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# Arapahoe Charter School Employee Handbook

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2024-2025

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## **Arapahoe Charter School Mission Statement**

The Arapahoe Charter School will be a teacher/parent directed, community school. Teachers and parents will be required to be involved in the governance of the school and share in the responsibility for the educational achievements of their students. Teachers and parents will become partners in the decision making process. Arapahoe Charter School will provide students and parents in Pamlico County and surrounding areas with an expanded choice in educational opportunity.

The goals of the Arapahoe Charter School will be:

- to improve quality student learning in a wholesome, challenging, and enriching environment that will elicit the most from each student;
- to engender a risk-taking atmosphere that encourages teachers to research, evaluate, and implement innovative ideas and methods that will impact on student learning;
- to recognize that each child is uniquely different and may, at times, need special instruction and attention;
- to be aware that in our pluralistic environment, it is necessary to spark the learning desires of “below average students” at risk of giving up on learning, to challenge “average students” to do their very best, and to excite “above average students” to rise to their full potential;
- to instill in our students, teachers, parents, and community at large the responsibility to set high expectations and help ensure that all students experience success and high levels of achievement; and
- to foster in our students a sense of individual and community responsibility, respect for others, and the need for each to reason his/her way through problems.

With the community’s strong support of the Arapahoe Charter School, with parents and teachers who share in the vision of a parent/teacher directed community school, with willing students and dedicated educators, we are confident that we will be able to prepare our children to be productive and meaningful citizens.

## **Board of Directors**

The Board of Directors are members of Arapahoe Charter School (ACS) representing three groups - parents, teachers, and community. Members of the Board of Directors are elected by the Members of Arapahoe Charter School at the Annual Meeting on the Tuesday before Labor Day. Each director is elected to a three-year term with no more than one member in each category coming off the Board in any year.

The Board meets on the second Thursday of each month. Everyone is invited to attend and participate in pre-meeting presentation by signing up prior to the beginning of the

meeting for a 3-minute privilege of the floor. However, voting on any issue will be limited to members of the Board.

Anyone wishing to be on the agenda for an upcoming, regularly scheduled Board meeting must contact the Board Chairperson or Board Secretary, or their designee, one week prior to that meeting.

Current members of the Board of Directors are listed on the school website.

## **Equal Opportunity Employer**

In compliance with Federal Law, Arapahoe Charter School administers all education programs, employment activities and admissions without discrimination against any person on the basis of gender, race, color, religion, national origin, age, or disability.

## **Smoking and Tobacco Policy**

The Arapahoe Charter School Board of Directors promotes the health and safety of all students and staff and the cleanliness of all school facilities. The Board believes that the use of tobacco products on school grounds, in school buildings and facilities, in or on any other school property owned or operated by the Board, or at school-related or school-sponsored events is detrimental to the health and safety of students, staff and school visitors. To this end, and to comply with state and federal law, the Board adopts this tobacco-free policy that prohibits smoking and the use of tobacco products as follows. For the purposes of this policy, the term "tobacco product" means any product that contains or is made or derived from tobacco and is intended for human consumption, including all lighted and smokeless tobacco products, as well as electronic cigarettes, vaporizers, and other electronic smoking devices even if they do not contain tobacco or nicotine.

1. All employees and other persons performing services or activities on behalf of the school, including volunteers and contractors, as well as students and visitors, are prohibited from using any tobacco products at any time in any school building, in any school facility, on school campuses, and in or on any other school property owned or operated by the Board.
2. In addition, persons attending a school-sponsored event at a location not specified in subsection 1 above are prohibited from using tobacco products when (a) in the presence of students or school personnel, or (b) in an area where use of tobacco products is otherwise prohibited by law.
3. Nothing in this policy prohibits the use of tobacco products for an instructional or research activity conducted in a school building, provided that such activity is conducted or supervised by a faculty member and that the activity does not include smoking, chewing or otherwise ingesting tobacco.
4. The administration will consult with the county health department and other appropriate organizations to provide employees with information about support systems and programs to encourage employees to abstain from the use of tobacco products. The school system may, from time to time, provide free non-smoking programs and services to employees of the school system after the regular school day.

5. The administrative team shall post signs in school facilities in a manner and location that adequately notify staff, students and visitors that the use of tobacco products by any person is prohibited at all times in or on school property.
6. The Chief Executive Officer and designees shall ensure that adequate notice of this policy is provided to students, parents, school personnel and the public.
7. All school personnel are required to adhere to and enforce this policy and other policies, rules or regulations addressing the use of tobacco products.

The Board of Directors prohibits the possession or use of illegal drugs and the possession or consumption of alcoholic beverages, including beer, malt liquor, and wine, on property owned or occupied by the school system. Any person who possesses, consumes, uses, or appears to be under the influence of alcoholic beverages or illegal drugs will be asked to leave the school property or event immediately and, if he or she fails to do so, may be arrested and prosecuted for criminal trespass, disorderly conduct, or any other charge that may be appropriate.

## **Drug-Free and Alcohol Free Workplace Policy**

The Arapahoe Charter School Board of Directors recognizes that reducing drug and alcohol abuse in the workplace improves the safety, health, and productivity of employees. It is the policy of the board that a drug-free and alcohol-free workplace must be maintained.

### **A. Prohibited Activities**

The board prohibits employees from possessing, using, selling, delivering, manufacturing, or being under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, anabolic steroid, alcohol, stimulants, synthetic cannabinoids, counterfeit substance, or any other controlled substance as defined in (1) Schedules I through VI of the North Carolina Controlled Substances Act or in (2) Schedules I through V of section 202 of the Controlled Substances Act (21 U.S.C. 812) and further defined by regulation at 21 C.F.R. 1300.01 through 1300.04 and 21 C.F.R. 1308.11 through 1308.15 at any time this policy is applicable. Employees are prohibited from possessing, using, selling, delivering, manufacturing, or being under the influence of a substance containing cannabidiol (CBD) or tetrahydrocannabinol (THC) at any time this policy is applicable, regardless of whether it constitutes a controlled substance under state or federal law. Employees must not, at any time this policy is applicable, be impaired by the use of substances intended to induce exhilaration or euphoria or alter mood or behavior or be impaired by the excessive use of prescription or nonprescription drugs. This policy is not violated by an individual's possession of or proper use of a drug lawfully prescribed for that individual by a licensed health-care provider.

### **B. Applicability**

This policy governs each employee before, during, and after school hours while the employee is on any property owned or leased by the board; at any time during which the employee is acting in the course and scope of his or her employment with the board; and at any time that the employee's violation of this policy has a direct and adverse effect upon his or her job performance. This policy does not apply to an employee's consumption of alcoholic beverages that are served at a reception or other similar function that occurs outside the regular workday and that the employee is authorized or required to attend as a part of his or her employment duties.

Independent contractors, volunteers, and visitors are subject to all requirements of this policy while on school property or at a school-sponsored event.

### **C. Reasonable Suspicion to Search**

An employee may be subjected to a search of his or her person or belongings or of school property under the employee's control if there is reasonable suspicion that the employee has violated this policy. An employee also may be required to submit to a drug or alcohol test when there is reasonable suspicion of drug or alcohol use by the employee in violation of this policy. Reasonable suspicion shall be based on specific, contemporaneous observations concerning the physical, behavioral, speech, and/or performance indicators of drug or alcohol use. The observations must be made by the administrative team or other school system official with training or experience in such indicators.

All drug and alcohol testing will be done with procedures that ensure the confidentiality and privacy interests of the employee and in accordance with law. Employees who refuse to submit to a search or a test to detect alcohol or drug use after reasonable suspicion is established may be suspended immediately pending consideration of a decision to terminate employment.

In addition, any employee, volunteer, or independent contractor who operates a commercial motor vehicle or performs other safety-sensitive functions in the course of duties for the board may be subject to drug and alcohol testing in accordance Drug and Alcohol Testing of Commercial Motor Vehicle Operators.

The board will cover the cost of any required employee testing.

### **D. Duty to Report**

An employee must notify the Chief Executive Officer in writing of any arrest, charge, or conviction under any criminal drug statute. (See also policy 7300, Staff Responsibilities.) Notification must be given no later than the next scheduled business day after such arrest, charge, or conviction unless the employee is hospitalized or incarcerated, in which case the employee must report the alleged violation within 24 hours after his or her release. The notification must be given before the employee reports to work. Within 10 days of receiving notice of a criminal drug statute conviction for a violation occurring at the workplace by an employee whose position is funded in any part by a federal grant, the finance assistant or designee shall notify the funding agency of the conviction. "Conviction" as used in this policy includes the entry in a court of law or military tribunal of: (1) a plea of guilty, *nolo contendere*, no contest, or the equivalent; (2) a verdict or finding of guilty; or (3) a prayer for judgment continued ("PJC") or a deferred prosecution.

### **E. Consequences**

Violation of this policy will subject an individual to disciplinary action by the board that could result in non-renewal or termination of employment with the school system or the requirement that the employee participate satisfactorily in a drug or alcohol abuse assistance or rehabilitation program approved by the board or federal, state, or local health, law enforcement, or other appropriate agency. Information concerning available counseling, rehabilitation, and re-entry programs will be provided to employees. Any illegal drug activity will be reported to law enforcement authorities.



