecks. The Federal Withholding Tax deduction is determined by the employee's W-4 form, which should be completed upon hire. It is the employee's responsibility to report any changes in filing status to the Business Office. It is also the employee's responsibility to fill out a new W-4 form if his/her filing status changes.

At the end of the calendar year, a "withholding statement" (W-2) will be prepared and forwarded to each employee for use in connection with preparation of income tax returns. The W-2 shows Social Security information, taxes withheld and total wages.

Excelsior offers programs and benefits beyond those required by law. Employees who wish to participate in these programs may voluntarily authorize deductions from their paychecks. For more information contact the Business Office.

F. Attendance Policy

Employees are expected to adhere to regular attendance and to be punctual. If an employee finds it necessary to be absent or late, they are expected to arrange it in advance with their supervisor. If it is not

possible to arrange their absence or tardiness in advance, they must notify their supervisor no later than one-half hour before the start of their workday. If an employee is absent from work longer than one day, they are expected to keep their supervisor sufficiently informed of their situation.

Excessive absenteeism and tardiness will not be tolerated and will lead to disciplinary action, up to and including termination. An absence or tardiness by an employee without notification to their supervisor will lead to disciplinary action, up to and including termination.

If you fail to come to work for three consecutive work days without authorization, Excelsior will presume that you have voluntarily terminated your position with Excelsior at the close of business of the third missed day.

G. Time Records

Time cards must be accurately kept reflecting all regular hours and overtime hours worked and meal periods taken by non-exempt employees. Time cards must be signed by employees, verifying and attesting to the truth of the information contained therein. All absences, tardies and overtime must be accurately reflected on the time card. A schedule for when time cards are due each month can be obtained from the Business Office. Completing time card information for another employee is strictly prohibited and would subject the employee to disciplinary action, up to and including termination.

H. Extracurricular Activity Supervision

All members of the Excelsior community are welcomed and encouraged to support students and attend extra-curricular events. Full and part time exempt employees shall be required to supervise an equally distributed amount of activities in accordance with the number of planned activities for each school year and the total number of exempt employees. Non-exempt employees will not be required to supervise any extracurricular activities. However, non-exempt employees may request in writing to their supervisors to supervise such activities when no other exempt employee is available. Request forms are available from Human Resources. Supervisors will always give preference to exempt employees when arranging for supervision of events. Non-exempt employees shall not supervise any event lasting longer than twelve (12) hours or any overnight events.

I. Travel

At times Board/Staff members may be required to use their personal car for business purposes. Reimbursement for the operating expenses of the car will be calculated by multiplying the number of miles traveled by the currently approved Standard Mileage Rate published by the IRS. Other expenses must be substantiated by receipts. The costs of commuting (travel between home and the work site) will not be reimbursed.

Board/Staff members who use their cars for business purposes must have current and adequate automobile liability insurance coverage. Staff will not transport clients in their personal vehicles. If transportation of this type is necessary, a school vehicle will be used.

Mileage

1. Mileage will be reimbursed for the round-trip distance between the Board/Staff's work site and the location of the business function being attended. If staff depart from or return to their home instead of their work site, only the miles in excess of the normal daily commute can be claimed as an expense.

2. Employees must document their travel on the Mileage Reimbursement Form (Form BUS-2).
3. Mileage amounts must be verified through the use of commercially available websites (i.e., Mapquest, Google Maps) using the shortest route option from the office and will be submitted with Form BUS-2.
4. Other expenses such as parking and tolls, will be reimbursed at the actual costs. Original, itemized receipts must be provided with Form BUS-2.
5. Excelsior's vehicles will be used whenever they are available.
6. The Business Office will assist the individual in scheduling the most efficient and economical means of transportation available.
7. If Board/Staff members choose to drive to a conference, Excelsior will pay for the "shortest route" mileage and meals up to the cost of the lowest logical air fare, with no consideration for food or lodging while driving to the conference.
8. The "shortest route" for business trips involving air travel will allow 2 hours before and after flight times plus mileage to and from the airport.
9. If a car rental is a preferred method of travel to and/or from the business trip, Excelsior will reimburse Board/Staff up to the lowest, logical, "shortest route" amount for mileage and/or air fare. General liability insurance for damages must be obtained from the car rental company.

Allowable Mileage Expenses

Examples of allowable business purposes include:

- Meetings
- Conferences/Presentations
- Travel between sites for supervisor-approved business
- Site Visits
- Work-related errands (post office, office supply store, etc.)
- Approved conferences and workshops

Meals

Excelsior shall provide Board/Staff members meals while traveling or attending approved conferences and workshops subject to the following limitations:

1. A Board/Staff Member shall not be reimbursed for more than the funds budgeted by the Board for the purposes intended.
2. The maximum amount provided for meals shall be up to \$70 per day. No receipt is required for meal

expenses. An advance meal check will be issued for the business trip.

Other Transportation

Excelsior will reimburse Board/Staff members for other business-related transportation expenses incurred while on a business trip, such as a taxi or shuttle from the airport to the hotel. Original receipts must be provided.

Miscellaneous

Excelsior will not assume any liability or expense for family members traveling with Board/Staff members during Excelsior-authorized business trips.

Lodging

Excelsior shall pay for all necessary business related lodging expenses. Expenses such as any form of room services, room movies, spa treatments, etc are not included in paid expenses.

Other Expenses

1. Registration Fees: All registration fees shall be paid by Excelsior for approved meetings and conferences.
2. Personal Expense: No personal expense will be reimbursable.
3. Taxes: All taxes paid will be reimbursable.
4. Reasonable tips/gratuities and other required expenditures will be reimbursed.

Expense Reimbursements

Excelsior will reimburse employees for certain reasonably necessary expenses incurred in the furtherance of Excelsior business. In order to be eligible for reimbursement, employees must follow the protocol set forth in Excelsior's policy regarding expenditures, a copy of which may be obtained from the Business Office. In general, all expenses must have been previously approved in writing by the employee's supervisor and the Assistant Superintendent of Business Services. All reimbursement forms must be complete and submitted to the Business Office.

Procedure

1. All expense claims shall be submitted to Excelsior within three months of the date of the expenditure and no later than June 15 of each year. Prior year claims will not be honored.

VII. Standards of Conduct

A. Excelsior Basics

Excelsior expects that all employees will demonstrate professional responsibility, integrity, and ethical conduct while on duty. Rather than mandate specific behaviors, leadership worked with staff to develop a

set of Values, Beliefs, Parameters and Meeting Guidelines that define the environment for the organization. These along with the Vision, Mission and Motto make up the 'Excelsior Basics'. The Excelsior Basics are printed on a foldable card and staff is encouraged to keep them handy. In order to keep them energized every meeting begins with a focus on the Basics. In addition to abiding by and promoting the Excelsior Basics, the Board believes that certificated staff members should accept as guiding principles and abide by the "Code of Ethics of the Teaching Profession" as adopted and revised by the Commission on Teacher Credentialing.

Values:

Teamwork

- It is our responsibility to participate as a team member in a collaborative environment using ideas, resources, and information to achieve common goals.
- We consistently strive to improve ourselves and our practices in order to achieve our Vision and Goals.
- We celebrate and encourage one another by recognizing each other's accomplishments.

Enthusiasm

- Be enthusiastic in order to inspire positive attitude, creativity, motivation and innovation so that everyone is successful.

Communication

- We are active listeners and have positive, professional interactions at all levels and in all situations.
- We have a willingness to voice our opinions and we will listen first for understanding and then to be understood.
- Everyone has a responsibility to tactfully communicate concerns and possible solutions to the appropriate person(s).
- We communicate all activities, events, and situations to all pertinent parties with appropriate feedback and follow-up; phone calls and emails are responded to in a timely manner.

Integrity

- We all have a responsibility to promote integrity by honoring others with respect, honesty, and trustworthiness.
- We take pride in our work which is reflected in our actions.
- We model the behaviors we expect to see in others.

Compassion

- We treat people as individuals with dignity, respect, and sympathy to help them achieve their personal best.
- We address issues in a positive, encouraging way that promotes personal growth.
- We take pride in helping people through positive interactions and mentoring.

Commitment

- We have the commitment to follow through, follow-up and have accountability in the quality of your work.
- We have sincere dedication and total commitment to empower the "education team" in the planning and achievement of their academic and life goals.

Beliefs

- All students can and will achieve
- We believe in doing the right thing even when no one is looking
- Students require a safe environment to learn
- Education is an investment in the future
- Expectations determine the outcome
- Everyone has something valuable to contribute

Parameters

- Always stay financially solvent
- Always be positive and proactive
- Always focus on the Vision
- Always be professional
- Always take responsibility for your actions and outcomes
- Always strive to improve

Meeting Guidelines

1. Have fun; be professional; take care of business
2. Have an agenda and advance notice of meeting
3. Start/End on time; stay on task
4. Be prepared; participate; be there
5. Make subject matter relevant to attendees
6. Don't beat a dead horse and don't shut down
7. Check for understanding as silence equals agreement
8. Mitigate outside interruptions
9. Support decisions even when we agree to disagree
10. Be respectful of others:
 - Check titles at the door,
 - No side conversations,
 - One person speaks at a time; everyone has the right to be heard,
 - Listen first for understanding and then to be understood,
 - Don't monopolize the conversation,
 - No put downs or criticism; don't be judgmental,
 - No hidden agendas,
 - No bird walking
11. Reminders; important dates; timelines; and calls for action

B. Personal Appearance

Employees are expected to wear clothes that are neat, clean and professional while on duty. Employees are expected to appear well groomed and appear within professionally accepted standards suitable for the employee's position, and must at all time wear shoes. Excelsior's objective in maintaining a business dress code is to enable our employees to project the professional image that is in keeping with the needs of our parents, students and community to trust us. Because education requires the appearance of trusted

educators and professionals and because we serve clients at our site(s) on a daily basis, a more formal dress code is necessary for our employees. We must project the image of trustworthy, knowledgeable professional educators for the clients who seek our guidance, input, and professional services. No dress code can cover all contingencies so employees must exert a certain amount of judgment in their choice of clothing to wear to work. If an employee experiences uncertainty about acceptable, professional formal business attire for work, they should ask their supervisor or the Human Resources department.

