



*"Maine's Only Free High School for the Arts"*

**Staff Handbook  
2021-2022**

Effective September 1, 2021

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## **ADOPTION AND REVISION SCHEDULE**

Board Approved Revisions - April 4, 2017

Board Approved Revisions - December 5, 2018

Board Approved Revisions - September 6, 2019

Board Approved Revisions - September 2, 2020

Board Approved Revisions - September 1, 2021

## **WELCOME TO MAINE ARTS ACADEMY**

Thank you for joining our team at Maine Arts Academy (MEAA), Maine's only free public high school for the arts. Our combination of academic and arts-centered curriculum combined with learning and graduation policies ensure that all students leave our school as highly literate, problem solving, and skilled graduates.

The Board of Directors extends our welcome to you as you join us on an extraordinary educational adventure into the world of education. Your pride in your work and in MEAA are primary ingredients to our success.

We believe that you will make great contributions to our students' learning, their families and to our school. We hope that you will find your employment at MEAA a rewarding experience. We look forward to the opportunity of working with you to create a highly successful school. We are confident that you will find your employment with MEAA mutually beneficial and gratifying.

You are joining an organization committed to the mission statement of MEAA. We pride ourselves with providing a quality choice in education for students in Maine. We are looking forward to the upcoming school year and working with you at MEAA. We recognize the crucial role that teachers and staff play in every student's life. We will do everything possible to support you on your journey with us!

Sincerely,

MEAA Board of Directors

## **INTRODUCTION**

This handbook was developed to provide you with guidelines to our school's policies and to outline programs and benefits available to you. You should familiarize yourself with the contents to know what is expected of you and understand what you can expect from our school. No handbook can anticipate every circumstance or question about policy.

This handbook is designed to help you get acquainted with our school, explain some of our philosophies and beliefs and describe in general terms some of the organization's employment guidelines. We hope the handbook will be a useful reference for you during your employment. The handbook is not intended to be a contract, nor is it intended to otherwise create legally enforceable obligations on the part of the school or its employees.

This staff handbook replaces all previous handbooks. Our school is a growing and changing organization and reserves the right to amend or delete provisions of this handbook and to alter its policies and procedures at any time without advance notice. For this reason, you should contact your immediate supervisor or Head of School to obtain current information about the status of any particular policy, procedure or guideline, as needed. Failure to follow any of the policies in this handbook may result in disciplinary action, up to and including termination of employment.

Nothing in this handbook is intended to or shall prevent non-supervisory employees from engaging in activity or commentary relating to a partner's wages, hours or working conditions or other conduct that is protected by Section 7 of the National Labor Relations Act

You should have already signed a letter of employment outlining the terms and conditions of your employment relationship. Contact your supervisor or the Head of School if you have any questions.

## **CLASS MANAGEMENT**

*Maine Arts Academy prides itself on providing staff with broad discretion in the development and implementation of their curricula. However, in the event that a staff member fails to deliver the curriculum in a manner that is consistent with Maine Arts Academy's educational mission and standards, the staff member may be required to adjust their curricula, as requested by the administration. Staff are also required to appropriately manage their classrooms, and ensure that all students are able to participate productively in any class-wide discussion.*

### **GRADING**

Teachers should follow the established grading system. All report cards and progress reports should be posted by the date that is designated by the Head of School. Teachers are required to keep their student information system grade books up to date each week.

### **CLASS SCHEDULES**

Teachers will have a scheduled non-working lunch break each day. Teachers must follow scheduled class start and end times.

### **SUBSTITUTE PLANS**

Employees who are absent and need a substitute are required to leave detailed plans, roster, schedule and emergency procedures. These substitute details are part of the professional responsibility of the employee and the ability and their adherence will be noted in the performance evaluation process.

Requests for certain substitutes need to be given to the administrative assistant in advance; this request may also include the desire not to have a specific substitute for your classroom.

## **STAFF STANDARDS OF CONDUCT WITH STUDENTS**

All staff members, including all employees, volunteers, independent contractors and agents, are expected to follow school policy "GBEBB Staff Standards of Conduct with Students."

### **INAPPROPRIATE PHYSICAL CONTACT WITH CHILDREN**

Employees may not engage in physical contact with a child that is harmful, sexual, offensive, unwelcome or inappropriate, or physical contact that is perceived as harmful, sexual, offensive, unwelcome or inappropriate by the school, its employees or its students. Additionally, employees must adhere to the requirements set forth in the Maine Teacher's Standards, as well as state criminal statutes regarding assault.

### **INTERACTION WITH STUDENTS**

Any employee who interacts with students in the course of their job should be familiar with and comply with the policies contained within the school handbook as it pertains to harassment or treatment of students.

Harassment or treatment of a student that is prohibited by the school handbook is not tolerated and any employee who violates the policies in the School Handbook may receive disciplinary action.

## STUDENT AND FAMILY RELATIONS

***The school strives to consistently provide students and their families with service that is of exceptional quality and value.***

In order to realize our commitment to our families, we expect the following from each of our employees:

- Provide courteous service in a prompt and efficient manner.
- Establish and maintain positive relationships with families by gaining their trust and respect through professional, honest interaction.
- Handle complaints or inquiries quickly and professionally within 48 business hours. If you are unable to resolve a complaint to the parent's satisfaction, review the situation with a member of the administrative team.
- Communicate with families in a professional manner either in person, over the phone, or via email.

Any employee who observes or has evidence of inappropriate conduct between another employee and a student shall immediately report such conduct to the Head of School or, if the matter involves the Head of School, to the President of the Board. MEAA will take all necessary steps to ensure that reports of inappropriate conduct are appropriately investigated and addressed. If the school determines that the conduct is inappropriate, it will take such action as it deems necessary up to and including termination of employment and reporting the conduct to state and local authorities.

In order to provide guidance to employees, the following are examples of inappropriate behavior regarding employee interactions with students at any time on or off school grounds, whether in person or online; note the list does not include every form of inappropriate behavior:

- engaging in certain forms of physical contact, including physical discipline, corporal punishment or physical play such as roughhousing, tickling, wrestling, sitting on laps or similar activities while recognizing that there can be developmentally appropriate physical contact (especially in younger grades);
- engaging in any sexual, amorous, or dating behaviors with a student regardless of the student's age, even if allegedly in jest and even if a student encourages or appears to encourage such advances;
- engaging in sexual, romantic, or other inappropriate contact or communications with students (including in-person, email, telephone, texting, social networking, photo sharing sites, or any other media) such as: discussing or writing about sexual topics unrelated to curriculum; performing massages, kissing, fondling, or frequent touching; exchanging romantic gifts; making sexual jokes, gestures, or innuendos; engaging in inappropriate banter such as discussing a student's dating behavior; sharing obscene or suggestive photos, use of profane or obscene language or gestures; videotaping or photographing a student in revealing or suggestive poses.
- engaging in, participating in, or condoning in any way the use of alcohol, illegal drugs (including marijuana), or tobacco (including e-cigarettes) by students;
- sharing overly personal or financial information concerning themselves with students such as sexual exploits, marital difficulties, salaries, mortgage difficulties, bankruptcy;
- gossiping, disparaging or making offensive comments about the school, its employees or students;
- sharing or disclosing information concerning a student to any person not specifically authorized to receive such information. This includes, but is not limited to, information concerning educational assessments, test scores, grades, behavior, mental or physical health, and family background or finances;
- commenting to a student or an adult about a student's appearance in a sexual or sexually suggestive manner or that could reasonably be perceived as such;
- creating any unhealthy emotional attachment or dependency with a student to the detriment of the

student's welfare;

- intentionally invading a student's privacy; or
- secretive behavior with a student such as meeting one-on-one in a room with the door locked or the lights off.

## MANDATED REPORTING OF SUSPECTED CHILD ABUSE

**Abuse or neglect.** Abuse or neglect means a threat to a child's health or welfare due to physical, mental or emotional injury or impairment, sexual abuse or exploitation, deprivation of essential needs or lack of protection from any of the above by a parent or caregiver responsible for the child. A "child" for purposes of this policy is a person less than 18 years of age.

**Mandated reporters.** Maine law (22 M.R.S.A. section 4011-A *et. seq.*) stipulates that certain school employees such as teachers, administrators, counselors, coaches, and bus drivers, who are acting in a professional capacity, are mandated reporters of suspected child abuse or neglect. Mandated reporters who have reason to suspect that a child has been or is likely to be abused or neglected must immediately notify the appropriate School Director, Assistant Head or the Head of School. The School Director or Assistant Head shall immediately notify the Head of School of any such report who will confer with the School's legal counsel, if necessary, to determine whether there is reasonable cause to suspect the child has been or is likely to be abused or neglected.

If such a determination is made, the Department of Health and Human Services will be immediately notified by telephone. Maine law also requires immediate telephone notification of the District Attorney's (DA) office in situations where the person suspected of abuse or neglect is "NOT responsible" for the child's health or welfare. (The law makes a distinction between abuse or neglect by a person who is responsible for the child's welfare such as a parent or guardian and one who is not, such as a teacher.) The child's parent(s) or guardian will also be notified unless they are under suspicion or MEAA is advised otherwise by DHHS or the DA. If the person suspected of committing the abuse or neglect is an employee of MEAA there are additional policies and procedures that apply set forth in section 9 below.

An employee may, in addition to notifying a School Director, Assistant Head or Head of School, also report directly to DHHS or the DA. If such a report is made the employee must inform the School and complete any additional reports as the School requires.

Mandated employees who notify a School Director, Assistant Head or Head of School that they have reason to suspect that a child has been or is likely to be abused or neglected will be notified in writing within 24 hours that a report of a valid incident has been made along with the name of the individual making the report, the date and time of the report and a summary of the information conveyed. If said employee does not receive confirmation that a report of a valid incident has been made, he or she shall make a report to DHHS.

**Other required reporters.** All MEAA employees, volunteers, and interns, who are not mandated reporters are also required as a matter of school policy to report suspicions of child abuse or neglect of a MEAA student to the appropriate School Director, Assistant Head or Head of School. Other individuals affiliated with the School (parents, alums, friends, volunteers) who have suspicions of child abuse or neglect of a MEAA student are strongly encouraged to report to the appropriate School Director, Assistant Head or Head of School as provided in this section.

**Training.** All mandated reporters are required to complete DHHS approved training at least once every four years and provide the Business Office with a certificate of completion which will be placed in their personnel file. MEAA generally requires non-mandated reporter employees to complete the on-line training.

**Failure to comply with state law and/or school policies.** Failure by a mandated employee reporter, other employee, volunteer or intern to comply with state laws and/or the School's policies and procedures regarding reporting of child abuse and neglect may subject the employee, volunteer or intern to disciplinary action and/or, in some cases, civil prosecution.

**Good faith defense.** In accordance with Maine law, any person acting in good faith in reporting suspected abuse or neglect or participating in a related child protection investigation or proceedings will be protected from any criminal or civil liability for the act of reporting or participating in the investigation or proceedings.

**Contents of report.** The report to DHHS or the DA should include the following information if within the knowledge of the person reporting:

- a) the child's name, age, date of birth and sex
- b) name, address and phone number of child's custodial parent and directions to the home
- c) names and relationships of other adults in the home
- d) information on any out-of-home parents
- e) the nature and extent of abuse or neglect, including sexual abuse or exploitation and including a description of injuries and any explanations given for them;
- f) family composition and evidence of prior abuse or neglect of the child or their siblings;
- g) the source of the report, the person making the report, their occupation and where he/she can be contacted;
- h) the actions taken by the reporting source, including a description of photographs or x-rays taken; and
- i) any other information that the person making the report believes may be helpful.

**Multiple in-school reports.** In the event that there are multiple in-school reports on one child, the appropriate School Director, Assistant Head or Head of School will bring such reports to the attention of DHHS and the DA, if necessary, in accordance with the requirements for confidentiality and access to records.

**Cooperation with DHHS.** The School will cooperate with officials of DHHS, the police or the DA's Office investigating allegations of child abuse or neglect and MEAA staff will provide pertinent information and personal observations as requested. DHHS may interview a child without prior notification of the parent or guardian when they have reasonable grounds to believe that prior notice would increase the threat of serious harm to the child or another person. DHHS may conduct one initial interview with a child without prior notification when the child contacts DHHS or when a person providing services to the child puts the child into contact with DHHS. The interview may take place at School and the School shall permit DHHS to meet with and interview the child during school hours, if necessary.

**Suspicion of child abuse by a MEAA employee, volunteer or intern.** In addition to other reporting requirements, any person who suspects or is aware of an incident of child abuse or neglect committed by a Waynflete employee, volunteer or intern must immediately report this information to the appropriate School Director, Assistant Head or Head of School or, if the allegation is against the Head of School, to a member of the Administrative Team or the President of the Board. Any report regarding the Head of School made to a member of the Administrative Team must immediately be forwarded to the President of the Board. In addition to any actions that may be taken by DHHS or the DA's office the following provisions will apply unless the School is directed otherwise by either agency:

**No student contact.** Upon receiving the initial report the employee, volunteer or intern, against whom an allegation is made, will be immediately instructed by the appropriate School Director, Assistant Head, Head of School or, if the allegation is against the Head of School, the President of the Board, that they may not have any contact with the child at issue and may be prohibited from contact with all students. If a determination is made that there is reasonable cause to suspect that such person has abused or neglected the child, the School will, in addition to following the reporting procedures for mandated reporters, place the employee on paid leave until after a determination is made as to whether the allegations are substantiated. Services of volunteers or interns may be suspended or terminated.