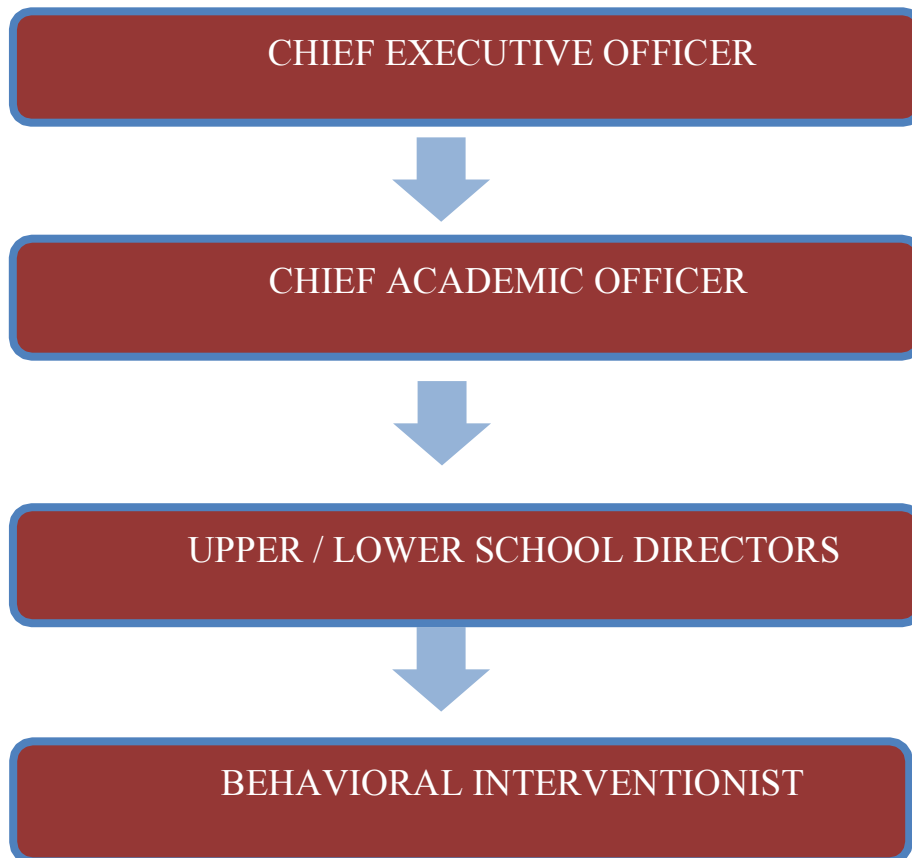
## FACULTY AND STAFF

### Current Faculty and Staff Members

Current faculty and staff members, along with their contact information, are listed on the school website.

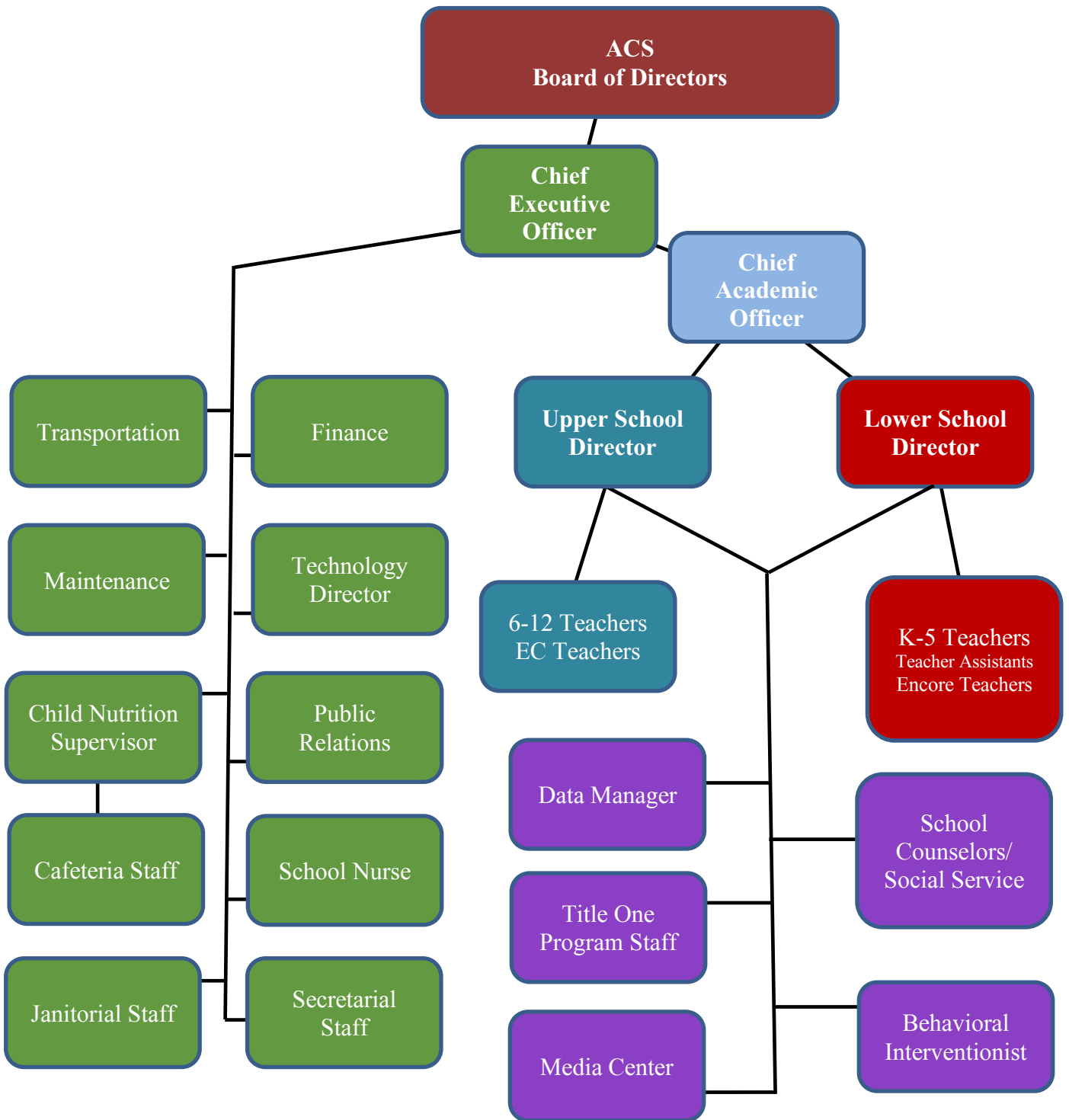
All school email addresses = [firstname.lastname@arapahoecharter.org](mailto:firstname.lastname@arapahoecharter.org).

### Administrative Order of Responsibilities



In the event that the Chief Executive Officer and Chief Academic Officer are not on campus, this Administrative Order of Responsibilities should be followed. The “Designee” will represent the CEO/CAO on school matters. In the event of necessary emergency student discipline, no suspension shall be more than 10 days and will be reviewed by the Chief Academic Officer upon his/her return to campus.

## Line and Staff Organization Chart



## Core Values



## Staff Affirmation

We are the teachers and staff of Arapahoe Charter School.

We will respect ourselves and others. We will dream fearlessly.

We take pride in our school, our students, and our community.

We will share our brilliance.

We believe the education we provide today will inspire the leaders of tomorrow.

We have integrity and high moral standards. We will energize our community.

We accept the challenge of being thoughtful and innovative in teaching every student because we believe every student can learn.

We will achieve greatness.

We are ACS!

## Professional Standards of Conduct

The Board is dedicated to providing all teachers with opportunities and resources to further their growth as professional educators. Likewise, it is the Board's expectation that all teachers are capable of and must adhere to certain minimum professional standards of conduct and performance as set forth in this policy. Therefore, all teachers employed by the Arapahoe Charter School Board of Directors shall comply with the following professional standards of conduct and performance:

1. Adhere to the Code of Ethics for North Carolina Educators. (See Appendix A)
2. Comply with all Board policies regarding appropriate and/or prohibited behavior with students, including electronic communications with students directly or through the Internet.
3. Direct all complaints regarding the work environment to the appropriate supervisors and/or file grievances instead of acting to undermine or diminish the authority of co-workers and supervisors.
4. Avoid confrontations with co-workers, including but not limited to, engaging in actions or conversations which the teacher knows will result in an actual disruption.
5. Manage students' classroom behavior to minimize disruption to the educational environment and refer students, when necessary, to the administration for disciplinary action.
6. Respond to all parent inquiries, complaints and/or concerns in timely and professional manner.
7. Comply with all administrative directives in a timely and professional manner, including written directives regarding specific issues or behaviors.
8. Maintain a professional and appropriate appearance on campus or at any school sponsored activity on or off campus. Questionable attire is at the discretion of administration.
9. Perform all assigned and/or accepted extracurricular and non-instructional duties in a timely and professional manner.
10. Participate in and complete any required professional development activities.
11. Participate in all required staff meetings and student academic meetings, including required meetings for students with special needs, in a professional manner.
12. Complete and transmit all required reports and other documentation in a timely and professional manner.
13. Arrive at school each day at the appropriate time designated by the Board. Be prepared to complete all assigned duties.

The failure or unwillingness of a teacher to comply with these Professional Standards of Conduct may result in contract non-renewal and/or disciplinary action up to and including dismissal from employment. In all matters concerning a teacher's compliance with this policy, consideration shall be given to the impact on the education of a student or group of students and on the overall educational environment of the school.

## Public Relations

Good public relations are a very important part of building confidence in our school. Every employee at Arapahoe Charter School has an important role to play in building a positive image. No matter what the position, people will know the school by the conduct and attitude of the employees. Public confidence can be gained when employees are considerate, friendly, and understanding.

Employees are encouraged to share with the public all of the positive things that are happening at Arapahoe Charter School. Contact the Public Relations Coordinator with items of interest about the students, teachers, staff, or the programs in our school.

## Conflicts of Interest

As a public employee, one must be careful to avoid conflicts of interest. State law and board policies prohibit certain activities:

1. An employee must not sell or have any financial interest in selling anything to the school.
2. An employee must not make lists of employees' or students' names and/or addresses available to anyone who would use them for selling anything.
3. An employee must not use school facilities, supplies, and equipment or student labor to make or repair anything for his/her personal gain or to provide services to the general public. This does not prohibit renting school facilities on the same basis as the public.
4. An employee must not use school facilities, supplies or equipment to make or repair anything for his/her personal use, unless he/she has the prior approval of his/her supervisor, he/she supplies the materials and repair parts, and he/she works on personal projects on his/her own time.
5. An employee must not, for personal gain, sell anything at school or at the work site to students, parents of students or other employees. This provision, nor any other contained in this Conflict of Interest section, does not prohibit, after approval by the Chief Executive Officer and compliance with all other State, Federal, and Board requirements (including, but not limited to, the Facilities Use Policy), the giving of lessons, tutoring, coaching or other training beyond that offered in the School's general education, athletic and extracurricular programs by an employee to a student for remuneration before or after a teacher's school day (modified 10-2-03).
6. An employee must not accept any gifts or items of value in return for recommending that the school buy a particular product or buy items from a particular store or person.
7. An employee must not purchase items for his/her personal use through the school or in the name of the school.
8. An employee must not give or change a student's grade or test score, or offer to do so, in exchange for any service, anything of value, or money.

9. An employee must not engage in employment outside Arapahoe Charter School which is a conflict of interest or gives the appearance of a conflict of interest or which interferes with the employee's performance.