Slacks, Pants, and Suit Pants

Slacks that are similar to Dockers and other makers of cotton or synthetic material pants, wool pants, flannel pants, pants that match a suit jacket, and nice looking dress synthetic pants are acceptable. Inappropriate slacks or pants include any that are too informal. This includes jeans, capris, sweatpants, exercise pants, shorts, bib overalls, leggings, and any spandex or other form-fitting pants such as people wear for exercise or biking.

Skirts, Dresses, and Skirted Suits

Dresses, skirts, skirts with jackets, dressy two-piece knit suits or sets, and skirts that are split at or below the knee are acceptable. Dress and skirt length should be at a length at which you can sit comfortably in public. Short, tight skirts that ride halfway up the thigh are inappropriate for work. Mini-skirts, skorts, sun dresses, beach dresses, and spaghetti-strap dresses are inappropriate for the office.

Shirts, Tops, Blouses, and Jackets

Shirts, dress shirts, sweaters, tops, and turtlenecks are acceptable attire for work if they contribute to the appearance of formal, professional dress. Most suit jackets or sport coats are also desirable attire for the office.

Inappropriate attire for work includes tank tops; midriff tops; shirts with potentially offensive words, terms, logos, pictures, cartoons, or slogans; halter-tops; tops with bare shoulders or plunging necklines; polo shirts; sweatshirts; and t-shirts.

Shoes and Footwear

Conservative walking shoes, dress shoes, oxfords, loafers, boots, flats, dress heels, and backless shoes are acceptable for work. Heels must be less than 3 inches. Athletic shoes, tennis shoes, thongs, flip-flops, slippers, and any casual shoe with an open toe are not acceptable in the office. For Men, not wearing socks is inappropriate.

Accessories and Jewelry

For men tasteful, professional ties and belts are required. For Women, tasteful, scarves, belts, and jewelry are encouraged. Jewelry should be worn in good taste, with no visible body piercings (except regular earrings) and no visible tattoos.

Makeup, Perfume, and Cologne

A professional appearance is encouraged and excessive makeup is unprofessional. Remember that some employees are allergic to the chemicals in perfumes and makeup, so wear these substances with restraint.

Hats and Head Covering

Hats are not appropriate in the office. Head Covers that are required for religious purposes or to honor cultural tradition are allowed.

Dress Down Days

Dress down days are generally Saturday and Sunday, however, certain days or events throughout the year

may be declared 'dress down' days. For these days and events, business casual dress will apply.

Conclusion

Clothing that reveals cleavage, the back, chest, feet, stomach or underwear is not appropriate. In the Excelsior work environment, clothing should be pressed and never wrinkled. Torn, dirty, or frayed clothing is unacceptable. All seams must be finished. Any clothing that has words, terms, or pictures that may be offensive to other employees is unacceptable.

If clothing fails to meet these standards, as determined by the employee's supervisor and/or Administration, the employee will be asked not to wear the inappropriate item to work again. If the problem persists, the employee may be subject to disciplinary action, up to and including dismissal.

C. Confidential Information

You may, during the course of your duties be advised of certain confidential business matters and affairs of the School regarding its business practices, students, suppliers and employees. Your duties may also place you in a position of trust and confidence with respect to certain trade secrets and other proprietary information relating to the business of the School and not generally known to the public or competitors. Such proprietary information includes student information, competitive strategies, marketing plans, personnel information and financial information. You shall not, either during your employment with the School or any time in the future, directly or indirectly:

Disclose or furnish, directly or indirectly, to any other person, firm, agency, corporation, client, business, or enterprise, any confidential information acquired during your employment;

Individually or in conjunction with any other person, firm, agency, School, client, business, or corporation, employ or cause to be employed any confidential information in any manner whatsoever, except in furtherance of the business of the School;

Without the written consent of the School, publish, deliver, or commit to being published or delivered, any copies, abstracts, or summaries of any files, records, documents, drawings, specifications, lists, equipment and similar items relating to the business of the School, except to the extent required in the ordinary course of your duties.

Upon termination of employment, employees are required to immediately return to the School all property of the School in as good condition as when received (normal wear and tear excepted) including, but not limited to, all files, records, documents, drawings, specifications, lists, equipment and supplies, promotional materials, and similar items relating to the business of the School.

D. Conflict of Interest

All employees must avoid situations that result in actual or even potential conflicts of interest. Personal, social and economic relationships with competitors, suppliers, customers, parents, or co-employees that may impair an employee's ability to exercise good judgment on behalf of the School or which give the appearance of such impairment create an actual or potential conflict of interest. For example, romantic or personal relationships between a supervisor and subordinate employee can lead to supervisory problems, claims of harassment and morale problems.

Any employee involved in such situations or relationships must immediately and fully disclose the nature of the situation or relationship to the Assistant Superintendent of Human Resources so a determination can be made as to whether an actual or potential conflict exists, and if so, how to correct the situation.

Excelsior expects employees to devote their best efforts to the interests of our school. Excelsior recognizes your right to engage in activities outside of your employment, which are of a private nature and unrelated to our business. However, outside activities (second jobs, side businesses, clubs, etc.) must not interfere with your ability to fully perform your job duties at Excelsior or create a conflict of interest with your statutory duty of loyalty to the School. The School prohibits employees from working with another School or external organization that competes with Excelsior whether as a regular employee or as a consultant.

If you have any questions whether an action or proposed course of conduct would create a conflict of interest, you should immediately contact the Assistant Superintendent of Human Resources to obtain advice on this issue. A violation of this policy will result in immediate and appropriate discipline, up to and including immediate termination.

Outside Employment

If you are a full time employee we expect that you devote your full professional effort to your position at Excelsior. If you wish to participate in outside work activities you are required to obtain written approval from the Assistant Superintendent of Human Resources prior to starting those activities. Approval will be granted unless the activity conflicts with Excelsior's interests. In general, outside work activities are not allowed when they:

Prevent you from performing work for which you are employed at Excelsior.

Involve organizations that are doing or seek to do business with Excelsior including actual or potential vendors.

Violate provisions of law or Excelsior policies or rules.

Your obligations to Excelsior must be given priority. Full time employees are hired and continue employment with the understanding that Excelsior is their primary employer and that other employment, commercial involvement or volunteer activity that is in conflict with the business interests of the school is strictly prohibited.

E. Staff/Student Interaction

While incidences of sexual misconduct committed by teachers and school staff are very low throughout the country, every incident results in consequences that must be immediately addressed by the particular school community. Accordingly, it is the purpose of this policy to provide additional specificity to the standards of conduct embodied in current Excelsior ethics-related rules and regulations so that staff members clearly understand the prohibitions and behavior boundaries which must govern their conduct. (For purposes of this policy, staff includes all school employees—certificated or classified; coaches or advisors; full-time or part-time; and volunteers). The rules of conduct set forth in this policy are not intended to serve as a comprehensive delineation of requirements, limitations, or prohibitions on staff conduct and activities established by this school. Rather, the components of this policy serve:

To alert staff about some of the more sensitive and often problematic matters involved in faculty/staff student relationships.

To specify Boundaries related to potentially sexual situations and conduct – the crossing of which is contrary to accepted norms of behavior and in conflict with the duties and responsibilities of staff.

To provide staff members with clear guidance in conducting themselves in a manner that reflects high standards of professionalism. (It is important for Excelsior to maintain a school-wide culture in which students and staff understand their responsibilities to report sexual misconduct without fearing that school leaders will betray them if they do. In order to prevent sexual abuse and exploitation, students and staff must know that the administration will investigate reports about possible misconduct.)

To clarify that improper action may have significant consequences.

To provide an environment that empowers staff and students to identify actions that appear to have crossed Boundaries.

To define the process that Excelsior will use for addressing potential improper conduct.

To preserve student and staff privacy rights during any pending investigation as much as possible.

General Policy Provisions

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

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

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

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

Boundaries

Boundaries Defined

For the purposes of this policy, the term "Boundaries" is defined as: "acceptable professional behavior by a staff member while interacting with a student." Further, a staff member who trespasses beyond the parameters of a trustworthy adult/student relationship is deemed to have abused power and betrayed public

trust.

Acceptable and Unacceptable Behavior

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

Staff members must understand their own responsibilities for ensuring that they do not cross the Boundaries as written in this policy. Disagreeing with the wording or intent of the established Boundaries will be considered irrelevant for any required disciplinary purposes. Thus, it is critical that all employees study this policy thoroughly and apply its spirit and intent in their daily activities. Although sincere, professional interaction with students fosters the charter mission of "Academic Excellence," student/staff interaction has Boundaries regarding the activities, locations and intentions.