- a. **Investigation.** The Head of School or President of the Board, if the allegation is against the Head, will appoint an investigator who may be an individual not employed by or associated with MEAA and, in consultation with them, determine the nature and scope of the investigation.
- b. **Confidentiality.** The School will make every effort to maintain the privacy of individuals consistent with its obligations to investigate and to the extent allowed by law. This means that allegations of child abuse and neglect against an employee, volunteer or intern will be shared on a “need to know” basis. Confidentiality may be asked of witnesses to ensure an objective investigation, to protect the privacy of the child and to protect those people against whom an erroneous allegation has been made.
- c. **Investigative findings and decisions.** At the conclusion of the investigation, the investigator will report their findings to the Head of School who will determine the appropriate actions, if any, including whether additional investigation is warranted.
  1. **Substantiated allegations.** If not already reported to DHHS and/or the DA’s office, substantiated allegations will be reported to the appropriate state agency and will result in disciplinary action which may include but is not limited to suspension without pay or termination and a report will be placed in the employee’s personnel file. The individual may also be subject to prosecution or further action by the State. The Head of School will report directly to the President of the Board of Trustees regarding the outcome of each case where the allegations are substantiated.
  2. **Unsubstantiated allegations.** Unsubstantiated allegations will also be documented. All such records and information will remain confidential and in the custody of the Head of School or President of the Board, if the allegation is against the Head. The School may use such information if further allegations are made against the employee but will not otherwise release it except upon the express written authorization of the employee, pursuant to a court order or as otherwise required by law.

**Confidentiality and access to records.** To the extent allowed by law, the highest degree of confidentiality will be maintained for reported cases of child abuse or neglect to protect all parties. In addition to the above requirements for records and information of allegations against MEAA employees, copies of relevant reports will be placed in a separate confidential student file in the custody of the Head of School and not in the student’s permanent record. (The Family Education Rights and Privacy Act establishes rules governing the release of information from education records.)

## **EMPLOYMENT POLICIES AND PRACTICES**

### **CHANGE IN POLICY**

The Board of Directors may change, revoke or supplement the policies in this handbook at any time. They will determine the effective date of any changes and every effort will be made to notify you in advance. However, failure to give advance notice will not void any policy’s application in the workplace or employee’s current letter of employment except for the following areas:

- Reduction in paid time off
- Reduction in current salary or hourly wage

Supervisors do not have the authority to change the policies in this handbook on their own. If you are uncertain about any policy or procedure, contact your supervisor for clarification.

## **AT-WILL EMPLOYMENT**

The school expects the employee/employer relationship to be beneficial to both parties. At the same time, all employees should remember that the employment relationship exists by mutual agreement. Consequently, either party can terminate the employment relationship “at will” at any time, with or without cause and with or without notice for any reason not prohibited by law. This handbook, therefore, does not constitute an agreement for continued employment or any employment of any length. The only exception to this would be an employment relationship stated in a written agreement signed by both the employee and the Head of School.

## **LETTERS OF EMPLOYMENT**

Each employee will be notified via a Letter of Employment of the terms and conditions of employment for each fiscal year. Any employee who will not be receiving a Letter of Employment for the new fiscal year will be notified by May 15th of that year.

## **EQUAL EMPLOYMENT OPPORTUNITY**

The school is an equal opportunity employer and its management intends to fulfill, to the letter of the law, all provisions under federal, state, and local employment regulations which prohibit discrimination with respect to employment. Accordingly, we will not discriminate in hiring, promotion, compensation, discharge or any other term or condition of employment due to gender (including pregnancy or related medical conditions), sexual orientation, gender identity and expression, age, race, color, ancestry, disability, religion, national origin, marital status, covered veteran status, genetic information (including family medical history), or any other status protected by law. We will not discriminate against anyone who has filed a Workers’ Compensation claim. We will not permit, condone, or tolerate unlawful discrimination against employees in any manner whatsoever, and all employees are obligated to support the concept of equal employment opportunity at the school.

The Maine Whistleblowers’ Protection Act provides protection for employees who report or refuse to commit acts that are illegal, unsafe, or fraudulent. Employees who consider an activity to be dishonest, illegal, unsafe, or fraudulent should bring the concern to management. The school will not retaliate against any employee who has brought to management’s attention a report under the Whistleblowers’ Protection Act.

Employees who believe they have been subject to unlawful discrimination or retaliation of any kind should bring the matter to the attention of the Head of School. Any complaints will be investigated promptly, and corrective action taken as deemed appropriate, while restricting information to those who have a need to know. Further, management will ensure that there is no coercion, harassment, retaliation, or intimidation directed toward any employee who has registered a complaint of unlawful discrimination or who has been involved in the investigation or hearing of a complaint.

In compliance with the Immigration Reform and Control Act, MEAA employs only U.S. citizens and aliens who are authorized to work in the United States. MEAA does not discriminate on the basis of national origin and an employee’s perceived or actual national origin will not be used in any other employment decisions once eligibility to work has been determined. Each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing his or her identify and employment eligibility as required by federal law.

The Head of School shall act as the responsible agent in the full implementation of the Equal Employment Opportunity policy.

### **EMPLOYMENT OF MINORS**

No one under eighteen (18) years of age will be employed without providing proper proof of their age. Minors will be employed only in accordance with state and federal laws and school policies.

### **EMPLOYMENT OF RELATIVES**

The school allows the employment of qualified relatives of employees provided that the working relationship does not create an actual or perceived conflict of interest.

Employees may not directly supervise, evaluate, or otherwise make employment decisions directly related to their relatives.

For purposes of this policy, "relative" is defined as a spouse, domestic partner or significant other, child, parent, sibling, grandparent, grandchild, aunt, uncle, first cousin, or corresponding in-law or "step" relation. This policy applies to all categories of employment at the school, including regular, temporary and part-time positions.

### **HARASSMENT & RETALIATION PREVENTION POLICY**

**NO HARASSMENT OR RETALIATION TOLERATED.** The school will not tolerate harassment, bullying, workplace violence, or harassment based on sex (with or without sexual conduct), gender identity, sexual orientation, transgender status, genetic information, marital status, amnesty or status as a covered veteran, race, color, religion, national origin, age or disability, for speaking out against discrimination, or for participating in the complaint investigation process, or any status protected by law.

The school also will not tolerate retaliation for speaking out against discrimination, participating in the complaint investigation process, or for good faith reporting to the school or a public body a violation of law, rule, condition, or a practice that would put at risk the health or safety of any employee or other individual.

This Policy applies to supervisors, co-workers, vendors and other non-employees and covers conduct on- and off-duty and on and off work premises.

The school fully supports this Policy and senior management is committed to the prevention of any form of harassment or retaliation.

**PROMPT REPORTING IS REQUIRED.** All employees must promptly report any harassing behavior or retaliation before it becomes severe or interferes with their work or the work of others. This requirement includes reporting by bystanders who witness or become aware of harassment even if they are not the target. Management will make every effort to stop any harassment or retaliation before it may amount to a violation of law. It can only do so if it is promptly reported.

**NO PUNISHMENT FOR REPORTING.** Management will not tolerate adverse treatment of an employee because he or she reported harassment or provided information relating to such a complaint or in good faith reported to the school or a public body a violation of a law, rule, condition, or a practice that would put at risk the health or safety of any employee or other individual.

**DEFINITION OF HARASSMENT/RETALIATION.** Unwelcome comments, jokes, acts, social media postings (including maliciously false statements), and other verbal or physical conduct related to sex, sexual orientation,

race, color, religion, national origin, age, disability, or protected activity (speaking out against discrimination, participating in the complaint investigation process, or good faith reporting to the school or a public body a violation of law, rule, condition, or a practice that would put at risk the health or safety of any employee or other individual) is harassment or retaliation when:

- a. Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment;
- b. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual;
- c. Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment; or
- d. The challenged action would discourage a reasonable employee from making or supporting a charge of discrimination or engaging in protected activity.

Employment decisions (tangible employment action) linked with harassment or retaliation could include:

- hiring and firing;
- promotion and failure to promote;
- demotion;
- reassignment;
- a decision causing a significant change in benefits;
- compensation decisions; and
- an unappealing work assignment.

None of these actions, linked with harassment or retaliation, will be tolerated.

**DESCRIPTION OF SEXUAL HARASSMENT.** Sexual harassment is a form of predatory sexual behavior in which a person targets a fellow employee. The target, as well as the harasser, may be of any gender. Maine law requires that illustrations of sexual harassment be provided. The following are some examples of sexual harassment. Such behavior is not permitted.

- A. Physical assaults of a sexual nature such as:
  1. rape, sexual battery, molestation, or attempts to commit these assaults; and
  2. intentional physical contact, such as touching, pinching, patting, grabbing, brushing against another employee's body, or poking another employee's body.
- B. Unwanted sexual advances, propositions, or other sexual comments, such as:
  1. sexually-oriented gestures, noises, remarks, jokes, or comments about a person's appearance, sexuality, sexual experience, or sexual orientation directed at or made in the presence of any employee who indicates or has indicated that such conduct in their presence is unwelcome;
  2. preferential treatment or promise of preferential treatment to an employee for submitting to sexual conduct, including soliciting or attempting to solicit any employee to engage in sexual activity for gain or reward; and
  3. subjecting, or threatening to subject, an employee to unwelcome sexual attention or conduct or intentionally making performance of the employee's job more difficult because of that employee's sex, sexual experience, or sexual orientation.
- C. Sexual or discriminatory displays or publications anywhere in the school by employees, such as:

1. displaying pictures, posters, calendars, graffiti, objects, promotional materials, reading materials, or other materials that are sexually suggestive, sexually demeaning, or pornographic or bringing into the work environment or possessing any such material to read, display, or view at work; and
2. displaying signs or other materials purporting to segregate an employee by sex in any area of the workplace (other than restrooms and similar semi-private locker/changing rooms).

**DESCRIPTION OF BULLYING:** Workplace bullying refers to unreasonable actions of individuals or a group directed toward an employee, or a group of employees, intended to intimidate, or having the effect of intimidating or creating a risk to the health and safety of others.

**DESCRIPTION OF WORKPLACE VIOLENCE:** Workplace violence refers to any verbal or physical conduct that threatens personal safety or property or that reasonably could be interpreted as intending to cause harm.

**COMPLAINT PROCESS.** The school provides employees with a convenient and reliable method for reporting incidents of alleged harassment, including sexual harassment and discrimination. Any employee who feels harassed or discriminated against is encouraged to immediately inform the alleged offender that the behavior is unwelcome. Sometimes, the person is unaware that their conduct is offensive and this action alone may often resolve the problem.

If the informal discussion with the alleged offender is unsuccessful in remedying the problem, or if you do not feel comfortable with such an approach, you should immediately report the conduct to your immediate supervisor, the Assistant Head of School, the Business Manager, or the Head of School.

Heather King, Head of School, [hking@maineartsacademy.org](mailto:hking@maineartsacademy.org); 207-618-8908, Ext. 903

Linda Belanger, Business Manager, [lbelanger@maineartsacademy.org](mailto:lbelanger@maineartsacademy.org), 207-618-8908, Ext. 903

Rachel Roberge, Assistant Head of School, [rroberge@maineartsacademy.org](mailto:rroberge@maineartsacademy.org), 207-618-8908, Ext. 909

We cannot resolve a harassment or discrimination problem unless we know about it. Therefore, it is your responsibility to bring those kinds of problems to our attention to initiate the necessary steps to corrective action. The report should include all facts available to you regarding the alleged harassment, sexual harassment, or discrimination. Reports can be verbal or written. You are not required to report to anyone harassing or retaliating against you. Management will promptly investigate all complaints. All supervisors have been trained and are required to immediately report complaints of harassment to one of the individuals listed above.

**CONFIDENTIALITY.** Management will protect the confidentiality of harassment and retaliation allegations. All information provided will be kept confidential and maintained in a separate confidential file. It will be discussed only with those who have a need to know to investigate or resolve the complaint.

**INVESTIGATION PROCESS – CORRECTIVE ACTION.** Management will promptly investigate any alleged harassment or retaliation. Steps which management may take will be designed to stop the harassment or retaliation, correct its effects, and ensure that it does not happen again. Any remedial measures will not punish anyone who has come forward with a legitimate complaint of harassment or retaliation. Corrective action may include warning, training and monitoring, transfer or reassignment, suspension, or discharge. The focus is upon prevention, not punishment. Any employee who reports harassment or retaliation will be informed of the general results of the investigation and corrective action taken.

THE MAINE HUMAN RIGHTS COMMISSION IS ALSO AVAILABLE TO INVESTIGATE A COMPLAINT. The Maine Human Rights Commission (“MHRC”) can be contacted at 51 State House Station, Augusta, ME 04333, (207) 624-6290. Any employee having a complaint of harassment or retaliation has a right to bring it directly to the attention of the MHRC. You may call or write. The MHRC will assist you and will prepare a charge which you will have to sign under oath. Once the MHRC has received the signed charge, an investigation will be conducted. You will be advised of the results of this investigation. Any complaint must be filed within 300 days of the act of harassment or retaliation.

YOU MUST REPORT HARASSMENT. The purpose of this Policy is to encourage you to report any harassment or retaliation. You should not assume that management is aware of any harassment or retaliation which you may encounter. It is your responsibility to bring your complaints and concerns to management’s attention.

This Notice is annually given by the school to all employees in compliance with 26 M.R.S. §807(2) and EEOC Enforcement Guidance (06/18/99).

## **WHISTLEBLOWERS’ PROTECTION ACT POLICY**

The school encourages its employees to report illegal or unsafe activities in the workplace and will protect employees from retaliation for making any such report in good faith. In addition, employees can refuse to participate in an activity that would result in a violation of state or federal statutes, or a violation or noncompliance with a state or federal rule or regulation, or that would risk the health and safety of employees or others. If any employee believes that the school or another employee, acting on behalf of the school, has violated any state or federal law, rule or regulation, or created an unsafe condition, or violated any fiduciary responsibility, the employee should report it in writing to the Head of School without delay.