## **Political Activity**

The Board of Directors encourages each employee to be active politically. One should increase his/her awareness and knowledge of political issues and candidates for public office to become a better-informed citizen. One must not, however, actively campaign for a candidate while on the job. An employee must not use his/her position to coerce his/her subordinates or students to contribute to any political campaign, and an employee cannot be compelled to join or support a particular political party, organization, or candidate as a condition of employment by the school.

## **Harassment and Bullying**

It is the priority of the Arapahoe Charter School to provide every student and employee in the school system with a safe and orderly learning and working environment. To this end, the Board specifically prohibits harassing or bullying behavior at all levels: between students, between employees and students, between peers or coworkers, between supervisors and subordinates, or between non-employees/volunteers and employees and/or students. This policy is in addition to the Arapahoe Charter School policy prohibiting Sexual Harassment.

Students are expected to comply with the behavior standards established by Board Policy and the Student Code of Conduct. Employees are expected to comply with Board Policy and school system regulations. Volunteers and visitors on school property also are expected to comply with Board Policy and established school rules and procedures.

The Board specifically prohibits reprisal or retaliation against any individual who makes a complaint or reports an incident of harassing or bullying behavior or who participates in an investigation or grievance proceeding initiated under this policy. Reprisal or retaliation against any individual who reports an act of harassment or bullying may result in disciplinary action being taken, up to and including dismissal in the case of employees, or up to and including long-term suspension or expulsion in certain cases for students.

This policy shall be distributed annually in the Arapahoe Charter School Student Handbook and Employee Handbook.

## A. DEFINITION OF HARASSMENT AND BULLYING

1. As used in this policy, harassing or bullying behavior is any repeated, systematic pattern of gestures or written, electronic, or verbal communications, or any physical act or any threatening communication on school property; at any school-sponsored function; on a school bus; or as otherwise stated in the Board Policy Student Code of Conduct, and that:
  - a. Places a student or school employee in actual and reasonable fear of harm to his or her person or damage to his or her property; or
  - b. Creates or is certain to create a hostile environment by substantially interfering with or impairing a student's educational performance, opportunities, or benefits. A hostile environment means that the victim subjectively views the conduct as bullying or harassing behavior and the conduct is objectively severe or pervasive enough that a reasonable person would agree that it is bullying or harassing behavior.
2. Harassing or bullying behavior includes, but is not limited to, acts reasonably perceived as being motivated by any actual or perceived differentiating characteristic, such as race, color, religion, ancestry, national origin, gender, socioeconomic status, academic status, gender identity, physical appearance, sexual orientation, or mental, physical, developmental, or sensory disability, or by association with a person who has or is perceived to have one or more of these characteristics.

## B. REPORTING HARASSING AND BULLYING BEHAVIOR

1. Any student who believes that he or she has been harassed or bullied in violation of this policy should report such behavior immediately to a teacher, counselor or administrator at the school.
2. Any employee who believes that he or she has been harassed or bullied in violation of this policy should report such behavior to their immediate supervisor and/or the CEO.
3. A school employee who has witnessed or has reliable information that a student or school employee has been subject to any act of harassing or bullying behavior shall report the incident as follows:
  - a. To the Chief Executive Officer, Chief Academic Officer, or the Upper and Lower School Directors in the case of a student; or the immediate supervisor of the alleged harasser or bully.
  - b. Failure to make such a report may subject the employee to disciplinary action.
4. Any person may report an act of harassment or bullying anonymously. However, formal disciplinary action may not be taken solely on the basis of an anonymous report.

### C. INVESTIGATION OF HARASSMENT AND BULLYING REPORTS

1. All complaints of harassing or bullying behavior made by students shall be promptly and thoroughly investigated by the Behavioral Interventionist. If the alleged harasser or bully is an employee, the Upper and Lower School Directors will determine if a referral to the Chief Executive Officer or Chief Academic Officer is warranted.
2. All complaints of harassing or bullying made by employees shall be promptly reported to their immediate supervisor. The investigation shall be conducted or overseen by the Chief Executive Officer.
3. If the individual required to investigate a complaint made under this policy is the alleged harasser or bully, the investigation shall be conducted by the Board attorney. In such cases, whoever receives a complaint of harassment or bullying shall immediately notify the Chief Executive Officer, who shall immediately notify the Board Chair. The Board Chair shall direct the Board attorney to respond to the complaint and investigate. If the alleged perpetrator is a member of the Board, the Board attorney is the investigator. In such cases, whoever receives a complaint of harassment or bullying shall notify the Chief Executive Officer who shall direct the Board Attorney to respond to the complaint and investigate. Unless the Board Chair is the alleged perpetrator, the Chief Executive Officer shall also notify the Board Chair of the complaint.
4. If at any time during the investigation the school official investigating a student's allegation of harassment or bullying receives information alleging the harassment or bullying was based on sex or gender, the school official shall notify the Executive Director. In such cases, the procedures outlined in the Board Policy on Sexual Harassment shall be followed. Further, in any case of alleged harassment or bullying, the school shall notify any other appropriate person or entity if required by law or Board Policy regarding reporting information to external agencies.

### D. DISCIPLINARY ACTION

1. The actions taken in response to evidence of harassing or bullying behavior should be reasonably calculated to end any harassment or bullying, eliminate a hostile environment if one has been created, and prevent harassment from occurring again. In addition to taking disciplinary action as necessary, the Chief Executive Officer or other school official shall take appropriate remedial action to address the conduct fully.
2. Violations of this policy shall be considered misconduct and will result in disciplinary action up to and including long-term suspension or expulsion in the case of students and disciplinary action up to and including dismissal in the case of employees.
3. This policy may not be construed to allow school officials to punish student expression or speech based on an undifferentiated fear or apprehension of disturbance or out of a desire to avoid the discomfort and unpleasantness that may accompany an unpopular viewpoint.
4. Nothing in this policy precludes the school from taking disciplinary action against a student or employee where the evidence does not establish harassment but the



conduct otherwise fails to satisfy the school's high expectations for appropriate conduct.

(Legal References: Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d *et seq.*; Title VII of the Civil Rights Act of 1964, 42 U.S.C. 2000e *et seq.*; Title IX of the Education Amendments of 1972, 20 U.S.C. 1681 *et seq.*; Rehabilitation Act of 1973, 29 U.S.C. 701 *et seq.*; G.S. 126-16; North Carolina School Violence Prevention Act.)

## Sexual Harassment

The Arapahoe Charter School Board of Directors believes that all employees and students are entitled to work and study in school-related environments that are free of sexual harassment. To this end, the Board prohibits employees and students from engaging in sexual harassment. The Board advises employees and students that when evidence of sexual harassment is established severe disciplinary action will be taken.

- A. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:
1. Submission to the conduct is made, either explicitly or implicitly, a term or condition of an academic progress, participation in or completion of a school-related activity; or
  2. In the case of a student, submission to or rejection of such conduct is used in evaluating the individual's performance within a course of study, employment or other school-related activity; or
  3. Such conduct has the purpose or effect of unreasonably interfering with a student's or employee's performance, or creating an intimidating, hostile, or offensive educational environment.
  4. Examples of sexual harassment include, but are not limited to: deliberate, unwelcome touching; suggestions or demands for sexual involvement accompanied by implied or overt promises of preferential treatment; threats; pressure for sexual activity; continued or repeated offensive explicitly sexual flirtations, advances or propositions; continued or repeated verbal remarks about an individual's body; sexually degrading words used toward an individual or to describe an individual; or the display in the work place of sexually suggestive objects or pictures. These types of harassing behaviors can occur in many different ways, including electronic communications. Electronic communications include, but are not limited to, e-mail, text messaging, chat rooms, blogging, and social networking websites such as Facebook.

It is possible for sexual harassment to occur at various levels, i.e. between non-employees on employees and/or students and between non-teacher employees and students. Romantic or sexual advances toward students are never appropriate, whether or not they are consensual or otherwise outside the definition of sexual harassment. Such relationships are prohibited. Employees engaging in inappropriate relationships with students will be subject to disciplinary action, up to and including dismissal.

#### B. Procedure for Expediting Claims of Sexual Harassment

All complaints will be treated as serious violations of the law and Board policy. These complaints will be promptly and thoroughly investigated. Complaints will be confidential and only those persons necessary for the investigation and resolution of the complaint will be provided information relative to the matter. All complaints of sexual harassment shall be promptly and thoroughly investigated according to the following procedure:

All complaints of sexual harassment shall be confidential. Information shall be given only to those individuals who need to have access to it in order to appropriately investigate and address the complaint.

A student or employee who believes that he/she has suffered sexual harassment may report the matter to the CEO or CAO. Any teacher or other school employee who receives a report of alleged sexual harassment shall immediately report the same to the CEO or CAO. Failure by the employee to do so may subject the employee to disciplinary action. If the CEO is the alleged offender, such report by the student or by school employee shall be made to the Chairperson of the Board of Directors.

1. Claims of sexual harassment shall be promptly and thoroughly investigated by the Executive Director (unless the Executive Director is the alleged offender; in this case, the Board attorney assumes the duty) and appropriate action shall be taken, depending on the nature and severity of the offense.
2. Students found to be in violation of the policy shall be subject to disciplinary action (Warning/Detention/Suspension up to 10-days/Long-term Suspension/Expulsion).
3. Employees found to be in violation of the policy shall be subject to disciplinary action (i.e. any remedial action up to and including recommendation of dismissal).
4. The complaining party will be advised to the recommended disposition of claim.
5. If either the complaining party or the accused is not satisfied with the finding and disposition of the CEO (or board attorney), he/she should submit a written appeal to the Chairperson of the Board of Directors.
6. The Board of Directors should respond to the appeal and the action of the Board of Directors shall be final.
7. Reprisals against individuals who file a complaint are prohibited.

## Internet Activity

All employees are required to use the Arapahoe Charter School's network when creating websites for any and all educational and work-related positions or communications with students. When creating or posting material to a webpage or other internet sites apart from the Arapahoe Charter School network, employees should remember that the content may be viewed by anyone, including community members, students and parents. Having a public personal website, online networking profile, other forms of social media, or allowing access to a private website or private online networking profile is considered a form of direct communication with students. Employees are encouraged to block students from viewing any material or profiles that are not age appropriate. Any employee found to have created and/or posted inappropriate content on a website or profile that has a negative impact on the employee's ability to perform his/her job or portrays a negative viewpoint of the school, a school employee, or a student, whether named or unnamed will be subject to discipline, up to and including dismissal. This applies to all employees, volunteers and student teachers working for or in Arapahoe Charter School.