Unacceptable Behaviors

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

- Giving gifts to an individual student of a personal and intimate nature.
- Kissing of ANY kind.
- Any type of unnecessary physical contact with a student in a private situation.
- Intentionally being alone with a student away from the school.
- Making or participating in sexually inappropriate comments.
- Sexual jokes or jokes and/or comments with sexual double-entendre.
- Seeking emotional involvement (which can include intimate attachment) with a student beyond the normative care and concern required of an educator.
- Listening to or telling sexually-oriented stories.
- Discussing personal troubles or intimate issues with a student in an attempt to gain their support and understanding.
- Becoming involved with a student so that a reasonable person may suspect inappropriate behavior.
- Remarks about the physical attributes or physiological development of anyone.
- Excessive attention toward a particular student.
- Sending e-mails, text messages, MySpace responses, or letters to students if the content is not about school activities.
- Being alone in a room with a student at school and with the door closed.

Acceptable Behaviors

- Obtaining parents' written consent for any after-school activity on or off campus.
- Obtaining formal written approval (from school site and parents) to take students off of school property for activities such as field trips or competitions.
- E-mails, text-messages, phone conversations and other communications to and with students must be professional and pertain to school activities or classes. (Communication should be initiated via school-based technology and equipment.)
- Keeping the door open when alone with a student.
- Keeping reasonable space between you and your students.
- Stopping and correcting students if they cross your own personal boundaries.
- Keeping parents informed when a significant issue develops about a student.

- Keeping after-class discussions with a student professional and brief.
- Asking for advice from senior staff or administrators if you find yourself in a difficult situation related to Boundaries.
- Involving your supervisor if conflict arises with a student.
- Informing your supervisor about situations that have the potential to become more severe.
- Making detailed notes about an incident that could evolve into a more serious situation later.
- Recognizing the responsibility to stop unacceptable behavior of students and/or co-workers.
- Asking another staff member to be present if you will be alone with any student.
- Asking another staff member to be present, or within close supervisory distance, when you must be alone with a student after regular school hours.
- Giving students praise and recognition without touching them.
- Keeping your professional conduct a high priority during all moments of student contact.
- Asking yourself if any of your actions, which go contrary to these provisions, are worth sacrificing your job and career

Reporting

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

Investigating

An administrator will promptly investigate and document the investigation of any allegation of sexual misconduct, favoritism, or coercion, using such support staff or outside assistance, as he or she deems necessary and appropriate under the circumstances. Throughout this fact-finding process, the investigating administrator, and all others privy to the investigation, shall protect the privacy interests of any affected student(s) and/or staff member(s), including any potential witnesses, as much as possible. The investigating administrator, if not the school principal, shall promptly notify the Principal that an investigation is in progress; the Principal, in turn, shall notify the Assistant Superintendent of Human Resources and the Superintendent who will notify the Governing Board in closed session of the existence and status of any investigations.

Consequences

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

Training

This document shall be discussed with and acknowledged by all Excelsior employees as part of their initial employment and again, on an annual basis, as part of ongoing training for all Excelsior employees. A signed copy of this acknowledgement will be placed into each Excelsior employee's personnel folder.

F. Child Neglect and Abuse Reporting

Any employee who knows or reasonably suspects a child has been the victim of child abuse and/or neglect shall report the instance to **Child Protective Services (“CPS”) at 800-827-8724** within 24 hours. Child abuse is broadly defined as “a physical injury that is inflicted by other than accidental means on a child by another person.” Excelsior employees are required to report instances of child abuse when the employee has a “reasonable suspicion” that child abuse or neglect has occurred. Reasonable suspicion arises when the facts surrounding the incident or suspicion could cause a reasonable person in a like position to suspect child abuse or neglect.

Child abuse or neglect should be reported immediately by phone to **CPS at 800-827-8724**. The phone call is to be followed by a written report (forms are available in the Counselors office) prepared by the employee within thirty-six (36) hours, which may be sent by fax or electronically. There is no duty for the reporter to contact the child’s parents.

Reporting the information regarding a case of possible child abuse or neglect to your supervisor, Excelsior principal, Excelsior counselor, coworker or other person shall not be a substitute for making a mandated report to **CPS**.

VIII. Employee Pay and Benefits

A. Pay Schedules

The citizens of this community are interested in attracting and maintaining a qualified, competent staff to educate their children. The citizens and the Board of Directors recognize the importance of an attractive salary schedule and sound salary policies in securing and holding competent staff members.

Certificated Salary Schedule

2014-2015-School Year (185 days)

| Steps | Column 1 | | | Column 2 | | | Column 3 | | |
|-------|-------------------------|-----------|----------|-------------------|-----------|----------|-------------------|-----------|----------|
| | BA/BS w/Prelim or Clear | | | BA/BS +45 w/MA/MS | | | BA/BS +60 w/MA/MS | | |
| | Annual | Daily | Hourly | Annual | Daily | Hourly | Annual | Daily | Hourly |
| 1 | \$ 43,302.49 | \$ 234.07 | \$ 33.44 | \$ 44,602.04 | \$ 241.09 | \$ 34.44 | \$ 45,939.70 | \$ 248.32 | \$ 35.47 |
| 2 | \$ 45,034.59 | \$ 243.43 | \$ 34.78 | \$ 46,385.59 | \$ 250.73 | \$ 35.82 | \$ 47,776.60 | \$ 258.25 | \$ 36.89 |
| 3 | \$ 46,835.28 | \$ 253.16 | \$ 36.17 | \$ 48,241.54 | \$ 260.77 | \$ 37.25 | \$ 49,689.72 | \$ 268.59 | \$ 38.37 |
| 4 | \$ 48,708.39 | \$ 263.29 | \$ 37.61 | \$ 50,169.91 | \$ 271.19 | \$ 38.74 | \$ 51,673.35 | \$ 279.32 | \$ 39.90 |
| 5 | \$ 50,657.72 | \$ 273.83 | \$ 39.12 | \$ 52,176.40 | \$ 282.03 | \$ 40.29 | \$ 53,740.82 | \$ 290.49 | \$ 41.50 |
| 6 | \$ 52,685.17 | \$ 284.78 | \$ 40.68 | \$ 54,264.83 | \$ 293.32 | \$ 41.90 | \$ 55,894.03 | \$ 302.13 | \$ 43.16 |
| 7 | \$ 54,790.75 | \$ 296.17 | \$ 42.31 | \$ 56,433.29 | \$ 305.04 | \$ 43.58 | \$ 58,129.18 | \$ 314.21 | \$ 44.89 |
| 8 | \$ 56,982.07 | \$ 308.01 | \$ 44.00 | \$ 58,691.31 | \$ 317.25 | \$ 45.32 | \$ 60,453.89 | \$ 326.78 | \$ 46.68 |
| 9 | \$ 59,259.14 | \$ 320.32 | \$ 45.76 | \$ 61,036.98 | \$ 329.93 | \$ 47.13 | \$ 62,870.07 | \$ 339.84 | \$ 48.55 |
| 10 | \$ 61,631.49 | \$ 333.14 | \$ 47.59 | \$ 63,479.83 | \$ 343.13 | \$ 49.02 | \$ 65,387.23 | \$ 353.44 | \$ 50.49 |
| 11 | \$ 62,864.35 | \$ 339.81 | \$ 48.54 | \$ 64,750.80 | \$ 350.00 | \$ 50.00 | \$ 66,694.41 | \$ 360.51 | \$ 51.50 |
| 12 | \$ 64,097.21 | \$ 346.47 | \$ 49.50 | \$ 66,021.76 | \$ 356.87 | \$ 50.98 | \$ 68,001.58 | \$ 367.58 | \$ 52.51 |
| 13 | \$ 65,379.61 | \$ 353.40 | \$ 50.49 | \$ 67,342.28 | \$ 364.01 | \$ 52.00 | \$ 69,360.20 | \$ 374.92 | \$ 53.56 |
| 14 | \$ 66,662.01 | \$ 360.34 | \$ 51.48 | \$ 68,660.88 | \$ 371.14 | \$ 53.02 | \$ 70,720.73 | \$ 382.27 | \$ 54.61 |
| 15 | \$ 66,662.01 | \$ 360.34 | \$ 51.48 | \$ 70,032.84 | \$ 378.56 | \$ 54.08 | \$ 72,136.51 | \$ 389.93 | \$ 55.70 |
| 16 | \$ 66,662.01 | \$ 360.34 | \$ 51.48 | \$ 71,404.80 | \$ 385.97 | \$ 55.14 | \$ 73,550.39 | \$ 397.57 | \$ 56.80 |
| 17 | \$ 66,662.01 | \$ 360.34 | \$ 51.48 | \$ 71,404.80 | \$ 385.97 | \$ 55.14 | \$ 75,021.44 | \$ 405.52 | \$ 57.93 |
| 18 | \$ 66,662.01 | \$ 360.34 | \$ 51.48 | \$ 71,404.80 | \$ 385.97 | \$ 55.14 | \$ 76,492.49 | \$ 413.47 | \$ 59.07 |
| 19 | \$ 66,662.01 | \$ 360.34 | \$ 51.48 | \$ 71,404.80 | \$ 385.97 | \$ 55.14 | \$ 78,020.70 | \$ 421.73 | \$ 60.25 |
| 20 | \$ 66,662.01 | \$ 360.34 | \$ 51.48 | \$ 71,404.80 | \$ 385.97 | \$ 55.14 | \$ 79,552.72 | \$ 430.01 | \$ 61.43 |

| | ACADEMIC | VOCATIONAL/PROFESSIONAL* |
|------------------|--|--|
| Column 1: | BA/BS degree <u>plus</u> a preliminary or clear credential | 6 or more years of appropriate experience |
| Column 2: | BA/BS degree <u>plus</u> 45 graduate semester units <u>and</u> MA/MS degree and a preliminary or clear credential | BA/BS plus 6 or more years of appropriate experience |
| Column 3: | BA/BS degree <u>plus</u> 60 graduate semester units <u>and</u> MA/MS degree or higher degree and a preliminary or clear credential | MA/MS plus 6 or more years of appropriate experience |

| BA/BS w/Internship | | |
|--------------------|-----------|----------|
| Annual | Daily | Hourly |
| \$ 42,040.28 | \$ 227.24 | \$ 32.46 |

*Placement on the salary schedule according to Vocational/Professional experience is only for classroom teachers of non-core, non-college prep courses as deemed necessary and appropriate by Administration. Required professional experience cannot be used for vertical progression on schedule.