## **AMERICANS WITH DISABILITIES ACT (ADA)**

The school is committed to comply with all applicable provisions of the Americans with Disabilities Act. It is our Policy not to discriminate against any qualified applicant or employee with regard to any terms or conditions of employment because of such an individual's disability or perceived disability so long as the individual can perform the essential functions of the job, with or without reasonable accommodation. Consistent with nondiscrimination, the school will provide reasonable accommodation to a qualified individual with a disability, as defined by ADA, who has made management aware of their disability, provided that such accommodation does not constitute an undue hardship to the school or create a direct threat to the safety of others.

## **DRUG-FREE WORKPLACE**

The school is committed to protecting the safety, health and well being of all employees, students, families, and vendors in our workplace. “Workplace” includes school property, any school- sponsored activity, or any other site where you are performing work or representing the school. The term “drug” as used in this policy includes alcoholic beverages and prescription drugs, as well as illegal inhalants and illegal drugs and/or controlled substances, including but not limited to, marijuana, opiates (e.g., heroin, morphine), cocaine, phencyclidine (PCP), and amphetamines.

All employees are expected to contribute to maintaining a drug-free workplace. Prohibited activities under this policy include the possession, use, sale, attempted sale, distribution, manufacture, purchase, attempted purchase, transfer or cultivation of drugs in the workplace or at any time while performing job-related duties for the school. Employees are also prohibited from being at the workplace with a detectable amount of drugs in their system.

The use and/or possession of prescription drugs, when taken as directed and obtained with a valid prescription

under federal law, is not a violation of this policy. However, the legal use of prescription medication drugs is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and does not endanger other individuals in the workplace.

MEAA recognizes that there are state laws that decriminalize the use of marijuana for recreational and medical purposes. However, marijuana remains an illegal substance under federal law. Employees are not permitted to use, sell, transfer, possess or be under the influence of marijuana in any form, while on MEAA property, on work duty, and on breaks. An employee may be presumed to be under the influence of marijuana if they have ingested marijuana in any form within two hours of starting work. Furthermore, employees must ensure that their persons and effects do not emit the odor of marijuana (or any other illegal drug or alcohol) in the workplace.

Employees are required to notify the Head of School of any criminal drug statute conviction they receive, in writing and within five (5) days of the violation. If an employee receives such a conviction, the school may take appropriate disciplinary action against the employee, up to and including termination of employment.

As a condition of continued employment, all employees must comply with this policy. An employee who engages in an activity prohibited by this policy shall be subject to investigation and/or disciplinary action, up to and including immediate termination of employment.

Contact the Head of School for information about the availability of treatment programs that may be provided by the school health care plan coverage or drug and alcohol abuse rehabilitation and education programs.

This policy is not intended to replace or otherwise alter applicable U.S. Department of Transportation obligations or any other federal, state or local agency drug testing regulations related to a particular industry.

## **TOBACCO-FREE WORKPLACE**

The school is committed to providing all employees with a safe and healthy work environment. All premises are smoke-free, unless clearly marked otherwise. Smoking a cigarette, cigar, e-cigarette, vaping, pipe or any other form of tobacco, as well as the chewing of tobacco, is not allowed. Employees smoking in non-smoking areas may be subject to disciplinary action, up to and including termination of employment.

## **ARRESTS OR CONVICTIONS DURING EMPLOYMENT**

Employees who are arrested or convicted of a felony or misdemeanor offense that could directly impact the employee's ability to perform their job, or preclude continued employment, or must be reported as required by law, must immediately, within one business day of returning to work after the arrest or conviction, notify their supervisor and Business Office. This includes, but is not limited to, a crime punishable as a felony, related to the misappropriation of funds or theft, or where one or more alleged victims is twenty years of age or under, or for child abuse or neglect. Employees who have been arrested or convicted of a felony or misdemeanor during employment that impacts the employee's ability to perform their job, or has a negative impact on the district, may receive disciplinary action, up to and including termination.

## **EXPIRATION OF EDUCATIONAL CREDENTIALS**

Some employees, as a condition of employment, must maintain valid credentials. This includes instructional staff and most school administrators. It is the employee's responsibility to be aware of the expiration date(s) associated with such credentials and to take steps to renew credentials as needed. The Head of School and Business Office Officer will monitor the expiration of such credentials and provide employees with any notice required by federal or state law or regulation of such expiration. Additionally, disciplinary action may be taken

against any employee whose credential expires, in accordance with state regulations.

## **CONFLICT OF INTEREST**

A conflict of interest is defined as any judgment, action or relationship that may benefit an employee or affiliated party of the employee due to the employee's position with the school. Employees are asked to avoid outside activity that may compete or be in conflict with the best interests of the school. Employees must disclose to their immediate supervisor information of any transaction that may be considered a conflict of interest as soon as they know the facts. No employee may use their position to obtain financial gain or anything of substantial value for their own private benefit, for a benefit for their immediate family members, or for an organization with which they are associated. If an employee has another business, company or service they provide, that business must not provide services to the school.

## **FRAUD AND FINANCIAL IMPROPRIETY**

The school prohibits fraud and financial impropriety, as defined below, in the actions of its board members, employees, vendors, contractors, consultants, volunteers, and others seeking or maintaining a business relationship with the school.

Fraud and financial impropriety shall include, but are not limited to, the following:

1. forgery or unauthorized alteration of any document or account belonging to the school
2. forgery or unauthorized alteration of a check, bank draft, or any other financial document
3. misappropriation of funds, securities, supplies, or other school assets, including employee time
4. impropriety in the handling of money or reporting of school financial transactions
5. profiteering as a result of insider knowledge of school information or activities
6. unauthorized disclosure of confidential or proprietary information to outside parties
7. unauthorized disclosure of investment activities engaged in or contemplated by the school
8. accepting or seeking anything of material value from contractors, vendors, or other persons providing services or materials to the school, except as otherwise permitted by law or school policy
9. inappropriately destroying, removing, or using records, furniture, fixtures, or equipment
10. failure to provide financial records required by state or local entities
11. failure to disclose conflicts of interest as required by law or school policy
12. disposing of school property for personal gain or benefit
13. any other dishonest act regarding the finances of the school

If an employee is found to have committed fraud or financial impropriety, the school administrator or designee shall take or recommend appropriate disciplinary action, up to and including termination of employment. When circumstances warrant, the Board of Directors, Head of School, or designee may refer matters to appropriate law enforcement or regulatory authorities. In cases involving monetary loss to the school, the school may seek to recover lost or misappropriated funds.

## **EMPLOYEE CONDUCT**

The school expects its employees to produce quality work, maintain confidentiality, work efficiently, and exhibit a professional and courteous attitude toward other employees, parents, and students. School employees should comply with all applicable board policies, work rules, job descriptions, terms of this handbook and legal obligations. The school expects employees to comply with the standards of conduct set out in board policies, this handbook, administrative regulations, and with any other policies, regulations and guidelines that impose duties, requirements or standards attendant to their status as school employees. Violation of any policies, regulations and guidelines may result in disciplinary action, up to and including termination of employment. The following delineation of employment practices is for informational purposes and is not intended to be an exhaustive list of

all employment expectations that may be found in other applicable Board policies, work rules, job descriptions, terms of this Handbook and legal obligations.

## **APPEARANCE AND SCENTS**

All employees are to exercise sound business judgment with regard to grooming, neatness, and personal hygiene when reporting for work and engaging in work-related activities. MEAA employees are expected to, at minimum, dress in business-casual attire respectful to your duties.

Some individuals may have sensitivities or allergic reactions to perfumes, colognes, powders and lotions. If you use these items, please use them in moderation and with consideration for those around you.

The school will consider reasonable accommodations to appearance standards for medical and/or religious reasons. Contact your supervisor if you have a request for an accommodation in this area.

## **WORKPLACE GOSSIP POLICY**

The school does not condone workplace gossip. For the purposes of this policy, gossip shall be defined as discussing and sharing non-work-related information about a co-worker or co-worker's family member, or a student or student's family member, which normally would not be discussed if the individual was present. Actively listening to such information shall also be considered gossip under this policy. Employees aware of gossip should report such behaviors to management. If someone starts sharing gossip with you, it is your responsibility to terminate the discussion, cite this policy, change the topic, and/or walk away.

Management recognizes the natural tendencies to converse with co-workers and this policy does not attempt to discourage such conversations. Nevertheless, management strives to promote a positive working environment free from hallway whispers. Gossip has an adverse negative influence on employee morale and employees engaging in gossip tend to be unproductive employees. This policy is intended to increase productivity, while also allowing our employees, students and family members the benefit of keeping personal information outside the school.

Nothing in this policy is intended to limit MEAA employees' section 7 right to discuss wages, hours or working conditions. Rather, this policy is focused on gossip about non-work-related issues.

Employees who violate the gossip policy may be subject to disciplinary action, up to and possibly including termination of employment.

## **VIOLENCE IN THE WORKPLACE**

The school is committed to providing a safe workplace for employees, students, families, vendors, volunteers, independent contractors and others with whom we do business. The school has zero tolerance for violent acts or threats of violence.

You are expected to conduct yourself in a non-threatening, non-abusive manner at all times. Any direct, conditional or veiled threat of harm will be considered unacceptable behavior. Acts of violence, intimidation or bullying of others will not be tolerated.

All employees share the responsibility in identifying and alleviating threatening or violent behaviors. Anyone who is subjected to or threatened with violence, or who is aware of another individual who has been subjected to or threatened with violence, is to immediately report this information to their supervisor, the Head of School, or the board. You must assume that any threat is serious. The school will carefully investigate reports

and maintain employee confidentiality to the fullest extent possible.

The school will take disciplinary action, up to and including termination of employment, and/or legal action as appropriate, against any employee who commits or threatens to commit a violent act against any person while on school premises or while engaged in business off the premises.

## **WEAPONS**

The school has zero tolerance for the possession of any type of weapon, firearm, explosive and/or ammunition while on school property, while conducting school business, or while attending a school sponsored activity. For purposes of this policy, school property includes, but is not limited to, all school facilities or school-provided equipment that are either leased or owned by the school.

Possession of firearms or other weapons shall result in disciplinary action, up to an including termination of employment. In enforcing this policy, the school reserves the right to request inspections of any employee and their personal property while on school grounds, to the extent allowable under applicable law. Any employee who refuses to allow a lawful inspection will be subject to the same disciplinary action as having been found in possession of firearms or other weapons.

Employees share the responsibility of identifying violators of this policy. If you either witness or suspect another individual of violating this policy, you must immediately report this information to your onsite supervisor.

## **SOCIAL MEDIA GUIDELINES**

Social media is any form of online publication or presence that allows multi-directional conversations in or around content on the Internet. Some types of social media include forums, message boards, blogs, tweets, wikis and podcasts, and some social media applications include Google, Facebook, LinkedIn, Twitter, and YouTube. Management understands that social media is pervasive in today's world and that employees may be using social media sites in relation to both work and leisure.

Management also recognizes that employees may enhance our business through the appropriate use of social media. If the school develops its own social media presence, certain employees may be asked to create or maintain the school's social media profiles. An employee may act on behalf of the school in the social media context only with express authorization from the Head of School. All content created for the school social media accounts and the accounts themselves are property of the school. The school has ultimate discretion over the content posted on its social media accounts and may remove or alter content at any time. This policy also applies to the school's website.

Employees should abide by the following guidelines when using social media. Any violation of these guidelines will be reviewed by management on a case-by-case basis and may lead to discipline, up to and including termination of employment. This policy is not intended to interfere in any way with employees' legal rights including rights under the National Labor Relations Act to discuss the terms and conditions of employment.

Guidelines:

- Dissemination of confidential information about the school, its employees, its families, or financial or operating information on social media sites is strictly prohibited.
- Employees are not authorized to speak on behalf of the school unless specifically approved to do so by the Head of School.

- Social media sites may be accessed during work time only if the employee has been authorized to do so to further the school's business interests. The school's equipment may be used to access social media sites for personal use **only** during a lunch break when the employee is logged out.
- Management may discipline employees for posting, writing, or otherwise participating in any content that is discriminatory, harassing, threatening, pornographic, or obscene.

Employees should direct any questions regarding compliance with this Social Media Policy to the Assistant Head of School or the Head of School.

## **PHOTOS & POSTING TO SOCIAL MEDIA**

Photos and posting on social media is not permitted without checking with the administration.

## **COPYRIGHT**

A variety of machines and equipment for reproducing materials to assist staff in carrying out their educational assignments are available to staff in both the school and home setting. Infringement on copyrighted material, whether prose, poetry, graphic images, music audiotapes, video or computer-programmed materials, is a serious offense against federal law, a violation of board policy, and contrary to ethical standards required of staff. All reproduction of copyrighted material shall be conducted strictly in accordance with applicable provisions of law. Unless otherwise allowed as "fair use" under federal law, permission must be acquired from the copyright owner prior to reproduction of material in any form. Employees are further advised that copyright provisions apply to all forms of digital media.

## **SOLICITATIONS AND DISTRIBUTION OF LITERATURE**

The school strives to maintain a professional environment and prevent interference with work and inconvenience to others from solicitations and/or distribution of literature.

The following guidelines apply:

- Group meetings for solicitation purposes during work time or in work areas are prohibited. This guideline does not pertain to school-sponsored meetings.
- Distribution or circulation of literature or other materials during work time or in working areas is prohibited.
- Employees are not to engage in the solicitation of other employees during work time or in working areas.
- Employees must have management approval to post information on the School's public websites, social media accounts, and bulletin boards including but not limited to Facebook, Instagram, etc.
- Non-employees are prohibited from trespassing, soliciting or distributing literature on school premises.

