



**ResponsiveEd<sup>®</sup>**  
ARKANSAS  
*2016-2017 Employee Handbook*



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# **IMPORTANT NOTICES REGARDING EMPLOYMENT AND PRIVACY**

## **Disclaimer of Employment Contract**

Employment with ResponsiveEd is on an “**at-will**” basis. Meaning that employment with ResponsiveEd is voluntarily entered into, and the employee is free to resign at will, at any time, with or without notice or cause. Similarly, ResponsiveEd may terminate the employment relationship at will, at any time, with or without notice or cause, so long as there is no violation of applicable federal or state law.

This handbook is not an employment contract and shall not be construed to guarantee employment for any specific duration. Nothing contained in this handbook, or any written or oral statement contradicting, modifying, interpreting, explaining, or clarifying any provision of this handbook is intended to create, or shall create, any express or implied contractual obligations that are binding upon either ResponsiveEd or the employee. Only the Chief Executive Officer has the authority to alter any employee’s at-will status or to enter into any employment contract for a definite period. Any such agreement altering any employee’s at-will status must be in writing and signed by the Chief Executive Officer.

ResponsiveEd has prepared this handbook to summarize many of ResponsiveEd’s policies, procedures, and benefits. No handbook can anticipate every circumstance or question about policy. ResponsiveEd reserves the right to revise, add to, or delete any policies or portion of this handbook at any time, as it deems appropriate, in its sole and absolute discretion, with or without prior notice to employees. This handbook replaces any prior written and oral communications about the subjects contained in it.

This handbook, which is adopted annually by the Board of Trustees, is designed to be in accord with board policy. If there is a conflict between board policy and any provision of this handbook, the provision that was most recently adopted by the Board of Trustees will be followed.

## **Equal Employment Opportunity**

To provide equal employment and advancement opportunities to all individuals, employment decisions at ResponsiveEd will be based on merit, qualifications, and abilities. ResponsiveEd does not discriminate in employment opportunities or practices on the basis of race, color, religion, sex, national origin, age, disability, genetic information, military status, or any other characteristic protected by law.

This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training.

Any employees with questions or concerns about any discrimination in the workplace are encouraged to bring these issues to the attention of their immediate supervisor or the Human

Resources Department (HR). Employees can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

## **Workplace Privacy, Alcohol and Drug Testing**

### **Privacy Expectation**

There is no general or specific expectation of privacy in the workplace, while on ResponsiveEd premises, worksites, or while on duty. **In general, employees should assume that what they do while on duty or on ResponsiveEd premises or worksites is not private.**

### **Non-Investigatory Searches**

Non-investigatory searches in the workplace, including accessing an employee's desk, computer, file cabinets, or work area to obtain information needed for usual business purposes may occur when an employee is unavailable. Therefore, employees are at this moment notified that they have no legitimate expectation of privacy in those places.

### **Work-Related Misconduct**

ResponsiveEd reserves the right to conduct searches when there is reasonable suspicion that a search will uncover evidence of work-related misconduct. Such investigatory searches may include drug and alcohol testing if the suspected violation relates to drug or alcohol use. ResponsiveEd may search the employee, the employee's personal items, work area, computers, lockers, and private vehicles parked on ResponsiveEd premises or work sites or used in ResponsiveEd business. Therefore, employees are at this moment notified that they have no legitimate expectation of privacy in those places.

Any search under this policy is conducted in a manner designed to protect the employee's privacy, confidentiality, and personal dignity to the greatest extent possible.

### **Locked Storage Areas**

If an employee uses a locker or other storage area at work, including a locking desk drawer or locking cabinet, ResponsiveEd will either: (1) furnish the lock and keep a copy of the key or combination, or (2) allow the employee to furnish a personal lock, but the employee must give ResponsiveEd a copy of the key or combination. The areas in question may be searched at any time, with or without the employee being present.

### **Disciplinary Consequences for Non-Compliance**

No employee will ever be physically forced to submit to a search. However, an employee who refuses to submit to a search request from ResponsiveEd will face disciplinary action, up to and including termination of employment.

### **Technology Resources**

ResponsiveEd reserves the right to monitor all technology resource activity. ResponsiveEd's computer systems and networks are any configurations of hardware and software. The systems and networks include all of the computer hardware, operating system software, application software, stored text, and data files. Including electronic mail, databases (including the Internet), optical media, clip art, digital images, digitized information, telecommunications devices, and all new technologies as they become available.

## **HIRING PROCESS AND EMPLOYEE RECORDS**

### **Employment Applications**

ResponsiveEd relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in the exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.

### **Disability Accommodation**

ResponsiveEd is committed to complying fully with the Americans with Disabilities Act ("ADA") and ensuring equal opportunity in employment for qualified persons with disabilities. All employment practices and activities are conducted on a non-discriminatory basis.

Hiring procedures are in place to provide persons with disabilities meaningful employment opportunities. Pre-employment inquiries are made only regarding an applicant's ability to perform the essential functions of the position.

Reasonable accommodation is available to all disabled employees, where their disability affects the performance of essential job functions. All employment decisions are based on the merits of the situation in accordance with defined criteria, not the disability of the individual.

Qualified individuals with disabilities are entitled to equal pay and other forms of compensation (or changes in compensation) as well as in job assignments, classifications, organizational structures, position descriptions, lines of progression and seniority lists. Leave of all types will be available to all employees on an equal basis.

ResponsiveEd is also committed to not discriminating against any qualified employees or applicants

because they are related to or associated with a person with a disability. ResponsiveEd will follow any state or local law that provides individuals with disabilities greater protection than the ADA.

This policy is neither exhaustive nor exclusive. ResponsiveEd is committed to taking all other actions necessary to ensure equal employment opportunity for persons with disabilities in accordance with the ADA and all other applicable federal, state, and local laws.

ResponsiveEd will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship.

### **Immigration Law Compliance**

ResponsiveEd is committed to employing only United States citizens and aliens who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin. In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility **No later than the third day of work.** Former employees who are rehired must also complete the form if they have not completed an I-9 with ResponsiveEd within the past three years, or if their previous I-9 is no longer retained or valid. Employees with questions or seeking more information on immigration law issues are encouraged to contact the HR Department. Employees may raise questions or complaints about immigration law compliance without fear of reprisal.

### **Employment Categories**

It is the intent of ResponsiveEd to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility.

All ResponsiveEd positions are classified as “exempt” or “non-exempt” according to federal law. Professional employees and academic administrators are generally classified as exempt and paid bi-weekly salaries. **Exempt employees are not entitled to overtime compensation and may be appropriately required to work more than the anticipated work schedule without receiving additional remuneration.** Other employees are generally classified as non-exempt and are paid an hourly wage and receive overtime pay for each hour worked beyond 40 in a workweek. However, non-exempt employees are not authorized to work beyond their normal work schedule without advance approval from their supervisor. In addition to the above categories, each employee will belong to one other employment category:

#### **Full-Time**

Full-time employees are those who are not in a temporary status and who are regularly scheduled to work 32 or more hours per week. Generally, they are eligible for the ResponsiveEd benefit package, subject to the terms, conditions, and limitations of each benefit program.

## **Part-Time**

Part-time employees are those who are not assigned to a temporary status and who are regularly scheduled to work less than 32 hours per week. Part-time employees receive all legally mandated benefits (such as Social Security or Teacher's Retirement, and workers' compensation insurance).

Part-time employees who work a minimum of 20 hours a week every week are eligible for health, life, and dental insurance, subject to the terms, conditions, and limitations of each benefit program. They also may participate in optional insurance plans and the 125 Cafeteria Premium Only Plan. However, they are ineligible for all other ResponsiveEd benefits programs, such as paid leave. **Note: Part-time employees are required to pay full premiums each month regardless of how much they receive in their paychecks.**

## **Temporary**

Temporary employees are those who are hired temporarily to supplement the work force or to assist in the completion of a specific project. Employment assignments in this category are of a limited, intermittent, and/or unpredictable duration. Employment beyond any initially stated period does not imply a change in employment status. Temporary employees retain that status unless and until notified of a change.

While temporary employees receive all legally mandated benefits (such as Social Security or Teacher's Retirement, and workers' compensation insurance), they are ineligible for all of the other ResponsiveEd benefits programs.

## **Criminal History Background Checks**

ResponsiveEd reserves the right not to employ any applicant whose criminal history record indicates an arrest or conviction for a felony, crimes against persons, drug-related crimes, job-related crimes, repeated arrests, offenses that pose a risk to children, or any other criminal activity judged improper for a school employee. ResponsiveEd reserves the right to obtain criminal record information on any ResponsiveEd employee at any time.

National criminal history checks based on an individual's fingerprints, photo, and other identification will be conducted on all employees and entered into the Arkansas State Police Clearinghouse. This database provides ResponsiveEd and the Arkansas Department of Education (ADE) with access to an employee's current national criminal history and updates to the employee's subsequent criminal history.

## **Fingerprinting**

As of June 1, 2013, ResponsiveEd reimburses the fingerprinting fee for newly hired full-time and part-time employees who are not assigned to a temporary status. If the employee voluntarily leaves before their one-year anniversary with ResponsiveEd, the fee will be deducted from their last check.

### **Employment Reference Checks**

To ensure that individuals who join ResponsiveEd are well qualified and have a strong potential to be productive and successful, it is the policy of ResponsiveEd to check the employment references of all applicants.

Inquiries regarding employment information on current and prior ResponsiveEd employees should be referred to Human Resources Department (HR). The HR Department will respond in writing only to those reference check inquiries that are submitted in writing. Responses to such inquiries will confirm only dates of employment, and position(s) held. Inquiries regarding wage rate information should be referred to Payroll. No employment data will be released without a written authorization and release signed by the individual who is the subject of the inquiry unless required by law.

### **Review of Personnel Files**

To ensure that an employee's personnel file of record does not contain material that might be unfavorable to the employee's continued employment, promotion, or advancement, or employment elsewhere, without the employee's knowledge of such material, the employee shall be given the opportunity to sign any such material that is not directed to or does not originate with the employee. The signature shall merely signify that the employee has read the material to be filed. Should the employee decline to sign such material, that fact shall be noted and filed with the material in the employee's personnel file.

ResponsiveEd shall maintain a personnel file for each employee, which shall be available to the employee for inspection. The employee may submit, for inclusion in his or her personnel file, written information to any of the material contained therein. Employee requests for copies of—or inclusion of written material in—his or her personnel file may be sent to the HR Department in writing via the following methods:

**By mail:**

Responsive Education Solutions  
Personnel Records  
Attn: Human Resource Department  
P.O. Box 292730  
Lewisville, Texas 75029

**By e-mail:**

[hrforms@responsived.com](mailto:hrforms@responsived.com)

Subject heading should read "Personnel Records."

**By fax:**

866.778.1021

Subject heading should read "Personnel Records."

**In person:**

Responsive Education Solutions

1301 Waters Ridge Drive

Lewisville, Texas 75057

Personnel files or any of their contents will not be removed from ResponsiveEd's corporate offices without the approval of the Director of Human Resources, Human Resource Manager or the Superintendent. Other than the employee, no one may have access to an employee's file other than his or her Supervisor, the Human Resource Department, or those authorized by the Director of Human Resources, Human Resource Manager or the Superintendent. Administrators and the HR Department are the only ResponsiveEd employees allowed to make copies of personnel records.

**Personnel Data Changes**

It is the responsibility of each employee to promptly notify ResponsiveEd of any changes in personnel data. Personal mailing addresses, telephone numbers, number and names of dependents, individuals to be contacted in the event of an emergency, educational accomplishment, and other such status reports should be accurate and current at all times. Employees can update personal data in Skyward at any time. If any personal data has changed, notify the HR Department.

**Public Information Act**

Most ResponsiveEd records, including personnel records, are public information and must be released upon request, except for information designated by employees in writing on the "Public Access to Employer Information" form.

ResponsiveEd employees choose whether to allow public access to information relating to the employee's home address, home telephone number, social security number, or any other information that reveals whether the employee has family members. Employees shall state their choice to the HR Department in writing by completing the "Public Access to Employer Information" form. If an employee fails to state his or her choice, the information is available to the public. This form must be submitted at the beginning of employment.

**COMPENSATION****Timekeeping****All Employees**

**Altering, falsifying, or tampering with timesheets—or recording time on another employee’s timesheet—may result in disciplinary action, up to and including termination of employment.**

It is the employee’s responsibility to sign his or her timesheet to certify the accuracy of all time recorded. The supervisor will review and then sign the time record before submitting it for payroll processing.

### **Non-exempt Employees**

Accurately recording time worked is the responsibility of every non-exempt employee, (e.g., paraprofessionals, school secretaries, etc.). Any hours worked over 40 in one workweek is subject to overtime pay. Federal and state laws require ResponsiveEd to keep an accurate record of time worked to calculate employee pay and benefits. Time worked includes all actual time spent on the job performing assigned duties. Non-exempt employees must accurately record the exact time they begin and end their work, as well as the beginning and ending time of each meal period. They should also record the beginning and ending time of any split shift or departure from work for personal reasons.

It is the non-exempt employee’s responsibility to review their paycheck to see that they have been paid for the correct number of hours. If there is a discrepancy, it is the responsibility of the employee to report this to the Payroll Department.

Non-exempt employees working overtime without prior approval will be subject to disciplinary action.

### **Exempt Employees**

Exempt employees should use the salary timesheet to document days not worked. Timesheets must be clearly marked as to any paid leave taken. Any days off without pay should also be clearly marked. These timesheets must be signed by the employee’s supervisor.

Exempt employees who are required to maintain timesheets to track their time and effort under certain grant programs must accurately record the exact time they begin and end their work, as well as the beginning and ending time of each meal period. They should also record the beginning and ending time of any split shift or departure from work for personal reasons.

### **Annualized Compensation**

Ten-month instructional exempt employees will be paid over 12 months in equal bi-weekly payments, from the start of the fall through the end of the summer pay schedule. Any employee in this category will be paid through the end of the summer pay schedule regardless of the start date

within the academic year. **Non-exempt employees will be paid as they work, i.e., pay for nonexempt employees is not annualized.**

## **Paydays**

All employees will be paid twice a month on the 10<sup>th</sup> and 25<sup>th</sup> of each month. If a payday falls on a weekend, everyone will be paid on the preceding Friday. If a payday falls on a holiday, everyone will be paid on the preceding day. Any questions or concerns about pay should be addressed with the Payroll Department.

## **Payroll Deductions**

### **All Employees**

Automatic payroll deductions for the Arkansas Teachers Retirement System (ATRS), Social Security and Federal Income Tax are required for all full-time and part-time employees. Medicare tax deductions are required for all employees. Employees who are not eligible or performing job duties not eligible for ATRS membership must have their Social Security contributions deducted unless they are retired from ATRS. Other payroll deductions may be made for the employee's share of premiums for health, dental, life, and supplemental insurance.

### **Non-exempt Employees**

**In order for nonexempt employees to maintain their benefits over the summer break, payroll deductions will be made in advance to cover the employee's share of premiums during the summer break when the employee is not receiving a paycheck.**

### **Exempt Employees**

Deductions from an exempt employee's pay are permissible under the following circumstances:

- when an employee is absent from work for one or more full days for personal reasons other than sickness or disability;
- for absences of one or more full days due to sickness or disability in accordance with ResponsiveEd's bona fide plan, policy, or practice of providing compensation for salary lost due to illness;
- to offset amounts employees receive as jury or witness fees, or for temporary military duty pay;
- for penalties imposed in good faith for infractions of safety rules of major significance;

- for unpaid disciplinary suspensions of one or more full days imposed in good faith for workplace conduct rule infractions; or
- in the employee's initial or terminal week of employment if the employee does not work the full week.
- for unpaid leave taken by the employee under the federal Family and Medical Leave Act.