All Units for salary advancement are semester units and must be taken after the award date of the Bachelor's Degree. Quarter units are converted to semester units by multiplying by a factor of two-thirds ($2/3$). Advancement across columns is dependent on units obtained from accredited schools (as accepted by the California Commission on Teacher Credentialing). Certificated employees requesting advancement on the salary schedule shall submit supporting records of official transcript(s) or other official school document(s) showing completion of the required units or degree, or letter from the college/university. Salary adjustment due to advancement will be given twice per year, August and January. Appropriate documentation must be received by the Human Resources Department by August 20 for salary placement retroactive to the first official duty day of that school year, or by January 20 for salary placement retroactive to January 1.

Classified Pay Schedule

2014 - 2015 School Year

| Range | Position |
|-------|--|
| A | Proctor |
| B | Instructional Associate, Office Assistant (Reception, General) |
| C | Custodian |
| D | Lab Specialist (Reading lab, Testing center) |
| E | Maintenance |

| Range | Position |
|-------|--|
| F | Office Clerk (Curriculum, Registrar, Special Ed.) |
| G | Computer Technician |
| H | Administrative Assistant (Assistant Superintendent, Principal), Community Outreach Coordinator , |
| I | Business Office Technician, Personnel Technician, Database Technician |
| J | Network Administrator, Executive Assistant, Web Applications Developer |

| Steps | Range | | | | | | | | | |
|-------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|
| | A | B | C | D | E | F | G | H | I | J |
| 1 | \$ 11.29 | \$ 12.59 | \$ 13.27 | \$ 14.02 | \$ 15.57 | \$ 16.00 | \$ 17.84 | \$ 18.33 | \$ 19.86 | \$ 27.81 |
| 2 | \$ 11.83 | \$ 13.19 | \$ 13.94 | \$ 14.72 | \$ 16.35 | \$ 16.80 | \$ 18.74 | \$ 19.25 | \$ 20.86 | \$ 29.20 |
| 3 | \$ 12.44 | \$ 13.85 | \$ 14.63 | \$ 15.44 | \$ 17.17 | \$ 17.64 | \$ 19.66 | \$ 20.21 | \$ 21.90 | \$ 30.66 |
| 4 | \$ 13.05 | \$ 14.55 | \$ 15.37 | \$ 16.21 | \$ 18.03 | \$ 18.53 | \$ 20.64 | \$ 21.21 | \$ 22.99 | \$ 32.19 |
| 5 | \$ 13.72 | \$ 15.27 | \$ 16.14 | \$ 17.03 | \$ 18.93 | \$ 19.46 | \$ 21.67 | \$ 22.28 | \$ 24.14 | \$ 33.80 |
| 6 | \$ 13.99 | \$ 15.59 | \$ 16.45 | \$ 17.37 | \$ 19.31 | \$ 19.85 | \$ 22.12 | \$ 22.72 | \$ 24.64 | \$ 34.48 |
| 7 | \$ 14.24 | \$ 15.89 | \$ 16.78 | \$ 17.72 | \$ 19.68 | \$ 20.25 | \$ 22.55 | \$ 23.20 | \$ 25.11 | \$ 35.17 |
| 8 | \$ 14.53 | \$ 16.19 | \$ 17.11 | \$ 18.06 | \$ 20.06 | \$ 20.62 | \$ 22.98 | \$ 23.62 | \$ 25.60 | \$ 35.87 |
| 9 | \$ 14.76 | \$ 16.43 | \$ 17.33 | \$ 18.32 | \$ 20.35 | \$ 20.93 | \$ 23.31 | \$ 23.98 | \$ 25.95 | \$ 36.37 |
| 10 | \$ 14.96 | \$ 16.68 | \$ 17.59 | \$ 18.56 | \$ 20.64 | \$ 21.22 | \$ 23.64 | \$ 24.29 | \$ 26.32 | \$ 36.88 |
| 11-13 | \$ 15.15 | \$ 16.89 | \$ 17.82 | \$ 18.80 | \$ 20.91 | \$ 21.50 | \$ 23.95 | \$ 24.61 | \$ 26.66 | \$ 37.36 |
| 14-16 | \$ 15.35 | \$ 17.11 | \$ 18.05 | \$ 19.04 | \$ 21.18 | \$ 21.77 | \$ 24.26 | \$ 24.93 | \$ 27.01 | \$ 37.85 |
| 17-19 | \$ 15.54 | \$ 17.33 | \$ 18.28 | \$ 19.29 | \$ 21.45 | \$ 22.05 | \$ 24.58 | \$ 25.25 | \$ 27.36 | \$ 38.34 |
| 20+ | \$ 15.75 | \$ 17.56 | \$ 18.52 | \$ 19.54 | \$ 21.73 | \$ 22.34 | \$ 24.90 | \$ 25.57 | \$ 27.72 | \$ 38.84 |

Management Salary Schedule

2014-2015 School Year

| | Days | Factor* | Step 1 | Step 2 | Step 3 | Step 4 | Step 5 |
|-----------------------------|-------------|----------------|---------------|---------------|---------------|---------------|---------------|
| SAM | 222 | 0.6 | \$ 43,294.00 | \$ 45,458.70 | \$ 47,731.63 | \$ 50,118.21 | \$ 52,624.12 |
| Coordinator I (1-5 sites) | 205* | 1.05 | \$ 75,764.49 | \$ 79,552.72 | \$ 83,530.36 | \$ 87,706.87 | \$ 92,092.22 |
| Coordinator II (6-10 sites) | 205* | 1.15 | \$ 82,980.16 | \$ 87,129.17 | \$ 91,485.63 | \$ 96,059.91 | \$ 100,862.90 |
| Coordinator III (11+ sites) | 205* | 1.23 | \$ 88,752.69 | \$ 93,190.33 | \$ 97,849.84 | \$ 102,742.34 | \$ 107,879.45 |
| Assistant Principal | 190 | 1.03 | \$ 74,321.36 | \$ 78,037.43 | \$ 81,939.30 | \$ 86,036.27 | \$ 90,338.08 |
| Principal | 205 | 1.23 | \$ 88,752.69 | \$ 93,190.33 | \$ 97,849.84 | \$ 102,742.34 | \$ 107,879.45 |

*Management salaries are based on a factor of the highest teacher salary (\$79,552.27). Step 3 for all management positions is determined by the above factors of the highest teacher salary. Working backwards, Steps 1 and 2 are determined by 5% increments. Steps 4 and 5 are based on 5% increases. Any increases or decreases in the certificated salary schedule will automatically be reflected in the management salary schedule.

** 205 days for certificated Coordinators, 222 days for non-certificated Coordinators.

B. Personal Necessity Time

Excelsior provides Personal Necessity Time (PN) to all full and part time employees to enable them to take paid time off for personal reasons. Excelsior believes that this time is valuable for employees in order to enhance their productivity and to make their work experience with Excelsior personally satisfying. Eligible employees accrue PN time according to the following:

| <u>Employee Classification</u> | <u>PN Accrual rate</u> |
|---------------------------------------|---|
| Exempt, Full Time | 1 day per month – Number of months per year is specified on Notice of Assignment (NOA) |
| Non-Exempt, Full Time | 1 day (8 hours) per month – Number of months per year is specified on NOA |
| Exempt and Non-Exempt, Part Time | Pro rata basis - the rate at which their work schedule (as specified on their NOA) relates to full time employment. Employees who are not eligible to participate in PERS or STRS are not eligible for PN time. |

Employees may only use PN time that has been earned and accrued. In certain cases PN may be advanced prior to the actual accrual. Talk to your supervisor if you need to take PN time that has not yet been earned and accrued. Each situation will be considered on a case-by-case basis. If an employee leaves Excelsior for any reason and has used PN time which has not been earned and accrued, the employee shall owe Excelsior for the PN time used but not earned and will be required to make arrangements for repayment.