Any employee who has reason to believe that another employee is violating this policy is required to report this information to the CEO.

## SCHOOL DAY PROCEDURES

### Regular School Day

The instructional day will begin at 8:00 a.m. and end at 3:10 p.m. Each Monday, teachers and staff are expected to be at the "Monday Morning Meeting" in the gym by 7:30 a.m. Students will be released from buses at 7:45 a.m. and car riders will be permitted to enter the building at 7:45 a.m. At the end of the school day students will be released at 3:10 p.m. Teachers may leave for the day at 3:30 p.m unless all students under their care have not been safely dismissed, there are scheduled meetings/trainings, or any other assigned duties are incomplete.

Non-exempt employees should clock in upon arrival at school in the morning and clock out each afternoon by logging in at [employee.linq.com](http://employee.linq.com). If a non-exempt employee leaves campus at any time during the day for personal reasons, he/she must clock out at the same website and then clock in again upon return to campus. Hourly employees are not permitted to accrue overtime without the prior authorization from the CEO unless the overtime is accrued fulfilling bus duties.

If for any reason the employee is unable to access the website or forgets to clock in or out he/she should contact in writing (i.e. email) the payroll technician as soon as possible and before the payroll period ends. Inaccurate time or undocumented time off will be processed as unpaid leave.

A schedule for Professional Learning Community (PLC), faculty, and committee meetings will be established at the beginning of each school year. Employees are expected to schedule personal appointments, meetings, etc. for other days.

If leaving the campus during school hours, all staff members should sign out using the Google form. Workstations are available in each workroom for ease of access to sign in and out. Hourly employees must clock out whenever leaving the campus during school hours.

All staff members shall wear identification provided by the school. All visitors to the school are required to sign in at the office and wear a Visitor's Pass. Teachers should refer those not wearing a Visitor's Pass back to the office.

Volunteers in the classroom and on school-sponsored field trips must have passed a background check and be on an approved Volunteer list.

## **Inclement Weather Policy**

In the event of a natural disaster, such as a hurricane or ice storm, that can normally be predicted before the start of a school day, the CEO or designee will make a decision regarding school cancellation, late start, or early dismissal. Since ACS subscribes to the SwiftReach service, automatic phone calls will be sent to all staff and students' homes with closing or delay information. It is imperative that up-to-date contact information is in the SwiftReach database. Closing and delay information will also be posted on WNCT-TV, WCTI-TV, and WITN-TV. If no announcement has been made prior to 6:00 a.m., school will be operating as usual.

If the school is already in session and it has been determined that conditions are safe to release students and staff, then the early dismissal will be announced. If the weather becomes severe during the school day, the school may be required to dismiss early with little or no time to inform parents, other than the SwiftReach service. We will make every effort to ensure safe transportation for each child.

## **PROCEDURES**

1. In case of inclement weather when the opening of school is delayed so roads will be more passable for school buses, all school personnel are to observe the regular opening schedule and are to report to work as soon as weather conditions permit, unless otherwise notified.
2. Unless otherwise notified, no instructional personnel (teachers and assistants) will report to work when school is closed for the entire day. Twelve-month employees, including all office staff, the CEO, the CAO, The Upper and Lower School Directors, and maintenance workers, will report to work as soon as weather conditions permit, unless otherwise notified. The CEO will determine when secretarial and

school custodial workers report. School food service staff will not report when school is closed.

3. When school is to be delayed in opening or to be closed because of inclement weather, the public will also be notified at the earliest possible time through one or more of the following television stations: WCTI-TV, WNCT-TV, and/or WITN-TV.

## **Make-up Days**

The Arapahoe Charter School calendar shall include days that can be used to make up any of the days of a school term for which school is closed due to hazardous weather conditions, natural disaster, or other emergencies.

## **Workdays**

The Arapahoe Charter School calendar shall include days that may be used for teacher planning and/or training. Students will not report to school on these designated days. A workday will begin at 8:00 am and finish at 3:00 pm. A workday sign-in sheet will be posted in the front office for teachers. Support staff should follow regular clock-in procedures. The payroll technician will contact those whose names are not checked on the next regular school day. In the event you do not work on the designated workday, the appropriate leave must be noted on the sign-in sheet in order to be paid for that day. There may be times when workdays are mandatory in order to complete scheduled training. All workdays not worked shall be approved by the employee's immediate supervisor in writing (email) at least five days prior.

## **Optional Workdays**

Optional workdays are those days designated by the Board of Directors where the employee has the option to report to work or take the appropriate leave for that day. All optional workdays not worked shall be approved by the employee's immediate supervisor in writing (email) at least five days prior.

## **Field Trips**

Teachers should thoughtfully plan class field trips. Dates of field trips should be placed on the school calendar of events as early as possible and coordinated with the cafeteria manager if a meal is to be away from school. Bus forms must be completed to reserve a bus, identify a driver, and estimate fuel expenses. Field trip dates should also be added to the online Google calendar. To request a field trip, please complete the steps outlined in the field trip request checklist under staff resources on the school's webpage.

When depositing money collected from students for a field trip, please identify that portion that is reserved for fuel expense.

Extended/overnight field trips should be formally presented to the Board of Directors for approval at least six weeks prior to the planned date. If a teacher assistant opts to chaperone an extended/overnight field trip, then he/she must agree to do so as a parent/guardian of a student on the trip. There will be no additional pay granted for the activity.

All field trips should be supervised by teachers and additional staff or approved volunteers to ensure a safe learning environment.

## **BLOODBORNE PATHOGENS EXPOSURE AND CONTROL**

It is the policy of Arapahoe Charter School to comply with general regulations and state statutes regarding bloodborne pathogens as set forth in the Federal Register, 29 CFR 1910.1030, and the North Carolina Administrative Code, 15A NCAC 19.0200, by attempting to limit/prevent occupational exposure of employees to blood or other potentially infectious bodily fluids and materials that may transmit bloodborne pathogens and lead to disease or death.

Employees who could be “reasonably anticipated,” as a result of performing required job duties, to face contact with blood, bodily fluids or other potentially infectious materials are covered by the OSHA Bloodborne Pathogens Standard, the North Carolina Administrative Codes, and this policy. “Occupational Exposure” includes any reasonably anticipated skin, eye, mucous membrane or parenteral (brought into the body through some other way other than the digestive tract) contact with blood or other potentially infectious materials that may result from the performance of an employee's duties. “Good Samaritan” acts, such as assisting a co-worker or student with a nosebleed, would not be considered “reasonably anticipated occupational exposure”. The purpose of the Bloodborne Pathogens Exposure and Control Policy is to implement practices that will limit occupational exposure of school employees to blood and other potentially infectious body fluids and materials that may transmit bloodborne pathogens and lead to disease or death.

## LEAVE POLICIES

With the exception of emergency sick leave, any employee wishing to take leave on a regular school day or optional workday must request approval in writing at least five days prior to the planned leave using the Employee Linq website ([www.employeeinq.linq.com](http://www.employeeinq.linq.com)). No leave request will be approved for mandatory workdays. For emergency sick leave, employees must contact their immediate supervisor and the payroll technician before scheduled work hours. Then, it is the responsibility of the employee to ensure leave is reported in Employee Linq. If leave requests are not properly submitted prior to taking personal or annual leave, it will be processed as leave without pay. Leave requests for emergency sick leave should be submitted to Employee Linq no later than the first day of the employee returning to work. Any employee needing to take three or more emergency sick leave days in a 21 day period must submit a medical note for verification. Bus drivers requesting leave must all notify the Transportation Coordinator and confirm that a sub driver is secured to cover the request.

### Annual Leave

All permanent, full-time employees earn annual leave at the following rate:

<u>Years of Aggregate State Service</u>	<u>Days per Month</u>
Less than 5 years	1.17
5 but less than 10 years	1.42
10 but less than 15 years	1.67
15 but less than 20 years	1.92
20 years or more	2.17

All eligible permanent, part-time employees earn annual leave equal to their percentage of full time employment.

### Civic/Religious Leave

Leave, with the approval of the CEO or his/her designee, may be taken for other reasons that are sanctioned by state regulations. These include professional meetings, community responsibility, serving on certain state boards, jury duty, court attendance, in-service training, and religious holidays.

### Sick Leave

Permanent, full-time employees who are working or who are on paid leave for half or more of the work days in a monthly pay period, earn sick leave at the rate of **one day per month**. Eligible permanent, part-time employees earn sick leave equal to their percentage of full-time employment. Sick leave may be granted for: (1) periods of temporary disability caused by personal illness, injury or childbirth; (2) illness in the employee's immediate family and medical appointments related to the illness that necessitate the employee's attendance; (3) death in the immediate family; and (4) medical appointments. Sick leave used for planned medical

appointments must be approved at least five days in advance. All employees shall submit medical documentation for any appointments where leave was taken. Sick leave may be accumulated indefinitely and is transferable among ACS employees. Sick leave may not be used as Personal or Annual leave. Such misuse will be subject to disciplinary action, up to and including dismissal. Negative leave balances will be deducted from employees in the month the leave occurs. Questions regarding leave balances should be directed to the Finance Specialist.

## Personal Leave

Teachers earn personal leave monthly to a maximum of **two (2) days** for the ten-month school term. Personal days can be accumulated to a maximum of **five (5) days** and are transferable. Personal leave is granted upon authorization of an employee's immediate supervisor at least five days in advance. This type of leave is not normally provided on the first day of school, a required teacher workday, or at the last day before or the next working day after a holiday or scheduled vacation day. Teachers will receive full pay less the cost of a substitute when taking personal leave. Personal leave is available for selected certified instructional personnel only.

## Child Involvement Leave

The Board believes that parent involvement is an essential component of school success and positive student outcomes. Therefore, in accordance with G. S. 95-28.3, any employee who is a parent, guardian, or person standing *in loco parentis* and who has a school-aged child may take up to eight (8) hours of unpaid leave to attend or otherwise be involved in that child's school.

The employee must use school involvement leave in one of the following categories:

- a. A public school
- b. A private church school, school of religious charge, or non-public school described in Parts 1 and 2 of Article 39 of Chapter 115C of the General Statutes that regularly provides a course of grade school instruction;
- c. A Preschool; or
- d. A child day care facility as defined in G. S. 110-86(3).