Deductions for partial day absences are generally impermissible, except those occurring in the first or final week of an exempt employee's employment or unpaid leave under the Family and Medical Leave Act.

### **What To Do If An Improper Deduction Occurs**

If an employee believes that an improper deduction has been made to their paycheck, he or she should immediately report this information to the Payroll Department.

Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, the employee will be promptly reimbursed for any improper deduction made.

### **Wage Offset or Deductions**

ResponsiveEd has the right to deduct from the final paycheck for items that have not been returned to ResponsiveEd. ResponsiveEd has the right to offset wages for overpayment by withholding that amount from a payroll check or payments from other monies due an employee while employed, or at the time of their separation from ResponsiveEd.

### **Administrative Pay Corrections**

ResponsiveEd takes all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday. In the unlikely event that there is an error in pay, the employee should promptly bring the discrepancy to the attention of the Payroll Department so that corrections can be made as quickly as possible.

### **Automatic Payroll Deposit**

All employees must have their paychecks electronically deposited into a financial institution of their choice. If the employee's financial institution does not provide direct deposit, the employee's paycheck will be paid with a payroll debit card (payroll debit card). The payroll debit card will be paid for by ResponsiveEd with no out of pocket cost to the employee. A notification period of ten workdays is necessary to activate either of these services. Contact the Payroll Department for more information about automatic payroll deposit and payroll debit card.

Any employee not yet enrolled in direct deposit and have not set up their payroll debit card will receive pay via U.S. mail. If a paycheck is not received, employees should contact the Payroll Department. A replacement check will be processed after five business days from the pay date.

### **Overtime Compensation**

ResponsiveEd compensates overtime for non-exempt employees in accordance with federal wage and hour laws. All employees are classified as exempt or non-exempt for purposes of overtime compensation. Only non-exempt employees are entitled to overtime compensation. Non-exempt employees are not authorized to work beyond their normal work schedule without advance approval from their supervisor.

Overtime is legally defined as all hours worked in excess of 40 hours in a workweek and is not measured by the day or by the employee's regular work schedule. Only non-exempt employees can earn overtime pay. Non-exempt employees do not earn overtime pay unless they work more than 40 hours that workweek. Employees who must work beyond their normal schedule but less than 40 hours per week will be paid as straight time. For the purpose of calculating overtime, a workweek begins 12:01 a.m. Monday and ends at midnight Sunday.

**Exempt employees are excluded from specific provisions of federal and state wage and hour laws, are not entitled to overtime compensation, and may be appropriately required to work more than the anticipated work schedule without receiving additional remuneration.**

### **Military Pay Differential**

An employee on active military duty whose gross military pay (excluding pay while serving in a combat zone, hardship duty pay and family separation) is less than his/her gross ResponsiveEd pay is entitled to differential pay. Monthly weekend drills will not qualify for the military pay differential. The max amount of days for pay will be 15 days per calendar year.

### **403 (b) Plan**

Arkansas does not require the 403 (b).

### **Withdrawal of ATRS Deposits**

Employees who have ended employment and wish to withdraw their contributions from the Arkansas Teacher Retirement System. Employees must submit a completed refund application by contacting ATRS at 501-682-1517, 1-800-666-2877, or [info@atrs.gov](mailto:info@atrs.gov) to request an application for refund of contributions.

### **Reports Concerning Court-Ordered Withholding**

ResponsiveEd is required to report the termination of employees that are under court order or writ of withholding for child support or spousal maintenance to the court and the individual receiving the support (Arkansas Code Ann. §§ 9-14-222). Notice of the following must be sent to the court and support recipient:

- termination of employment;
- employee's last known address, phone number and
- name and address of the employee's new employer, if known.

## **BENEFITS**

### **Health Insurance**

Group health insurance coverage is available through ARBenefits, the statewide public school employee health insurance program. Employee contributions for an eligible Cafeteria 125 Plan benefit and may be deducted on a pre-tax basis. The Board of Trustees determines ResponsiveEd's contribution to employee insurance premiums annually. Employees eligible for health insurance coverage include:

- Employees who are full-time.
- Employees who have been told by their agency they will be covered.

Employees, who are regularly scheduled to work less than 10 hours per week, are not eligible to participate in ARBenefits. Detailed description of insurance coverage, premiums, and eligibility requirements are available for employees by visiting the website below.

The insurance plan year is January 1 through December 31. At the employee's discretion, health insurance may begin on the actively-at-work date or first of the month following the hire date. Current employees can submit changes to their coverage during the open-enrollment period in the month of December. For special enrollment qualifying events, please refer to the TRS ActiveCare enrollment guide. New employees must enroll within the first 30 days of employment. However, employees are strongly encouraged to complete their paperwork within the first five days of their actively-at-work date.

Detailed descriptions of plan options, benefits, prices, eligibility requirements, network providers, prescriptions drug services, and other information are available from the following:

- TRS website at [www.trs.state.us/trs-activecare](http://www.trs.state.us/trs-activecare) or by calling 1-866-355-5999

ResponsiveEd is committed to protecting the privacy and security of all private health information created or received in relation to employees and their families under the ResponsiveEd group health plan. A notice of privacy practices is available on the <http://portal.arbenefits.org/Pages/HIPPA.aspx> website.

### **Long Term Care Insurance**

To inquire about long term care contract the ARBenefits at 1-877-815-1017.

### **Dental and Life Insurance**

The Board of Trustees determines ResponsiveEd's contribution to employee insurance premiums annually. Currently, ResponsiveEd pays the premium for employee-only dental and life plans, therefore, ResponsiveEd provides all eligible employees with dental and life insurance at no cost to the employee. Employees have the option to add family coverage at their own expense. Additional group dental and life insurance coverage is available to full-time employees and part-time employees working a minimum of 20 hours every week, after the waiting period. The dental insurance is effective the 1<sup>st</sup> of the month, following 60 days from the employees hire date. The life insurance is effective on the 1<sup>st</sup> of the month following the employees hire date.

### **Supplemental Insurance Benefits**

Employees may enroll in supplemental insurance programs such as life, disability, accidental, sickness, etc., at their expense. Premiums for these programs can be paid by payroll deduction.

### **Termination of Health and Supplemental Insurance Benefits**

All insurance benefits (health insurance and supplemental insurance benefits) are terminated at the end of the month in which an employee resigns, retires, or is terminated, or for which premiums are not paid by the end of the month. However, if an exempt campus employee works through the end of the school year, then insurance benefits are terminated at the end of the month in which the employees receives their last paycheck.

### **Workers' Compensation Insurance**

ResponsiveEd provides a comprehensive workers' compensation insurance program at no cost to employees. This program covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. Subject to applicable legal requirements, workers' compensation insurance provides benefits after a short waiting period or, immediately if the employee is hospitalized.

Employees who sustain work-related injuries or illness should inform their supervisor immediately. No matter how minor an on-the-job injury may appear, it is important that it be reported

immediately. A written report should be completed and sent to [Benefits@Responsiveed.com](mailto:Benefits@Responsiveed.com) within 24 hours of the incident. Employees must be seen by a physician or facility in the PPO network unless treatment is an emergency. If employees have any questions regarding workers' compensation insurance program they should contact the HR Benefit Department.

## **Additional Benefits**

ResponsiveEd offers additional benefits for eligible full-time employees with children. If an employee has a child who turns five after the September 1<sup>st</sup> school cutoff, the child can still attend one of our schools if the child's birthday falls between September 1<sup>st</sup> and October 15<sup>th</sup>. In addition, there is no charge to eligible full-time employees for afterschool care for their children if it is available at the student's campus.

## **LEAVE**

### **Leave of Absence Overview**

ResponsiveEd recognizes that **employees** may need to request a Leave of Absence (LOA). It is the responsibility of both the employee and their supervisor to inform the Benefits Department of the need for a leave of absence. **Employees** also need to notify the Benefits Department if they are hospitalized for any duration.

Types of leaves available to eligible **Employees** include:

- Personal Leave
- Secretary and 12-Month Full Time Non-Exempt Administrative Staff Leave
- Family and Medical Leave (FML)
- Medical Leave of Absence
- Military Leave
- Unique Circumstances Leave

**Employees** who have personal needs that will require long leaves of absence should contact the Benefits Department for counseling about leave options, a continuation of benefits, and communicating with ResponsiveEd.

Requests for leaves of absence will be considered under the guidelines for each type of leave, any applicable laws, and/or business need. Details concerning the specific types of leave and request forms are available from the Benefits Department.

**ResponsiveEd does not accept any leave accrued by an employee at other school districts.**

**Leave shall be recorded as follows:**

All leave shall be recorded in half-day increments for exempt employees unless otherwise noted below. Specifically, employees who do not work at all on a given day must record 8 hours of leave for the day on their timesheet. Employees who work between 0 and 4 hours on a given day must record 4 hours of leave for the day on their timesheets. Finally, employees who work more than 4 hours on a given day are not required to record any leave for the day on their timesheets.

- Non-Exempt employees shall record any accrued leave in the increments it is taken.
- If the employee is taking intermittent FMLA, leave shall be recorded in one-hour increments.
- If the employee chooses to offset leave against workers' compensation benefits, leave shall be recorded in the amount used.

Employees must follow ResponsiveEd procedures to report or request any leave of absence and complete the appropriate leave request form. Any employee who is absent more than three days because of a personal family illness may be asked to submit a medical certification from a qualified health care provider confirming the specific dates of the illness, the reason for the illness, and in the case of personal illness-the employee's fitness to return to work.

## **Personal Leave**

### **Full-Time Non-exempt Employees**

ResponsiveEd provides full-time nonexempt employees with one day of paid personal leave per semester. Non-exempt employees are hourly employees. The first day of personal leave is available for use on September 1 and a second day is available for use on January 4 of every year, i.e., it does not accrue over time. If, however, employment is terminated before the conclusion of a semester in which personal leave is taken, the unearned personal leave will be deducted from the employee's final paycheck. **Personal leave provided under this provision may be used only during scheduled school breaks with the approval of the campus director.** Unused personal leave days do not accumulate and will be "paid out" at the end of the school year.

### **Campus Directors**

ResponsiveEd provides full-time Campus Directors with 15 days of paid personal leave per year. Personal leave accrues up to a maximum of 15 days based off the hire date. Personal leave provided under this provision may be used only under the following conditions:

- it must be used only during the summer school break with the approval of the Regional Director;
- it must not be used during required summer training or within one week of the opening or closing of school;
- is not to be used when the Secretary is on leave; and
- it must be coordinated with family and medical leave taken on an intermittent or reduced-schedule basis or when coordinated with workers' compensation benefits.

Campus Directors with over 15 days of personal leave accrued as of the last pay period in June, annually, will receive a one-time pay out of their personal leave in excess of 15 days in their next regularly scheduled paycheck.

### **Secretary and 12-Month Full-Time Non-Exempt Administrative Staff Leave (Vacation)**

ResponsiveEd recognizes the importance for employees to have the opportunity for leisure time and to attend to non-work matters. As such, 12-month full-time non-exempt administrative staff, including Campus Secretaries, will receive vacation leave based on their years of service. Vacation leave provided under this provision may be used only under the following conditions:

- it must be used only during scheduled school breaks with the **approval of the Campus Director**;
- it must **not** be used during required summer training(s) or within one week of the opening or closing of school;
- it must **not** be used during the same time the Campus Director is on leave; and,
- it must be coordinated with family and medical leave taken on an intermittent or reduced-schedule basis or when coordinated with workers' compensation benefits.

Vacation hours are accrued as follows:

- Less than 5 years of service: accrued up to 40 hours per year.
- More than 5 years of service accrued up to 80 hours per year.

- More than 10 years of service accrued up to 120 hours per year.

## **Carry-over of Vacation Time**

ResponsiveEd encourages personal time away with family and friends. A limited amount of unused vacation time can be carried over from one calendar year to the next. As of January 1, 2015, the maximum accrual allowed is 160 hours. Any hours exceeding 160 that is not used or donated to the Sick Leave Bank will be forfeited as of January 1<sup>st</sup> each year.

## **Secretary and 12-Month Full-Time Non-Exempt Administrative Staff Leave (Holiday)**

ResponsiveEd has revised the Holiday Leave policy for 12-month full-time non-exempt administrative staff, including Campus Secretaries, effective September 1, 2016. Annually, on September 1<sup>st</sup> of each year, 12-month full-time non-exempt administrative staff will be advanced 22 floating Holiday Leave days to be used during scheduled school holidays throughout the year. Employees hired after September 1<sup>st</sup> in the position of 12-month full-time non-exempt administrative staff, including Campus Secretaries will be advanced a **prorated amount** of holiday leave days based on the employee's official start date in that position. Under this provision, Holiday Leave **must** only be used under the following conditions:

- it must be used during scheduled school holidays or closures; **not** including summer break (**Note:** Holiday Leave **can** be used for Memorial day and Fourth of July Holidays);
- it must be requested in Skyward (True Time/Time-Off Request) and be approved by the Campus Director prior to the scheduled holiday in order for the employee to receive pay for a particular holiday; and,
- the full Holiday Leave allotment must be used by August 31 of each school year.

Remaining Holiday Leave **will be forfeited** if not used by August 31<sup>st</sup> of each year. **Holiday Leave DOES NOT qualify for a payout at the end of employment.**

Employees who use more Holiday Leave than his/her current allotment will have the cost of unearned Holiday Leave deducted from his/her final paycheck.

## **Sick Leave**

Full-Time employees who start on or before September 1 will be advanced five days of paid sick leave per year. Full-time employees who start after September 1 will be advanced sick leave on a prorated amount based off their start date. Paid sick leave for the current year will be available for use September 1 and renewed each September 1 every school year. ResponsiveEd will not approve paid leave for more workdays than have been accumulated in prior years plus those to be earned

during the current year. Employees who use more sick leave than they have earned will have the cost of unearned sick leave deducted from their next paycheck. Sick leave is coordinated with family and medical leave taken on an intermittent or reduced-schedule basis or when coordinated with workers' compensation benefits. Sick leave must be used for personal or family illness. Unused sick leave will be carried over each year. If you do not remain with ResponsiveEd for the next school year. Then the sick leave policy changes to use or lose.

In an effort to encourage attendance and punctuality, ResponsiveEd provides employees with the option of redeeming unused sick leave at a rate of \$75 a day. This option does not apply to sick leave accrued prior to the 2015-2016 school year. Employees must notify the Payroll Department in writing of their desire to redeem unused sick leave during the first full week of September annually. If any employee leaves prior to the redemption period, they are not eligible to redeem unused sick days. In addition, if any employee chooses not to redeem any unused sick leave and continues employment with ResponsiveEd then those days will carry over to the next school year.

### **Family and Medical Leave**

ResponsiveEd follows the provisions outlined in the Federal Family and Medical Leave Act (FMLA). In order to be eligible for FMLA leave, the **employee** must have been employed with ResponsiveEd for at least 12 months and have worked at least 1,250 hours during the past 12 months.

FMLA eligible **employees** can use a total of up to 12 workweeks of unpaid leave during any rolling 12-month period, measured from the date the leave is first taken, for the following reasons:

- Your own serious health condition;
- The birth of a child, or placement of a child with you for adoption or foster care;
- Because you are needed to care for a spouse, son, daughter or parent who has a serious health condition;
- Because of a qualifying exigency arising out of the fact that your spouse, son, daughter or parent is on active duty status in support of a contingency operation as a member of the National Guard or Reserves;
- Or, you are the spouse, son, daughter, parent or next of kin of a covered service member with a serious injury or illness. An eligible team member shall be entitled to a total of 26 workweeks of unpaid leave during a 12-month period to care for the service member, measured from the date the leave is first taken.