## **LIMITED USE OF RECORDING DEVICES**

Staff and administrators may use audio and/or videotape for legitimate educational or administrative purposes, including but not necessarily limited to:

- evaluating learner and/or staff performance;
- developing learner or staff skills through self assessment;
- accommodating the needs of learners or staff with disabilities; or
- other professional development opportunities.

Video or audio tape recordings of students' instructional programs or activities are confidential student records under the Family Educational Rights and Privacy Act (FERPA). Accordingly, no personal wireless communication device (WCD) may be used to create a confidential student record. If a personal WCD is used to create such a record, the WCD must be turned over to the Head of School immediately so that the FERPA-protected material

may be removed from the WCD. Removal of the FERPA-protected material may require wiping clean the entire WCD to prevent the accidental transmission of confidential student information. Failure to immediately turn over the personal WCD may result in disciplinary action.

Staff are prohibited from the use of audio and/or video recording meetings, conferences, or personal conversations without the consent of all parties. Where parent to staff conversations may be recorded with one party consent, they must be pre-approved in writing by the Head of School.

## **ABSENTEEISM AND TARDINESS**

Regular attendance is important to the smooth operation of the school. If you are late or absent, it places a burden on other employees and may impact productivity, student or family satisfaction, or team morale. You are expected to be reliable and punctual by reporting to work on time and as scheduled. If you know that you will be absent or late arriving for work, notify your supervisor(s) directly as soon as possible. In most circumstances, you should call or text your supervisor(s) and/or the sub caller by 6 a.m. each day of your absence, unless you have been granted a leave of absence.

If you are absent for three or more consecutive work days due to personal illness, you may be required to provide a statement from your healthcare provider before you will be permitted to return to work. Failure to properly report your absences for three consecutive days may be considered a voluntary resignation of your position, unless there are extenuating circumstances or the employee is covered by leave or accommodation regulations.

## **CARE OF MINORS DURING NON-SCHOOL HOURS**

Employees who have children are responsible for supervising or designating someone to supervise their children. Employees may keep their children in their room or workspace during non-school hours as long as it doesn't interfere with job duties of the employees or others.

Children are to be supervised by the employee or designee at all times. The children can use the facility as long as it does not cause a disruption or interferes with the operations of the school. During staff meetings children need to be assigned to designated space and supervised.

## **GUIDELINES FOR APPROPRIATE CONDUCT**

In order to conduct the operations efficiently and professionally, all employees are to follow the rules of conduct that will protect the interests and safety of all employees and the school. All employees are expected to act in a professional manner at all times including during interactions with staff, students, parents, visitors, vendors and the general public.

Although it is not possible to list all forms of inappropriate behavior and conduct, the following are examples that are considered inappropriate and may result in disciplinary action up to and including termination of employment:

- Falsifying employment or other school records;
- Defrauding, or attempting to defraud, the school.
- Violating the policies on non-discrimination, unlawful harassment, retaliation, or sexual harassment;
- Violating certain state, federal or local laws and regulations;
- Violating security or safety rules or failing to observe safety rules or safety practices; failing to wear required safety equipment; tampering with equipment or safety equipment;
- Soliciting gratuities from students, parents, visitors, or vendors.
- Inappropriate behavior, verbiage, or conversations with staff, students, parents, visitors, vendors, or the

general public while performing job responsibilities; using obscene, abusive or threatening language or gestures;

- Being the aggressor in a fight or threatening violence in the workplace;
- Displaying excessive or unexcused absenteeism, tardiness, or leaving during scheduled work hours without prior approval;
- Possessing firearms, weapons or explosives on school property;
- Using the school's property and supplies, particularly for personal purposes in an excessive, unnecessary or unauthorized way;
- Misuse of computer equipment or inappropriate use of the internet, email, voice mail or other forms of electronic communication.
- Willful or negligent damage of property;
- Violating the violence in the workplace policy;
- Violating the drug-free workplace policy;
- Committing theft or unauthorized possession of school property or the property of fellow employees; possessing or removing any school property, including documents, from the premises without prior permission from management; using school equipment or property for personal reasons without proper authorization; using school equipment for profit;
- Giving confidential or proprietary information to competitors or other organizations, or to unauthorized employees; working for a competing business while an employee of the school; breaking confidentiality of personal information;
- Spreading malicious gossip and/or rumors; interfering with another employee on the job; restricting work output or encouraging others to do the same;
- Insubordination, including refusal to accept an assignment, refusing to work the full schedule without prior approval, or walking off the job.
- Falsely stating or making claims of injury or illness; or
- Violation of State or Federal statutes during working hours.
- Unsatisfactory or poor job performance.

### **Employment Records**

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

### **False Reports**

Employees may be disciplined for filing false reports or statements, including but not limited to the following: grade reports, accident reports, attendance reports, insurance reports, physician's statements, pre-employment statements, sick leave requests, student records, tax withholding forms and work reports.

### **Progressive Discipline**

Where appropriate, supervisors will follow a process of progressive steps of discipline. Before or during application of any discipline, employees may be given an opportunity to relate their version of the incident or problem and provide an explanation. However, depending on the specific circumstances, the school may suspend or terminate an employee without prior discipline, or without following a particular order of discipline.

## **PROGRESSIVE STEPS OF DISCIPLINE**

### **Background**

Progressive discipline is a method often used by managers/supervisors to provide notice to employees who are

not meeting expected or communicated school job performance standards, not behaving appropriately at work, or are not following school policies and procedures. The intent of progressive discipline is to help employees correct their issue(s) and become successful and productive. Progressive discipline provides managers/supervisors with a consistent and fair process for handling disciplinary issues and protects the legal rights of the employee and employer. Managers/supervisors should contact and work with the HR office when determining the level of discipline, if any, which may be required.

The guidelines that are provided in this document are intended to assist managers/supervisors in understanding the progressive discipline process and implementing it in accordance with applicable equal employment opportunity (EEO) laws. Please refer to the school's Equal Employment Opportunity policy for more information.

Included in these guidelines are useful definitions, examples of employee performance and/or behavior issues that may require implementing progressive discipline, descriptions of the steps typically used in the process, and recommended guidelines for managers/supervisors when implementing progressive discipline.

### **Definition**

Progressive discipline is defined as a process or method that attempts to address and correct an employee's work performance or inappropriate workplace behavior by providing clear and constructive feedback through a series of increasingly formal steps. The process typically includes one or more of the following steps: verbal counseling(s), written warning(s), a final written warning and performance improvement plan (PIP), and/or termination of employment.

Managers/supervisors should use reasonable judgment to decide if an issue that arises may require implementing progressive discipline. Managers/supervisors should contact the HR Office or Head of School for assistance in determining if an employee issue requires progressive discipline.

### **Steps of Progressive Discipline**

The following sections provide information on each of the steps typically used in the progressive discipline process. The manager/supervisor should use reasonable judgment to decide what step or combination of steps, up to and including termination, should be used to address the issue(s). The administrator should contact and work with the HR office when determining the level of discipline which may be required. Dependent upon the severity of the issue(s) employees may be placed on paid administrative leave while an investigation occurs.

#### **Step 1: Verbal Counseling(s)**

Verbal counseling is generally the first step of progressive discipline. A verbal counseling is intended to be used by a manager/supervisor to notify an employee that an improvement is needed in the employee's work performance and/or behavior. This step is generally used for minor issues (e.g., a pattern of not calling the manager/supervisor as required if the employee will be arriving late to work, which has not been resolved through informal discussion).

The manager/supervisor should meet privately with the employee to discuss the issue. The manager/supervisor should determine if the employee was aware of the issue and allow the employee to explain. As appropriate, the manager/supervisor should be prepared to guide the employee to use available external resources that may assist them in resolving the issue.

The manager/supervisor should maintain written documentation regarding the issue, date(s) on which the issue occurred, and the corrective action requested. Prior to the end of the meeting, the employee should be asked to sign the documentation indicating that they have read and understand the warning. If the employee refuses to

sign the documentation, the manager/supervisor should note this on the documentation. The original documentation should be placed in the employee's Personnel File and a copy provided to the employee.

At the manager's/supervisor's discretion and depending on the nature of the issue, a second verbal counseling may be given prior to giving a written warning.

### **Step 2: Written Warning(s)**

A written warning is generally the second step of progressive discipline. A written warning provides notice to an employee regarding continued work performance issues and/or inappropriate workplace behavior that have not been resolved after giving the employee a verbal counseling (e.g., the manager/supervisor has given an employee a verbal counseling about not calling when they will be arriving late to work and the employee has not taken corrective action to resolve the issue).

The written warning should include information regarding the issue, date on which the issue occurred, and the desired performance and/or behavior expected from the employee. For assistance in developing a written warning, contact and work with the HR office.

The manager/supervisor should meet privately with the employee to discuss the issue and to provide a written warning to the employee. As appropriate, the manager/supervisor should be prepared to guide the employee to use available external resources that may assist them in resolving the issue.

Prior to the end of the meeting, the employee should be asked to sign the written warning indicating that they have read and understand the warning. If the employee refuses to sign the written warning, the manager/supervisor should note this on the written warning. The original written warning should be placed in the employee's Personnel File and a copy provided to the employee.

At the manager's/supervisor's discretion and depending on the nature of the issue, a second written warning may be given prior to implementing a Final Written Warning & Performance Improvement Plan.

### **Step 3: Final Written Warning & Performance Improvement Plan (PIP)**

A Final Written Warning and Performance Improvement Plan (PIP) is generally the third step of progressive discipline. A PIP is a formal written plan used by the manager/supervisor as a final attempt to resolve a serious issue that has not been addressed by the employee after verbal counseling(s) and/or written warning(s) have been given. The PIP is given for a specified time period, usually 30, 60 or 90 days, depending on the nature of the performance issue. A manager/supervisor should use reasonable judgment to decide the length of a PIP or contact and work with the HR office for assistance.

A PIP should include key information about the issue, reference prior verbal counseling(s) or written warning(s) if applicable, the work performance and/or behavior issue that must be addressed and corrected during the PIP period, and the dates on which the employee's work performance and/or behavior will be reviewed. For assistance in developing a PIP, contact and work with the HR office.

The manager/supervisor should meet with the employee to discuss the issue and to provide the PIP to the employee. The manager/supervisor will ensure that another person attend this meeting with them as a witness (e.g., a representative from the HR office, department head, or Head of School). Prior to the end of the meeting, the employee should be asked to sign the PIP indicating that they have read and understand it. If the employee refuses to sign the PIP, the manager/supervisor should note this on the PIP and should date the document. The original PIP should be placed in the employee's Personnel File and a copy provided to the employee.

The intent of a PIP, as it is in all other progressive discipline steps, is successful resolution of the issue. Even if the employee successfully meets the terms of a PIP, that employee can be subject to additional disciplinary action, up to and including termination of employment, if the same or other performance and/or behavior issues arise in the future.

#### **Step 4: Termination of Employment**

Termination of employment is generally the last step of progressive discipline after an employee has failed to meet the requirements of a PIP or a serious incident has occurred during the PIP period.

Termination of employment can also occur when an employee, who is not on a PIP, is involved in a serious offense that warrants immediate termination (e.g., an employee is caught stealing in the workplace). Refer to the school procedures on involuntary termination of employment.

The manager/supervisor should meet with the employee to discuss the termination and provide the termination letter to the employee. The manager/supervisor will ensure that another person attend the termination meeting with them as a witness (e.g., a representative from the HR office, department head, or Head of School). The original termination letter should be given to the employee and a copy maintained in the employee's personnel file.

#### **General Guidelines for Managers/Supervisors when Implementing Progressive Discipline**

When implementing progressive discipline, managers/supervisors may want to consider the following general guidelines:

- Inform the HR Officer and/or Head of School and seek assistance as needed.
- Thoroughly investigate all issues that require investigation prior to implementing any step(s) of progressive discipline. This may include interviewing other employees or witnesses who may know about an issue/incident.
- When documenting each step of progressive discipline, include key information about the issue, dates on which issues/incidents occurred, and any corrective action that must be taken by the employee. The manager/supervisor should also include any action that they should take (e.g., identifying training that the employee may need).
- When deciding on the level of discipline that is appropriate to the issue(s), be consistent and fair (e.g., implement the same step(s) of progressive discipline for the same violation). Contact and work with the school's HR office when determining the level of discipline, if any, which may be required.
- Once an issue has been discovered or an incident has occurred, promptly implement any necessary progressive discipline.
- Once progressive discipline has been implemented, continuously monitor an employee's performance and/or behavior for improvement.
- Any documentation relating to progressive discipline that has been implemented should be kept in a locked file.

## **WAGE AND HOUR RULES AND REGULATIONS**

### **EMPLOYMENT CLASSIFICATIONS**

At the time you are hired, you are classified as full-time, part-time, adjunct or temporary and exempt/non-exempt under Fair Labor Standard Act (FLSA) provisions. Unless otherwise stated, benefits described in this manual apply only to full-time employees. All other policies apply to all employees.

### **Full-Time Employees**

Full-time employees are those scheduled for 37.5 hours per week or more during the school year.

### **Part-Time Employees**

An employee who is scheduled to work less than a 37.5 hour week is considered a part-time employee.

### **Adjunct Staff (Instructional)**

Adjunct staff are not expected to perform duties, attend staff meetings, oversee 504 students, or have mentorship expectations unless they carry a 50% schedule or more.

### **Consultants**

The school may hire persons for completion of a specific project. These persons may be hired as consultants and the job assignment, work schedule and duration of the position will be determined on a case-by-case basis.

## **POSITION CLASSIFICATION**

**Administrative Staff** - Positions include, but may not be limited to: Head of School, Assistant Head of School, and Business Manager. Eligible for full benefits as outlined in individual Letters of Employment and in this handbook.

**Instructional Teachers** – Eligible for full benefits as outlined in individual Letters of Employment and in this handbook.