Leave for involvement in the child's school shall be granted under the following conditions:

1. The leave must be requested at least five days in advance of the time that the employee wishes to take the leave.
2. The leave must be approved by the employee's immediate supervisor.
3. Each employee shall be entitled to a maximum of eight (8) hours of leave, regardless of the number of school-aged children.
4. The employee may be requested to furnish written verification from the child's school that the employee attended or was otherwise involved at the school during the time of the leave.
5. Child involvement leave not taken within the fiscal year of employment shall be forfeited.



6. The employee shall not be entitled to payment for unused child involvement leave upon separation from the school.
7. The Board shall not discharge, demote or otherwise take adverse employment action against an employee who requests or takes leave under this policy.

## Comp Time

Per Board vote on 10/02/03, exempt employees are not eligible for comp time as defined by the Fair Labor Standards Act. Non-exempt employees who work more than 40 hours in a work week must be paid overtime. However, in lieu of overtime compensation, non-exempt employees may receive compensatory time off at a rate of not less than one and one-half (1.5) hours for each hour of overtime worked. The employee must agree to such compensatory time before the overtime work is performed and must also be authorized by the employee's administrative supervisor, or the CEO. Employees will be allowed to use compensatory time within a reasonable period after requesting use. Employees may accrue a maximum of 240 compensatory time hours before they must be provided overtime pay at the appropriate rate. Upon leaving employment of ACS the employee will be paid for any unused compensatory time at the rate of not less than the final regular hourly rate received by the employee.

## Family Leave

Any teacher, including part-time teachers, may be granted leave without pay upon the birth or adoption of a child. Applications for leave should be made thirty (30) days in advance, in writing. An endorsement by the CEO must accompany the request for leave and it must be forwarded to the Board of Directors for approval.

## Worker's Compensation

All employees are covered under the Worker's Compensation laws. If an employee is accidentally injured or contracts an occupational disease while carrying out school assigned duties, the CEO should be contacted immediately. A *Report of Injury* form should be completed within five (5) days and forwarded to the CEO.

## Substitutes

In the event that a teacher requires a substitute, he/she should contact the payroll technician. The payroll technician will then secure a substitute from the Board-approved substitute list. If the payroll technician cannot be reached, the teacher must contact the Upper/Lower School Directors.

## HIRING/STAFFING POLICIES

### Open Positions

Open positions will be advertised on the school's website, State Approved Application System, and the Handshake website.

### The Application Process

Applications will be submitted through State Approved Application system, a link to which can be found under the employment tab of the school's webpage. The Upper/Lower School Directors and the Personnel Committee Chairperson will screen the applications in order to determine which candidates will be offered an interview. The Personnel Committee Chairperson and Upper/Lower School Directors will create a schedule of interviews and qualified applicants will be interviewed by the Personnel Committee. At the close of the interview process, the Personnel Committee will make a recommendation to the Board of Directors. The Board of Directors will make a hiring decision based on these recommendations. All applicants are subject to a background check. Administration will contact interviewees regarding the status of the position for which they applied.

### Bus Driver Requirements

Non-exempt employees (excluding the cafeteria manager, finance technician, data manager and school secretaries) are required to hold a valid CDL. If a prospective employee does not have a valid CDL, then he/she must obtain one in a time parameter set by the administration. This employee will be considered a temporary employee until a CDL is obtained.

### Bus Drivers and Student Transportation

As ACS is required by N.C.G.S. 115C-238.29F to develop a transportation plan so that transportation is not a barrier to any student who resides in the local administrative unit in which the school unit is located; and ACS has elected to provide transportation for students enrolled in the school who reside in Pamlico, Beaufort, Craven and Carteret Counties. ACS has the following goals regarding student transportation:

Making safety a priority in maintaining quality transportation equipment and vehicles; teaching and expecting students to act in a safe and orderly manner while using school transportation; planning and providing transportation services efficiently and economically; using transportation services to support the types of learning opportunities available to students; working effectively with students, and parents in providing transportation services; and

providing courteous service to students and responding promptly and courteously to requests by parents and students.

All teacher assistants and full-time child nutrition workers (excluding the cafeteria manager) are required to satisfy all requirements of state law to drive a school bus, including, but not limited to, those in Handbook for School Bus Drivers, Department of Transportation, Division of Motor Vehicles. Teacher assistants and child nutrition workers must possess a valid CDL license and drive a bus route when assigned. This is a condition of employment for these positions. Being assigned to drive a bus route includes being assigned to substitute for someone on a particular date as needed or being assigned to drive every day. Responsibility for assigning drivers will fall upon the Behavioral Interventionist. A bus driver evaluation will be submitted to the Executive Director and be used in the contract renewal process.

If an employee is a teacher assistant or child nutrition worker and cannot comply with the above requirement due to a disability as defined in the Americans with Disabilities Act or its implementing regulations, she/he may apply to the Board of Directors for a reasonable accommodation, if required by law (revised 5/11/06).

## **Employee Status**

Specific benefits and policies apply to each employee depending on his/her status in five distinct categories: part-time or full-time; permanent or temporary; at-will or contract; self-directed or supervised; and instructional or non-instructional. Each employee should know his/her status in each category. Questions regarding eligibility for certain benefits should be directed to one's immediate supervisor.

### **Part-time or Full-time**

An employee is considered full-time if his/her regular work week is 30 or more hours. The standard work week for full-time classified employees is 40 hours per week in five eight-hour days or four 10-hour days.

An employee is considered part-time if he/she regularly works fewer than 30 hours. If the employee works at least 20 hours a week, he/she is "part-time/half-time or more." Permanent employees in this category are eligible for vacation, sick leave and holiday pay on a pro rata basis. These employees may also join the Teachers' and State Employees' Major Medical Plan at his/her own expense.

### **Permanent or Temporary**

An employee is a permanent employee if he/she works with the expectation of continued employment for an indefinite period of time.

An employee is a temporary employee if he/she works in a licensed or classified position, usually for six months or less, with no expectation of continued employment. This employee is employed at the will and pleasure of the school and normally is not eligible for any employment benefits.

### **At-will or Contract**

An employee is a contract employee if he/she and the appropriate representative of the Board have both signed a **written** contract for the term of one year. Until an employee signs a written contract, he/she is an at-will employee. Generally, an employee will be offered a contract under current Board policy if the position requires that the employee hold a North Carolina teaching or administrative license or if the position is instructional by nature. Upper/Lower School Directors, teachers, counselors, media coordinators, and many other administrators are licensed positions. Pursuant to current Board policy, licensed employees are paid on the relevant state salary schedule published by DPI. Teacher assistants who perform a traditional instructional role in the classroom are offered a one-year contract under current Board policy. Teacher assistants are currently paid under a salary schedule adopted by the Board (this is subject to change annually). Other employees working under a contract are paid a negotiated salary, which was agreed upon by the employee and the Board at the commencement of the employment based upon one's qualifications and the Board's budgeted resources and other needs.

If the employee and the appropriate representative of the Board have **not** both signed a **written** contract, then the employee is an at-will employee. At-will means the employee is employed at the will and pleasure of the Board. The employee may resign from his/her job at any time and/or may be dismissed or demoted for any reason at the discretion of the **Board**.

Most policies apply to everyone. However, certain policies in this handbook apply only to licensed or only to instructional employees because of their different responsibilities under state law or their roles and relationship to students.

Special conditions may apply to certain situations. An employee should consult with his/her supervisor if he/she has questions about his/her status or eligibility for benefits.

### **Instructional or Non-instructional**

An employee is instructional if he/she has responsibility for students in a classroom. Teachers, teacher assistants, media coordinators, and school counselors who teach part of a day are instructional personnel and cannot take annual leave on student days or reserved professional days.

All other personnel are considered non-instructional.

An employee should consult with his/her supervisor to determine whether his/her position follows the teacher calendar or another calendar in order to determine when he/she can take leave.

### **Self-directed or Supervised**

An employee is self-directed if he/she does not work directly under another employee or employees. Examples of self-directed employees are teachers, administrators, school counselor, cafeteria manager, reading and character development instructors and the Executive Director.

An employee is considered supervised if another employee regularly controls, schedules, or supervises his/her work. Generally, if an employee is considered supervised he/she will work in close physical proximity with his/her supervisor. Examples of supervised employees are teacher assistants, finance technician, secretaries, custodial and cafeteria workers.

All employees are either self-directed or supervised. If an employee has questions as to which category his/her position falls, he/she should refer to the approved Line and Staff Organization Chart or consult the Chief Executive Officer.

### **Employee Evaluations**

The evaluation of an employee is a cooperative and continuing process for the purpose of improving the employee's quality of work. It is a process by which the employee and others, who work with them in the evaluation, review the employee's general and specific responsibilities. Teachers, Teacher Assistants, Behavioral Interventionist, the CEO, the CAO and the Upper/Lower School Directors at Arapahoe Charter School will be evaluated by the use of Board-approved assessment instruments that pertain directly to each specific position. Current Summative and Formative instruments are available from the Upper/Lower Schools Directors upon request.

### **CEU/Recertification Responsibility**

It is the responsibility of all instructional staff to earn Continuing Education Units (CEUs) as required by the NC State Board of Education. Teachers should keep any certificates, CEU forms, or grades as documentation of participation. Copies may be given to the Upper/Lower School Directors to be placed in one's personnel file.

### **Contract Renewal Policy**

*This policy applies ONLY to Teachers, Teacher Assistants and Administrators who work under a contract and are thereby not AT-WILL employees AND who fall below the Chief Academic Officer, Chief Executive Officer,, Lower School Director, or Upper School Director in the Arapahoe Charter School Line and Staff Organization Chart. This group of employees will be referred to in this policy as “Employee” and “Employees”.*

In the spring of each year the CEO will distribute a form to all employees on which each employee is to indicate his/her desire for a contract for the upcoming academic year. These forms should be signed and returned to the CEO as soon as possible and not later than 60 days prior to the last day of work for the particular Employee.

The CEO will present to the Board of Directors (hereinafter “Board”), for their approval, a list of Employees recommended for contract renewal for the next school year and a list of Employees recommended for non-renewal of contract for the next school year. After the Board votes to not offer a contract to the Employee, the Employee will be notified in writing by the CEO of his/her opportunity for a hearing before the Board, or a Board designated panel of the Board, and of his/her opportunity to request in writing, and receive upon such written request, written notice as to the reasons for the decision of the Board to not offer a contract for the next school year. If requested, the notice for the reasons for the decision shall be provided to the Employee prior to any Employee requested hearing before the Board. Any pending appeal shall not alter the employment status of the Employee as previously decided by the Board.