**Employees** are required to use any available sick, vacation or personal time off concurrently with an approved FMLA leave. Family and Medical Leave runs concurrently with accrued sick and personal leave, temporary disability leave, and absences due to a work-related illness or injury.

ResponsiveEd will designate the leave as Family and Medical Leave, if applicable, and notify the **employee** that accumulated leave will run concurrently.

ResponsiveEd will continue health coverage. While on leave, the **employee** is responsible for mailing or delivering their payment for health insurance coverage to ResponsiveEd.

If an **employee** returns from FMLA leave within the 12-workweek period, they will be restored to their former position or to an “equivalent” position with equivalent benefits, pay and other terms and conditions of employment. ResponsiveEd will consider an **employee** to have voluntarily resigned if:

- They fail to return to work within the require time under the job abandonment policy;
- They fail to obtain a leave extension from the Benefits Department prior to expiration of approved leave; or
- They accept other employment during the leave, unless on a leave protected by the Uniformed Services Employment and Reemployment Rights Act (USERRA).

If the FMLA Leave of Absence is denied, the **employee** will be required to work his or her scheduled shift, unless leave time is requested and approved. All non-approved time missed from work will be managed under the Attendance and Punctuality policy.

## **MEDICAL LEAVE**

**Employees** who have successfully completed 30 days of service with ResponsiveEd are eligible to request a Medical Leave of Absence for a medically verifiable illness, as defined as a serious health condition under FMLA for the Employee, Spouse, Children or Parents. A Medical Leave of Absence is a discretionary leave available to **employees** who are not eligible for Family and Medical Leave or have exhausted their Family and Medical Leave. This leave may be available for parental child bonding.

An **employee** who wishes to pursue a Medical Leave of Absence is required to contact the Benefits Department to request a leave packet and:

- Complete the Medical Leave Request and submit to the Benefits Departments within 5 days;
- Have their health care provider complete the Medical Certification and return to the Benefits Department within 5 business days; and
- Comply with any further requirements related to the leave as communicated by the Benefits Department.

A Medical Leave of Absence may be taken, if approved, for a continuous minimum of 5 days and a maximum of six weeks (30 workdays) during any rolling 12-month period. **Employees** requesting a Medical Leave of Absence must submit a Medical Leave of Absence Request and Medical Certification to the Benefits Department at least 30 days in advance for any leave that is foreseeable. If the **employee** cannot provide a 30-day notice, they are responsible for providing as much notice as possible.

While employee is on A Medical Leave of Absence, ResponsiveEd will continue health coverage. The **employee** is responsible for mailing or delivering payments for their benefits coverage to ResponsiveEd Benefits Department. **Employees** are required to use any available leave time concurrently with an approved Medical Leave.

ResponsiveEd will consider an **employee** on a Medical Leave of Absence to have voluntarily resigned if:

- The **employee** fails to return to work within the required time under the job abandonment policy.
- The **employee** accepts other employment during the leave.

If the Medical Leave of Absence is denied, the **employee** will be required to work his or her scheduled shift, unless paid leave is requested and approved. All non-approved time missed from work will be managed under the Attendance and Punctuality policy.

## **PERSONAL UNIQUE CIRCUMSTANCES LEAVE**

**Employees** who have successfully completed 30 days of service with ResponsiveEd are eligible to request Personal Unique Circumstances Leave. Personal Unique Circumstance Leave is a discretionary leave that may be granted in the event of critical personal situation as defined below. Unique circumstance is defined below but not limited to:

- Victims of criminal acts (vandalism, robbery, burglary, domestic violence)
- Victims of natural disasters
- Victims of serious property damage

ResponsiveEd may grant a personal leave of absence for unique or extraordinary reasons that may not apply to the other types of leaves of absence if, as with all other types of leave of absences, the maximum amount of leave time has not been used.

Personal Unique Circumstances Leave may be taken, if approved, for a minimum of 5 days and a maximum of 30 days. The maximum amount of time that can be granted for Personal Unique Circumstances Leave is 30 days in any rolling 12-month period.

The **employee** will be required to complete the Personal Unique Circumstances Leave request and provide documentation supporting the situation. The supporting documentation is required to be submitted to the Benefits Department within 5 business days of request.

**Employees** are required to use any available paid leave concurrently with approved Personal Unique Circumstances Leave.

ResponsiveEd will consider an **employee** on Personal Unique Circumstances Leave of Absence to have voluntarily resigned if:

- The **employee** fails to return to work within the required time under the job abandonment policy.
- The **employee** accepts other employment during the leave.

If the Personal Unique Circumstance Leave is denied, the **employee** will be required to work his or her scheduled shift, unless paid leave is requested and approved. All non-approved time missed will be managed under the Attendance and Punctuality policy.

## **MILITARY LEAVE**

ResponsiveEd provides Military Leave for Active Military or Reserve duty. If an employee is called or volunteers for Active Military duty, the Reserves, or the National Guard, contact the Benefits Department to obtain the appropriate paperwork to request leave. Employees should request time off from their supervisor to fulfill military obligations as soon as notification is received. Advance notice is required so that the necessary time off can be scheduled to provide the least disruption to the normal work schedule. Employee will receive 15 days per school year annually. After exhausting those 15 days of paid leave, eligible employees are entitled to unpaid extended military leave. Supporting documentation will be required.

If an employee is on Military Leave from ResponsiveEd, they may elect to continue their benefits coverage as provided for in the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA). While on Military Leave, the employee is responsible for mailing or delivering payment for health insurance coverage to ResponsiveEd.

ResponsiveEd strives to comply with all applicable Federal and state laws in determining eligibility for reinstatement from Military Leave. For further explanation of the effects, Military Leave can have on employment and benefits, contact the Benefits Department.

## **LEAVE OF ABSENCE GENERAL INFORMATION**

**Employees** on an approved leave of absence are still considered employees by ResponsiveEd. However, building, and systems access are deactivated during the leave as indicated by the physician statement.

**Employees** on an approved leave of absence will not receive paid holiday time nor continue to accrue paid leave while out on an approved leave of absence.

**10 month salary campus staff:** ResponsiveEd will adjust your annual salary in some instances based on days worked for the school year and will be explained to you upon return from leave by the Benefits Department.

## **COMPASSION LEAVE BANK PROGRAM**

ResponsiveEd has established a Compassion Leave Bank program to benefit employees for certain personal circumstances.

The program is a bank of sick days contributed by employees to be used by members of the bank who suffer a qualifying catastrophic/chronic health condition that extends beyond their own accumulated vacation, personal and sick days.

Only employees who are members of the Compassion Leave Bank will be allowed to use the bank for regularly scheduled workdays for a qualifying catastrophic/chronic physical or mental health condition.

### **Employee Eligibility and Enrollment**

All ResponsiveEd employees who qualify for sick leave benefits are automatically eligible to become members of the Compassion Leave Bank. Enrollment in the Compassion Leave Bank is voluntary and automatically renews annually.

Participants in the Compassion Leave Bank will donate at least one accrued sick or personal day per year to the bank.

Current employees can enroll in the Compassion Leave Bank membership during the annual benefits enrollment period.

- Employees can elect to continue participation or can elect “no coverage” during this time.
- Effective date of the election is September 1 of the new benefits plan year.
- Participation will be in effect for the benefits plan year, which is from January 1 through December 31.
- Employees electing “no coverage” will be waived and are not eligible for membership at any other time during the school year.

- Employees not electing to continue participation in the Compassion Leave Bank (electing “no coverage” during benefits enrollment) will forfeit any days donated to the Compassion Leave Bank.

New hires or newly eligible employees may enroll in the Compassion Leave Bank when they enroll in their benefits program. Employees must enroll within 31 days of their hire date. The effective day of the Compassion Leave Bank membership will be the first of month following the hire date.

Following enrollment of a current employee or a new employee, there will be a 90-day waiting period before a Compassion Leave Bank application can be made. After the 90-day waiting period has been satisfied, a Compassion Leave Bank application can be submitted by the employee and a determination made by the Director of Benefits or VP of Human Resources.

### **Use of the Compassion Leave Bank**

Members must be on an approved Family Medical Leave (FML) or Medical Leave of Absence for more than 10 consecutive working days and have used all their available sick days and annual personal days before applying for Compassion Leave Bank days.

If an applicant’s incapacity is of such a nature that he or she cannot personally apply for Compassion Leave Bank days, the application may be submitted on his or her behalf by an authorized agent or member of the Compassion Leave Bank member’s family.

All leave drawn from the Compassion Leave Bank by a member must be used for:

- Member’s personal illness, accident or injury
- Disabilities resulting from pregnancy or childbirth as specified by the member’s physician
- May only be used during the employee’s regularly scheduled workdays
- May only use leave from the Bank in increments of no less than one-half day

The Compassion Leave Bank may **Not** be used for:

- Childcare
- Cosmetic surgery that is not necessitated by illness, accident or injury
- If receiving Workers’ Compensation payments
- If receiving disability payments

A Compassion Leave Bank member may initiate a request for benefits at any time provided they have exhausted all available paid time and they are on approved FML or medical leave of absence.

The employee will need to submit:

- An application for the Compassion Leave Bank benefits with a certification from the employee's treating physician.
- Request must be made within 31- business days from the date the employee goes from a paid to an unpaid leave of absence status.
- If request is received after the 31- business day period, the effective date of the Compassion Leave Bank will be when the application was received. There will be no retro-effective date for applications received after the 31- business day period.
  - All forms must be completed in their entirety. If any of the forms are incomplete, all forms will be returned to the applicant unprocessed.
  - Any applications submitted that do not meet the definition of catastrophic/chronic physical or mental health condition as defined in this policy will be denied.
  - Medical information, including days granted and other correspondence, will be kept confidential unless the law requires its release.

A maximum of 30 days may be withdrawn by a member of the Compassion Leave Bank during any 12-month period measured from the day the member first uses the bank. The maximum number of days a member may use benefits from the bank is 60 during a five-year period following the member's first use of the bank. The maximum 60-day benefit will be restored in the event the member does not use benefits from the bank for a five-year period following the member's last draw from the bank.

A member may be required to re contribute leave if there is a finding of abuse. Use of bank benefits by any member who is thereafter compensated by any third party shall constitute an obligation for which the Bank has a right of reimbursement from the compensated member in a dollar amount equal to the leave used for replenishment of the Bank. This right of reimbursement shall survive any termination of the member's employment with the company. If a reimbursement contribution is required during a member's use of the bank's pool, the contribution will be deducted from the member's bank pool benefit.

### **Approval Process**

The Leave of Absence Administrator will notify the member via the notification method selected by the employee of the approval or denial of the application and, if approved, the number of Compassion Leave Bank days approved.

The Leave of Absence Administrator will maintain records regarding the approval or denial of Compassion Leave Bank applications. The Leave of Absence Administrator will be responsible for notifying the employee and payroll of the approval, the number of compassion leave days approved, and the commencement of those days.

Employees receiving Compassion Leave Bank days will not have benefit premiums deducted from the Compassion Leave Bank payments and should therefore, mail or deliver their payment for these benefits to ResponsiveEd.

### **Loss of Compassion Leave Benefits**

A member loses the right to use Compassion Leave Bank benefits due to:

- Termination of employment with ResponsiveEd.
- Suspension without pay (no Compassion Leave Bank benefits during the period of suspension).
- Any abuse or misuse of the rules of the Compassion Leave Bank as determined by the leave administrator, and if determined, the employee will be required to reimburse ResponsiveEd for incurred costs.
- Failing to apply for disability or medical retirement when a physician has determined that the member will not likely return to work and will qualify for retirement.
- Failing to report immediately any job held for which the employee received remuneration during the period he or she was on Compassion Leave Bank days.

### **Unlawful Acts by Employers**

The FMLA makes it unlawful for any employer to interfere with, restrain, or deny the exercise of any right protected under the FMLA; discharge or discriminate against any person for opposing any practice made unlawful by the FMLA or for involvement in any proceeding under or relating to the FMLA.

### **Enforcement**

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer. FMLA does not affect any Federal or State Law prohibiting discrimination, or supersede any state or local law, which provides greater family or medical leave rights.

### **Bereavement Leave**

ResponsiveEd provides full-time employees three days of paid time off for each loss of an immediate family member. The following is a list of family members: spouse, parents, children, siblings, spouse's siblings, grandparents, grandchildren, father-in-law, mother-in-law, daughter-in-law, and son-in-law. Stepfamily and adopted family members will follow the same list. Upon returning to work, provide a copy of the death announcement or funeral service program showing the relationship to the deceased. If the obituary or program from the service does not list, the employee's relationship to the deceased then other documents can be used to trace the relationship.

### **Jury Duty and Time Off to Vote**

ResponsiveEd encourages employees to fulfill their civic responsibilities by participating in jury duty and elections. Employees should request time off to vote and to answer a jury summons. Employees who are called to serve on jury duty or serve as a witness in answer to a subpoena or other court order (unless the proceeding involves a personal or family matter), will be provided unpaid time off. This time off will not be charged against the employees leave time.

### **Other Court Appearances**

Absences for court appearances related to an employee's personal business must be taken as personal leave or leave without pay (if no personal leave is available). Employees may be required to submit documentation of their need for leave for court appearances.

### **Absent Without Pay**

An employee absent from work must use available paid leave benefits before the employee may be absent without pay.

### **Fraudulent Use of Leave**

Employees who attempt to use leave days fraudulently for unauthorized purposes may be subject to disciplinary action, up to and including termination of employment.

## **EMPLOYEE CONDUCT AND WELFARE**

### **Standards of Conduct**

All employees are expected to work together in a cooperative spirit to serve the best interests of the school and to be courteous to students, one another, and the public. Employees are expected to observe the following standards of conduct:

- Recognize and respect the rights and property of students, parents, other employees, and members of the community.

- Maintain confidentiality in all matters relating to students and coworkers.
- Report to work according to the assigned schedule.
- Notify their immediate supervisor in advance or as early as possible in the event that they must be absent or late. Unauthorized absences, chronic absenteeism, tardiness, and failure to follow procedures for reporting an absence may be cause for disciplinary action.
- Know and comply with school procedures and policies. It is the employees' responsibility to know and understand the policy and procedures of that location.
- Express concerns, complaints, or criticism through appropriate channels.
- Observe all safety rules and regulations and report injuries or unsafe conditions to a supervisor immediately.
- Use ResponsiveEd time, funds, and property for authorized school business and activities only.

All ResponsiveEd employees should perform their duties in accordance with state and federal law, school policies and procedures, and ethical standards. Violation of policies, regulations, or guidelines may result in disciplinary action, including termination. Alleged incidents of certain misconducts by educators, including having a criminal record, must be reported to the Arkansas Department of Education.

All employees must follow the "Code of Ethics and Standard Practices for Arkansas Educators," which is reprinted below:

## **Code of Ethics for Arkansas Educators and Standard of Conduct**

### **Statement of Purpose**

The educator shall comply with standard practices and ethical conduct toward students, professional colleagues, school officials, parents, and members of the community and shall safeguard academic freedom. The educator, in maintaining the dignity of the profession, shall respect and obey the law, demonstrate personal integrity, and exemplify honesty. The educator, in exemplifying ethical relations with colleagues, shall extend just and equitable treatment to all members of the profession. The educator, in accepting a position of public trust, shall measure success by the progress of each student toward realization of his or her potential as an effective citizen. The educator, in fulfilling responsibilities in the community, shall cooperate with parents and others to improve the public schools of the community.