Any unused PN time within one School year automatically converts to sick time and is rolled over to the following year. No employee will receive pay in lieu of PN. No PN accrues during any unpaid leave of absence or while on disability salary continuation. PN accruals recommence when the employee returns to work. All use of PN time must be approved, in writing, in advance by the employee's supervisor. Exempt, full-time employees may be docked PN time in full or half day increments.

C. Flex Days

All full time 10 month facilitators shall have up to five (5) flex days as deemed necessary by their supervisor. The flex days may be used at any time during the five (5) weekdays immediately preceding or following the employees regular annual work calendar. The corresponding days to be taken off must be taken during the same school year with the prior written approval of the employee's supervisor. Leave request forms are available from your supervisor.

D. Sick Leave

Any unused PN time within one school year automatically converts to sick time and is rolled over to the following year. Sick leave is intended to provide a cushion for incapacitation due to illness or injury. It is intended to be used when required to recover from illness or injury; sick leave is not for "personal" absences. However, an employee may use sick leave to attend to the illness of his or her family, family is defined to mean a child, parent, spouse or domestic partner, (including step-relatives of the same categories), and child of a domestic partner of the employee. Use of sick leave is allowed for the purpose of preventative medical, dental and family health care. Excelsior does not pay employees in lieu of unused sick leave, nor is sick leave paid out upon termination of employment.

Excelsior retains the right to require medical certification of any illness including certification clearing a return to work, for any absence due to illness of the employee, which lasts more than three (3) consecutive workdays. If the illness or injury exceeds ten (10) workdays, the employee may be required to provide medical certification of the illness or injury, including a diagnosis and estimate as to the expected duration or the necessary absence. No employee may return to work until all requested medical certification are received and reviewed. Once an employee has exhausted all sick leave, the employee may continue on an unpaid medical leave, if eligible under applicable medical leave law, depending upon the facts and circumstances of the employee's basis for leave beyond the accrued sick leave. Exempt, full-time employees may be docked sick time in full or half day increments.

New employees may transfer all days of paid sick leave that they have accrued at the school employer where the new employee was employed immediately prior to being employed by Excelsior.

E. Retirement Matching Program 403(b) 457(b)

The Staff 403(b) or 457(b) matching program has been developed to help Excelsior Charter Schools Employees further their financial security.

The goal of the program is to encourage staff to consider a well designed financial plan that will provide financial security and ensures that personal financial goals are met.

The annual limit for the 403(b) or 457(b) matching program is set at \$25,000.00, for the 2014-2015 school year and is subject to change with or without notice. Eligible employees contributions to the 403(b) or 457(b) will be matched up to \$250.00 per year.

The Business Department authorizes the matching from school funds allotted for Staff 403(b) or 457(b) Matching program, and is responsible for administration, interpretation and approval for this program.

Eligibility

You are eligible for this program if:

- You are a regular, active, full-time or part time employee.
- Must participate in a 403(b) or 457(b) savings program.

Amount of Reimbursement

Excelsior will match the employee's contribution to the 403(b) or 457(b) program up to a maximum of \$250.00 per year.

Based on the amount of matching requests for a specific fiscal year, all or percentage of the amount will be paid until the amount allotted for the yearly matching is completely spent. Administration is allowed the discretion to limit the matching amount during the year for budgetary considerations. The fiscal year runs from July 1st to June 30th.

F. Insurance Benefits

1. Health Insurance

Full-time employees are entitled to health insurance benefits in accordance with Excelsior's health insurance plan. The coverage chosen by the employee will determine how much of the employee's portion of monthly premiums will be deducted from the employee's paycheck, if any.

If medical insurance premium rates increase, employees may be required to contribute to the cost of increased premiums to retain coverage.

Full time employees are eligible for health insurance benefits on the first day of the month after their date of hire.

Eligible staff members will be entitled to a "cash option" in lieu of health benefits. This is based on a plan year from July 1 through June 30. Eligibility for the "cash option" is based on the following criteria:

- (a) Married couples that are both full-time staff members of Excelsior (only one would be eligible to waive benefits).
- (b) Eligible staff members whose health benefits are covered by a spouse's employer, or elsewhere (with verification).

For those staff members who are eligible for the "cash option" in lieu of health benefits and who waive medical benefits, a specified amount is available to be contributed to a 403(b) plan. This specified amount will consist of two installments, which will be included in the November and May payrolls and will be distributed, in a timely manner, to the pre-designated 403(b) account.

Eligible staff members who wish to waive benefits and receive the "cash option" must sign and return a waiver to the Business Office prior to or during the open enrollment period.

2. Disability Insurance

All employees are enrolled in California State Disability Insurance (SDI), which is a partial wage-replacement insurance plan for California workers. Employees may be eligible for SDI when they are ill or have non-work related injuries, or may be eligible for work related injuries if they are receiving workers' compensation at a weekly rate less than the SDI rate. Specific rules and regulations relating to SDI eligibility are available from the Employment Development Department State of California website.

3. Family Leave Insurance

Employees covered by the California Disability Insurance program are also covered by the California Paid Family Leave Insurance program. Eligible employees are entitled to receive up to six weeks of wage replacement benefits when they suffer a wage loss for taking time off to care for a seriously ill child, spouse, parent or domestic partner or to bond with a new child within one year of birth or placement of the child in connection with foster care or adoption. Specific rules and regulations relating the Family Leave Insurance are available from the Employment Development Department State of California website.

4. Workers' Compensation Insurance

Eligible employees are entitled to Workers' Compensation Insurance benefits when suffering from an occupational illness or injury. This benefit is provided at no cost to the employee. See below for a further description of making a claim for Workers' Compensation Insurance benefits.

G. Leaves of Absence

This Handbook summarizes leave that may be available to employees. Most leave policies have differing requirements for eligibility, duration, benefits, etc. Therefore, employees should contact Human Resources to request specific information relating to a particular leave policy. Employees must submit requests for leaves of absence in writing to their supervisor as far in advance as is practicable. Employees on job-protected leave must notify their supervisor if their return to work date changes or they need an extension of their current leave status. Employees on non-job protected leaves (unpaid personal leave/sabbatical leave) should occasionally keep in contact with their supervisor. If an employee's leave expires and he/she fails to return to work without contacting their supervisor it will be presumed that the employee abandoned his/her position with Excelsior and employment may be terminated. If an employee is unable or unwilling to return to work at the expiration of his/her leave of absence, his/her employment may be terminated.

While out on a leave of absence, employees may not accept employment with another company or person unless agreed to in advance in writing by Excelsior's Superintendent. Acceptance of employment in violation of this policy will be considered an abandonment of the employee's position with Excelsior, and employment may be terminated. Employees shall not apply for unemployment compensation insurance while out on leave.

1. Family Care and Medical Leave

Excelsior complies with the federal Family and Medical Leave Act (FMLA) and the California Family Rights Act (CFRA), both of which require Excelsior to permit each eligible employee to take up to 12 work weeks of unpaid leave in any 12-month period for the birth or adoption of a child, the employee's own serious health condition or for the serious health condition of the employee's child, parent or spouse. For ease of reference in this policy, all leave taken under both FMLA and CFRA will be referred to as "FMLA leave."

Eligible Employees

Employees may be eligible for FMLA leave if they have:

- Been employed by Excelsior for at least 12 months of continuous service; and
- Worked at least 1,250 hours during the 12-month period immediately preceding commencement of the FMLA leave; and

Reasons for Taking Leave

The 12-week FMLA leave includes any time taken for any of the following reasons:

The birth of employee's child, or placement of a child with the employee for adoption or foster care (FMLA/CFRA)

To care for the employee's spouse, child, or parent who has a serious health condition (FMLA/CFRA)

To care for the employee's registered domestic partner (CFRA only)

For a serious health condition that makes the employee unable to perform his or her job (FMLA/CFRA)

For any “qualifying exigency” (as defined by federal regulation) because the employee is the spouse, son, daughter, or parent of an individual on active military duty (or has been notified of an impending call or order to active duty) in the Armed Forces in support of a contingency operation (FMLA only)

An employee who is the spouse, son, daughter, parent or next of kin of a covered service member shall be entitled to a total of 26 workweeks of leave during a 12- month period to care for the service member (FMLA only).

A “serious health condition” is an illness, injury, impairment, or physical or mental condition that involves: 1) inpatient care in a hospital, hospice or residential health care facility or 2) continuing treatment by a health care provider.

An employee that takes leave due to his or her own sickness or injury is required to use his or her accrued sick leave. The employee may elect to substitute any of their accrued PN during this period.

Length of FMLA Leave

Leave can be taken in one or more periods, but may not exceed 12 work weeks in any 12-month period. Under most circumstances, leave under FMLA and CFRA will run at the same time and the eligible employee will be entitled to a total of 12 weeks of family and medical leave in the designated 12-month period. Leave taken for pregnancy disability is not included in this 12 week calculation.

Note: The 12 month period shall be a rolling 12 month period measured backward from the date an employee uses any leave.

Twelve (12) work weeks means the equivalent of twelve of the employee’s normally scheduled work weeks. For a full-time employee who works five eight-hour days per week, 12 work weeks means 60 working and/or paid eight-hour days. The 12-month period in which 12 weeks of leave may be taken is the 12-month period immediately preceding the commencement of any FMLA leave.

If FMLA leave is taken because of the employee’s own serious health condition or the serious health condition of the employee’s spouse, parent or child, the leave may be taken intermittently or on a reduced leave schedule when medically necessary, as determined by the health care provider of the person with the serious health condition.