## Employee Assignment/Reassignment

It is the policy of the Arapahoe Charter School that personnel be assigned on the basis of their qualifications, the needs of the school, and their expressed desire. When it is not possible to meet all three conditions, personnel shall be assigned first in accordance with the needs of the school, and second where the administration feels the employee is most qualified to serve.

## Reduction-In-Force

The Arapahoe Charter School recognizes that if the number of students enrolled in Arapahoe Charter School decreases, the number of contracted and at-will personnel needed to serve the public school might also decrease. The funds appropriated by the state, local, and federal government may decrease, remain the same, or not increase sufficiently to fund all existing positions. The Board recognizes further that some programs may have to be eliminated, some reduced, and others changed, based on budgetary needs.

## Maintenance of Personnel Records

In accordance with N.C.G.S. §115C-325(b), it is the policy of the Arapahoe Charter School that the CEO shall maintain personnel file(s) for each teacher, supervisor and other employee of the Arapahoe Charter School.

### **Pre-Employment Information**

The pre-employment file may contain, but is not limited to, the following types of pre-employment information:

- A. Application for employment
- B. References
- C. Evaluations of prior employers
- D. Academic records
- E. Other pre-employment information

### **Post-Employment Information**

The post-employment file may contain but is not limited to the following types of post-employment information:

- A. Evaluations
- B. Certification and certificate renewal data
- C. Payroll records
- D. Record of work history, e.g. assignments, transfers, promotions, raises, etc.
- E. Insurance records
- F. Personal data-address, telephone number, dependents, social security number, etc.
- G. Complaints, commendations, and suggestions for correction or improvement
- H. Health records
- I. Retirement Information
- J. Other

### **Procedures for Placement of Complaints, Commendations, and/or Suggestions in an Employee's Personnel File**

- A. Only complaints less than 12 months old, concerning an employee's work-related or professional conduct, commendations, and/or suggestions for improvement or correction, which are signed by the maker, may be placed in an employee's personnel file.
- B. Before any complaint, commendation or suggestion for improvement may be placed in the file, a copy of it and five days' notice, in writing, shall be given to the employee. The employee shall have the right to place in the file any explanation or denial relating to such complaints, commendations or suggestions.
- C. The CEO and Upper/Lower School Directors at his/her discretion, may exclude from an employee's personnel file any information that he/she deems to be

invalid, irrelevant, outdated, or false; or a letter of complaint when there is no documentation of an attempt to resolve the issue.

- D. An employee may petition to remove any information from his/her personnel file that he/she deems invalid, irrelevant, outdated or false in accordance with the Arapahoe Charter School "Grievance Procedure."

### **Release of Information from Personnel Files**

The following information contained in an employee's personnel files may be released to members of the general public upon request:

- A. Name
- B. Date of original employment
- C. Current title and/or position
- D. Current assignment
- E. Licensure certifications
- F. Salary or rate of pay
- G. Date and amount of most recent increase or decrease in salary
- H. Date of most recent promotion, demotion, transfer, suspension, reclassification or separation
- I. Educational background
- J. Previous employment
- K. Awards, commendations, and recognitions of achievement



## Confidential Information in Personnel Files; Access to Such Information

- A. The following information, when contained in an employee's pre- and/or post-employment file, shall be deemed confidential and shall not be released to the public:
  1. References
  2. Evaluations
  3. Insurance Records
  4. Complaints and suggestions for correction or improvement
  5. Health records
  6. Records of administrative or disciplinary actions
- B. All other information contained in a personnel file is confidential and shall not be open for inspection except as provided below:
  1. An employee or his/her properly – authorized agent shall have the right to inspect and make a copy of any post-employment information in the personnel file at any reasonable time.
  2. An employee shall not have the right to inspect the pre-employment personnel file.
  3. Members of the Board of Directors, the Chief Executive Officer, Chief Academic Officer Upper and Lower School Directors, employees involved in the evaluation, screening and selection of personnel for employment or promotion, an employee's superiors, a lawfully appointed hearing panel, and any other employee of the Board with a legitimate purpose shall have the right to inspect an employee's entire personnel records.
  4. The employee's address and telephone number may be released in an emergency situation.
  5. Personnel records shall be released pursuant to a lawfully issued court order or subpoena.
  6. Confidential information not listed in section A may be released to the public by the Board of Directors at its discretion, provided that five (5) days' advance notice, in writing, is given to the employee affected.
  7. Administrative personnel may provide a reference to a prospective employer of a present or former employee, which reference may contain confidential information about the employee's performance with this school system on the condition that the employee has signed a written release authorizing the school system to release confidential information to prospective employers.

## EMPLOYEE SALARY AND BENEFITS

### Salary Schedules

The Arapahoe Charter School follows the North Carolina Public School Salary Schedules for the purpose of determining appropriate compensation for each position/employee. Current salary schedules are posted on the Department of Public Instruction website at:

<https://www.dpi.nc.gov/districts-schools/district-operations/financial-and-business-services/compensation-public-school-employees> .

The CEO will be able to inform each employee of his/her applicable salary schedule.

### Salary Options

Arapahoe Charter School teachers who are employed for the ten-month term have the choice of receiving their salary on a ten- or twelve-month basis.

### Payroll

Payroll schedule is indicated on the calendar of events. Paychecks will be electronically issued to the financial institution of the employee's choice. The Finance Specialist should be contacted for further information.

### Mandatory Payroll Deductions

All employees will be required to have the following deductions from their monthly salary as required by law:

#### **Federal Social Security (FICA)**

Federal Social Security is automatic for all employees. The amount is determined according to law.

#### **Federal Withholding Tax**

Federal Withholding Tax deductions shall be made according to the schedule prepared by the Treasury Department and the amount deducted shall be based upon the number of exemptions claimed by the employee.

#### **State Income Withholding Tax**

The amount withheld shall be according to a schedule prepared by the state, which takes into consideration the amount of salary and the number of exemptions claimed.

## Verification of Paycheck

Arapahoe Charter School has adopted verification procedures that are to be put in place at the beginning of each school year to ensure that personnel receive accurate paychecks. Employees may request to be given their annual gross income (excluding applicable bus pay) before the first pay period in August. Upon receipt of the first paycheck, it is the employee's responsibility to verify that he/she is receiving the correct amount. This verification should include, but is not necessarily limited to, any deductions, contributions, and the basis over which the annual salary is to be divided in either 10-month or 12-month periods. If there are any discrepancies or if the employee has any questions he/she are to contact the Finance Specialist as soon as possible but not later than the next pay period.

## Health Insurance

All permanent, full-time employees are eligible for medical insurance through the North Carolina State Health Plan for Teachers and State Employees. Individual coverage for the employee only is paid by The Arapahoe Charter School. Dependent coverage is available for family members of an employee and is paid for by the employee. The monthly contribution rates and plan types are posted at <http://www.shpnc.org/library/pdf/annual-enrollment/active-retiree-rate.pdf>. The CEO should be consulted with any questions regarding employee and/or dependent coverage.

Depending upon your date of hire, health insurance may be available after retirement. Contact the North Carolina Retirement system for more information concerning your individual retirement benefits.

## Longevity

Current Board policy, based upon the Board's budgeted resources and other needs, which are reviewed annually, is to provide longevity payments to employees who are eligible and in an amount as determined by the State policy, which may change from year to year. While no funds are provided from the State for this payment, the Board will annually review this matter to determine whether to provide this service.

## Eligibility Requirements

All authorized employees, as determined by NC lawmakers, who have at least 10 years of total qualifying state service are eligible for longevity payments.

## Earning State Service

- (a) Employees will receive full credit for each pay period they are in pay status (working; using vacation, sick, extended sick, or personal leave; on workers' compensation; or on authorized military leave) as a permanent full-time or part-time employee for one-half or more of the regularly scheduled workdays and holidays in the pay period.
- (b) Working the contract length for a complete school year (i.e., 10 months) is equivalent to one full calendar year. Credit for a partial year is given on a month-for-month basis.
- (c) An employee may not earn more than one year of state service in a 12-month period. If an employee did not earn a full year of state service credit during a 12-month period, summer school employment will be included in state service credit for longevity purposes.

### **Creditable Service**

- (a) Employment with a North Carolina local school administrative unit.
- (b) Employment with a State of North Carolina department, agency, or institution (whether or not subject to State Personnel Act).
- (c) Employment with a local mental health, public health, social services or emergency management agency in North Carolina if such employment was subject to the State Personnel Act. (The personnel office of the former employer should be contacted to determine if a former employee was subject to the Act.)
- (d) Authorized military leave as outlined in the military leave policies (see Sections 10.1, 10.2, 10.3, and 10.4 of the Public Schools of North Carolina Benefits and Employment Policy Manual), provided the employee is reinstated within the time limit as outlined in the military leave section.
- (e) Employment with the General Assembly (except for participants in the Legislative Intern Program and pages). All time, both permanent and temporary, will be counted; and the full legislative terms of members.
- (f) Employment with the county agricultural extension service, if the position was subject to the State Personnel Act.
- (g) Employment with other governmental units which are now state agencies (examples: county highway maintenance forces, War Manpower Commission, judicial system).
- (h) Employment with the community college system.

See Section 13.2 of the Public Schools of North Carolina Benefits and Employment Policy Manual for examples of employers eligible for creditable state service. See Section 13.3 of the Public Schools of North Carolina Benefits and Employment Policy Manual for examples of employers not eligible for creditable state service.

### **Payment**

- (a) Current Board policy, based upon the Board's budgeted resources and other needs, which are reviewed annually, is to provide longevity payments to employees who are eligible. Payment of Longevity, if provided in any particular year, will generally be before the close of the fiscal year in June.

(b) Leave without pay: Employees on short-term disability or military leave must be paid the eligible pro rata amount of longevity earned at the beginning of the leave. An employee on workers' compensation shall be paid as if actively working.

(c) The amount of annual longevity pay is a percentage of the employee's annual rate of pay on the employee's contract date. The annual rate of pay does not include bonuses, differentiated pay, or career development. Mentor pay is included. The length of total state service determines the percentage as follows:

### **Years of State Service Longevity Pay Rate**

10 but less than 15 years	1.50 percent
15 but less than 20 years	2.25 percent
20 but less than 25 years	3.25 percent
25 or more years	4.50 percent

\* Effective July 1, 2000, authorized employees receive the same rate of longevity based on their years of state service.