**Full Year Support Staff** – Eligible for full benefits as outlined in individual Letters of Employment and in this handbook.

## **FAIR LABOR STANDARDS ACT (FLSA) CLASSIFICATION**

At the time of hiring, all employees are classified as either “exempt” or “non-exempt” under Fair Labor Standards Act (FLSA) regulations, as follows:

- By law, employees in certain types of jobs are entitled to overtime pay for hours actually worked in excess of forty hours per workweek; these employees are referred to as “non-exempt.”
- Exempt employees are administrators, professional staff, technical staff and others whose duties and responsibilities allow them to be “exempt” from the laws governing overtime pay.

## **HOURS OF OPERATION**

Normal operating hours for school are Monday to Friday from 8:00 a.m. to 4:00 p.m. Summer office hours, June 15th thru August 15th, are M-Th 8:30 am - 3:30 pm and Friday by appointment only. Summer office hours mean the office is open to the public during these hours. Employees are still required to work on Friday if work needs to be completed. These hours may vary depending upon your position and work requirements. If applicable, your supervisor will provide direction for lunch and rest breaks in order to facilitate the smooth flow of business and to maintain an adequate number of staff.

In general, employees are informed of their working hours/schedule at the inception of their employment relationship. Working hours and schedules vary depending upon the job classification and the school's needs. In addition, the school reserves the right to alter schedules as it may require. Further information about scheduled hours of work can be found under the position classification section of this handbook. Please provide your supervisor as much advance notice as possible for any requested schedule changes.

Full-time instructional staff are expected to arrive no later than 7:45 am and leave no earlier than 3:15 pm Monday thru Friday (except for staff meetings that may run longer than 3:15 pm). All other schedules vary by position. If clarification is needed, please speak to your supervisor, the Assistant Head of School, or the Business Manager.

## **MEAL AND REST BREAKS**

In accordance with Maine state law, we provide non-exempt employees scheduled to work six (6) or more hours a day with the opportunity to take a thirty (30) minute unpaid meal break. If an employee wishes to occasionally or regularly skip this unpaid meal break and has supervisor approval to do so, the employee will sign a one time Rest Break Waiver Form for their personnel file; this signed form does not preclude the employee from requesting the unpaid meal break when desired.

### **Nursing Mothers**

The school will provide adequate unpaid break time or permit an employee to use paid break time or meal time each day to express breast milk for their nursing child. A reasonable effort will be made to provide a clean room or other location, other than a bathroom, where an employee may express breast milk in privacy. The school will not discriminate in any way against an employee who chooses to express breast milk in the workplace.

## **STAFF MEETINGS**

Full time staff meetings are held weekly. Employees may be required to be in a meeting until 4:00 pm. Meetings are predetermined in advance for Arts, Academics, Response to Intervention, and/or full staff attendance. The purpose of these meetings is communications, curriculum discussion, professional development and sharing information. It is the responsibility of all full-time staff members to attend all scheduled staff meetings. Absent staff will obtain any information disseminated in their absence. Minutes of each Friday meeting will be distributed to all staff the following week.

## **PROHIBITED “OFF THE CLOCK” WORK**

Non-exempt employees are not to work “off the clock” and are required to ensure that all time worked is properly recorded. If you are given directions to perform work “off the clock,” you should promptly notify your supervisor. If your supervisor has given you directions to work “off the clock” and/or has told you not to properly record all hours worked, notify the Business Office. You will not be penalized in any way for making such a complaint.

## **JOB DESCRIPTIONS**

Job descriptions are available for inspection for each school employee. At a minimum, the descriptions will include the job title and description, the minimum qualifications, and the essential functions of the position. Employees must be able to perform the essential functions of the job description with or without reasonable accommodation.

Job descriptions will be reviewed as necessary and revised to best meet the needs of the school when a position is vacant. Job description revisions, while the position is occupied, will be discussed in advance with the employee, and must be approved by the direct supervisor and the Head of School.

## **PERFORMANCE EVALUATIONS**

The school is committed to attracting and retaining a qualified and competent workforce. Job descriptions and specific criteria for each position should be clearly communicated to each employee. New employees and employees who have a change in responsibilities may be reviewed more often. All employees will be on a 90 day

introductory period. After the 90 days, there will be a performance evaluation and feedback given. Employees who believe they do not have clear job descriptions and specific position criteria must communicate this to the Business Office before scheduled evaluations.

Employees (non-teaching staff) will receive a formal written performance review every other year and may receive additional performance evaluations at other intervals. Written performance reviews will be based on overall performance in relation to job responsibilities, achievements and work behavior. Informal performance discussions typically occur throughout the year and encourage open supervisor/employee communication.

## **COMPENSATION**

### **Administrative Staff**

- Salaries for Administrative Staff are based on market averages.

### **Full Year Support Staff**

- Hourly rates for full year support staff are set by the Head of School.

### **Instructional Staff Pay Structure**

Instructional staff annual salaries are earned and paid over a ten month period coinciding with the school calendar. Instructional staff will receive either twenty-two (22) or twenty-six (26) pays, of an equal gross amount, assuming they remain employed throughout the school year. If staff leave before the end of the school year, their final pay will be prorated to reflect the days that were actually worked. Normal deductions for taxes and benefits will reduce this gross amount.

Instructional Staff are able to select one of the following options:

- Option A: 26 Pays - salary is paid for the full year (12 months).
- Option B: 22 Pays - salary is paid over 10 months (September – June).
- The school has the option to pay instructional staff for summer pay in one lump sum.

Pay structure is determined at the signing of the letter of employment. Salary stated in annual terms does not guarantee employment for the school year, nor does it alter the at-will employment relationship between the employee and the school.

### **Stipends**

Stipends are periodic payments offered for particular services provided outside of an employee's job description. This is separate from your salary and is not guaranteed from one year to the next. Stipends may be paid in various forms at the discretion of the Head of School, although most stipends are paid in two increments, the first being in December and the second in June of that fiscal year.

## **PAYROLL**

Payroll is processed biweekly and based upon Saturday thru Friday work week. The workday begins at 12:00 am and ends at 12:00 pm for payroll purposes. Payday is on Friday for the two weeks ending the prior Friday. If you need a copy of the payroll schedule, please contact the Business Office.

### **Direct Deposit Payment Method**

All employees shall participate in a direct payroll deposit plan. Direct deposit changes may be made after giving thirty (30) calendar days notice in writing. Each employee shall have access to electronic payroll record keeping. Access will include pay history, check stubs, and personal withholding information.

### **Error in Pay**

The school makes every effort to ensure that you receive the correct amount of pay in each paycheck and that you are paid on the scheduled payday. You should review your paycheck when received and, if you believe an error has been made, contact your supervisor or the business office. All necessary steps will be taken to research the problem and to assure that any necessary correction is promptly made.

### **TIMESHEETS**

Accurately reporting time worked is the responsibility of every non-exempt and hourly employee in order for MEAA to calculate employee pay and benefits. All non-exempt and hourly employees are required to accurately complete a timesheet reflecting all time worked and time away from work. The only exception to this rule is any full-time exempt teacher/staff member who is working on grant related projects (see below).

### **Grants**

Employees paid with federal funds (aka Grant Funding) are **required** to keep detailed timesheets, where start and end time must be recorded, as well as details of work performed. If the work is of a confidential/sensitive nature, the first initial and last name student worked with should be referenced with minimal details included. Example: J. Doe - Math Tutoring or J. Doe - Discussion.

Please check with the business office if you are unsure if you are required to complete this or not.

### **Paychex**

All relevant employees will complete a biweekly timesheet available through Paychex - Time & Attendance, which details the start and end times for each date worked. For individuals who do not work a set schedule or are performing grant work, it is recommended that you complete your timecard on a daily basis to ensure accuracy of details.

Timecards will need to be submitted electronically no later than 8 am on the Monday of a payroll week. This is to ensure that timecards can be reviewed and approved in a timely manner. If timecards are not submitted timely, hours will be paid out in the next payroll processing window.

## **Leave Requests**

All leave requests must be submitted through the Paychex system in accordance with leave allocations as outlined in this handbook. Managers will be notified by Paychex of the requests, and they will indicate their approval or denial of the requests.

## **EMPLOYEE REDUCTION OF SALARY**

Employees are paid on a salary or hourly basis and, in general, must be paid their full salary or for hours worked for any week they perform work. Their weekly salary or wages may be reduced in the following circumstances:

- Employees who are absent because of personal reasons, sickness or disability will not be paid for that day unless they have available paid time off under the MEAA paid time off, vacation, sickness or disability policy and the absence qualifies for pay under the policy.
- Employees who are absent from work for jury duty, attendance as a witness or military leave may have their salary/wages reduced by the amount of payment they receive in the form of jury fees, witness fees or military pay.
- Employees who take leave under the Family and Medical Leave Act will not be paid for that time unless they have available paid time off under paid time off, vacation, sickness or disability policy, if any. Their salary/wages will be reduced by the hours missed.
- Employees may be suspended without pay for workplace misconduct. This refers to suspensions imposed according to a written policy applicable to all employees regarding serious misconduct, including, but not limited to, workplace harassment, violence, drug and alcohol violations, legal violations, etc. The possibility of unpaid suspensions is included in all similar policies.

## **OVERTIME FOR NON-EXEMPT EMPLOYEES**

Depending on the school's work needs, non-exempt employees may be required to work overtime when requested to do so. Non-exempt employees will be paid overtime for hours actually worked over 40 hours in a work week. If, during a workweek, you are away from the job because of an injury, a paid holiday, jury or witness duty, sick day or vacation day, those hours not worked will not be counted as hours worked for the purpose of computing overtime pay, even if you receive pay such as sick or vacation pay for such time missed. You are responsible for clearly noting all hours worked, including any overtime hours, on your timesheet.

It is our policy that no overtime can be worked without the advance approval of your supervisor. Failure to obtain approval in advance of working overtime is a violation of school policy and may result in disciplinary action. No overtime will be paid for any employee who voluntarily chaperones or attends a school field trip or event.

## **PERSONNEL FILES**

The school maintains a personnel file on each employee.

An employee may request a copy of their personnel file. The request must be made in writing to the Business Office and the file will be made available to the requesting employee within two working days. Employees are entitled to one free copy per calendar year, if needed.

To ensure that your personnel file is up-to-date at all times, notify the Business Office of any changes in your name, telephone number, home address, withholding instructions, number of dependents, beneficiary designations, professional development or certifications, or the individuals to notify in case of an emergency.

## **RECORDS RETENTION**

The school maintains a variety of records, including student, employee and school records. Record retention

requirements and policies have been established for maintaining records. Employees must never destroy any record (in any form) except in accordance with these policies. This includes shared records in Google Drive. Records are not to be kept longer than the policy duration in any form unless they have received direct authorization from the Head of School or Business Office.

## **EMPLOYEE BENEFITS**

### **COMMENCEMENT AND TERMINATION OF BENEFITS**

Insurance coverage will commence on the first day of the month following the employee's date of employment, except for newly hired eligible instructional staff starting September 1st of each year, in which case insurance is effective on September 1st.

The insurance benefits described in this handbook and on the individual letter of employment shall cease at the end of the month containing the employee's resignation date or the effective date of termination. All other benefits will commence on the employee's first day of employment and terminate on the last day worked, at the end of the month, or the date the termination becomes effective.

### **HOLIDAYS**

School observes the following twelve holidays: Independence Day, Labor Day, /Indigenous Peoples' Day, Veterans Day, Thanksgiving Day, the day following Thanksgiving Day, Christmas Day, New Year's Day, Birthday of Martin Luther King, Jr., Washington's Birthday, Patriot's Day, Memorial Day, and Juneteenth (June 19th). If the school is open on one of the days a holiday is observed, it will substitute another day as a "paid holiday."

Paid holidays for Administrative Staff and Full Year Support Staff are paid at their regular rates. Paid holidays for Instructional Staff are included in their annual salaries.

Whenever a recognized holiday falls within an employee's scheduled vacation period, the employee will receive holiday pay for that day, and it will not be charged to vacation time. If a paid holiday occurs while an employee is on paid sick leave, they will be paid for that holiday, and the day will not be charged to sick leave. An employee on unpaid Family and Medical Leave during the occurrence of a recognized holiday will not receive holiday pay. If a holiday falls during an employee's intermittent Family and Medical Leave, the employee will receive holiday pay only if they are scheduled to work on the holiday.

### **MAINE'S EARNED PAID LEAVE LAW**

The schools paid time off benefits have been updated as necessary to comply with all of the provisions of Maine's Earned Paid Leave law, effective January 1, 2021. Earned Paid Leave is NOT in addition to Vacation, Sick and Flex Time, as long as these benefits combined are at least as generous as what is required under the new law.

### **VACATION**

Paid vacation is provided to Administrative Staff according to their letters of employment, and to full year support staff as noted below.

Instructional staff do not receive paid vacation days, as paid vacation is included in their salaries per the school calendar.

**FULL YEAR SUPPORT STAFF** (secretaries, business office staff, etc.)

- 10 vacation days for each fiscal year for the first five (5) school years (prorated for new hires for the first year, and available for use after 90 days of employment).
- 15 days of vacation for each new fiscal year following five (5) years of service.
- 18 days of vacation for each new fiscal year following ten (10) years of service.
- Years of service are credited on July 1 following the anniversary date.
- Paid vacation days are equal to the number of hours in your regular work week divided by five (5).
- Vacation time is paid at the eligible employee's base rate of pay at the time of vacation.
- For Full year part-time staff, a day is equal to regularly scheduled weekly hours divided by five (5). For example, a vacation day for a part-time employee regularly scheduled for twenty-five (25) hours per week is five (5) hours.
- Vacation time must be used in the year it is earned, as there is no vacation carryover allowed. If there are extenuating circumstances, Full Year Support Staff may carry forward any remaining vacation time up to five (5) work days into July 31st of the following year if a request made to the Head of School is approved.