### **Code of Ethics for Arkansas Educators**

- Standard 1: An educator maintains a professional relationship with each student, both in and outside the classroom.
- Standard 2: An educator maintains competence regarding skills, knowledge, and dispositions relating to his or her organizational position, subject matter, and/or pedagogical practice.
- Standard 3: An educator honestly fulfills reporting obligations associated with professional practices.
- Standard 4: An educator entrusted with public funds and property, including school sponsored activity funds, honors that trust with honest, responsible stewardship.
- Standard 5: An educator maintains integrity regarding the acceptance of any gratuity, gift, compensation, or favor that might impair or appear to influence professional decisions or actions and shall refrain from using the educator’s position for personal gain.
- Standard 6: An educator keeps in confidence information about students and colleagues obtained in the course of professional service, including secure standardized test materials and results, unless disclosure serves a professional purpose or is allowed by law.
- Standard 7: An educator refrains from using, possessing and/or being under the influence of alcohol, tobacco, or unauthorized drugs or substances while on school premises or at school-sponsored activities involving students.

### **Professional Ethical Conduct, Practices, and Performance**

- The educator shall not intentionally, knowingly, or recklessly engage in deceptive practices regarding official policies of [ResponsiveEd], educational institution, educator preparation program, the Arkansas Education Agency, or the State Board of Educator Certification (SBEC) and its certification process.
- The educator shall not knowingly misappropriate, divert, or use monies, personnel, property, or equipment committed to his or her charge for personal gain or advantage.
- The educator shall not submit fraudulent requests for reimbursement, expenses, or pay.
- The educator shall not use institutional or professional privileges for personal or partisan advantage.
- The educator shall neither accept nor offer gratuities, gifts, or favors that impair professional judgment or to obtain special advantage. This standard shall not restrict the acceptance of gifts or tokens offered and accepted openly from students, parents of students, or other persons or organizations in recognition or appreciation of service.

- The educator shall not falsify records, or direct or coerce others to do so.
- The educator shall comply with state regulations, ResponsiveEd policies, and state and federal laws.
- The educator shall apply for, accept, offer, or assign a position or a responsibility on the basis of professional qualifications.
- The educator shall not make threats of violence against school employees, school board members, students, or parents of students.
- The educator shall be of good moral character and be worthy to instruct or supervise the youth of this state.
- The educator shall not intentionally or knowingly misrepresent his or her employment history, criminal history, and/or disciplinary record when applying for subsequent employment.
- The educator shall refrain from the illegal use or distribution of controlled substances and/or abuse of prescription drugs and toxic inhalants.
- The educator shall not consume alcoholic beverages on school property or during school activities when students are present.

### **Ethical Conduct toward Professional Colleagues**

- The educator shall not reveal confidential health or personnel information concerning colleagues unless disclosure serves lawful professional purposes or is required by law.
- The educator shall not harm others by knowingly making false statements about a colleague or the school.
- The educator shall adhere to ResponsiveEd policies and state and federal laws regarding the hiring, evaluation, and dismissal of personnel.
- The educator shall not interfere with a colleague's exercise of political, professional, or citizenship rights and responsibilities.
- The educator shall not discriminate against or coerce a colleague on the basis of race, color, religion, sex, national origin, age, disability, genetic information, military status, or any other characteristic protected by law.

- The educator shall not use coercive means or promise of special treatment in order to influence professional decisions or colleagues.
- The educator shall not retaliate against any individual who has filed a complaint with the SBEC or who provides information for a disciplinary investigation or proceeding under this Handbook.

### **Ethical Conduct toward Students**

- The educator shall not reveal confidential information concerning students unless disclosure serves lawful professional purposes or is required by law.
- The educator shall not intentionally, knowingly, or recklessly treat a student or minor in a manner that adversely affects or endangers the learning, physical health, mental health, or safety of the student or minor.
- The educator shall not intentionally, knowingly, or recklessly misrepresent facts regarding a student.
- The educator shall not exclude a student from participation in a program, deny benefits to a student, or grant an advantage to a student on the basis of race, color, gender, disability, national origin, religion, family status, or sexual orientation.
- The educator shall not intentionally, knowingly, or recklessly engage in physical mistreatment, neglect, or abuse of a student or minor.
- The educator shall not solicit or engage in sexual conduct or a romantic relationship with a student or minor.
- The educator shall not furnish alcohol or illegal/unauthorized drugs to any person under 21 years of age.
- The educator shall maintain appropriate professional educator-student relationships and boundaries based on a reasonably prudent educator standard.
- The educator shall refrain from inappropriate communication with a student or minor, including, but not limited to, electronic communication such as cell phone, text messaging, email, instant messaging, blogging, or other social network communication. Factors that may be considered in assessing whether the communication is inappropriate include, but are not limited to:
  1. the nature, purpose, timing, and amount of the communication;

2. the subject matter of the communication;
3. whether the communication was made openly or the educator attempted to conceal the communication;
4. whether the communication could be reasonably interpreted as soliciting sexual contact or a romantic relationship;
5. whether the communication was sexually explicit; and
6. whether the communication involved discussion(s) of the physical or sexual attractiveness or the sexual history, activities, preferences, or fantasies of either the educator or the student.

### **Zero Tolerance for Cheating on State Assessments**

**ResponsiveEd adheres to a “Zero Tolerance” policy regarding cheating in the administration of state student assessments. Any employee found to have engaged in such behavior will be subject to immediate termination of employment.**

### **Corrective Discipline**

The purpose of this policy is to state the position of ResponsiveEd on administering equitable and consistent discipline for unsatisfactory conduct in the workplace. The best disciplinary measure is the one that does not have to be enforced and comes from good leadership and fair supervision at all employment levels.

ResponsiveEd’s best interest lies in ensuring fair treatment of all employees and in making certain that disciplinary actions are prompt, uniform, and impartial. The major purpose of any disciplinary action is to correct the problem, prevent recurrence, and prepare the employee for satisfactory service in the future.

Discipline may call for any one or more of the following actions: informal counseling, verbal warning, written warning, performance plan, suspension with or without pay, or termination of employment, depending on the severity of the problem and the number of occurrences.

While it is impossible to list every type of behavior that may be deemed a serious offense, the following are examples of unsatisfactory conduct that will trigger corrective discipline and, depending on the severity or frequency of the offense, may result in suspension or termination of employment:

- falsification of timekeeping records,
- working under the influence of alcohol or illegal drugs,

- fighting or threatening violence in the workplace,
- insubordination or other disrespectful conduct,
- violation of safety or health rules,
- sexual or other unlawful or unwelcome harassment,
- cheating on state student assessments,
- unauthorized absence from workstation during the workday, and/or
- unsatisfactory performance or conduct.

## **Safety**

ResponsiveEd has developed and promotes a comprehensive program to ensure the safety of its employees, students, and visitors. The safety program includes guidelines and procedures for responding to emergencies and activities to help reduce the frequency of accidents and injuries. To prevent or minimize injuries to employees, coworkers, and students and to protect and conserve ResponsiveEd equipment, employees must comply with the following requirements:

- observe all safety rules,
- keep work areas clean and orderly at all times,
- immediately report all accidents to their supervisor, and
- operate only equipment or machines for which they have training and authorization.

Employees with questions or concerns relating to safety programs and issues can contact the Risk Management Department.

## **Workplace Violence Prevention**

ResponsiveEd is committed to preventing workplace violence and to maintaining a safe work environment. Given the increasing violence in society in general, ResponsiveEd has adopted the following guidelines to deal with intimidation, harassment, or other threats of (or actual) violence that may occur during business hours or on its premises.

All employees should be treated with courtesy and respect at all times. Employees are expected to refrain from fighting, “horseplay,” or other conduct that may be dangerous to others. Firearms,

weapons, and other hazardous devices or substances are prohibited from the premises of ResponsiveEd without proper authorization from the Chief Executive Officer.

Conduct that threatens, intimidates, or coerces another employee, a student, or a member of the public at any time, including off-duty periods, will not be tolerated. This prohibition includes all acts of harassment, including harassment that is based on an individual's race, color, religion, sex, national origin, age, disability, or any characteristic protected by federal, state, or local law.

All threats of (or actual) violence, both direct and indirect, should be reported as soon as possible to the Campus Director or any other appropriate ResponsiveEd official. This includes threats by employees, as well as threats by students, vendors, solicitors, or other members of the public. When reporting a threat of violence, employees should be as specific and detailed as possible.

All suspicious individuals or activities should also be reported as soon as possible to the Campus Director. Employees should not place themselves in peril. Employees should not try to intercede or see what is happening if they see or hear a commotion or disturbance near their workstation.

ResponsiveEd will promptly and thoroughly investigate all reports of threats of (or actual) violence and suspicious individuals or activities. The identity of the individual making a report will be protected as much as is practical. To maintain workplace safety and the integrity of its investigation, ResponsiveEd may suspend employees, either with or without pay, pending investigation.

Anyone determined to handle threats of (or actual) violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination of employment. ResponsiveEd encourages employees to bring their disputes or differences with other employees to the attention of their Campus Director/Supervisor before the situation escalates into potential violence. ResponsiveEd is eager to assist in the resolution of employee disputes, and will not discipline employees for raising such concerns.

## **Visitors in the Workplace**

Visitors are welcome and expected to enter the facility through the main entrance and sign in at the office or front desk. No visitors will be allowed in any part of the building without first obtaining approval from the school office. The school will take the following actions when there is a visitor at the school:

- The visitor must first report to the school office or front desk, and will be required to furnish a U.S. federal or state-issued photo ID.
- The visitor's information will be stored in an electronic database to document visitors to the school. Information stored in the electronic database may be used only for the purpose of school security, and may not be sold or otherwise disseminated to a third party for any purpose.

- The school will verify whether the visitor is not on the sex offender registry with the computerized central database maintained by the Department of Public Safety or any other database accessible by the school. Visitors identified as sex offenders shall be escorted by school staff at all times during a school visit.
- A visitor badge will be issued to the visitor and displayed conspicuously during the visit.

Visits to individual classrooms during instructional time are permitted only with approval of the Campus Director and teacher, and such visits are not permitted if their duration or frequency interferes with the delivery of instruction or disrupts the normal school environment. Employees who observe an unauthorized individual on school premises should immediately direct them to the building office or front desk.

### **Alcohol- and Drug-Abuse Prevention**

It is the desire of ResponsiveEd to provide a drug-free, healthful, and safe workplace. To promote this goal, employees are required to report to work in appropriate mental and physical condition to perform their jobs in a satisfactory manner.

No alcohol, tobacco, firearms, illegal knife, club, or prohibited weapon as defined by the Arkansas Penal Code may be used, possessed, or distributed in any form at or in any facility or lands owned or controlled by ResponsiveEd, or at any school-related or sponsored activity, regardless of the location. This policy applies to all employees, volunteers, students, and other persons at all times. Violation of this policy by an employee shall be grounds for immediate termination of employment.

Volunteers violating this policy will not be eligible to serve as volunteers. Students subject to the Student Code of Conduct shall be referred for discipline in accordance with the Student Code of Conduct. All other persons shall be referred by the Campus Director to local law enforcement for appropriate action.

The legal use of prescribed drugs is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner, that does not endanger other individuals in the workplace.

Under the Drug-Free Workplace Act, an employee who performs work for a government contract or grant must notify ResponsiveEd of a criminal conviction for drug-related activity occurring in the workplace. The report must be made within five days of the conviction.

Employees with questions on this policy or issues related to drug or alcohol use in the workplace should raise their concerns with their Campus Director without fear of reprisal.

### **Tobacco Use**

The State Law prohibits smoking or using tobacco products, including smokeless tobacco, pipe tobacco, snuff, dip, electronic cigarettes, cigars, or other vapor devices, on all ResponsiveEd property—leased or owned—and at school-related or school-sanctioned activities, on or off campus. This includes all buildings, playground areas, parking facilities, and facilities used for athletics and other activities. Drivers of ResponsiveEd vehicles are prohibited from smoking or using tobacco products while inside the vehicle.

### **Possession of Firearms and Weapons**

Employees, visitors, students, and those with a license to carry a weapon are prohibited from bringing firearms, knives, clubs or other prohibited weapons onto school premises (i.e., building or portion of a building) or any grounds or building where a school-sponsored activity takes place. To ensure the safety of all persons, employees who observe or suspect a violation of the ResponsiveEd’s weapons policy should report it to their supervisor or contact the HR Department.

### **Employee Arrests and Convictions**

An employee must notify the HR Department within three business days of any arrest, indictment, conviction, no contest or guilty plea, or other adjudication of any felony, any offense involving moral turpitude, and any of the other offenses listed below:

- crimes involving ResponsiveEd property or funds,
- crimes involving attempt by fraudulent or unauthorized means to obtain or alter any certificate or permit that would entitle any person to hold or obtain a position as an educator,
- crimes that occur wholly or in part on ResponsiveEd property or at a school-sponsored activity,
- crimes listed in Section 6-17-410(c) of the Arkansas Code, or
- crimes involving moral turpitude.

Moral turpitude includes, but is not limited to, the following: dishonesty; fraud; deceit; theft; misrepresentation; deliberate violence; base, vile, or depraved acts that are intended to arouse or gratify the sexual desire of the actor; drug or alcohol related felony offenses, and acts constituting abuse or neglect under state law.

### **Corporal Punishment**

No employee or agent of ResponsiveEd shall inflict corporal punishment upon a student in an effort to reform unacceptable conduct or as a consequence for unacceptable conduct.

## **Discrimination, Harassment, and Retaliation**

Employees shall not engage in harassment, including sexual harassment, of other employees or students. While acting in the course of their employment, employees shall not engage in harassment of other persons, including, but not limited to, board members, vendors, contractors, volunteers, or parents. A substantiated charge of harassment will result in disciplinary action.

### **Statement of Nondiscrimination**

ResponsiveEd prohibits discrimination, including harassment, against any employee on the basis of race, color, religion, sex, national origin, age, disability, or any other basis prohibited by law. Retaliation against anyone involved in the complaint process is a violation of ResponsiveEd policy.

Discrimination against an employee is defined as conduct directed at an employee on the basis of race, color, religion, sex, national origin, age, disability, or any other basis prohibited by law, that adversely affects the employee's employment.

### **Harassment**

Harassment of an employee is defined as physical, verbal, or nonverbal conduct based on an employee's race, color, religion, sex, national origin, age, disability, or any other basis prohibited by law, when the conduct is so severe, persistent, or pervasive that the conduct:

- has the purpose or effect of unreasonably interfering with the employee's work performance;
- creates an intimidating, threatening, hostile, or offensive work environment; or
- otherwise adversely affects the employee's performance, environment or employment opportunities.

### **Sexual Harassment**

Sexual harassment is a form of sex discrimination defined as unwelcome sexual advances; requests for sexual favors; sexually motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:

- submission to the conduct is either explicitly or implicitly a condition of an employee's employment, or when submission to or rejection of the conduct is the basis for an employment action affecting the employee; or
- the conduct is so severe, persistent, or pervasive that it has the purpose or effect of unreasonably interfering with the employee's work performance or creates an intimidating, threatening, hostile, or offensive work environment.

## **Retaliation**

ResponsiveEd prohibits retaliation against an employee who makes a claim alleging to have experienced discrimination or harassment, or another employee who, in good faith, makes a report, serves as a witness, or otherwise participates in an investigation.

An employee who intentionally makes a false claim, offers false statements, or refuses to cooperate with a ResponsiveEd investigation regarding harassment or discrimination is subject to appropriate discipline.

## **Reporting Procedures**

An employee who believes that he or she has experienced prohibited conduct or believes that another employee has experienced prohibited conduct should immediately report the alleged acts. The employee may report the alleged acts to the Campus Director.

Alternatively, the employee may report the alleged acts to one of the ResponsiveEd officials below:

- Reports of discrimination based on sex, including sexual harassment, may be directed to the Title IX Coordinator, the Director of Human Resources.
- Reports of discrimination based on disability may be directed to the ADA/Section 504 Coordinator, the Director of Human Resources.
- Reports of discrimination based on all other antidiscrimination laws may be directed to the Director of Human Resources.