### **Bonuses/Supplements**

Bonuses and supplements are not included in the annual budget of Arapahoe Charter School. However, if money is available at the end of the school's fiscal year, it is the Board's practice to pay supplements to its employees in varying amounts based on employment status. Incentive money awarded by the state to teachers and teacher assistants is not included in the definition of bonuses or supplements in this paragraph.

### **Disability**

A comprehensive, short-term and long-term disability income plan is provided at the employer's expense for permanent employees who are members of the Teachers' and State Employees' Retirement System and meet certain state service requirements. The short-term disability plan is available to disabled employees with at least one year of contributory retirement service. Short-term disability begins on the 61st day of disability and provides monthly income equal to fifty (50%) percent of one-twelfth (1/12) of the annual base salary and longevity, normally for up to twelve (12) months, with a monthly maximum of \$3,000.

After exhausting short-term disability benefits, employees with at least five (5) years of contributory retirement service and disability certification by a medical review board, become eligible for long-term disability income benefits. These benefits provide monthly income equal to sixty-five (65%) percent of one-twelfth (1/12) of the annual base salary and longevity up to \$3,900 per month. Long-term disability benefits continue until the end of the disability or the earliest date a person becomes eligible for unreduced retirement benefits. Benefits from this income disability plan are subject to certain offsets for benefits received from other programs. The details of the disability income plans are somewhat complex. Local personnel directors or

The Teachers' and State Employees' Retirement System can provide more information. Full-time public school employees injured in the course of employment through an episode of violence are entitled to full salary during disability for up to one year.

## Retirement

The employee and the state pay the cost of providing retirement benefits. The employee's share, currently 6.00% of the salary, is automatically deducted from the paycheck.

The North Carolina Teachers' and State Employees' Retirement System covers permanent, full-time employees. The Business Director has details on the specific percentages determined by the State.

Employee contributions are paid with pre-tax dollars, thereby reducing current state and federal income taxes. Employees who are involuntarily terminated or resign after five (5) or more years of Retirement System membership may withdraw their retirement contributions, plus any interest they have earned. Persons who voluntarily resign with less than five (5) years of membership in the Retirement System may withdraw only the funds they have contributed. Persons leaving public school employment with five or more years of membership credited in the Retirement System may elect to leave their contributions in the Retirement System and receive prorated retirement benefits.

## Death Benefits

After completing at least one calendar year or a full term of employment as a member of the Retirement System, an individual is automatically covered by a death benefit while being paid a salary for up to 180 days after the last day for which a salary is paid. Upon death, the beneficiary will receive a lump-sum payment equal to an employee's salary during a 12-month period with a minimum of \$25,000 and a maximum of \$50,000.

## GRIEVANCE POLICY

### ARAPAHOE CHARTER SCHOOL GRIEVANCE PROCEDURE FOR EMPLOYEES Policy 1750

Adopted: January 10, 2019

This policy provides a means for the orderly, equitable solution to problems and concerns that may arise that affect employees of Arapahoe Charter School. The intent is to reduce potential areas of grievances and to establish and maintain recognized channels of communication between staff and administration. It is essential that all parties feel free to share their concerns without fear of retaliation. It is equally as important that all employees be informed of this policy and the procedures it describes. Every effort shall be made by all parties to resolve grievances informally and at the lowest level of administration.

#### 1. INFORMAL RESOLUTION OF COMPLAINTS

It is desirable for an employee and his or her immediate supervisor to resolve problems through free and informal communication. If an employee or group of employees has a concern or problem, the employee(s) shall first discuss the matter with their immediate supervisor and attempt to resolve the matter informally, even if the immediate supervisor is the subject of the concern or problem.

#### 2. MEDIATION

If the concern or problem is not resolved to the satisfaction of the employee(s) through informal discussion, either party may request mediation of the grievance by a mediator appointed by the Grievance and Governance Committee of the Board of Directors.

#### 3. FORMAL RESOLUTION OF GRIEVANCE

If the grievance is not resolved to the satisfaction of the employees(s) through informal discussion or mediation or when the employee requests formal procedures, a formal grievance will be processed as set forth below.

A grievance is a formal written claim by an employee regarding specific decision(s) made by another employee and alleging that such decision(s) have adversely affected the person making the claim. A grievance may include, but is not limited to, the following allegations:

- a) that there has been a violation, misapplication, or misinterpretation of state or federal law or regulations, school board policy, or administrative procedure;
- b) that an employee's employment status or the terms or conditions of his or her employment have been adversely affected; or
- c) that there exists a physical condition that jeopardizes an employee's health or safety or that interferes with an employee's ability to discharge his or

her responsibilities properly and effectively.

The term “grievance” does not apply to any matter for which the method of review is prescribed by law, upon which the board of education is without authority to act, or for which there is a more specific board policy providing a process for addressing the concern, such as personnel records, transfers, reductions in force, suspensions, dismissals, nonrenewals, or discrimination, harassment or bullying complaints.

#### 1. Filing a Formal Grievance

- a) A formal grievance must be filed with the administrative director as soon as possible but no longer than 30 days after disclosure or discovery of the facts giving rise to the grievance even if the administrative director is the subject of the grievance. For a grievance submitted after 30 days that claims a violation, misapplication, or misinterpretation of state or federal law, the administrative director or designee shall determine whether the grievance will be investigated after considering factors such as the reason for the delay; the extent of the delay; the effect of the delay on the ability of the school to investigate and respond to the grievance; and whether the investigation of the grievance is necessary to meet any legal obligations. However, employees should recognize that delays in filing a grievance may significantly impair the ability of the school to investigate and respond effectively to such complaints.
- b) All grievances must be in writing, and the written statement of grievance must remain the same throughout all steps of the grievance procedure. The written grievance must include the following information: (1) the name of the school employee or other individual whose decision or action is at issue; (2) the specific decision(s), action(s), or physical condition at issue; (3) any local board policy, state or federal law, state or federal regulation, or State Board of Education policy or procedure that the grievant believes has been misapplied, misinterpreted, or violated; and (4) the specific resolution desired. If there is not a specific decision, action, or physical condition at issue, or no allegation that federal or state law, federal or state regulation, State Board of Education policy or procedure, or board policy or procedure has been misapplied, misinterpreted, or violated, then the procedure for informal resolution is appropriate, and the grievant’s immediate supervisor shall address the concern following that process.

#### 2. Administrative Level Process

- a. A meeting will take place between the grievant and the Executive Director or designee at a mutually agreeable time within five school days after receipt of the grievance. The grievant may bring a representative of their choice to the meeting if desired.



- b. The Executive Director or designee shall conduct any investigation of the facts necessary before rendering a decision and shall provide a copy of this policy to the grievant.
- c. The Executive Director or designee shall provide the employee(s) with a written response to the grievance within 10 school days after the meeting that includes their understanding of the issues involved; their knowledge of the facts giving rise to the grievance; and their decision and supporting facts. In responding, the administrative director may not disclose information about other employees that is considered confidential by law.
- d. The decision of the administrative director or designee shall be the “final administrative decision.” If the grievant is dissatisfied with the final administrative decision, they may appeal that decision to the Grievance and Governance Committee. Such appeal shall be delivered to the administrative director who will notify the Committee chair person.

### 3. Grievance and Governance Committee Appeal Process

- a) The appeal shall include a copy of the grievance, a copy of the final administrative decision, and a concise statement of the grievant’s objections to the final administrative decision.
- b) The Committee shall review the documentation and may request that either or all parties submit additional written information or evidence as necessary.
- c) The Committee may, if necessary, further investigate the grievance by interviewing and taking statements from any witnesses to the event or decision that is the subject of the grievance.
- d) The Committee will schedule and hold a conference with the employee(s) at the earliest possible, mutually agreeable time, but in no event more than ten days after the appeal has been filed, and give all parties the opportunity to be heard and to present evidence in an informal manner in support of their position.
- e) The Committee will make a good faith effort to resolve the grievance through mediation and conciliation and will conduct a full, frank and open discussion of the grievance issues.
- f) If the grievance is resolved, the parties shall describe the resolution in written form with a signed copy sent to all parties.
- g) If the grievance is not resolved to the satisfaction of the grievant, the Committee shall, within ten days after the conference, prepare and provide to all parties a written report of their investigation and their recommendations. In responding, the Committee may not disclose information about other employees that is considered confidential by law.

### 4. Board of Directors Appeal Process

If the grievance is not resolved by the Grievance and Governance Committee and the grievant has alleged a violation of a specified federal or state law, federal or state regulation, State Board of Education policy or procedure, or board policy or procedure, or has alleged that a specific

decision of a school official adversely affects the grievant's employment status or the terms or conditions of his or her employment, the grievant shall have the right to appeal to the board of directors. If the grievant has not alleged such specific violations, he or she may request a hearing before the board of directors, which the board may grant or deny in its discretion. Such appeal shall be delivered to the Executive Director who will notify the board chairperson.

a) Mandatory Appeals

- 1) If the grievance is not resolved by the Grievance and Governance Committee and the grievant has alleged a violation of a specified federal or state law, federal or state regulation, State Board of Education policy or procedure, or local board policy or procedure, or has alleged that a specific decision of a school official adversely affects the grievant's employment status or the terms or conditions of his or her employment, the grievant shall have the right to appeal the decision to the board of directors within five days of receiving the report from the Committee.
- 2) A hearing will be conducted by a panel of the board of directors pursuant to policy 2500, Hearings Before the Board, within ten days of the board's receipt of the appeal.
- 3) The board panel will provide a final written decision within 30 days of receiving the appeal unless further investigation is necessary or the hearing necessitates that more time be taken to respond. The decision by the panel of the board of directors shall be the final decision on behalf of the board.

b) Discretionary Appeals

- 1) If the grievance is resolved by the Grievance and Governance Committee, but the grievant has not alleged a violation of a specified federal or state law, federal or state regulation, State Board of Education policy or procedure, or local board policy or procedure, or has not alleged that a specific decision of a school official adversely affects the grievant's employment status or the terms or conditions of his or her employment, the grievant may submit to the board of directors a written request for a hearing within five days of receiving the Committee's report.
- 2) The board of directors will decide whether to (1) deny the appeal; (2) review the final administrative decision and the Grievance and Governance Committee report on the written record only; or (3) grant a hearing.
- 3) If the board denies the appeal, the final administrative decision will become final and the grievant will be notified within five days of the board's decision.
- 4) If the board decides to grant a hearing, the hearing will be conducted by a panel of the board of directors pursuant to policy 2500 Hearings Before the

Board, within ten days after the grievant has been notified of the board's decision to grant a hearing.