#### **Additional Details**

- Paid vacation days are equal to regularly scheduled weekly hours divided by five (5). Vacation time is paid at the eligible employee's base rate of pay at the time of vacation.
- Vacation may be used in increments of a quarter of an hour.
- **Crediting of unused vacation leave:** vacation leave is credited in full at the beginning of each fiscal year. However, the allocated days for the fiscal year are occurring 1/12th at a time for each full calendar month worked. If employment should terminate at any time during the year, the amount of vacation time accrued to the point of termination will be calculated; if the employee has taken more vacation than was accrued, the amount "borrowed" will be repaid from the last paycheck.
- MEAA shall provide a written statement for every employee semi-annually indicating the employee's unused paid vacation leave balance.
- There will be no payment of unused vacation leave upon termination of employment.

#### **Vacation Leave Requests**

We will try to accommodate employee requests. All vacation must be requested in advance and must be approved by the employee's direct supervisor. The direct supervisor and/or Head of School has the right to decline an employee's request if the vacation schedule interferes with school needs. If a paid holiday falls within a vacation period, it will be paid as a holiday.

#### **Vacation and Leaves of Absence**

Employees who go on Family and Medical Leave (FMLA), Workers' Compensation leave, or military leave will still receive their full vacation accrual for the year. However, employees who go on unpaid leave of absence will receive prorated vacation time based on the amount of time worked.

Employees on active military leave continue to be allocated vacation while on leave. Employees on active military duty can request that they be paid for the year's unused allotment of vacation at the start of the military leave. However, in both instances, the employee's vacation time for that year will not be restored when they return to work and it is a one-time only request. If the employee prefers not to receive such payments and the employee returns to work, the employee will receive their full, unused vacation allotment for the year in which they return to work.

Employees who go out on a leave of absence for any reason and do not use their entire vacation allotment within the fiscal year of their leave of absence, the vacation time will not roll over into the next year, and the employee will not be paid out for the unused time. If an employee has a military obligation that requires a

two-week tour of duty, the two weeks will not be charged to vacation and will be paid according to the military leave policy.

### **Vacation and Adjusted Service Dates**

Employees who leave their position and are rehired into a benefit eligible position will lose any accrued benefits or vacation time from the previous period they were employed by MEAA.

## **SICK LEAVE**

### **Sick Leave Earned**

- **Full-time 12 month employees:** Each employee shall be credited with ten (10) days per year and prorated from the date of hire, with the exception of administration whose sick leave is described in their letters of employment.
- **Full-time school year employees:** Each employee shall be credited with eight (8) days per year and prorated from the date of hire.
- **Part-time employees:** Part-time employees will receive three (3) days of sick leave and prorated from the date of hire.
- **Crediting of sick leave:** Sick leave though credited at the beginning of each fiscal year is vested only upon completion of the work year. Any employee terminated or resigning will be credited only with those days earned at the time employment is severed. If an employee has used more sick leave than was accrued to the date of termination, the amount "borrowed" will be repaid from the last paycheck.
- Sick leave for new employees is prorated based on date of hire, and available to use after 90 days of employment.
- Paid sick days are equal to regularly scheduled weekly hours divided by five (5). Sick time is paid at the eligible employee's base rate of pay at the time of vacation. Sick time may be used in increments of a quarter of an hour.
- The school shall provide a written statement for every employee semi-annually indicating the employee's unused sick leave balance.
- There will be no payment of unused sick days after an employee terminates.

### **Sick Leave Use**

On the day of their absence from work due to illness, the employee must call or text their immediate supervisor **and** the sub caller directly. The employee should call or text each day to report an absence or must inform the supervisor in advance of the nature and expected length of absence due to an illness that will exceed one day. (Note: the information given to the supervisor or the Head of School regarding the "nature" of the absence should be limited to a basic statement of the reason for absence; for example, that the employee is ill. The employee should not provide medical details to the supervisor or the Head of School). Once an employee exhausts all of their sick and personal time, remaining days must be taken as unpaid time off.

We reserve the right to request medical documentation to support any sick day use, in accordance with applicable law.

Sick leave shall be paid for any absence from work due to the:

1. Personal illness, injury or serious health condition of the employee;
2. Illness or injury of an employee's child under the age of eighteen (18) or age eighteen (18) or older if the child has a disability. (Examples of a disability are: Cognitive disability, learning disability, autism, etc.)
3. Serious health conditions of a spouse, child, or parent. The number of days underneath this provision is limited to ten (10) sick leave days per year. Year is defined as January 1 through December 31 which shall be the same as the year defined for the purposes of the state and federal family and medical

leave act.

4. Medical or dental appointments for the employee and/or child that cannot be scheduled outside of the employee's regularly scheduled work hours.
  - a. Pre-scheduled dental and/or medical appointments must be approved by the Assistant Head of School/Head of School and/or direct supervisor at least 5 days in advance and must not interfere with the duties assigned. If it is deemed to interfere, then it may result in a half day or full day sick day use.
  - b. Sick leave shall not be permitted for elective surgery and associated recuperation time (i.e., surgery performed on a date selected by the employee) if, in the attending physician's opinion, the surgery and recuperation time could be scheduled during a time when school is not in session, without being detrimental to the health of the employee. However, should complications arise out of the elective surgery, accumulated sick leave may be used for all days of school absence as permissible in the Staff Handbook.
5. Definitions: the following definitions apply under this section:
  - a. Child: means a natural, adopted, foster or treatment foster child, a stepchild or a legal ward who is less than eighteen (18) years of age or the individual is eighteen (18) years of age or older and cannot care for himself or herself because of a serious health condition. For the purposes of section 9.02, A (3), all definitions in this paragraph apply except for age eighteen (18).
  - b. Parent: means a natural parent, foster parent, treatment foster parent, adoptive parent, stepparent or legal guardian of an employee or an employee's spouse or domestic partner.
  - c. Spouse: means an employee's legal husband or wife.
  - d. Serious Health Condition: means a disabling physical or mental illness, injury, impairment or condition involving any of the following:
    - i. Inpatient care in a hospital, nursing home, or hospice.
    - ii. Outpatient care that requires continuing treatment or supervision by a health care provider.

Sick Leave Days Discretion: In extenuating circumstances, sick leave days may be granted by the Head of School or their designee.

Sick Leave Increments: Sick leave may be used in increments of a quarter of an hour.

#### **Sick Leave Accumulation**

Sick leave time must be used in the year it is earned. There is no accumulation allowed.

#### **Sick Leave Bank**

A sick leave bank, administered by the Business Office, is for MEAA staff who wish to participate.

(a) Establishment and continuation of the bank – Each employee wishing to become a member of the sick leave bank shall contribute one (1) day of their sick leave to the bank by September 15th of the enrolling year. This contribution of days enrolls the unit member in the sick leave bank that year. The unit will give authorization for this on a form provided by the Head of School's Office.

(b) Up to 100 days of unused days in the bank at the end of the school year will be carried over to the next school year.

(c) If at any time the number of sick leave days in the bank is deemed inadequate by the sick leave bank committee to fill the needs of participating members, the committee can assess each participating member an additional day to be credited to the bank.

(d) Requests to use days from the bank may be made for absences resulting from illness or accident lasting more than five (5) days and only after the sick leave and earned leave of the unit member making the request has been depleted. The request must include medical documentation of the need for sick bank days and an estimated date of return to work. Normal pregnancy and delivery does not qualify for sick leave bank requests unless medically necessary and medical documentation is provided.

(e) Participants in the sick bank will not have to replace days used except as a regular contributing member of the bank.

(f) Participants withdrawing from membership in the sick bank will not be able to withdraw the days they have contributed.

### **Sick Leave Overused/Misused**

Any employee who is found to have misused the sick leave provisions shall be subject to disciplinary action, up to and including termination of employment.

## **FLEX LEAVE**

### **Flex Leave Earned**

- **Instructional Staff:** Each employee shall be credited with five (5) days of paid flex leave per fiscal year (prorated the first year for new hires). Flex leave may be carried forward into the following year with no more than 8 flex days total being accumulated.
- **Full-Year, Full Time Support Staff:** Each employee shall be credited with four (4) days of paid flex leave per year and prorated from the date of hire. Flex leave may be carried forward into the following year with no more than 8 flex days total being accumulated.
- **Full Year, Part-Time Support Staff:** Part-time employees will receive two (2) days of paid flex leave per year and prorated from the date of hire. Flex leave may be carried forward into the following year with no more than 4 flex days total being accumulated.
- **Adjunct employees:** Adjunct employees will receive one (1) day of paid flex leave per year and prorated from the date of hire. Flex leave may be carried forward into the following year with no more than 2 flex days total being accumulated.
- **Proration:** Flex days are equal to regularly scheduled weekly hours divided by five (5). Flex time is paid at the eligible employee's base rate of pay at the time of vacation.
- **New Employees:** Flex time for new employees is prorated based on date of hire, and available to use after 90 days of employment.
- **Crediting of Flex Leave:** There will be no payment of unused flex days upon termination of employment.

### **Flex Leave Use**

- Flex leave may be used for compelling personal obligations which cannot reasonably be conducted outside of the employee's workday.
- Flex leave may be used in a quarter of an hour increments.
- Flex leave days shall not be used to extend a holiday, vacation, or school recess period, including Fridays before a scheduled vacation. A flex leave day will not be granted during the first or last week of a semester, on a parent-teacher conference day or on an in-service day.

### **Flex Leave Approval and Total Number of Employees on Personal Leave**

- A request in writing to the Head of School or Assistant Head of School shall be made as far in advance as possible, normally not less than five (5) days. Emergencies may delay the submitting of the written statement until the employee returns to work.
- The Head of School has the right to approve or disapprove all requests.
- No more than two(2) employees may take flex leave on any given day when school is in session, unless the Head of School or their designee grants approval to exceed two (2) employee limit.

### **Flex Leave Conversion**

The school believes in treating our staff as professionals and while there is a distinction between flex and sick days, our philosophy of treating individuals as professionals is core to our beliefs. Therefore, sick days may be converted to flex days at the discretion of the Head of School. Such requests shall be received in the Office of the Head of School at least five (5) days in advance of the start of the leave and must be approved by the Head of School.

### **DENTAL INSURANCE**

Dental coverage is offered to all employees at 100% employee cost. Please contact the HR department for the most current dental insurance coverage options and rates.

### **HEALTH INSURANCE**

Health insurance is offered to all full time employees.

- **PREMIUM CONTRIBUTIONS:**
  - Single Coverage: School will pay 90% of the employee's monthly premium and 90% of the first \$2700 of the maximum out of pocket deductible.
- **MAXIMUM OUT OF POCKET COSTS**
  - Please contact the business office for the most current health insurance coverage options and rates.
- **CASH-IN-LIEU**
  - The school offers a cash-in-lieu benefit annually if an employee has current health coverage through another option. The employee must provide proof of coverage to the Business Office. Cash in lieu is prorated from date of hire and distributed through payroll biweekly. Please contact the HR Department to determine eligibility.

### **RETIREMENT BENEFIT**

A retirement benefit is offered to all full time employees.

- 100% employer match up to 1% of the employee's annual paid salary (including stipends), contributed directly to the employee's individual retirement account outside of the school.
- The total match can be made in a single or multiple contributions.
- Employee contributions must be made within a single fiscal year. No proration toward past or future contributions exceeding each fiscal year.
- Employees will submit a receipt of contribution to a qualified retirement account along with the MEAA retirement payment form to the business office for processing.
- The Business office will process retirement contributions within 30 days of receipt and approval of form.

### **SOCIAL SECURITY**

You may be required by law to contribute a set amount of your wages to the U.S. Government's contributory insurance system known as Social Security and Medicare. We match your contribution as required by law, which currently means paying one-half of the cost of your Social Security/Medicare benefits.

## **BEREAVEMENT LEAVE**

All employees are eligible for up to eight (8) days of paid bereavement leave for the death of an immediate family member and up to three (3) days for the death of a non-immediate family member. Immediate family members for the purposes of this policy are parents, spouse/domestic partner/significant other and children.

Employees should make their requests for bereavement leave to their supervisors as soon as possible, and request the amount of time needed.

If the funeral is held out of town and requires extensive travel, or if there are other extenuating circumstances, the Head of School will consult the Business Office for determining the appropriate amount of time off for the employee.

## **JURY DUTY**

Employees are encouraged to participate in the judicial process if selected as a juror. Regular full-time and part-time exempt and nonexempt employees will be excused from work for required court duty as a juror.

Exempt employees shall receive their full weekly salary for any week in which they perform any work and also provide jury service. Non-exempt, regular, full-time employees will receive full pay for up to 5 days while serving as a juror. However, in order to qualify for this pay, non-exempt employees must provide the school with proof of jury service. Moreover, to the extent a non-exempt employee is excused entirely or in sufficient time to permit them to return to work, they must report to work.

Employees may keep any mileage allowance; however the juror fee paid to them by the courts for jury service shall be signed over to the school. Employees should notify their supervisor immediately when they receive notice to report for jury or witness duty.

## **LEGAL SCHOOL BUSINESS**

The school defines this as time necessary for appearance in any legal proceeding connected with the employment responsibilities. A subpoenaed employee will be paid the difference between a regular day's pay and the statutory witness fees.

## **PROFESSIONAL LEAVE**

Professional leave is considered leave for the purpose of visiting other schools or attending meetings or conferences of an educational nature. Requests for such visitations must be submitted at least seven (7) days prior to the date(s) for which leave is requested and must be approved in advance by their supervisor. The Head of School may grant full, partial, or no reimbursement for tuition and expenses incurred in connection with workshops, seminars, conferences, in-service training sessions, or any other such activities for which employees request leave under this section. If mileage reimbursement receives prior written approval of the supervisor and/or Head of School, the mileage rate shall be the current mileage rate determined by MEAA's travel policy.