If FMLA leave is taken because of the birth of the employee’s child or the placement of a child with the employee for adoption or foster care, the minimum duration of leave is two weeks, except that Excelsior will grant a request for FMLA leave for this purpose of at least one day but less than two weeks’ duration on any two occasions.

The maximum time the employee will be allowed to take FMLA leave to care for a covered service member, is 26-work weeks in a 12-month period. If the employee is eligible, the 12-month period begins on the first day of the leave, regardless of how the 12-month period is calculated for other leaves. The employee may elect to use any accrued PN time, family leave or medical or sick leave for any part of the 26-week period.

[Note: The 12-month period shall be a rolling 12-month period measured backward from the date an employee uses any leave.]

[Note: At the end of an employee's period(s) of pregnancy disability leave, a CFRA-eligible employee may request a CFRA leave of up to 12 work weeks for reason of birth of her child if the child has been born by this date. There is no requirement that either the employee or child have a serious health condition nor is there a requirement that the employee no longer be disabled by her pregnancy, childbirth, or related medical condition before taking CFRA leave for reason of birth of her child.]

Health Benefits

The provisions of Excelsior's various employee benefit plans govern continuing eligibility during FMLA leave, and these provisions may change from time to time. Payment of premiums while on FMLA leave remains the same as if the employee were not on leave. Thus, the employee is required to pay any premium payments for him/herself and dependents during leave that would have been made if he/she were not on leave, while Excelsior continues to pay the benefits at the same level as if the employee were not on leave. When a request for FMLA leave is granted, Excelsior will give the employee written confirmation of the arrangements made for the payment of insurance premiums during the leave period.

If the employee out on leave chooses not to return to work from a leave allowed by this policy after the expiration of the leave, the employee will be required to repay Excelsior the premium amounts it paid during leave, unless the employee does not return to work because of circumstances beyond his/her control or because of recurrence, continuation or onset of a serious health condition.

Medical Certifications

An employee requesting FMLA leave-based on the expected birth, placement for adoption or foster care, or planned medical treatment for a serious health condition of the employee or a relative's serious health condition must notify Excelsior at least 30 days before leave is to begin and provide medical certification from the appropriate health care provider on a form supplied by Excelsior. If the employee cannot provide 30-days notice, the School must be informed as soon as is practical. Failure to provide the required certification in a timely manner (within 15 days of any request for family medical leave under state and federal law, unless it is not practicable to do so.) may result in delay of the approval of the leave request until such certification is provided.

If certification is never received, the leave may not be considered FMLA and therefore not subject to the protections afforded by FMLA/CFRA.

If the leave is needed to care for a sick child, spouse, or parent, the employee must provide a certification from the health care provider stating:

Date of commencement of the serious health condition;

Probable duration of the condition;

Estimated amount of time for care by the health care provider;

Confirmation that the serious health condition warrants the participation of the employee.

When both parents are employed by the School, and request simultaneous leave for the birth or placement for adoption or foster care of a child, the School will not grant more than a total of 12 workweeks family/medical

leave for this reason. If an employee cites his/her own serious health condition as a reason for leave, the employee must provide a certification from the health care provider stating:

- Date of commencement of the serious health condition;
- Probable duration of the condition;
- Inability of the employee to work at all or perform any one or more of the essential functions of his/her position because of the serious health condition.

The School may require certification by the employee's health care provider that the employee is fit to /return to his or her job. Failure to provide certification by the health care provider of the employee's fitness to return to work will result in denial of reinstatement for the employee until the certificate is obtained.

If Excelsior has reason to doubt the medical certification supporting a leave because of the employee's own serious health condition, Excelsior may request a second opinion by a health care provider of its choice (paid for by Excelsior). If the second opinion differs from the first one, Excelsior will pay for a third, mutually agreeable, health care provider to provide a final and binding opinion.

Recertifications are required if leave is sought after expiration of the time estimated by the health care provider. Failure to submit recertifications can result in termination of the leave.

Procedures for Requesting and Scheduling FMLA Leave

An employee should request FMLA leave by completing a Request for Leave form and submitting it to Human Resources. An employee asking for a Request for Leave form will receive a copy of Excelsior's then-current FMLA leave policy.

Employees should provide not less than 30 days notice or if such notice is not possible, as soon as is practicable, for foreseeable childbirth, placement or any planned medical treatment for the employee or his/her spouse, child or parent. Failure to provide such notice is grounds for denial of a leave request, except in situations where the need for FMLA leave is an emergency or otherwise unforeseeable.

If an employee needs intermittent leave or leave on a reduced leave schedule that is foreseeable based on planned medical treatment for the employee or a family member, the employee may be transferred temporarily to an available alternative position for which he/she is qualified that has equivalent pay and benefits and that better accommodates recurring periods of leave than the employee's regular position.

In most cases, Excelsior will respond to a FMLA leave request within five (5) days of acquiring knowledge that the leave is being taken for an FMLA-qualifying reason and, in any event, within ten (10) days of receiving the request. If an FMLA leave request is granted, Excelsior will notify the employee in writing that the leave will be counted against the employee's FMLA leave entitlement. This notice will explain the employee's obligations and the consequences of failing to satisfy them.

Return to Work

Upon timely return at the expiration of the FMLA leave period, an employee is entitled to the same or comparable position to the employee's original position in terms of pay, benefits and working conditions, including privileges, perquisites and status, unless the same position and any comparable position(s) have ceased to exist because of legitimate business reasons unrelated to the employee's FMLA leave. Certain key employees may be subject to reinstatement limitations in certain circumstances. If you are a key

employee, you will be notified of the potential reinstatement limitations when you request FMLA leave.

Before an employee will be permitted to return from FMLA leave taken because of his or her own serious health condition, the employee must obtain a certification from his or her health care provider that he or she is able to resume work.

2. Pregnancy Disability Leave

Excelsior complies with the requirements of the California Pregnancy Disability Act, in addition to other family and medical leaves required by law. Excelsior will give each female employee an unpaid leave of absence of up to four months (693 hours for full-time employees), as needed, for the period(s) of time a woman is actually disabled by pregnancy, childbirth or related medical conditions.

Eligibility

To be eligible, the employee must be disabled by pregnancy, childbirth or a related medical condition and must provide appropriate medical certification concerning the disability.

Reasons to Take Leave

The employee is entitled to take up to a total of 17-1/3 weeks or 693 hours (for full-time employees) of pregnancy disability leave if the employee is actually disabled by her pregnancy, childbirth or a related medical condition under California State law and (if eligible and you have not exhausted your entitlement) an additional 12 workweeks for non-pregnancy disability-related family medical leave under the California Family Rights Act (CFRA) for the purpose of child bonding. This includes time off needed for prenatal care, severe morning sickness, doctor-ordered bed rest, childbirth, recovery from childbirth and any related medical condition. Generally this means the employee is unable to work at all or is unable to perform any one or more of the essential functions of her job without undue risk to herself, the successful completion of her pregnancy, or to other persons because of pregnancy or childbirth, or because of any medically recognized physical or mental condition that is related to pregnancy or childbirth (including severe morning sickness).

Length of Pregnancy Disability Leave

Pregnancy disability leave may be taken in one or more periods, but not to exceed a total of 17-1/3 weeks or 693 hours (for full-time employees). Any remaining FMLA leave will run concurrently with CFRA leave. The amount of leave will be pro-rated based on number of hours worked (i.e. a part-time employee working 20 hours per week would be entitled to 346.6 hours of leave).

Pregnancy disability leave may be taken intermittently or on a reduced leave schedule when medically advisable, as determined by the employee's healthcare provider. If an employee requires intermittent leave or leave on a reduced leave schedule that is foreseeable based on planned medical treatment, the employee may be transferred temporarily to an available alternative position for which he or she is qualified that has equivalent pay and benefits that better accommodates recurring periods of leave than the employee's regular position.

Employee Benefits

The provisions of Excelsior's various employee benefit plans govern continuing eligibility during pregnancy disability leave and these provisions may change from time to time. Payment of premiums while on pregnancy disability leave remains the same as if the employee were not on leave. Thus, the

employee is required to pay any premium payments for him/herself and dependents during leave that would have been made if he/she were not on leave, while Excelsior continues to pay the benefits at the same level as if the employee were not on leave. When a request for pregnancy disability leave is granted, Excelsior will give the employee written confirmation of the arrangements made for the payment of insurance premiums during the leave period.

An employee on pregnancy disability leave remains an employee of Excelsior and a leave will not constitute a break in service for purposes of longevity and/or seniority. When an employee returns from pregnancy disability leave, she will resume her benefits in the same manner and the same level as provided when the leave began, without any new qualification period, physical exam, etc.

Medical Certifications

An employee requesting a pregnancy disability leave must provide medical certification from her healthcare provider. Failure to provide the required certification in a timely manner (within 15 days of the leave request) may result in a denial of the leave request until such certification is provided.

Re-certifications are required if leave is sought after expiration of the time estimated by the healthcare provider. Failure to submit required re-certification can result in termination of leave.

Requesting and Scheduling Pregnancy Disability Leave

An employee should request pregnancy disability leave by completing a Request for Leave from Human Resources and submitting it to Human Resources. An employee asking for a Request for Leave form will be provided a current copy of Excelsior's pregnancy disability leave policy.