## **Alternative Reporting Procedures**

An employee shall not be required to report prohibited conduct to the person alleged to have committed it. Reports concerning prohibited conduct, including reports against the Title IX Coordinator or ADA/Section 504 Coordinator, may be directed to the Chief Executive Officer.

A report against the Chief Executive Officer may be made directly to the Board. If a report is made directly to the Board, the Board shall appoint an appropriate person to conduct an investigation.

## **Timely Reporting**

Reports of prohibited conduct should be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to promptly report may impair the ResponsiveEd's ability to investigate and address the prohibited conduct.

## **Investigation of the Report**

ResponsiveEd may request, but shall not insist upon, a written report. If a report is made orally, the ResponsiveEd official shall reduce the report to written form.

Upon receipt or notice of a report, the ResponsiveEd official shall determine whether the allegations, if proven, would constitute prohibited conduct as defined by this policy. If so, the ResponsiveEd official shall immediately authorize or undertake an investigation, regardless of whether a criminal or regulatory investigation regarding the same or similar allegations is pending.

If appropriate, ResponsiveEd shall promptly take interim action calculated to prevent prohibited conduct during an investigation.

The investigation may be conducted by a ResponsiveEd official, such as the Title IX or ADA/Section 504 Coordinator, or by a third party designated by ResponsiveEd, such as an attorney. When appropriate, the Campus Director shall be involved in or informed of the investigation.

The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations.

### **Concluding the Investigation**

Absent extenuating circumstances, the investigation should be completed within ten business days from the date of the report; however, the investigator shall take additional time if necessary to complete a thorough investigation.

The investigator shall prepare a written report of the investigation. The report shall be filed with the ResponsiveEd official overseeing the investigation.

### **Action**

If the results of an investigation indicate that prohibited conduct occurred, ResponsiveEd shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct.

ResponsiveEd may take action based on the results of an investigation, even if the conduct did not rise to the level of prohibited or unlawful conduct.

### **Confidentiality**

To the greatest extent possible, ResponsiveEd shall respect the privacy of the complainant, the person(s) against whom a report is filed, and witnesses. Limited disclosures may be necessary to conduct a thorough investigation and comply with applicable law

### **Appeal**

A complainant who is dissatisfied with the outcome of the investigation may appeal the decision in accordance with the employee grievance procedure (see “Complaints and Grievances”).

The complainant may have a right to file a complaint with appropriate state or federal agencies.

### **Records Retention**

Copies of reports alleging prohibited conduct, investigation reports, and related records shall be maintained by ResponsiveEd for a period required by federal and state law.

## **Discrimination, Harassment, and Retaliation of Students**

### **Statement of Nondiscrimination**

Sexual and other harassment of students by employees are forms of discrimination and are prohibited by law. Romantic or inappropriate social relationships between students and ResponsiveEd employees are prohibited. Employees who suspect a student may have experienced harassment are obligated to report their concerns to the Campus Director or other appropriate ResponsiveEd officials. All allegations of harassment or abuse of a student will be reported to the student’s parents and promptly investigated. An employee who knows of or suspects child abuse must also report his or her knowledge or suspicion to the appropriate authorities, as required by law (see “Reporting Suspected Child Abuse”).

ResponsiveEd prohibits discrimination, including harassment, against any student on the basis of race, color, religion, sex, national origin, age, disability, or any other basis prohibited by law. Retaliation against anyone involved in the complaint process is a violation of ResponsiveEd policy.

Discrimination against a student is defined as conduct directed at a student on the basis of race, color, religion, sex, national origin, disability, or on any other basis prohibited by law, that adversely affects the student.

### **Harassment**

Any ResponsiveEd employee who receives notice that a student has or may have experienced prohibited harassment is required to report the alleged acts immediately to the Campus Director or Supervisor. If the Campus Director is the subject of a complaint, the employee shall report the complaint directly to the Regional Director. Reports should be made as soon as possible.

Harassment of a student is defined as physical, verbal, or nonverbal conduct based on the student’s race, color, religion, sex, national origin, age, disability, or any other basis prohibited by law, when the conduct is so severe, persistent, or pervasive that the conduct:

- affects a student’s ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;

- has the purpose or effect of substantially or unreasonably interfering with the student’s academic performance; or
- otherwise adversely affects the student’s educational opportunities.

Harassment includes dating violence as defined by this policy.

**Any ResponsiveEd employee who receives notice that a student has or may have experienced prohibited harassment is required to report the alleged acts immediately to the Campus Director. If the Campus Director is the subject of a complaint, the employee shall report the complaint directly to the Regional Director or Vice President of Academic Services. Reports should be made as soon as possible.**

### **Sexual Harassment by an Employee**

Sexual harassment of a student by a ResponsiveEd employee includes both welcome and unwelcome sexual advances; requests for sexual favors; sexually motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:

- A ResponsiveEd employee causes the student to believe that the student must submit to the conduct in order to participate in a school program or activity, or that the employee will make an educational decision based on whether or not the student submits to the conduct; or
- The conduct is so severe, persistent, or pervasive that it:
  1. affects the student’s ability to participate in or benefit from an educational program or activity, or otherwise adversely affects the student’s educational opportunities; or
  2. creates an intimidating, threatening, hostile, or abusive educational environment.

Romantic or inappropriate social relationships between students and ResponsiveEd employees are prohibited.

Any sexual relationship between a student and a ResponsiveEd employee is always prohibited, even if consensual.

### **Sexual Harassment by Others**

Sexual harassment of a student, including harassment committed by another student, includes unwelcome sexual advances; requests for sexual favors; or sexually motivated physical, verbal, or nonverbal conduct when the conduct is so severe, persistent, or pervasive that it:

- affects a student’s ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;
- has the purpose or effect of substantially or unreasonably interfering with the student’s academic performance; or
- otherwise adversely affects the student’s educational opportunities.

### **Dating Violence**

Dating violence occurs when one partner in a dating relationship, either past or current, intentionally uses physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control the other partner.

Examples of dating violence against a student may include physical or sexual assaults, name-calling, put-downs, threats to hurt the student or the student’s family members or members of the student’s household, destroying property belonging to the student, threats to commit suicide or homicide if the student ends the relationship, attempts to isolate the student from friends and family, stalking, or encouraging others to engage in these behaviors.

For purposes of this policy, dating violence is considered prohibited harassment if the conduct is so severe, persistent, or pervasive that the conduct:

- affects a student’s ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;
- has the purpose or effect of substantially or unreasonably interfering with the student’s academic performance; or
- otherwise adversely affects the student’s educational opportunities.

### **Retaliation**

ResponsiveEd prohibits retaliation against a student who makes a claim alleging to have experienced discrimination or harassment, including dating violence, or another student who, in good faith, makes a report, serves as a witness, or otherwise participates in an investigation.

A student who intentionally makes a false claim, offers false statements, or refuses to cooperate with a school investigation regarding harassment or discrimination is subject to appropriate discipline.

### **Reporting Procedures**

Any student who believes that he or she has experienced prohibited conduct or believes that another student has experienced prohibited conduct should immediately report the alleged acts to a teacher or Campus Director.

Alternatively, the student may report the alleged acts to one of the ResponsiveEd officials below:

- Reports of discrimination based on sex, including sexual harassment, may be directed to the Title IX Coordinator, National Director of Special Education.
- Reports of discrimination based on disability may be directed to the ADA/Section 504 Coordinator, National Director of Special Education.
- Reports of discrimination based on all other antidiscrimination laws may be directed to the National Director of Special Education.

### **Alternative Reporting Procedures**

A student shall not be required to report prohibited conduct to the person alleged to have committed the conduct. Reports concerning prohibited conduct, including reports against the Title IX Coordinator or ADA/Section 504 Coordinator, may be directed to the Chief Executive Officer.

A report against the Chief Executive Officer may be made directly to the Board. If a report is made directly to the Board, the Board shall appoint an appropriate person to conduct an investigation.

### **Timely Reporting**

Reports of prohibited conduct should be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to promptly report may impair ResponsiveEd's ability to investigate and address the prohibited conduct.

### **Notice of Report**

Any ResponsiveEd employee who receives notice that a student has or may have experienced prohibited conduct shall immediately notify the appropriate ResponsiveEd official listed above and take any other steps required by this policy.

### **Notice to Parents**

The ResponsiveEd official or designee shall promptly notify the parents of any student alleged to have experienced prohibited conduct by a ResponsiveEd employee or another adult.

### **Investigation of the Report**

ResponsiveEd may request, but shall not insist upon, a written report. If a report is made

orally, the ResponsiveEd official shall reduce the report to written form.

Upon receipt or notice of a report, the ResponsiveEd official shall determine whether the allegations, if proven, would constitute prohibited conduct as defined by this policy. If so, the ResponsiveEd official shall immediately authorize or undertake an investigation, regardless of whether a criminal or regulatory investigation regarding the same or similar allegations is pending.

If appropriate, ResponsiveEd shall promptly take interim action calculated to prevent prohibited conduct during an investigation.

The investigation may be conducted by a ResponsiveEd official, such as the Title IX or ADA/Section 504 Coordinator, or by a third party designated by ResponsiveEd, such as an attorney. When appropriate, the Campus Director shall be involved in or informed of the investigation.

The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations.

### **Concluding the Investigation**

Absent extenuating circumstances, the investigation should be completed within ten business days from the date of the report; however, the investigator shall take additional time if necessary to complete a thorough investigation.

The investigator shall prepare a written report of the investigation. The report shall be filed with the ResponsiveEd official overseeing the investigation.

### **Action**

If the results of an investigation indicate that prohibited conduct occurred, ResponsiveEd shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct. ResponsiveEd may take action based on the results of an investigation, even if the conduct did not rise to the level of prohibited or unlawful conduct.

### **Confidentiality**

To the greatest extent possible, ResponsiveEd shall respect the privacy of the complainant, the person(s) against whom a report is filed, and witnesses. Limited disclosures may be necessary to conduct a thorough investigation and comply with applicable law.

### **Appeal**

A student who is dissatisfied with the outcome of the investigation may appeal the decision in accordance with the school grievance procedure (see current Parent/Student Handbook, "Student or Parent Complaints and Concerns"). A student shall be informed of his or her right to file a complaint with the United States Department of Education Office for Civil Rights.

## **Bullying**

ResponsiveEd prohibits bullying as defined by this policy. All employees are required to report student complaints of bullying to the Campus Director. Retaliation against anyone involved in the complaint process is a violation of ResponsiveEd policy.

### **Definition**

Bullying is defined as overt, unwanted, repeated acts or gestures, including verbal or written communications or images transmitted in any manner (including digitally or electronically); physical acts committed; aggression; or any other behaviors committed by a student or group of students against another student with the intent to harass, ridicule, humiliate, intimidate, or harm the targeted student, creating for the targeted student an objectively hostile school environment that:

- places the targeted student in reasonable fear of harm to his or her person or property;
- has a substantially detrimental effect on the targeted student's physical or mental health;
- has the effect of substantially interfering with the targeted student's academic performance;  
or
- has the effect of substantially interfering with the targeted student's ability to participate in or benefit from the services, activities, or privileges provided by the school.

### **Examples**

Bullying of a student may include, but is not limited to, hazing, threats, taunting, teasing, confinement, assault, demands for money, and destruction of property, theft of valued possessions, name-calling, rumor spreading, and ostracism.

### **Timely Reporting**

Reports of bullying shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to promptly report may impair ResponsiveEd's ability to investigate and address the prohibited conduct.

### **Reporting Procedures**

Any student who believes that he or she has experienced bullying or believes that another

student has experienced bullying should immediately report the alleged acts to a teacher or the Campus Director. A report may be made orally or in writing.

### **Notice of Report**

Any employee who receives notice that a student has or may have experienced bullying shall immediately notify the Campus Director.

### **Investigation of Report**

If a report is made orally, the Campus Director or designee shall reduce the report to written form. The Campus Director or designee shall conduct an appropriate investigation based on the allegations in the report. The Campus Director or designee shall promptly take interim action calculated to prevent bullying during the course of an investigation, if appropriate.

### **Concluding the Investigation**

Absent extenuating circumstances, the investigation should be completed within ten business days from the date of the report; however, the Campus Director or designee shall take additional time if necessary to complete a thorough investigation.

The Campus Director or designee shall prepare a written report of the investigation, including a determination of whether bullying occurred, and send a copy to the Chief Executive Officer or designee.

### **Action**

If the results of an investigation indicate that bullying occurred, ResponsiveEd shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct in accordance with ResponsiveEd's Student Code of Conduct. ResponsiveEd may take action based on the results of an investigation, even if ResponsiveEd concludes that the conduct did not rise to the level of bullying under this policy.

### **Confidentiality**

To the greatest extent possible, ResponsiveEd shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation.

### **Appeal**

A student who is dissatisfied with the outcome of the investigation may appeal the decision in accordance with the school grievance procedure (see current Parent/Student Handbook, "Student or Parent Complaints and Concerns")

## **Reporting Suspected Child Abuse**

### **Definition**

Abuse is defined by the Arkansas Department of Human Services (Division of Children and Family Services) and it includes any sexual conduct involving an educator and a student or minor.

### **Reporting Procedures**

All employees are required by state law to immediately report any suspected child abuse or neglect to a law enforcement agency, Arkansas Department of Human Services (Division of Children and Family Services) or appropriate state agency. If it is an emergency, employees are to call their local law enforcement agency first, then call the Arkansas Child Abuse Hotline (800)482-5964. Otherwise, reports are to be made using the Arkansas Child Abuse Hotline (800)482-5964.

An employee's failure to report a suspected child abuse may result in prosecution as a Class A misdemeanor. In addition, a certified employee's failure to report suspected child abuse may rest in disciplinary procedures by the Arkansas Department of Education for the "Code of Ethics and Standard Practices of Arkansas Educators".

In addition, employees who suspect that a student has been or may be abused or neglected should immediately report their concerns to the ResponsiveEd Crisis Abuse Prevention Hotline at 972.316.4530. This includes students with disabilities who are no longer minors. Employees are not required to report their concern to the Crisis Abuse Prevention Hotline before making a report to the appropriate agencies. **Reporting the concern to the child abuse office does not relieve the employee of the requirement to report to the appropriate state agency.** Employees must cooperate with child abuse and neglect investigators. Interference with a child abuse investigation by denying an interviewer's request to interview a student at school or requiring the presence of a parent or school administrator against the desires of the duly authorized investigator is prohibited.

Employees who fail to make a timely report may be subject to: (1) disciplinary action, up to and including termination of employment; (2) an ethics complaint before the Professional Licensure Standards Board; and/or (3) criminal charges.

### **No Fraternization**

While ResponsiveEd encourages amicable relationships between members of management and their subordinates, it recognizes that involvement in a romantic relationship may compromise or create a perception that compromises a member of management's ability to perform his or her job. Any involvement of a romantic nature between any ResponsiveEd employee or agent and anyone he or she supervises, either directly or indirectly, is prohibited. Violation of this policy may lead to corrective action, including termination of employment.

## **Solicitation**

To ensure a productive and harmonious work environment, persons not employed by ResponsiveEd may not solicit or distribute literature in the workplace at any time for any purpose.

ResponsiveEd recognizes that employees may have interests in events and organizations outside the workplace. However, employees may not solicit or distribute literature concerning these activities during working time. For the purposes of this policy, “working time” does not include lunch periods, work breaks, or any other periods in which employees are not on duty.

E-mail may not be used to solicit others for commercial ventures, religious or political causes, outside organizations, or other non-business matters.

In addition, the posting of written solicitations on ResponsiveEd bulletin boards is restricted. These bulletin boards displays important information and employees should consult them frequently for internal memoranda and organization announcements.