## **PROFESSIONAL GROWTH OPPORTUNITIES**

Permission to attend conferences or other professional growth activities must be approved by the the Assistant Head of School or Head of School in accordance with budget allocations for such activities.

Depending on the availability of funding, the School will pay for professional development opportunities agreed upon through goal setting. The school agrees to pay the expenses (including fees, meals, lodging, and/or

transportation) incurred by employees attending workshops, seminars, conferences, courses or other sessions which are requested or recommended and approved in advance by the Assistant Head of School and/or Head of School.

All staff will make themselves available to attend required training. The school will pay for all costs related to tuition, registration, materials, meals, travel, etc. The employee shall receive their appropriate rate of pay during the time in attendance at such meetings and travel time in accordance with the Fair Labor Standards Act.

### **Tuition Payments and Reimbursements**

Depending on available funding, the school may offer reimbursement for advanced college coursework. Available funds will be identified in each fiscal year budget or as grant funds allow. The Head of School will notify employees when there is the opportunity to apply for course reimbursement. When available, course reimbursement will be allowed under the following criteria:

1. Reimbursement will be granted for earning semester credits in a major or related area from approved college/university.
2. Plans for taking credits should be submitted two weeks prior to the beginning of the course.
3. All credits must be approved by the Head of School and/or Assistant Head of School.
4. Upon completion of the approved course, credit reimbursement will be paid at a rate equal to the University of Maine tuition rate.
5. Credit reimbursement is for full time staff unless otherwise approved by the Head of School.
6. No credit reimbursement will be available if an employee is on leave without pay.
7. A minimum grade of B or better is required to obtain credit reimbursement.

In the event that the tuition cost exceeds the University of Maine tuition rate for undergraduate or graduate credits or if any other related costs exist, such cost shall be the financial responsibility of the employee.

### **Teacher and Education Technician Certification/Recertification**

As required by Maine State Statute the School has developed a Certification Plan. This plan provides support to all teachers and educational specialists in both programs as they seek professional certification, professional renewal, or master level certification or renewal. See the Assistant Head of School for more information.

## **LEAVES OF ABSENCE**

### **MAINE FAMILY AND MEDICAL LEAVE ACT (FMLA)**

All employees who have been employed for 12 consecutive months may be eligible to take unpaid family medical leave for up to 10 weeks in any 24-month rolling period. An employee may be eligible for family medical leave under any of the following circumstances:

- A. Serious health condition of the employee.
- B. The birth of the employee's child or the employee's domestic partner's child.
- C. The placement of a child 16 years of age or less with the employee or with the employee's domestic partner in connection with the adoption of the child by the employee or the employee's domestic partner.
- D. A child, domestic partner's child, parent, sibling with whom you live, domestic partner or spouse with a serious health condition.
- E. The donation of an organ of that employee for a human organ transplant; or
- F. The death or serious health condition of the employee's spouse, domestic partner, parent or child if the spouse, domestic partner, parent or child is a member of the state military forces, as defined in Title 37-B, section 102, or the United States Armed Forces, including the National Guard and Reserves, dies or incurs a serious health condition while on active duty.

"Domestic partner" means the partner of an employee who is a mentally competent adult as is the employee; has been legally domiciled with the employee for at least 12 months; is not legally married to or legally separated from another individual; is the sole partner of the employee and expects to remain so; is not a sibling of the employee; and is jointly responsible with the employee for each other's common welfare as evidenced by joint living arrangements, joint financial arrangements or joint ownership of real or personal property.

A serious health condition means an illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice or residential medical care facility, or continuing treatment by a healthcare provider.

To qualify for job protection under the Maine Family Medical Leave Act:

- The employee must give at least 30 days' notice of the date the family medical leave will commence and terminate, unless prevented by medical emergency from doing so.
- The employee must provide certification from a physician to verify the amount of leave requested; and
- The employee must request family medical leave in writing, or such request on behalf of an incapacitated employee must be made by the employee's family member or physician in writing.
- Intermittent or reduced leave schedule family medical leave may be taken under certain circumstances, as specified in the Maine Family Medical Leave Requirements.
- Family medical leave is leave without pay, except that an employee must use accrued paid time off during such leave.
- All paid leaves of absence such as workers' compensation run concurrently with family medical leave.
- Paid time off is not accrued during family medical leave.
- If an employee is not receiving compensation during any portion of the leave (for example, by using accrued paid time off) the school is not obligated to pay the employer portion of the employee's health insurance. The employee will be responsible for 100% of the cost while on unpaid leave.

If eligible, you may take up to 10 weeks of unpaid family or medical leave within a 2-year period. You may be required to take paid leave, including vacation, medical, or other leave available, and if the total leave time is less than ten weeks, the additional weeks of unpaid leave time will be added to attain the total of 10 weeks.

### **Compensation During Family and Medical Leave**

Employees who are granted a medical leave may utilize all available sick, vacation, and personal time as applicable; any portion of a leave that occurs after all applicable annual time has been exhausted shall be without compensation.

### **MILITARY LEAVE**

Employees will be granted a military leave of absence for active service or training in the U.S. military to the extent required by the Uniformed Services Employment and Reemployment Rights Act (USERRA). To the extent required by USERRA, eligible employees will continue to earn service credit. In addition, eligible employees who return from military leave are guaranteed a job to the extent required by law if they comply with reinstatement requirements. Employees must provide proof of military leave obligations prior to going on leave if at all possible.

### **Military Leave Benefits**

Health insurance benefits are also available under the Military Health Care Program, TRICARE, required by USERRA based on the length of the leave and subject to the terms, conditions and limitations of the applicable

plans for which the employee is otherwise eligible. Upon return from military leave, an employee has the right to reinstatement in benefits plans. An employee is required to contact the HR Department in writing every 4 weeks, when possible, during the period of service.

Under the current law, employees on military leave of absence are guaranteed the same or a suitable job if they are released from military service under conditions other than “undesirable” or “dishonorable,” provided they apply for reinstatement to the Head of School or Business Office within the required legal time frames. A suitable job is a position the employee qualifies for through skills, performance, education, and training.

An employee must notify their immediate supervisor and the Head of School, (if possible) at least one (1) month prior to beginning military leave for active service. An employee must also produce a copy of their military orders, as soon as reasonably possible, for active service. An employee is required to report back to work or submit a timely application for reemployment upon completing a period of service as required by law.

#### **FAMILY MILITARY LEAVE**

Maine employers with 15 or more employees are required to provide Family Military Leave. If applicable, the school will provide an eligible employee up to fifteen (15) days of unpaid family military leave, upon notice and request, per covered deployment. An eligible employee is any employee or independent contractor who has been employed by the employer for at least twelve (12) months and for at least twelve hundred and fifty (1250) hours of service during the twelve (12) months immediately preceding the leave. A covered deployment is a deployment: a) of an employee’s spouse, domestic partner, or child, who is a resident of Maine, b) for longer than one hundred and eighty (180) days, and c) into active military or National Guard duty when the duty assignment is in a combat theater or in an area where armed conflict is taking place. The leave must be used during the fifteen (15) days immediately preceding or immediately following the deployment, or both. The school will maintain the employee’s benefits during the leave and restore the employee’s employment (or equivalent employment) after the leave.

An employee taking family military leave must give at least fourteen (14) days’ notice of the intended date upon which the family military leave will commence if leave will consist of five (5) or more consecutive work days, or as much advance notice as is practicable if the employee is taking family military leave for fewer than five (5) consecutive work days.

The employee must consult with management to attempt to schedule the leave to not unduly disrupt operations. An employee may elect to use vacation time for a family military leave.

#### **LEAVE FOR VICTIMS OF DOMESTIC VIOLENCE**

Maine State law provides reasonable and necessary leave from work for an employee to:

- prepare for or attend court proceedings,
- receive medical treatment,
- attend to medical treatment for a victim who is the employee’s daughter, son, parent, or spouse, or
- obtain necessary services to remedy a crisis caused by domestic violence, sexual assault, or stalking.

The leave must be needed because the employee or the employee’s daughter, son, parent or spouse is a victim of violence, assault, sexual assaults under Title 17-A, chapter 11, stalking or any act that would support an order for protection under Title 19-A, chapter 101. Leave must be requested as soon as the circumstances make it clear that time off is necessary. Approval of the leave will depend on whether the absence will create a hardship for the school, whether the leave is requested within a reasonable time, and whether the requested leave is practical, reasonable, and necessary given the facts presented.

If the leave is approved, the employee may use available vacation, sick or flex time for the absence, and all benefits will continue uninterrupted if the leave is reasonable in length.

### **ABSENCE FOR EMERGENCY RESPONSE**

An employee who is an emergency responder will not be disciplined for being late or missing work due to responding to an emergency. The employee, or someone acting on his or her behalf, must provide management with prior notice of the absence if time permits. Time missed from work may be without pay.

### **PUBLIC HEALTH EMERGENCY LEAVE**

Employees affected by a public health emergency, including an individual public health investigation, supervision or treatment, public health emergency orders, quarantine, isolation, or a concern that the employee may expose other individuals in the workplace to the extreme public health emergency threat, will be granted reasonable and necessary unpaid leave.

## **OPERATIONS**

### **AUTHORIZATIONS AND APPROVALS**

Under no circumstances is an employee, other than those who have purchasing responsibility authorized in writing, to commit to any purchase or agreement that financially obligates us. Should you have a requirement to procure goods and services, you must obtain the appropriate authorizations from your Head of School and the business manager in accordance with the school's fiscal policies. Failure to obtain the proper authorizations/approvals will result in disciplinary action and/or a requirement that the individual accept personal responsibility for an obligation wrongfully made in our name.

### **CREDIT & DEBIT CARD POLICY**

The Head of School may assign credit and/or debit cards as deemed necessary for the performance of work-related expenses.

- Authorized staff are required to sign a credit & debit card use policy before receiving a school card.
- School cards may only be used for the actual and necessary expenses incurred in the performance of work-related duties.
- Employees shall not charge any personal expenses to the school card. Charging personal expenses to a school card may result in disciplinary action, up to and including termination of employment.
- Authorized staff using a school card must submit a detailed receipt and requisite form in addition to a credit card receipt indicating the date, purpose and nature of the expense for each claim item. Failure to provide a proper receipt will make the employee responsible for expenses incurred. Those expenses must be reimbursed to the school no later than ten working days following the use of the school's card. In exceptional circumstances, a claim without proper receipt may be allowed with a lost receipt form.

It is the responsibility of the Head of School and/or the Business Manager to determine whether the school card use is for appropriate school business. Violations of the school's credit & debit card policy shall result in disciplinary action, up to and including termination of employment or prosecution.

### **TRAVEL**

Travel by employees shall be authorized in advance by their supervisor and Head of School. All day travel must be pre-approved by their supervisor. All overnight and out-of-state travel must be requested in writing and authorized prior to committing school funds using the request for travel form and approved by the Head of School.

When travel is approved and performed in the course of conducting school business, employees must follow school's travel policy regarding pre-approval, expenses, and reimbursement. The school's travel policy may be obtained from the Business Office.

## **EXPENSE REIMBURSEMENT**

The school will reimburse its employees for any reasonable and authorized expenses incurred on behalf of the school or in the course of conducting school business. This policy covers expenses for travel, lodging, meals, office supplies, and other miscellaneous expenses incurred while conducting school business or for school use.

The school does not reimburse sales tax on purchases made. Employees may obtain a copy of the school's sales tax exemption certificate at the business office to use with all business related purchases. Employees must follow the school's reimbursement policy for all pre-approved, authorized purchases. The school's reimbursement policy may be obtained from the business office.

## **EMERGENCY OFFICE CLOSING**

Facilities may be closed to protect employees' well-being and safety during periods of severe weather, utility failure, national crisis, fire, flood, earthquake, or some other emergency. Your supervisor will advise you of the procedures to be followed when offices are closed. If the office is closed for five or more consecutive days, non-exempt employees will not be paid, but they will have the option to use any available paid time off.

## **WORKPLACE ACCIDENTS/INCIDENT REPORTS**

**All accidents, injuries, potential safety hazards, safety suggestions and health and safety related issues must be reported immediately to your supervisor and/or Head of School, and the Business Office as soon as possible and no later than 24 hours from the time of injury.** Even minor injuries that do not result in immediate medical attention (such as a slip or fall, cut, or bruise, strain, etc.) must be reported. Workers' compensation insurance coverage is provided by the school. Failure to report an injury or illness in a timely manner may result in your benefits being reduced or denied.

First Aid supplies are kept in the school office.

If you or another employee is seriously injured, contact outside emergency response agencies. Reports should cover property damage as well as personal injury. By federal law, the Occupational Safety and Health Administration (OSHA) requires that we keep records of all illnesses and accidents that occur during the workday. OSHA also provides for your right to know about any health hazards that might be present on the job. Should you have any questions or concerns, contact your supervisor or Human Resource Office for more information.

Neither the school nor the insurance carrier will be liable for the payment of workers' compensation benefits for injuries that occur during your voluntary participation in any off-duty recreational, social, or athletic activity sponsored by the school.

## **STUDENT RECORDS**

All student records are kept in the school office. All staff should refer all requests relating to records or student information to the Head of School.

## **TRANSPORTATION OF STUDENTS BY EMPLOYEES AND HOME VISITS**

Employees are strictly prohibited from providing transportation to students for any purpose. An employee may be permitted to visit the home of a student if the student's parent or an authorized guardian is present. Prior to

such a visit, an employee must gain approval from a parent or an authorized guardian, and their direct supervisor. Further, any employee visiting a student's home must do so with at least one other employee and is never permitted to conduct a home visit without another employee in attendance.