Employees should provide not less than thirty (30) days or if such notice is not possible, as soon as is practicable if the need for the leave is foreseeable. Failure to provide such notice is grounds for denial of the leave request, except if the need for pregnancy disability leave was an emergency and was otherwise unforeseeable.

Where possible, employees must make a reasonable effort to schedule foreseeable planned medical treatments so as not to unduly disrupt Excelsior's operation.

In most cases, Excelsior will respond to a pregnancy disability leave request within ten (10) days of receiving the request. If a pregnancy disability leave request is granted, Excelsior will notify the employee in writing and leave will be counted against the employee's pregnancy disability leave entitlement and FMLA leave entitlement should it apply. This notice will explain the employee's obligations and the consequences of failing to satisfy them.

Return to Work

Upon timely return at the expiration of the pregnancy disability leave period, an employee is entitled to the same position unless the employee would not otherwise have been employed in the same position (at the time reinstatement is requested) because of legitimate business reasons unrelated to the pregnancy disability leave or if the means to preserve the position would substantially undermine Excelsior's ability to operate the business safely and efficiently.

If the employee is not reinstated to the same position, she must be reinstated to a comparable position unless there is no comparable position available or filling the available position with the returning employee would substantially undermine Excelsior's ability to operate the business safely and efficiently.

When a request for pregnancy disability leave is granted to an employee, Excelsior will provide the employee with a guarantee to reinstate the employee to the same position or to a comparable position, unless justified by law. The guarantee will be provided in writing if requested by the employee.

Before an employee will be permitted to return from a pregnancy disability leave of 693 hours for full-time employees, the employee must obtain a certification from her healthcare provider that she is able to resume work.

If the employee can return to work with limitations, Excelsior will evaluate those limitations, and if possible, will accommodate the employee as required by law.

3. Medical Leave of Absence

An unpaid medical leave of absence may be granted to employees who are not eligible for other leaves. Employees should ask their supervisor or Human Resources for information on medical leaves of absence and any implications unpaid medical leave may have on their eligibility for employee benefits, including medical benefit plan coverage.

4. Funeral/Bereavement Leave

Full and part time employees will be allowed paid bereavement leave to arrange and attend the funeral of an immediate family member. Employees will be allowed three (3) days if travel is within the state of California, and five (5) days if travel is outside the state of California. For purposes of this policy, an employee's immediate family member includes a current spouse, parent, legal guardian, sibling, child, stepchild, uncle, aunt, niece, nephew, current parent-, daughter-, son-, sister-, or brother-in-law, grandparent, grandchild, domestic partner or any other member of the employee's household.

If any employee requires more than allowable number of days off for bereavement leave, the employee may request additional unpaid leave or may request the opportunity to use any accrued PN time.

5. Military Leave of Absence

Excelsior provides military leaves of absence to employees who serve in the uniformed services as required by the Uniformed Services Employment and Reemployment Rights Act of 1994 and applicable state laws. Leave is available for active duty, active duty for training, initial active duty for training, inactive duty training, full-time National Guard duty and for examinations to determine fitness for any such duty. Total military leave time taken may not exceed five years during employment, except in special circumstances.

Advance notice of leave is required. Employees should inform their supervisor of anticipated military leave time as far in advance as possible. Accrued PN will be paid during military leave at the employee's request and health plan coverage continuance can be arranged for up to 24 months during military leave if required premium payments are made by the employee. As with other leaves of absence, failure to return to work or to reapply within applicable time limits may result in termination of employment.

Employees may be eligible for as many as 10 unpaid days off when their spouse is on leave from military deployment during a period of military conflict. A qualified employee is one who works more than 20 hours per week and whose spouse is a member of the Armed Forces, National Guard or Reserves who has been deployed during a period of military conflict. In order to qualify for the leave, the employee must notify Excelsior within two days of receiving official notice that his or her spouse will be on leave from deployment and must provide written documentation certifying that the spouse will be on leave from

deployment.

6. Drug and Alcohol Rehabilitation Leave

Excelsior will reasonably accommodate an employee who voluntarily enters and participates in an alcohol or drug rehabilitation program, including potentially providing unpaid leave to participate in the program. Excelsior will not pay for the costs incurred in attending a rehabilitation program. An employee who wishes to identify him or herself as an individual in need of the assistance of an alcohol or drug rehabilitation program may contact the Assistant Superintendent of Human Resources. Excelsior will take all reasonable steps necessary to maintain the employee's privacy in this situation. The employee may use accrued sick leave or accrued PN time, if any, during requested leave.

Nothing in this policy shall prohibit Excelsior from refusing to hire or discharge an employee who, because of his or her current use of alcohol or drugs, is unable to perform his/her duties or cannot perform the duties in a manner that would not endanger his/her health or safety or the health or safety of others.

7. Time Off to Attend Child's School Discipline

Any employee who is a parent or legal guardian of a child that has received written notice from the child's school requesting his or her attendance at a disciplinary conference is entitled to take unpaid leave to attend the conference. Employees may also choose to use accrued PN time to attend the conference. Please contact your supervisor to determine eligibility and scheduling before taking any leave to attend a disciplinary conference.

8. Time Off to Attend Child's School Activities

Employees that are parents, guardians or grandparents with custody of a child in kindergarten, grades 1-12 or with a child in a licensed day care facility, may wish to take unpaid time off to visit the school of their child for a school activity. Employees may take off up to eight hours each calendar month (up to a maximum of 40 hours each school year), provided the employee gives reasonable notice to Excelsior of the planned absence. Employees may also choose to use accrued PN time to attend activities.

If both parents of a child work for Excelsior, the first parent to provide notice may take the time off, unless Excelsior approves both parents taking time off simultaneously.

9. Time Off to Serve as Election Official

Any employee who serves as an election official is eligible for unpaid leave on election day for purposes of service. Employees should notify their supervisor of their commitment to act as an election official as far in advance as possible.

10. Time Off for Jury and Witness Duty

Full and part time employees will be allowed up to twenty (20) paid days during any one school year to serve on a jury. Staff members are paid for the time they are absent (up to 20 days) less any monies received from the court for their jury duty service. Employees shall not be reimbursed for mileage or other expenses.

Jury duty shall be granted without any loss of credit to the employee's length of service with Excelsior. PN time and other benefits will continue to accrue while the staff member is on jury duty. Excelsior shall have the right to request that the court consider postponing jury service if the staff member's absence would

seriously interrupt the operations of Excelsior.

Staff members must give advance notice of the need for time off due to jury duty. A copy of the summons should accompany the request. Should a staff member be dismissed from jury duty at least four (4) hours prior to the end of the business day, the staff member is required to report back to work. Staff members are required to submit proof of their jury duty service for each day they report to jury duty.

Excelsior will also provide employees unpaid leave to appear in court or other judicial proceeding as a witness, as permitted by law, to comply with a valid subpoena or other court order. Employees should notify their supervisor of their commitment to serve on a jury or as a witness as far in advance as possible.

11. Time Off for Victims of Crime or Domestic Violence

Employees who are victims of domestic violence or sexual assault will be given time off as necessary in accordance with the law. Employees may be required to provide reasonable advanced notice of the need for time off if feasible and documentation establishing the right to such time off may be requested. Excelsior will take all reasonable steps to maintain the confidentiality of any employee requesting crime victim/domestic violence leave. Employees should notify their supervisor of their need to seek relief as far in advance as possible. If applicable, an employee may use accrued PN time for these purposes.

12. Time Off for Victims of Crime

An Employee who is a victim of certain crimes (violent felonies, felony thefts and serious felonies as defined by law) or is an immediate family member of a victim, is a registered domestic partner of a victim or the child of a registered domestic partner of a victim will be given time off as necessary in accordance with the law. Employees may be required to provide reasonable advanced notice of the need for time off if feasible and documentation establishing the right to such time off may be requested. Excelsior will take all reasonable steps to maintain the confidentiality of any employee requesting crime victim leave. Employees should notify their supervisor of their need for time off as far in advance as possible. As applicable, an employee may use accrued PN or sick leave for crime victim leave purposes.

13. Time Off for Volunteer Firefighters

Employees who perform emergency duties as volunteer firefighters, reserve peace officers or emergency rescue personnel will be given time off as necessary in accordance with the law. Employees are requested to alert their supervisor of their status as volunteer firefighters, reserve peace officers or emergency rescue personnel so that Excelsior will have advanced notice of the employee's potential need to leave Excelsior in the event of an emergency. Any time an employee must perform emergency duties, he/she must notify their supervisor before leaving Excelsior's premises.

Employees who perform duties as a volunteer firefighter are entitled to a temporary leave of absence not to exceed an aggregate of 14 days per calendar year for the purpose of engaging in fire or law enforcement training. Employees must provide their supervisors with advanced notice of any training.

14. Time Off for Voting

Employees who do not have sufficient time outside of their regular working hours to vote in a statewide election may request time off to vote. If possible, employees should make their request at least two days in advance of the election. Up to two hours of paid time off will be provided, at the beginning or the end of the employee's regular shift, whichever will allow the most free time for voting and the least time off work. Employees should notify their supervisor of their request and schedule time off to vote.

15. Workers' Compensation Leave

Employees that are temporarily totally disabled due to a work-related illness or injury will be placed on workers' compensation leave. The duration of their leave will depend upon the rate of their recovery and the business needs of Excelsior. Workers' compensation leave will run concurrently with any other applicable medical leave of absence.