If employees have a message of interest to the workplace, they may submit it to the Campus Director or HR Department for approval. The Campus Director or HR Department must approve all messages.

## **Fraud and Financial Impropriety**

All employees should act with integrity and diligence in duties involving ResponsiveEd’s financial resources. ResponsiveEd prohibits fraud and financial impropriety, as defined below. Fraud and financial impropriety include the following:

- forgery or unauthorized alteration of any document or account belonging to ResponsiveEd;
- forgery or unauthorized alteration of a check, bank draft, or any other financial document;
- misappropriation of funds, securities, supplies, or other ResponsiveEd assets, including employee time;
- impropriety in the handling of money or reporting of ResponsiveEd financial transactions;
- profiteering as a result of insider knowledge of ResponsiveEd information or activities;
- unauthorized disclosure of confidential or proprietary information to outside parties;
- unauthorized disclosure of investment activities engaged in or contemplated by ResponsiveEd;

- accepting or seeking anything of material value from contractors, vendors, or other persons providing services or materials to ResponsiveEd;
- destroying, removing, or inappropriately using records, furniture, fixtures, or equipment;
- failing to provide financial records required by state or local entities;
- failure to disclose conflicts of interest as required by policy; and
- any other dishonest acts regarding the finances of ResponsiveEd.

### **Conflict of Interest**

Employees are required to disclose to their supervisor any situation that creates a potential conflict of interest with the proper discharge of assigned duties and responsibilities or creates a potential conflict of interest with the best interests of ResponsiveEd. This includes the following:

- a personal financial interest
- a business interest
- any other obligation or relationship, or
- non-school employment

An employee with a substantial interest in a business entity or interest in real property must disclose the interest to ResponsiveEd prior to the award of a contract or authorization of payment. This is done by filing an affidavit with the Chief Financial Officer. An employee is also considered to have substantial interest if a close family member (e.g., spouse, parent, child, or spouse's parent or child) has a substantial interest.

### **Gifts and Favors**

Employees may not accept gifts or favors that could influence, or be construed to influence, the employee's discharge of assigned duties.

### **Copyrighted Materials**

Employees are expected to comply with the provisions of federal copyright law relating to the unauthorized use, reproduction, distribution, performance, or display of copyrighted materials (e.g., printed material, videos, computer data and programs, etc.). Electronic media, including motion pictures and other audio/visual works are to be used in the classroom for educational purposes only. Duplication or backup of computer programs and data must be made within the provisions of the purchase agreement.

## **Associations and Political Activities**

ResponsiveEd will not directly or indirectly discourage employees from participating in political affairs or require any employee to join any group, club, committee, organization, or association. Employees may join or refuse to join any professional association or organization.

Use of ResponsiveEd resources, including work time, for political activities, is prohibited.

## **Use of Telephones**

### **School Phones**

The time spent on personal calls should be limited to keep phone lines available for incoming business calls. Personal use of the telephone for long-distance and toll calls is not permitted. Employees should practice discretion when making personal, local calls and may be required to reimburse ResponsiveEd for any charges resulting from their personal use of the telephone.

### **Cell Phones**

**Employees are not permitted to use cell phones during instructional time or while otherwise supervising students, except for emergencies. This prohibition extends to any use of a cell phone, including but not limited to conversations, texting, games, browsing the internet, etc. Phones should be off or set to receive silent messages.**

## **Attendance and Punctuality**

Attendance and punctuality are essential functions of any educator's job. To maintain a safe and productive work environment, ResponsiveEd expects employees to be reliable and to be punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on other employees and ResponsiveEd. In the rare instances when employees cannot avoid being late to work or are unable to work as scheduled, they should notify their supervisor as soon as possible in advance of the anticipated tardiness or absence. Poor attendance and excessive tardiness are disruptive. Either may lead to disciplinary action, up to and including termination of employment.

## **Job Abandonment**

Employees who are absent from work three consecutive working days or more without notice/approval, and who cannot be reached by the immediate supervisor, are deemed to have voluntarily resigned from ResponsiveEd and may be released from ResponsiveEd due to job abandonment.

## **Computer and E-mail Usage**

ResponsiveEd computer systems, networks, and any configuration of hardware and software comprise ResponsiveEd's technology resources. The systems and networks include all of the computer hardware, phone system, operating system software, application software, Internet resources, and data files. This includes electronic mail, electronic grade book, social media sites, local databases, externally accessed databases (such as the Internet), CD-ROM, optical media, clip art, digital images, digitized information, communications technologies, and new technologies as they become available. **ResponsiveEd reserves the right to monitor all technology resource activity.**

ResponsiveEd electronic communications systems, including access to the Internet, are to be used for administrative and instructional purposes only. Electronic mail transmissions and other use of the technology resources are not confidential and can be monitored at any time to ensure appropriate use. There exists no right to privacy and contents are subject to review and to open record requests. Unauthorized use of these systems are prohibited and can result in suspension or termination of privileges. Employees and students who are authorized to use the systems are required to abide by the provisions of ResponsiveEd communications systems policy and administrative procedures. Failure to follow ResponsiveEd policies and procedures may lead to disciplinary action punishable up to and including termination.

Computer equipment provided to ResponsiveEd employees is subject to the following conditions.

- No additional software will be installed unless approved by the Technology Director or his designee for ResponsiveEd.
- Lost or stolen equipment will not be replaced. Any employee that is found negligent in handling ResponsiveEd's computer equipment is responsible for the purchase price of the equipment.
- Discharged ResponsiveEd employees will return all equipment. An employee's failure to return equipment will result in a payroll deduction for the purchase price of the equipment.
- Employees must provide unlimited access to a company computer when requested by any ResponsiveEd IT Staff.

Employees should not use a password, access a file, or retrieve any stored communication without authorization.

ResponsiveEd strives to maintain a workplace free of harassment. Therefore, ResponsiveEd prohibits the use of computers and the e-mail system in ways that are disruptive, offensive to others, or harmful to morale. For example, the display or transmission of sexually explicit images, messages, and cartoons is not allowed. Other such misuse but is not limited to, ethnic slurs, racial comments, off-color jokes, or anything that may be construed as harassment or showing disrespect for others.

E-mail may not be used to solicit others for commercial ventures, religious or political causes, outside organizations, or other non-business matters.

ResponsiveEd purchases and licenses the use of various computer software for business purposes and does not own the copyright to this software or its related documentation. Unless authorized by the software developer, ResponsiveEd does not have the right to reproduce such software for use on more than one computer.

Employees may only use software on local area networks or multiple machines according to the software license agreement. ResponsiveEd prohibits the illegal duplication of software and its related documentation.

Employees should notify their supervisor if learning of violations of this policy. Employees who violate this policy will be subject to disciplinary action, up to and including termination of employment.

### **Internet Usage**

Internet access to global electronic information resources on the World Wide Web is provided by ResponsiveEd to assist employees in obtaining work-related data and technology. The following guidelines have been established to help ensure responsible and productive Internet usage. While Internet usage is intended for job-related activities, incidental and occasional brief personal use is permitted at breaks, lunch, and after-hours.

All Internet data that is composed, transmitted, or received via our computer communications systems is considered to be part of the official records of ResponsiveEd and, as such, is subject to disclosure to law enforcement or other third parties. Consequently, employees should always ensure that the business information contained in Internet e-mail messages and other transmissions is accurate, appropriate, ethical, and lawful.

Data that is composed, transmitted, accessed, or received via the Internet must not contain content that could be considered discriminatory, offensive, obscene, threatening, harassing, intimidating, or disruptive to any employee or other person. Examples of unacceptable content may include, but are not limited to, sexual comments or images, racial slurs, gender-specific comments, or any other comments or images that could reasonably offend someone on the basis of race, color, religion, sex, national origin, disability, age, or any other characteristic protected by law.

The unauthorized use, installation, copying, or distribution of copyrighted, trademarked, or patented material on the Internet is expressly prohibited. As a general rule, if an employee did not create material, does not own the rights to it, or has not received authorization for its use, it should not be put on the Internet. Employees are also responsible for ensuring that the person sending any material over the Internet has the appropriate distribution rights.

Internet users should take the necessary anti-virus precautions before downloading or copying any

file from the Internet. All downloaded files are to be checked for viruses; all compressed files are to be checked before and after decompression.

Abuse of the Internet access provided by ResponsiveEd in violation of law or ResponsiveEd policies will result in disciplinary action, up to and including termination of employment. Employees may also be held personally liable for any violations of this policy. The following behaviors are examples of previously stated or additional actions and activities that are prohibited and can result in disciplinary action:

- sending or posting discriminatory, harassing, or threatening messages or images;
- copying, pirating, or downloading software and electronic files without permission;
- sending or posting messages or material that could damage the organization's image or reputation;
- participating in the viewing or exchange of pornography or obscene materials;
- sending or posting chain letters, solicitations, or advertisements not related to business purposes or activities;
- passing off personal views as representing those of the organization;
- sending anonymous e-mail messages; and/or
- engaging in any other illegal activities.

### **Electronic Media –Acceptable Use**

Electronic media includes all forms of social media, such as text messaging, instant messaging, electronic mail (e-mail), Web logs (blogs), electronic forums (chat rooms), video-sharing Web sites (e.g., YouTube), editorial comments posted on the Internet, and social network sites (e.g., Facebook, Myspace, Twitter, Instagram, LinkedIn). Electronic media also includes all forms of telecommunications such as landlines, cell phones, and Web-based applications.

As role models for students, employees are responsible for their public conduct at all times. Employees are held to the same professional standards in their public use of electronic media as they are for any other public conduct.

Employees may not post financial, confidential, sensitive or proprietary information about the company, clients, employees or applicants.

Employees may not post obscenities, slurs or personal attacks that can damage the reputation of the ResponsiveEd students, parents, volunteers, employees or applicants.

When posting on social media sites, employees must use the following disclaimer when discussing job-related matters, *"The opinions expressed on this site are my own and do not necessarily*

*represent the views of ResponsiveEd.”*

ResponsiveEd may monitor content out on the Internet. If an employee’s use of electronic media violates state or federal law or ResponsiveEd policy, or interferes with the employee’s ability to effectively perform his or her job duties, the employee is subject to disciplinary action, up to and including termination of employment.

### **Standard Electronic Mail Signature**

In an effort to maintain consistency and professionalism, all ResponsiveEd email users shall adhere to a common signature block when sending correspondence. The approved standard email signature is posted on the ResponsiveEd SharePoint page. Email users should not use background colors, stationery, or additional graphics or other ResponsiveEd logos.

### **Records Retention**

Arkansas records retention will follow the Texas guidelines for record retention because Arkansas does not have mandated record retention schedule for schools.

Written and electronic documents concerning the official business of ResponsiveEd constitute a public record that must be managed accordingly. It is the official policy of ResponsiveEd that all records should be classified and retained according to the timelines established by law and promulgated in the Texas State Library and Archives Commission’s Records Retention Schedules. The retention schedules may be viewed online at <https://www.tsl.texas.gov/slr/recordspubs/rrs4.html>. ResponsiveEd has adopted Local Schedule GR and Local Schedule SD of the Texas State Library and Archives Commission for these purposes.

Records whose retention period has expired may not be destroyed if any litigation, claim, negotiation, audit, public information request, administrative review, or other action involving the record is initiated; its destruction shall not occur until the completion of the action and the resolution of all issues that arise from it.

Employees who do not comply with the record retention policies may be subject to reprimand and remedial measures. Additionally, violations of state laws regarding government records may be subject to individual criminal liability.

### **Personal Appearance**

Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the business image ResponsiveEd presents to customers and visitors.

During business hours or when representing ResponsiveEd, employees are expected to present a clean, neat, and tasteful appearance. Employees should dress and groom themselves according to the requirements of their position and accepted dress code. **The Campus Director is responsible for**

**establishing a reasonable dress code appropriate to the job each employee performs.** Employees should consult their Campus Director if they have questions as to what constitutes appropriate appearance. When necessary, reasonable accommodations may be made to persons with a disability.

Without unduly restricting individual tastes, the following personal appearance guidelines should be followed:

- Tank tops, tube or halter-tops, see-through clothing, or shorts may not be worn under any circumstances.
- Dresses or skirts should be of a modest length and fit (no more than two inches above the bend of the knee).
- Extremely sloppy or torn clothing will not be permitted.
- Mustaches and beards must be clean, well-trimmed, and neat.
- Hairstyles are expected to be in good taste and present an appropriate professional appearance.
- Body piercing, with visible jewelry or jewelry that can be seen through or under clothing, must not be worn during business hours. Tongue rings are also prohibited.
- For females, multiple ear piercings (more than one ring in each ear) and for males, any ear piercing, is not professionally appropriate and must not be worn during business hours.

Employees are allowed to dress more casually on Fridays to include jeans (must be clean, free of rips, tears, fraying and may not be excessively tight or revealing), with the exception of any Friday the location may be expecting special guests.

## **GENERAL INFORMATION**

### **Reassignments and Transfers**

All employees are subject to assignment and reassignment by the Chief Executive Officer or designee when the Chief Executive Officer determines that the assignment or reassignment is in the best interest of ResponsiveEd. Reassignment is a transfer to another position, department, or facility. Campus reassignments must be approved by the Campus Director at the receiving campus. Unless the reassignments are due to enrollment shifts or program changes. Extracurricular or supplemental duty assignments may be reassigned at any time.

An employee with the required qualifications for a vacant position may request a transfer to another campus. Professional courtesy dictates that the employee's supervisor be notified of the employee's intent to request a transfer. A written request for transfer must be completed and signed by the employee and the employee's supervisor. This form is submitted to the HR Department and not directly to the requested campus. The HR Department will forward the request to the appropriate party. The employee transfer request will only be active until the position applied for is filled. Upon the approval of an employee transfer, the HR Department will notify all parties.

## **Campus Workload and Work Schedules**

### **Professional Employees**

Professional and administrative employees are exempt from overtime pay and are employed on a 12-month basis, according to the work schedules set by ResponsiveEd. A school calendar is adopted each year designating the work schedule for teachers and all school holidays.

**Employee work schedules and hours may be rescheduled by ResponsiveEd as necessary to conduct ResponsiveEd business.**

Professional school personnel shall occasionally be required to work additional days and hours to complete those tasks associated with their positions, including but not limited to campus staff meetings, parent teacher conferences, professional training, student accelerated rehabilitative disposition meeting, student meeting and open house, etc.

### **Paraprofessional and Auxiliary Employees**

Support employees will receive notification of the required work schedule for their respective positions at the beginning of each school year (or when employed).

**Employee work schedules and hours may be rescheduled by ResponsiveEd as necessary to conduct ResponsiveEd business.**

Paraprofessional and auxiliary employees are not exempt from overtime and are not authorized to work in excess of their assigned schedule without prior approval from their supervisor.

## **Notification to Parents Regarding Qualifications**

In schools receiving Title I funds, ResponsiveEd is required by the No Child Left Behind Act (NCLB) to notify parents at the beginning of each school year that they may request information regarding the professional qualifications of their child's teacher. NCLB also requires that parents be notified if their child has been assigned, or taught for four or more consecutive weeks by a teacher who is not highly qualified.

## **Outside Employment and Tutoring**

An employee may hold a job with another organization as long as he or she satisfactorily performs his or her job responsibilities with ResponsiveEd. All employees will be judged by the same performance standards and will be subject to ResponsiveEd scheduling demands, regardless of any existing outside work requirements.

If ResponsiveEd determines that an employee's outside work interferes with performance or the ability to meet the requirements of ResponsiveEd as they are modified from time to time, the employee may be asked to terminate the outside employment if he or she wishes to remain with ResponsiveEd.

Outside employment will present a conflict of interest if it has an adverse impact on ResponsiveEd.