5) Following a hearing, the board panel will provide a final written decision within 30 days of the decision to grant the appeal, unless further investigation is necessary or the hearing necessitates that more time be taken to respond. The decision by the panel of the board of directors shall be the final decision on behalf of the board.

#### D. GENERAL REQUIREMENTS

1. All parties and their representatives in any grievance filed pursuant to this policy shall conduct themselves in a professional manner at all times during the investigation and hearing of the grievance.
2. Neither the board of directors, the school, nor any employee of the school will take any reprisals of any kind against any party or other employee on account of his or her participation in a grievance filed and decided pursuant to this policy.
3. Each decision will be in writing, setting forth the decision and reasons therefore, and will be transmitted promptly to all parties.
4. All meetings and hearings conducted pursuant to this policy will be private.
5. The board of directors and school officials will consider requests to hear grievances from a group of grievants, but the board and school officials have the discretion to hear and respond to grievants individually.
6. The board of directors and school administration will cooperate with the employee and any representative in the investigation of the grievance and will furnish the employee or representative information pertinent to the grievance without cost to the grievant employee or the employee against whom the grievance is filed, except confidential records or those prescribed by law.
7. The employee may have a representative, including an attorney, at any stage of a formal grievance. However, if the grievant intends to be represented by legal counsel, he or she must notify the appropriate school official in advance so that school personnel also will have the opportunity to be represented by legal counsel.
8. Should, in the judgment of the Executive Director or designee, the investigation or processing of any grievance require the absence of the grievant and/or representative from regular work assignments, such absences will be excused without loss of pay or benefits.

#### E. RECORDS

Appropriate records shall be maintained in accordance with state and federal law and filed separately from an employee's personnel file unless the final decision specifically states that a record of the grievance be placed in an employee's personnel file.

Legal References: G.S. 115C-45(c); 126-16 Cross References: Prohibition Against Discrimination, Harassment, and Bullying (policy 1710), Discrimination, Harassment, and Bullying Complaint Procedure (policy 1720), Hearings Before the Board (policy 2500)

## APPENDIX A

### NORTH CAROLINA STATE BOARD OF EDUCATION

#### Policy Manual

##### **Policy Identification**

**Priority:** Quality Teachers, Administrators, and Staff

**Category:** Qualifications and Evaluations

**Policy ID Number:** QP-C-014

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

**Current Policy Date:** 02/05/1998

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

**Statutory Reference:**

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

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

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

To uphold these commitments, the educator:

- I. Commitment to the Student.
  - A. Protects students from conditions within the educator's control that circumvent learning or are detrimental to the health and safety of students.
  - B. Maintains an appropriate relationship with students in all settings; does not encourage, solicit, or engage in a sexual or romantic relationship with students, nor touch a student in an inappropriate way for personal gratification, with intent to

harm, or out of anger.

- C. Evaluates students and assigns grades based upon the students' demonstrated competencies and performance.
- D. Disciplines students justly and fairly and does not deliberately embarrass or humiliate them.
- E. Holds in confidence information learned in professional practice except for professional reasons or in compliance with pertinent regulations or statutes.
- F. Refuses to accept significant gifts, favors, or additional compensation that might influence or appear to influence professional decisions or actions.

## II. Commitment to the School and School System

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

## III. Commitment to the Profession

- A. Provides accurate credentials and information regarding licensure or employment and does not knowingly assist others in providing untruthful information.

- B. Takes action to remedy an observed violation of the Code of Ethics for North Carolina Educators and promotes understanding of the principles of professional ethics.
- C. Pursues growth and development in the practice of the profession and uses that knowledge in improving the educational opportunities, experiences, and performance of students and colleagues.

#### **.0601 PURPOSE AND APPLICABILITY**

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

#### **.0602 STANDARDS OF PROFESSIONAL CONDUCT**

- (a) The standards listed in this Section shall be generally accepted for the education profession and shall be the basis for State Board review of performance of professional educators. These standards shall establish mandatory prohibitions and requirements for educators. Violation of these standards shall subject an educator to investigation and disciplinary action by the SBE or LEA.
- (b) Professional educators shall adhere to the standards of professional conduct contained in this Rule. Any intentional act or omission that violates these standards is prohibited.
  - (1) Generally recognized professional standards. The educator shall practice the professional standards of federal, state, and local governing bodies.
  - (2) Personal conduct. The educator shall serve as a positive role model for students, parents, and the community. Because the educator is entrusted with the care and education of small children and adolescents, the educator shall demonstrate a high standard of personal character and conduct.
  - (3) Honesty. The educator shall not engage in conduct involving dishonesty, fraud, deceit, or misrepresentation in the performance of professional duties including the following:
    - (A) statement of professional qualifications;
    - (B) application or recommendation for professional employment, promotion, or licensure;
    - (C) application or recommendation for college or university admission, scholarship, grant, academic award, or similar benefit;
    - (D) representation of completion of college or staff development credit;
    - (E) evaluation or grading of students or personnel;
    - (F) submission of financial or program compliance reports submitted to state, federal, or other governmental agencies;
    - (G) submission of information in the course of an official inquiry by the

- employing LEA or the SBE related to facts of unprofessional conduct, an educator shall be given adequate notice of the allegations and may be represented by legal counsel; and
- (H) submission of information in the course of an investigation by a law enforcement agency, child protective services, or any other agency with the right to investigate, regarding school-related criminal activity; provided, however, that an educator shall be entitled to decline to give evidence to law enforcement if such evidence may tend to incriminate the educator as that term is defined by the Fifth Amendment to the U.S. Constitution.
- (4) Proper remunerative conduct. The educator shall not solicit current students or parents of students to purchase equipment, supplies, or services from the educator in a private remunerative capacity. An educator shall not tutor for remuneration students currently assigned to the educator's classes, unless approved by the local superintendent. An educator shall not accept any compensation, benefit, or thing of value other than the educator's regular compensation for the performance of any service that the educator is required to render in the course and scope of the educator's employment. This Rule shall not restrict performance of any overtime or supplemental services at the request of the LEA; nor shall it apply to or restrict the acceptance of gifts or tokens of minimal value offered and accepted openly from students, parents, or other persons in recognition or appreciation of service.
  - (5) Conduct with students. The educator shall treat all students with respect. The educator shall not commit any abusive act or sexual exploitation with, to, or in the presence of a student, whether or not that student is or has been under the care or supervision of that educator, as defined below:
    - (A) any use of language that is considered profane, vulgar, or demeaning;
    - (B) any sexual act;
    - (C) any solicitation of a sexual act, whether written, verbal, or physical;
    - (D) any act of child abuse, as defined by law;
    - (E) any act of sexual harassment, as defined by law; and
    - (F) any intentional solicitation, encouragement, or consummation of a romantic or physical relationship with a student, or any sexual contact with a student. The term "romantic relationship" shall include dating any student.
  - (6) Confidential information. The educator shall keep in confidence personally identifiable information regarding students or their family members that has been obtained in the course of professional service, unless disclosure is required or permitted by law or professional standards, or is necessary for the personal safety of the student or others.
  - (7) Rights of others. The educator shall not willfully or maliciously violate the constitutional or civil rights of a student, parent/legal guardian, or colleague.
  - (8) Required reports. The educator shall make all reports required by Chapter 115C of the North Carolina General Statutes.
  - (9) Alcohol or controlled substance abuse. The educator shall not:
    - (A) be under the influence of, possess, use, or consume on school

premises or at a school-sponsored activity a controlled substance as defined by N.C. Gen. Stat. § 90-95, the Controlled Substances Act, without a prescription authorizing such use;

- (B) be under the influence of, possess, use, or consume an alcoholic beverage or a controlled substance on school premises or at a school-sponsored activity involving students; or
  - (C) furnish alcohol or a controlled substance to any student except as indicated in the professional duties of administering legally prescribed medications.
- (10) Compliance with criminal laws. The educator shall not commit any act referred to in G.S. 115C-332 and any felony under the laws of the United States or of any state.
  - (11) Public funds and property. The educator shall not misuse public funds or property, funds of a school-related organization, or colleague's funds. The educator shall account for funds collected from students, colleagues, or parents/legal guardians. The educator shall not submit fraudulent requests for reimbursement, expenses, or pay.
  - (12) Scope of professional practice. The educator shall not perform any act as an employee in a position for which licensure is required by the rules of the SBE or by Chapter 115C or the North Carolina General Statutes during any period in which the educator's license has been suspended or revoked.
  - (13) Conduct related to ethical violations. The educator shall not directly or indirectly use or threaten to use any official authority or influence in any manner that tends to discourage, restrain, interfere with, coerce, or discriminate against any subordinate or any licensee who in good faith reports, discloses, divulges, or otherwise brings to the attention of an LEA, the SBE, or any other public agency authorized to take remedial action, any facts or information relative to actual or suspected violation of any law regulating the duties of persons serving in the public school system, including but not limited to these Rules.
    - sponsored activity involving students; or
    - (A) furnish alcohol or a controlled substance to any student except as indicated in the professional duties of administering legally prescribed medications.
  - (14) Compliance with criminal laws. The educator shall not commit any act referred to in G.S. 115C-332 and any felony under the laws of the United States or of any state.
  - (15) Public funds and property. The educator shall not misuse public funds or property, funds of a school-related organization, or colleague's funds. The educator shall account for funds collected from students, colleagues, or parents/legal guardians. The educator shall not submit fraudulent requests for reimbursement, expenses, or pay.
  - (16) Scope of professional practice. The educator shall not perform any act as an employee in a position for which licensure is required by the rules of the SBE or by Chapter 115C or the North Carolina General Statutes during any period



in which the educator's license has been suspended or revoked.

- (17) Conduct related to ethical violations. The educator shall not directly or indirectly use or threaten to use any official authority or influence in any manner that tends to discourage, restrain, interfere with, coerce, or discriminate against any subordinate or any licensee who in good faith reports, discloses, divulges, or otherwise brings to the attention of an LEA, the SBE, or any other public agency authorized to take remedial action, any facts or information relative to actual or suspected violation of any law regulating the duties of persons serving in the public school system, including but not limited to these Rules.

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