16. Organ Donor Leave

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

You must give as much notice as is practicable and must provide certification of the medical necessity of the procedure. You will be required to use up to two weeks of any accrued paid leave (sick and/or vacation) for organ donation and up to five (5) days accrued paid leave (sick and/or vacation) for bone marrow donation. This leave does not run concurrently with FMLA/CFRA.

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

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

17. Sabbatical Leave

Sabbatical leave may be requested by a certificated and/or management employees for a period not to exceed six months. Approval is determined on a case by case basis at the sole discretion of Excelsior superintendent.

Applicants must have been employed full-time with Excelsior for at least three years and must meet the following criteria:

- The employee's evaluations within past three years must have all satisfactory or above with no unsatisfactory marks in any of the three previous years.
- The employee has not taken an unpaid leave of absence in the prior three years(not to include FMLA/CFRA related leaves.
- The employee shall complete HMR-22 (Work Sabbatical Leave Form) and turn it to the superintendent for consideration.
- The employee shall provide a detailed description and documentation of the work opportunity at least 1 month, when possible, prior to requesting the sabbatical leave.

No more than one employee per calendar year may be granted a work sabbatical.

Classified staff are not eligible for work sabbaticals.

Based on the above conditions, if leave is approved by the superintendent, the following conditions apply:

- The employee's compensation/ benefits will cease at time of leave for sabbatical.
- Sick time and personal necessity time is not accrued during sabbatical leave.
- Excelsior's workers' compensation coverage does not apply during sabbatical leave.
- Once the time period for a sabbatical leave is approved in writing, it cannot be extended without a written request from the employee and approval by the superintendent. (Under no circumstances will the leave be approved for a period exceeding 6 months).
- The employee shall notify his/her supervisor in writing at least two weeks in advance, if the sabbatical leave is being shortened to a period less than originally approved.

Requirements and Status Upon Returning from Sabbatical Leave

At the expiration of a sabbatical leave, the employee may be restored to his/her "at-will "position or to a position of like nature on a case by case basis at the sole discretion of the Superintendent.

Upon return the employee remains eligible for reinstatement of his/her at-will employment under policies, rules and regulations applicable at the time of employee's return.

NOTE: This leave is not intended to be an extension of FMLA/CFRA, STD/LTD workers' compensation and/or any other current benefit provided by Excelsior. This policy does not constitute a guarantee of continued employment . Rather employment with Excelsior is on "at will" basis.

IX. Employment Training, Evaluation and Separation

A. Employee Reviews and Evaluations

Each employee will receive periodic (but not less than once per school year) performance reviews conducted by their supervisor. The frequency of performance evaluations may vary depending upon length of service, job position, past performance, changes in job duties or recurring performance problems.

Employee performance evaluations may review factors such as the quality and quantity of the work performed, knowledge of the job, initiative, work attitude, and attitude toward others. The performance evaluations are intended to make the employee aware of his/her progress, areas for improvement and objectives or goals for future work performance. Favorable performance evaluations do not guarantee increases in salary or promotions or job retention. Salary increases and promotions are solely within the discretion of Excelsior and depend upon many factors in addition to performance. After the review, the employee will be required to sign the evaluation report simply to acknowledge that is has been presented to them, that they have discussed it with their supervisor, and that they are aware of its contents. The employee may make a written response to the evaluation. The response shall be attached to the evaluation and permanently placed in the employee's personnel file. The evaluation system in no way alters the at-will employment relationship.

B. Staff Development

The Board of Directors recognizes that a well-trained staff is essential to carrying out its goals. Besides providing opportunities for personal growth, staff development is viewed as necessary, continuous, and a

systematic effort to improve Excelsior's educational programs by involving all staff members in activities that improve their skills and broaden their perspectives. Accordingly Mondays have been designated for staff collaboration and training. All staff development shall be in alignment with Excelsior's Vision, Mission, Objectives and Goals.

Additionally all employees shall develop an Individual Career Development Plan ("ICDP") in conjunction with their supervisor which shall be reviewed at least at each evaluation. Employees are encouraged to attend additional external training and conferences in alignment with their ICDP, Excelsior's Vision, Mission, Objectives and Goals and the employees job duties as deemed necessary and approved by their supervisor.

C. Tuition Reimbursement

The Staff Tuition Reimbursement Program has been developed to help Excelsior Charter Schools Employees further their knowledge, skills and job effectiveness through higher education in fields of interest to the Organization.

The goal of the program is to reimburse eligible employees for tuition expenses not covered by any other source of educational assistance. Costs related to books, supplies and fees are not covered under this program.

The Human Resources Department authorizes payment from school funds allotted for tuition reimbursement, and is responsible for administration, interpretation and approval/disapproval for this program. Only courses taken at nationally recognized accredited colleges, universities and technical schools will be approved for reimbursement.

Eligibility

You are eligible for this program if:

- You are a regular, active, full-time or part time employee AND have completed one year of service with Excelsior prior to start of the course.
- **Must** have an ICDP (Individual Career Development Plan) in place, reviewed and agreed to by the supervisors with recognition that the educational investment is part of the employee's development for the current job or for a job to which he or she would realistically move to within Excelsior Charter Schools in the future.
- **Must** have clear alignment between the employee's educational ambitions, the organization's needs, the individual development plan.

Amount of Reimbursement

Eligible employees will be reimbursed up to a maximum of \$1,000.00 per year.

Based on the amount of reimbursement requests submissions for a specific fiscal year, all or percentage of the amount will be paid until the amount allotted for the yearly reimbursements is completely spent. Administration is allowed the discretion to limit tuition reimbursement to employees during the year for budgetary considerations. The fiscal year runs from July 1st to June 30th.

Allowable Reimbursement Costs

This program reimburses eligible employees only for tuition expenses not covered by any other source of

educational assistance. Books, supplies and fees are not covered. In addition, charges for lab, registration, graduation, library or student activities are not covered under this program.

Other Educational Assistance Benefits

This program does not duplicate other educational assistance an employee may receive. On the Benefit Application and on the Request for Payment Form, an employee must report any veterans' education benefits, scholarship or other financial aid received for course or degree program to be considered under this program.

If an employee receives education assistance, the amount reimbursable under this program will be based on the amount less any and all financial aid received as shown in the examples above.

Acceptable Hours

Approved course(s) and or program(s) are not to be taken during regular working hours. Class attendance should not conflict with your job in anyway. Any other arrangements during work hours must be discussed and approved by the employees supervisor.

Taxation of Reimbursement

Please check with your tax consultant regarding taxation rules and regulations for tuition reimbursement.

Terminating Employees

If a staff member's employment ends with Excelsior Charter Schools for any reasons, He/she will only be eligible for reimbursement if he/she satisfactorily completes said course(s) of study before his/her official date of termination.

Appeal Process

If a Benefit Application is denied, an employee has the right to appeal the denial. Human Resources will notify the employee in writing as to the reason(s) behind the applications denial.

If an employee wishes to appeal the decision, the employee must submit, in writing, the reason(s) why the course(s) or program should be considered eligible for reimbursement. An Appeals Committee comprised of three (3) staff members will review appeals of this nature.

NOTE: The Appeals Committee will notify the employee in writing of their decision upon review. Time constraints may make it impossible for the Appeals Committee to review an employee's appeal prior to course registration.

D. Discipline and Involuntary Termination

Violation of Excelsior's policies and rules may warrant disciplinary action, which may take multiple forms, including verbal warnings, written warnings, suspensions or termination. Excelsior's disciplinary system is informal and Excelsior may, in its sole discretion, utilize any form of discipline it deems appropriate under the circumstances, up to and including termination of employment upon the first offense. Excelsior reserves its right to place employees on paid administrative leave at its discretion, from time to time, as needed. However, in cases when an employee may be arrested and charged with certain criminal offenses as enumerated in Education Code Section 44830.1, 44836, or 44837, Excelsior may place the employee on an unpaid administrative leave pending an action on the charges.

E. Voluntary Termination

Either the employee or Excelsior may terminate the employment relationship at any time, with or without notice and with or without cause. While it is not required, Excelsior requests that employees electing to resign give as much advance notice as possible (preferably two weeks) to allow Excelsior to plan for your departure. The Board authorizes the Superintendent or designee to accept an employee's written resignation and to set its effective date. Once the Superintendent or designee has accepted and set an effective date for this resignation, the resignation may not thereafter be withdrawn by the employee.

An exit interview will normally be scheduled on the last day of work with the Assistant Superintendent of Human Resources. The purposes of the exit interview is to review eligibility for benefit conversion, to ensure that all necessary forms are completed, to collect any company property (including keys, equipment, documents and records) that may be in the employee's possession, to review the employee's obligations regarding confidential information, and to provide the employee with the opportunity to make any constructive comments and suggestions on improving the working environment at Excelsior. Excelsior appreciates receiving candid opinions of the employee's employment. Final pay will be provided in accordance with state law.

EMPLOYEE HANDBOOK ACKNOWLEDGEMENT

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

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

Excelsior Charter Schools reserves the right to modify, alter, add to or delete any of the policies, guidelines or benefits contained in this handbook at any time with or without notice.

Other than Excelsior Charter Schools Board of Directors, no other entity or person has the authority to modify this employee handbook.

Employee Name (print)

Employee Signature

Date