Employees who wish to accept outside employment or engage in other activities for profit must submit a written request to their supervisor. Approval for outside employment will be determined by the Chief Executive Officer or designee and based on whether outside employment interferes with the duties of the regular assignment. Outside employment is not to interfere in any way with the efficient performance of duties.

Teachers are not allowed to tutor their students privately for pay.

## **Performance Evaluation**

Evaluation of an employee's job performance should be a continual process that focuses on improvement. Performance evaluation is based on an employee's assigned job duties and other job-related criteria. Reports, correspondence, and memoranda can be used to document performance information.

All employees will participate in the evaluation process with their immediate supervisor. Written evaluations will be completed on forms approved by ResponsiveEd. All employees will receive a copy of their written evaluation, have a performance conference with their supervisor, and get the opportunity to respond to the evaluation.

## **Driving**

In order to promote the safety of students, volunteers, and employees, as well as the safety of the general public, it is ResponsiveEd's policy that employees who wish to drive a School Vehicle and/or a Personal Vehicle must meet certain eligibility criteria before being authorized by ResponsiveEd to drive said vehicle(s).

## **Definitions**

### **Authorized Employee**

As used in this policy, “Authorized Employee” means an employee who has been authorized by ResponsiveEd to drive a School Vehicle and/or a Personal Vehicle.

### **Personal Vehicle**

As used in this policy, “Personal Vehicle” means a vehicle (including a non-street worthy vehicle, e.g., all-terrain vehicle, golf-cart style utility vehicle, etc.) which is: (1) owned, leased, or rented by someone other than ResponsiveEd, and (2) driven for ResponsiveEd/school-related business. As such, the definition for “Personal Vehicle” encompasses both ownership and use. Example: A vehicle which is “owned, leased, or rented by someone other than the ResponsiveEd,” but is not being “driven for ResponsiveEd/school-related business” would not be a “Personal Vehicle” subject to the guidelines of this policy.

### **School Vehicle**

As used in this Policy, “School Vehicle” means a vehicle (including a non-street worthy vehicle, e.g., all-terrain vehicle, golf-cart style utility vehicle, etc.) which is owned, leased, or rented by ResponsiveEd, regardless of the purpose for which the vehicle is being driven.

### **Purpose**

ResponsiveEd has implemented this policy to improve compliance with statutory requirements and to minimize legal liability and risks by ensuring that ResponsiveEd’s guidelines are in effect and are applied on a consistent and comparable basis. It shall be the policy of ResponsiveEd to review at least annually the driving records of all Authorized Employees. Any employee who does not have a valid driver’s license is not insurable or is otherwise not eligible to drive pursuant to this policy will be prohibited from driving either a School Vehicle or a Personal Vehicle. The driving record review will include assessment of compliance with state and federal driving requirements; review of state motor vehicle records, including all violations regardless of whether they occurred in School Vehicles or Personal Vehicles, on or off duty, and/or review of ResponsiveEd motor vehicle accident records. Any employee who is required to drive a School Vehicle and/or a Personal Vehicle in the performance of job duties but who is not eligible to drive as determined by ResponsiveEd may be reassigned, the employee’s wages may be adjusted commensurate with the duties to be performed, and/or the employee may be subject to disciplinary action up to and including termination of employment.

### **Policy Implementation**

To implement this policy, the following actions must take place before an employee is authorized to drive a School Vehicle and/or a Personal Vehicle:

### **Driving Application – All ResponsiveEd Employees**

All employees who may drive a School Vehicle and/or a Personal Vehicle as part of their job responsibilities will be required to complete the Driving Application on the ResponsiveEd website. The Application can be found by visiting, [www.responsiveed.com](http://www.responsiveed.com), clicking on Careers, then Job Postings, and finally entering "Driving Application" in the search field.

- Select the "Work Here" tab at the top of the page.
- Then select on "Start the Process".
- On the next page in the "Search Field" type in the word "Driving".
- Then select "Apply".
- On the next page select on "Apply for this Position".
- On the next page select on "Create New Account and Apply".

Complete the entire questionnaire (Application). There are seven pages and the process is not complete until you digitally sign (type) your full name at the bottom of the page and select submit then you are done.

### **Notification**

Authorized employees must notify the HR Department of certain events that may affect their eligibility to drive a School Vehicle and/or a Personal Vehicle. After being notified of such an event, ResponsiveEd must then make a determination on whether to suspend, remove, or allow the employee to continue driving School Vehicles and/or Personal Vehicles. The documentation for the decision made must be kept in each respective employee file. An employee who fails to comply with this section shall be subject to disciplinary action up to and including termination of employment.

- Any moving citation or conviction must be reported to the HR Department in writing within seven business days of receiving the citation or conviction.
- A suspended, revoked, or canceled driver's license must be reported to the HR Department in writing before the end of the workday following the day the employee receives notice regarding the infraction.
- All traffic accidents must be reported to the HR Department in writing immediately.
- Requests to change vehicle class (i.e., type of vehicle they drive) must be reported to the HR Department in writing immediately. ResponsiveEd will make a determination on whether to: (1) initiate another Motor Vehicle Background search, and/or (2) approve the change in

vehicle class. Under no circumstances is an employee authorized to drive a vehicle that is not in the vehicle class for which he/she has approval.

### **Alcohol or Drugs**

At no time will an employee drive a School Vehicle and/or a Personal Vehicle, or report for duty, under the influence of alcohol or illegal drugs. At no time will an employee drive a School Vehicle and/or a Personal vehicle under the influence of prescription or over-the-counter drugs that may impair the ability to drive. An employee who fails to comply with this section shall be subject to disciplinary action up to and including termination of employment.

### **Cell Phone Use**

Employees shall avoid cell phone use (**including texting**) while driving a School Vehicle and/or a Personal Vehicle. When cell phone use is essential, one or a combination of the following options will be used:

- Have a passenger receive or place the call.
- Allow the cell phone to go to voice mail so that the call may be returned later.
- Use the hands-free feature of the cell phone

**Note:** This policy applies to all cell phones, regardless of ownership. ResponsiveEd may provide some employees with cell phones for business use; however, there is no business necessity that would require cell phone use, which compromises safety.

### **Seat Belts**

Employees and all passengers in a School Vehicle and/or Personal Vehicle shall wear seat belts at all times while the vehicle is moving.

### **Responsibility for Violations**

An employee is personally responsible for any traffic violations said employee is charged with.

### **Driving Eligibility Criteria**

ResponsiveEd will determine an employee's driving eligibility based on insurability as determined by the School in conjunction with the School's insurance carrier, Department of Transportation ("DOT") correspondence, state motor vehicle records and/or ResponsiveEd driving records. Before an employee is authorized to drive a School Vehicle and/or a Personal Vehicle, he or she must meet the following requirements:

1. Have a valid Arkansas Driver's License;
2. Be at least 21 years of age;
3. Not have received any alcohol or drug-related convictions within the past ten years;
4. Not have received more than one moving violation in the past 12 months or more than three in the past 36 months.

**Note:** An employee with an alcohol or drug-related citation will not be eligible to drive until the citation results in a dismissal or a finding of not guilty. It is the responsibility of the employee to provide written documentation to the HR Department verifying that a citation has resulted in a finding of not guilty or a dismissal.

**Note:** An employee responsible for any vehicle accident occurring on ResponsiveEd property which is not subject to police jurisdiction that results in bodily injury or property damage shall have recorded on his/her ResponsiveEd driving record the equivalent of a motor vehicle record moving violation

1. If driving a Personal Vehicle, employee **must** have insurance coverage with a minimum of
  - \$30,000 per person / \$60,000 per occurrence for bodily injury,
  - \$25,000 property damage per occurrence,
  - \$3,000 per person for medical payment, and
2. If driving a Personal Vehicle, drive a safe vehicle, having as many passenger seat belts as passengers.

## **Records**

ResponsiveEd shall maintain the driving records of all Authorized Employees. The driving records shall be reviewed at least annually. The records shall include, but not be limited to: (1) all correspondence, documents, and records received; (2) all employee vehicle accidents occurring on private or ResponsiveEd property which are not subject to the jurisdiction of the police; and (3) any other records deemed important. These records must be kept in accordance with the Records Retention Schedule. Once the School has reviewed any confidential consumer information collected to comply with this policy, it will dispose of that information in an appropriate manner as required by law.

**Note:** A file on employees that have not been approved will also be maintained (to include documentation on why the application was denied).

## **Employment Status**

The employment status of an employee, which is required to drive and is determined to be ineligible to drive, will be determined on a case-by-case basis according to the needs of ResponsiveEd. Such determination will be made by the Chief Executive Officer.

## **Loss of Driving Privilege**

An Authorized Employee, who is determined to be ineligible to drive, will lose the privilege to drive. Reauthorization of driving privileges will be determined on a case-by-case basis in accordance with the provisions of this policy. The CEO will determine the reauthorization of driving privileges.

## **Authorizing or Permitting the Operation of a Motor Vehicle to Another**

This policy is written so that only those employees who have been cleared through the Motor Vehicle Background check process can drive School Vehicles and/or Personal Vehicles. **No employee shall authorize or permit a school vehicle and/or a personal vehicle to be driven by any person, who has not been cleared through the Motor Vehicle Background check.** If any employee is found in violation of this regulation, the employee will lose driving privileges for a period to be determined by the ResponsiveEd and will be subject to written disciplinary action up to and including termination of employment. If a volunteer is found in violation of this regulation, the volunteer will lose driving privileges for a period to be determined by the ResponsiveEd.

## **Use of School Vehicles**

Employees are not authorized to drive School Vehicles when not on official ResponsiveEd/school-related business. If said employee is found in violation of this regulation, the employee will lose driving privileges for a period to be determined by the CEO and will be subject to written disciplinary action up to and including termination of employment.

## **Inclement Weather**

Every employee's safety and well-being is of the utmost importance. Thus, each employee is strongly encouraged to use their best judgment in determining whether it is safe to travel to work should Administrative Offices remain open during inclement weather.

ResponsiveEd may close schools because of bad weather or emergency conditions. When such conditions exist, the Regional Director will make the official decision concerning the closing. Affected employees will be notified of the decision to close a school based on inclement weather by 6:30 a.m.

## **Emergencies**

All employees should be familiar with the safety procedures for responding to a medical emergency and the evacuation diagrams posted in their work areas. Emergency drills will be conducted to familiarize employees and students with safety and evacuation procedures. Each campus is equipped with an automatic external defibrillator. Fire extinguishers are located throughout all ResponsiveEd buildings. Employees should know the location of these devices and procedures for their use.

## **Employee Communications**

ResponsiveEd's main method of communication with employees is through the ResponsiveEd e-mail system. Through this system, ResponsiveEd distributes information to employees regarding important issues, concerns, administrative regulations, changes in policies and procedures, and other relevant news. Employees are to check their e-mail daily.

## **Nepotism**

The employment of relatives (i.e., any person who is related by blood or marriage) in the same area of an organization may cause serious conflicts and problems with favoritism and employee morale. In addition to claims of partiality in treatment at work, personal conflicts from outside the work environment can be carried over into day-to-day working relationships.

Although ResponsiveEd has no prohibition against employing relatives of current employees, ResponsiveEd is committed to monitoring situations in which such relationships exist in the same area. In case of actual or potential problems, ResponsiveEd will take prompt action. This can include reassignment or, if necessary, termination of employment for one or both of the individuals involved.

ResponsiveEd will not hire anyone to serve in the chain-of-command of his or her relative. For those supervisor/subordinate relationships that currently exist, the supervisory relative will have no authority to promote or give a raise to their subordinate relative. Instead, the supervisory relative's supervisor will conduct all performance reviews and make any decisions regarding promotion or raises relating to the subordinate relative.

## **Unemployment Compensation Insurance**

### **Entitlement to Unemployment Compensation**

Employees who have been laid off or terminated through no fault of their own may be eligible for unemployment compensation benefits. A detailed description of eligibility requirements is available from the Arkansas Department of Workforce Services website at [www.dws.arkansas.gov](http://www.dws.arkansas.gov).

## **Notice of Reasonable Assurance of Employment Following a Scheduled School Break**

Since ResponsiveEd provides its employees with scheduled breaks—such as summer, winter, and spring vacation periods—and because employees with “reasonable assurance” of employment following a scheduled break will not be entitled to unemployment compensation benefits during that break, ResponsiveEd provides its employees with this Notice of Reasonable Assurance that they will remain employed following scheduled breaks.

**Such notice of reasonable assurance is not intended, and should not to be construed, to create an employment contract each employee’s continued employment with ResponsiveEd remains on an “at-will” basis, even during a scheduled school break (see “Disclaimer of Employment Contract,”). As such, both the employee and ResponsiveEd retain their respective rights to sever the employment relationship at-will, at any time, with or without notice or cause during a scheduled school break or at any other time.**

## **Asbestos Management Plan**

ResponsiveEd is committed to providing a safe environment for employees. An Asbestos Management Plan is available on each campus for review during normal school hours.

## **COMPLAINTS AND GRIEVANCES**

### **Overview**

The purpose of this policy is to secure, at the lowest possible administrative level, prompt and equitable resolution of employee complaints and/or concerns. Usually, employee complaints can be resolved simply by an informal conference with the employee’s supervisor. For those complaints that cannot be handled informally, ResponsiveEd has adopted the following grievance policy.

This policy provides employees an orderly process for the prompt and equitable resolution of grievances when a concern has not been resolved. The Board of Trustees intends that, whenever feasible, grievances be resolved at the lowest possible administrative level. This policy shall not be construed to create new or additional rights beyond those granted by policy or law, nor shall it be construed to restrict any rights granted by law.

Complaints regarding certain topics are addressed by specific policies or other documents that modify this complaint process or require an alternative process.

Neither the Board of Trustees nor the administration shall unlawfully retaliate against any employee for bringing a grievance under this policy.

Employees who allege adverse employment action in retaliation for reporting a violation of law to an appropriate authority shall initiate a grievance under this policy within the time specified by applicable law. Time lines for the employee and the school set out in this policy may be shortened

to allow the Board of Trustees to make a final decision within 60 days of the initiation of the complaint. A grievance must specify the individual harm alleged. The party incurring them shall pay costs of any grievance.

The prohibition against collective bargaining shall not impair employees' rights to present grievances concerning their wages, hours of employment, or conditions of work, either individually or through a representative that does not claim the right to strike. An employee, or a group of employees, may be represented in a grievance presentation at any level through an attorney or through any other person or organization that does not claim the right to strike. An employee's legal right to present a grievance is satisfied at each level when someone in a position of authority hears the employee's concern; however, that authority is under no legal compulsion to take action to rectify the matter. The Board of Trustees shall provide an opportunity at its regular meetings for employees to present their complaints or grievances for Board consideration.

## **Definitions**

For the purposes of this policy, "days" shall mean business days. For purposes of this policy, the terms "complaint" and "grievance" shall have the same meaning. A grievance under this policy may include, but shall not be limited to, any of the following:

- grievances concerning an employee's wages, hours, or conditions of work;
- appeals of decisions made relating to the investigation of specific allegations of unlawful discrimination in employment on the basis of sex (including allegations of sexual harassment), race, religion, national origin, age, disability, or any other basis prohibited by law;
- appeals of decisions made relating to the investigation of specific allegations of unlawful discrimination or retaliation on the basis of the employee's exercise of constitutional rights.

## **Notices**

All notices and documentation required under this policy shall be delivered as follows:

### **By mail:**

Responsive Education Solutions  
Employee Grievance  
Attn: Human Resource Department  
P.O. Box 292730  
Lewisville, Texas 75029

### **By e-mail:**

[employeegrievance@responsiveed.com](mailto:employeegrievance@responsiveed.com)

Subject heading should read "Employee Grievance."

**By fax:**

866.778.1021

Subject heading should read "Employee Grievance."

**In person:**

Responsive Education Solutions

1301 Waters Ridge Drive

Lewisville, Texas 75057

## **Procedures**

### **Level One**

An employee who has a complaint that could not be resolved informally shall request a conference with the Campus Director by filing the complaint in writing on a form provided by ResponsiveEd. The form must be filed with the HR Department within five business days of the time the employee knew, or should have known, of the event or series of events about which the employee is complaining. Copies of any documents that support the complaint should be attached to the complaint form. If the employee does not have copies of these documents, they may be presented at the Level One conference. After the Level One conference, no new documents may be submitted unless the employee did not know the documents existed before the Level One conference. A complaint form that is incomplete in any material way may be dismissed, but may be re-filed with all the requested information if the re-filing is within the designated time for filing a complaint.

The Campus Director shall hold a conference with the employee within five days of the request. The five day time frame for holding the Level One conference may be extended if mutually agreed to by both the employee and the Campus Director.

The Campus Director shall have five days following the Level One conference within which to respond. The announcement of a decision in the employee's presence shall constitute communication of the decision.

Should the complaint involve a problem with the Campus Director, then the Level One conference will be held by the Regional Director or designee.

### **Level Two**

If the outcome of the Level One conference with the Campus Director is not to the employee's satisfaction or the time for a response has expired, the employee may appeal the Level One decision to the Regional Director by filing the appeal notice in writing on a form provided by ResponsiveEd.

**Note:** In the event that the Level One conference was held by the Regional Director or designee, the Level Two conference shall be held by another Regional Director or designee.

The appeal notice must include a copy of the Level One complaint, a copy of the Level One decision being appealed (if applicable), and a copy of any documents presented at the Level One conference.

The appeal notice must be postmarked or received by the HR Department five days following receipt of a response or, if no response is received, within five days of the response deadline.

The Regional Director or designee shall hold a conference with the employee within five days of the appeal notice. The five day time frame for holding the Level Two conference may be extended if mutually agreed to by both the employee and the Regional Director or designee.

The Regional Director or designee shall have five days following the Level Two conference within which to respond. The announcement of a decision in the employee's presence shall constitute communication of the decision.

### **Level Three**

If the outcome of the Level Two conference with the Regional Director or designee is not to the employee's satisfaction or the time for a response has expired, the employee may appeal the Level Two decision to the Chief Executive Officer by filing the appeal notice in writing on a form provided by ResponsiveEd. The appeal notice must include a copy of the Level One complaint, a copy of the Level Two appeal notice, a copy of the Level One and Level Two decisions being appealed (if applicable), and a copy of any documents presented at the Level One and Level Two conferences.

The appeal notice must be postmarked or received by the HR Department within five days following receipt of a response or, if no response is received, within five days of the response deadline.

The Chief Executive Officer or designee shall hold a conference with the employee within 10 days of the appeal notice. The 10-day time frame for holding the Level Three conference may be extended if mutually agreed to by both the employee and the Chief Executive Officer or designee. The Level Three conference may be held via telephone or video conference at the discretion of the Chief Executive Officer.

The Chief Executive Officer or designee shall have five business days following the Level Three conference within which to respond. The announcement of a decision in the employee's presence shall constitute communication of the decision.

### **Level Four**

If the outcome of the Level Three conference with the Chief Executive Officer or designee is not to the employee's satisfaction or the time for a response has expired, the employee may appeal the Level Three decision to the Board of Trustees by filing the appeal notice in writing on a form provided by ResponsiveEd. The appeal notice must include a copy of the Level One complaint, a copy of the Level Two and Level Three appeal notices, a copy of the Level One, Level Two, and Level Three decisions being appealed (if applicable), and a copy of any documents presented at the Level One, Level Two, and Level Three conferences.

The appeal notice must be postmarked or received by the HR Department within five days following receipt of a response or, if no response is received, within five days of the response deadline.

The appeal will then be placed on the agenda of a future Board meeting. The Chief Executive Officer or designee shall inform the employee of the date, time, and place of the meeting.

The Board of Trustees is not required to consider documentation not previously submitted or issues not previously presented. The presiding officer may set reasonable time limits. The Board of Trustees shall hear the complaint and may request a response from the school. ResponsiveEd shall make an audiotape record of the Level Four proceedings before the Board of Trustees. The Board of Trustees shall then make and communicate its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting. If for any reason the Board of Trustees fails to reach a decision regarding the complaint by the end of the next regularly scheduled Board meeting, the lack of a response by the Board of Trustees upholds the decision at Level Three.

If the grievance involves the appointment, employment, evaluation, reassignment, duties, discipline, or termination of the employee bringing the grievance, it may be heard by the Board of Trustees in closed meeting unless the employee bringing the grievance requests that it be heard in public. However, if the grievance involves a complaint or charge against another employee or a Board member, it shall be heard in closed meeting unless an open meeting is requested in writing by the employee or Board member against whom the complaint or charge is brought.

### **Consolidation of Complaints**

When the administration determines, in its sole discretion, that two or more individual complaints are sufficiently similar in nature and remedy to permit their resolution through one proceeding, the complaints may be consolidated.

### **Modification of Procedures**

The Chief Executive Officer may, at his sole discretion, modify this complaint process or require an alternative process, so long as the Board of Trustees retains final authority to hear and decide complaints and concerns brought hereunder.

## **STUDENT ISSUES**

### **Equal Educational Opportunities**

ResponsiveEd, as an equal opportunity educational provider and employer, does not discriminate on the basis of race, color, religion, sex, national origin, disability, and/or age in educational programs or activities that it operates or in employment decisions. ResponsiveEd is required by Title VI and Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act, and the Age

Discrimination Act of 1975, as amended, as well as Board Policy not to discriminate in such a manner (not all prohibited bases apply to all programs).

Questions or concerns about discrimination of students on the basis of race, color, religion, sex, national origin, disability, or any other basis prohibited by law should be directed to the National Executive Director of Special Education.

### **Student Records**

Student records are confidential and are protected from unauthorized inspection or use. Employees should take precautions to maintain the confidentiality of all student records. The following people are the only people who have general access to a student's records:

- All parents of students under 18 unless parental rights have been legally terminated and a copy of the court order has been given terminating parental rights.
- the student (if 18 or older or emancipated by a court), and
- school officials with legitimate educational interests.

The Parent/Student Handbook provides parents and students with detailed information on student records. Parents or students who want to review student records should be directed to the Campus Director for assistance.

### **Parent and Student Complaints**

In an effort to hear and resolve parent and student complaints in a timely manner and at the lowest administrative level possible, the Board has adopted orderly processes for handling complaints on different issues. Any school can provide parents and students with information on filing a complaint.

Parents are encouraged to discuss problems or complaints with the teachers or the Campus Director at any time. Parents and students with complaints that cannot be resolved should be directed to the Campus Director. The formal complaint process provides parents and students with an opportunity to be heard up to the Board if they are dissatisfied with a Campus Director's response.

### **Administering Medication to Students**

Only designated employees can administer prescription medication, nonprescription medication, and herbal or dietary supplements to students. A student who must take medication during the school day must bring a written request from his or her parent and the medicine, in its original, properly labeled container. Contact the Campus Director for information on procedures that must be followed when administering medication to students.

## **Dietary Supplements**

ResponsiveEd employees are prohibited by state law from knowingly selling, marketing, or distributing a dietary supplement that contains performance-enhancing compounds to a student with whom the employee has contact as part of his or her ResponsiveEd duties. In addition, employees may not knowingly endorse or suggest the ingestion, intranasal application, or inhalation of a performance-enhancing dietary supplement to any student.

## **Student Conduct and Discipline**

Students are expected to follow the classroom rules, school rules, and rules listed in the Parent/Student Handbook and Student Code of Conduct. Teachers and Campus Directors are responsible for taking disciplinary action based on a range of discipline management procedures that have been adopted by the Board. Other employees that have concerns about a particular student's conduct should contact the classroom teacher or Campus Director.

## **END OF EMPLOYMENT**

### **Overview**

End of employment is an inevitable part of personnel activity within any organization, and many of the reasons for termination are routine. Below are examples of some of the most common circumstances under which employment ends:

- Resignation: voluntary employment termination initiated by an employee.
- Discharge: involuntary employment termination initiated by the organization.
- Layoff: involuntary employment termination initiated by the organization for non-disciplinary reasons.
- Retirement: voluntary employment termination initiated by the employee meeting age, length of service, and any other criteria for retirement from the organization.

### **Final Paycheck**

Employees will receive their final pay in accordance with applicable state law. Employees will receive pay for unused vacation, but will not receive pay for unused sick leave. Employees who have used more sick leave than they have earned will have the cost of unearned sick leave deducted from their final paycheck.

Below are the final paycheck schedules:

- ❖ **Resigning exempt teachers** whose salary is being annualized and employment ends after the

last day of instruction will be paid out on the next scheduled pay date. Insurance goes through the month in which they last worked.

- ❖ **Discharged exempt teachers** whose salary is being annualized whose employment ends after the last day of instruction will be paid out according to Arkansas payday law, within seven days of their last day worked and insurance goes through the month in which they last worked.
- ❖ **Resigning non-exempt (hourly employees)** will be paid on the next scheduled pay date. Insurance goes through the month in which they last worked.
- ❖ **Discharged non-exempt (hourly employees)** will be paid according to Arkansas payday law, within six days of their last day worked and insurance goes through the month in which they last worked.

## **Resignation**

Employees may resign their positions at any time. A written notice of resignation should be submitted to the HR Department at least two weeks prior to the effective date. Employees are encouraged to include the reasons for leaving in the letter of resignation but are not required to do so. If an employee does not provide advance notice as requested, the employee will be considered ineligible for rehire.

## **Discharge**

Employment with ResponsiveEd is on an “**at-will**” basis. This means that ResponsiveEd may terminate the employment relationship at will, at any time, with or without notice or cause, so long as there is no violation of applicable federal or state law.

## **Arkansas Teacher Retirement System**

All employees employed on a full time basis are members of the Arkansas Teacher Retirement System (ATRS). There is no waiting period. Part-time employees that are not receiving ATRS service retirement benefits has to work 40 days before they can get service credit. ATRS provides members with an annual statement of their account showing all deposits and the total account balance each year. ResponsiveEd employees may be eligible for participation in the Arkansas Teacher Retirement System (ATRS). A detailed description of eligibility requirements is available from the ATRS website at [www.artrs.gov](http://www.artrs.gov) or by calling ATRS at (800) 666-2877. Employees who plan to retire under the ATRS should notify the HR Department as soon as possible. Information on the application procedures for ATRS benefits are available ATRS. Inquiries should be addressed to:

Arkansas Teacher Retirement System  
1400 West Third Street

Little Rock, AR 72201  
Phone (toll free): 1(800)-666-2877  
Email: [info@atrs.gov](mailto:info@atrs.gov)

## **Employees and Applicants Convicted of Certain Offenses**

ResponsiveEd shall discharge or refuse to hire an employee or applicant for employment if ResponsiveEd obtains information through a criminal history review that:

- The employee or applicant has been convicted of:
  - a. a felony under Title 5 of the Penal Code, or
  - b. an offense requiring registration as a sex offender under Chapter 62 of the Code of Criminal Procedure, or
  - c. an offense under the laws of another state or federal law that is equivalent to an offense under paragraphs a or b
- at the time the offense occurred, the victim of the offense was under 18 years of age or was enrolled in a public school.

**Exception:** ResponsiveEd is not required to discharge or refuse to hire an employee or applicant if the person committed an offense under Title 5 of the Penal Code:

- the date of the offense is more than 30 years before:
  - a. June 15, 2007, in the case of a person employed by ResponsiveEd as of that date, or
  - b. the date the persons' employment will begin, in the case of a person applying for employment with ResponsiveEd after June 15, 2007;
- the employee or applicant for employment satisfied all terms of the court order entered on conviction.

### **Optional Termination**

ResponsiveEd may discharge an employee if ResponsiveEd obtains information of the employee's conviction of a felony or misdemeanor involving moral turpitude that the employee did not disclose to Arkansas Department of Education or ResponsiveEd. An employee so discharged is considered to have been discharged for misconduct for the purpose of unemployment compensation.

### **Appeal**

Employees who are discharged have the right to grieve the termination. The discharged employee

must follow the ResponsiveEd process outlined in this handbook when pursuing the grievance process (see “Complaints and Grievances”).

### **Exit Interviews and Procedures**

Exit interviews will be scheduled for employees leaving ResponsiveEd. Those employees separating voluntarily will be asked to complete the Online Employee Exit Survey. This Survey provides ResponsiveEd with helpful feedback relative to the staff member’s employment experience. At the conclusion of the Survey, employees will also be asked to provide a forwarding address and phone number.

All ResponsiveEd keys, books, phones, computers, property, and equipment must be returned upon separation from employment. ResponsiveEd may withhold the cost of any unreturned items from the final paycheck.

### **Reports to State Board for Educator Certification**

The discharge or resignation of a certified employee will be reported to Arkansas Department of Education when the CEO first learns about an alleged incident of conduct that involves the following:

- a reported criminal history;
- any form of sexual or physical abuse of a minor or any other illegal conduct with a student or a minor;
- soliciting or engaging in sexual conduct or a romantic relationship with a student or minor;
- the possession, transfer, sale, or distribution of a controlled substance;
- the illegal transfer, appropriation, or expenditure of school property or funds;
- an attempt by fraudulent or unauthorized means to obtain or alter any certificate or permit that would entitle the individual to a professional position or to receive additional compensation associated with a position;
- committing a crime on school property or at a school-sponsored event; or
- violating assessment instrument security procedures.

**RESPONSIVE EDUCATION SOLUTIONS**  
**2016-2017 Employee Handbook- Arkansas Campuses**  
**Acknowledgment of Receipt and Wage Deduction Authorization**  
**Agreement**

The ResponsiveEd Employee Handbook (“Handbook”) contains important information about ResponsiveEd, and I understand that I should consult the Human Resources Department regarding any questions not answered in this Handbook. I have entered into my employment relationship with ResponsiveEd voluntarily, and understand that there is no specified length of employment. Accordingly, either ResponsiveEd or I can terminate the relationship at will, at any time, with or without cause, and with or without advance notice.

I understand and agree that no person other than the Chief Executive Officer may enter into an employment agreement for any specified period, or make any agreement contrary to ResponsiveEd’s stated employment-at-will policy, and that any such agreement will only be relied upon by me if it is in writing and signed by the Chief Executive Officer.

Since the information, policies, and benefits described in the Handbook are subject to change at any time, I acknowledge that revisions to the Handbook may occur, except to ResponsiveEd's policy of employment-at-will. All such changes will generally be communicated through official notices, and I understand that revised information may supersede, modify, or eliminate existing policies. Only the Board of Trustees has the ability to adopt any revisions to the policies in the Handbook.

Furthermore, I understand that the Handbook is neither a contract of employment nor a legally binding agreement. I have had an opportunity to read the Handbook, and I understand that I may ask my supervisor or any employee of the HR Department any questions I might have concerning the Handbook. I accept the terms of the Handbook. I also understand that it is my responsibility to comply with the policies contained in the Handbook, and any revisions made to it. I further agree that if I remain with ResponsiveEd following any modifications to the Handbook, I thereby accept and agree to such changes.

I have been given access to an electronic copy of the current Campus Handbook. I understand that I am expected to read the entire current handbook. Additionally, I will be required to sign a copy of this Acknowledgement of Receipt, retain a copy for myself, and return a copy to HR at [HRForms@ResponsiveEd.com](mailto:HRForms@ResponsiveEd.com) within five business days of the date of receipt. I understand this form will be retained in my personnel file.

**I authorize ResponsiveEd to deduct from my final paycheck any unearned personal leave, which ResponsiveEd may advance me for my use.**

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