## **MEAA PROPERTY**

In an effort to ensure the safety and welfare of employees and invitees, the school reserves the right, on reasonable suspicion that school policy is being violated, to conduct searches or inspections which includes, but is not limited to, employee's work area, desks and any other property located on school premises or worksites. Entry on school premises or worksites constitutes consent to searches or inspections.

## **PERSONAL USE OF SCHOOL PROPERTY**

By accepting a school issued device as an employee, you accept full responsibility for any and all liabilities for injuries or losses which might occur. You are responsible for returning the equipment in good condition and agree that you will pay for any damages that occur while using the equipment for personal projects. Employees must have written authorization before removing any equipment from the school premises except for laptops.

# **COMMUNICATIONS**

## **PERSONAL PHONE CALLS AND PERSONAL BUSINESS**

Cell phones and school phones should be used in a professional manner, including but not limited to the following:

- Employees must limit personal cell phone calls during break or lunch times to the maximum extent possible.
- Frequent or lengthy phone calls are not acceptable as they may adversely affect the employee's productivity and disturb others.
- Employees should be encouraged to use common sense when making or receiving personal cell phone calls at work. For example, employees should speak quietly and reserve personal or intimate details for non-work hours.
- Personal cell phone use, even when permitted, must never include language that is obscene, discriminatory, offensive, prejudicial or defamatory in any way (such as jokes, slurs and/or inappropriate remarks regarding a person's race, ethnicity, sex, sexual orientation, religion, color, age or disability). All FERPA laws should be followed in regards to student and family privacy.
- Employees should turn off ringers or change ringers to "mute" or "vibrate" during training, conferences, in the classroom and the like; when meeting with parents or serving students; and if an employee shares a workspace with others.

## **USE OF COMMUNICATION SYSTEMS**

You are expected to adhere to proper use of all communication systems. These include, but are not limited to, the telephone, email, wireless communication devices, iPads, tablets, facsimile, internet access and other external network connections, network file share and storage systems, wide area network, voicemail, computers, modems, systems, audio/visual equipment, and other software and equipment. Computing and communications systems are to be used in a productive manner primarily for the school business.

## **NO PRIVACY EXPECTATIONS**

You should have no expectation of privacy of any correspondence, messages or information located or sent across school computing and communication systems, regardless of the content or purpose. This includes email, social media sites, text messages, chat messages, internet searches and stored documents.

The school may access, monitor, copy, capture, disclose, delete, and use any communication, information or data, whether personal or business related, that is created on, stored on (permanently or temporarily), viewed on, downloaded or uploaded to, accessed by, printed from, or communicated across the school's computing and communication systems with or without notice to the employee. This includes instances where employees transmit or receive text or instant messages on school devices. All messages, regardless of content or the intent of the sender, are a form of school-related correspondence, and are subject to the same internal and external regulation, security and scrutiny as any other school correspondence.

Email communications must be written following customary business communication practices as is used in correspondence. Email communications are official internal communications, which may be subject to summons in legal proceedings. Work-related messages should be directed to the specific employee(s) rather than sending a global message to all employees. It is the employee's obligation to notify any third parties affected by this policy of the school's policies regarding monitoring employee communications.

Communication systems shall not be used as a forum to promote religious or political causes, or an illegal activity. Offensive or improper messages or opinions, transmission or postings of sexually explicit images or other images or materials inappropriate for the workplace, messages, cartoons, or other such items, or messages that may be construed as harassment or disparagement of others based on race, color, religious creed, sex, national origin, ancestry, citizenship status, pregnancy, childbirth, physical disability, mental/intellectual disability, age, military status or status as a Vietnam-era or special disabled veteran, marital status, registered domestic partner or civil union status, gender (including sex stereotyping and gender identity or expression), medical condition (including, but not limited to, cancer related or HIV/AIDS related), genetic information or sexual orientation are also prohibited.

Unless authorized by personnel with the authority to grant such authorization, any attempt to gain access to another employee's personal communications system and messages is prohibited.

## **WIRELESS COMMUNICATION DEVICE USE GUIDELINES**

The school provides wireless communication devices, including hands-free devices, to employees who have a job-related need for them. These devices are the property of the school. The following guidelines must be followed:

- Employees are expected to carry wireless communications devices as directed by their supervisor.
- Employees are responsible to immediately report any lost or stolen wireless communications devices and must report such losses immediately.
- Upon termination of employment for any reason, the employee must return all school- issued property.

## **INTERNET CODE OF CONDUCT**

Access to the Internet has been provided to employees for the benefit of the school. It is your responsibility to use the internet in a productive manner. The following guidelines have been established for using the internet.

### **Acceptable Use of the Internet**

You should use the internet in an effective, ethical and lawful manner. You may use the instant messaging systems and internet forums to conduct official school business or to gain technical or analytical advice. Databases may be accessed for information as needed. Email may be used for business contacts.

### **Unacceptable Use of the Internet**

Use of the internet while on school time must not interfere with your productivity or disrupt the operations of

the school network or the network of other users.

### **Electronic Communications**

You are responsible for the content of all text, audio or images that you place or send over the Internet including, but not limited to, any web-based sites or programs utilized through the school. Employees should avoid posting statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating; that disparage employees, students, families, or vendors; or that might constitute harassment or bullying. Examples of this conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law or School policy. *Engaging in inappropriate, rude, unprofessional, or discourteous conduct with a student's parents* will not be tolerated.

Except to the extent that you are discussing your wages, hours, or terms and conditions of employment, the following guidelines apply: All messages communicated on the Internet should have your name attached to them if they mention or refer to the school in any way. No messages regarding or relating to the School are to be transmitted under an assumed name. Employees may not transmit messages or other communication by means that either mask or hide their identity or indicate that they are sent by someone else if it contains information regarding the school's business.

### **Software and Copyright Issues**

The school intends to prevent computer viruses and unauthorized use of copyrighted materials belonging to entities other than the school. You should obtain prior approval before downloading any software. Users are not permitted to copy, transfer, rename, add or delete information or programs belonging to other users unless given express permission to do so by the owner. Failure to observe copyright or license agreements may result in disciplinary action from the School, up to and including immediate termination or legal action by the copyright owner.

MEAA represents that as a general practice it does not record or retain copies of classes offered through remote televised delivery. In the event that MEAA changes this policy, MEAA will promptly notify the teacher in advance of any class taught that it intends to record.

### **Confidentiality and Passwords**

While our systems may accommodate the use of passwords for school security, you should not expect confidentiality of your files at work. The school reserves the right to access your Internet use and messages at any time, without notice.

Never disclose personal or system passwords to anyone other than authorized School representatives. You are not to attempt to gain access to another employee's system, including email or voicemail messages.

Please see GCFA: EMPLOYEE SOCIAL MEDIA PRIVACY for more information on use of passwords.

### **Security**

All messages created, sent or retrieved over the Internet are the property of the school and are not private. The school may access and monitor all messages and files on the computer system at any time. All communications, including text and images, can be disclosed to law enforcement or other third parties without prior consent of the sender or the receiver.

### **Violations**

Violations of any guidelines listed in this policy may result in disciplinary action, up to and including termination of employment. If necessary, the school will advise appropriate legal officials of any illegal violations.

## **VEHICLES**

School vehicles may be provided for employees when traveling to school approved activities. The following policy guidelines have been placed into effect to promote a consistent and impartial system for the use of the vehicles as well as to reduce the potential for liability in the event of an accident.

### **Authorized Use of Vehicles**

- Only employees or officially approved volunteers may operate the vehicle. School-owned vehicles are to be used for official school travel by employees.
- The vehicles shall not be used for commuting to and from an employee's workplace and residence unless otherwise requested by the respective department administrator and approved by the business manager.
- School employees using school-owned vehicles are not permitted to transport family, friends, non-school business commuters or animals except for "service animals", unless approved by the Head of School on a case by case basis.
- The employee must possess a valid driver's license and be at least 18 years of age. Driving records are subject to periodic checks.
- In the event that an approved school district employee or becomes unable to safely operate the vehicle due to illness or other unforeseen reason while driving on the road, a passenger may assume the driving responsibility and move the vehicle to a safe location off the road. Once safely off the roadway, the passenger must immediately call 911 for assistance. Once assistance has been rendered, the passenger should then contact the business office for further driving instructions.

### **Unauthorized Use of Vehicles**

Vehicles are not to be used for personal use at any time. Should you need to procure a vehicle prior to your scheduled departure time, the vehicle must remain parked at your residence in a safe location and remain there until such time the vehicle is needed for official school travel. When at an approved school activity, you must always exercise reasonable judgment regarding the use of the vehicle. Misuse of the vehicle may result in the suspension of your privileges to use a vehicle and or other disciplinary action.

### **Seat Belt Use Required**

It is school policy that seat belts be used at all times, not only by the driver but by all passengers as well. Drivers of a school vehicle are prohibited from overloading and/or overcrowding a vehicle that may result in unsafe operation. It is imperative that you not carry more passengers than the number of occupant safety restraint systems (seatbelts) in the fleet vehicle. Drivers are responsible for wearing and enforcing the use of seatbelts by all occupants or passengers.

### **Cell phone/Personal Computing Device Use While Driving**

Employees driving any vehicle on school business are asked to be attentive and minimize any distractions. An accident caused by an employee while driving on school business can be catastrophic for the employee, any passengers, and the school.

The following activities are the most common distractions that cause accidents on the road:

- Using an electronic device of any kind
- Making a cell phone call or texting

- Adjusting a music sources
- Eating or drinking
- Reaching for something in the back seat
- Reading or adjusting GPS
- Fixing hair, shaving, or other personal grooming
- Turning to talk to the passenger(s)

The school has adopted the following standards:

1. Only hands-free use of a cell phone is legal in Maine. This includes when stopped in traffic. If a handheld device is going to be used, the driver must pull off the road and stop the vehicle.
2. Texting while driving is against the law in the State of Maine. Any employee violating this policy while driving on school business will be subject to disciplinary action, up to and including termination of employment.
3. Employees need to pull over if placing or accepting a *personal* call while driving on school business.
4. When business phone calls are necessary while driving, a hands-free application is required.
5. Employees who are charged with traffic violations resulting from the use of their phones while driving are solely responsible for all liabilities that result from such actions.

The safest way to use any cell phone or personal computing device while driving is to pull over to a safe location and park the vehicle and then talk or use your computing device.

### **Moving Traffic Violations**

Any school employee operating a school vehicle is expected to obey all traffic laws and regulations. Any school employee receiving a citation while operating a vehicle is responsible for paying the cost of the citation and any other expenses incurred as a result of the citation. The employee will not be permitted to operate a school vehicle for 1 year. Violations such as parking tickets are also the responsibility of the school employee in charge of the vehicle when such a ticket is issued.

### **Accidents**

In the event of an accident:

1. Minor accidents not needing emergency response should be reported immediately to the Head of School and/or business office and will be handled on a case-by-case basis.
2. School vehicles have a current registration and insurance card located in the glove compartment of each vehicle. This information along with a driver's license will need to be presented to any law enforcement officer at the scene of an accident. Cooperate with the investigating law enforcement officers. Answer questions factually.
3. The driver of a school vehicle shall immediately call 911 when an accident requires emergency response. The driver shall give an assessment of any injuries and the seriousness of the accident.
4. The driver of the school vehicle should then notify the business office. The Head of School will be notified immediately by the business office.
5. The business office will arrange for another school vehicle to go to the accident site to either continue the route or, if necessary, to transport students to the hospital at the direction of emergency personnel.
6. Administrators, or their designee(s), at the scene of the accident will account for all passengers who were riding in the school vehicle.
7. The office will notify parents of students involved in the accident. If students are transported to the hospital, parents should be notified to report there. This duty may be organized on a shared basis so as to expedite the notification process.
8. If passengers are transported to the hospital, counselors may be notified to report there. Crisis and

emergency response procedures as outlined in school policy may be implemented. For accidents involving injuries, the school will order a drug and alcohol test of the driver as soon as possible. If the driver is found to be under the influence of drugs or alcohol at the time of the accident, regardless of whether the driver is found at fault, employment with the school may be recommended for termination.

9. When an accident involves another vehicle, obtain the following information:
  - Driver's name (and owner's name if different)
  - Address
  - Telephone number
  - Name of insurance company or policy number
  - VIN, vehicle year, make and model
  - Vehicle license plate number
  - If possible, try to obtain the names, addresses and telephone numbers of any witnesses, including the name and badge number, department name and address of any investigating law enforcement agency.
10. If an insurance adjuster or any other representative from the other driver's insurance company contacts you for a statement (either written or recorded), refer that person to the business manager.

### **Failure to Report**

Failure to immediately call and report any accident to the business office or Head of School may result in disciplinary action, up to and including termination of employment.

### **FIELD TRIPS**

Classroom staff and/or teachers need to obtain prior approval from the Head of School for field trips. Staff are responsible for reserving their own field trip locations and contacting the office manager to arrange transportation. Buses or approved parent volunteer drivers may be utilized, subject to a satisfactory driving record check. Field trips are encouraged as part of the school curriculum. All out-of-class activities, however, must be directly related to the curriculum being studied and must be recorded in the School office. Instructional Staff should notify the office as soon as a field trip is planned, by completing a designated field trip schedule. Copies of emergency treatment and notification signed by parents must be on file in the office for every student on the trip. Parents should have at least 2 weeks notice prior to the trip.

### **Drivers for Field Trips**

All drivers must submit a copy of their driver's license, proof of insurance, criminal history record check, and fingerprinting through the Maine Department of Education in advance to the office if they will be driving students using school vans for field trips or school related activities.

## **SAFETY AND SECURITY**

Safety procedures and practice drills are outlined in the Emergency Preparedness Handbook available to all employees. Drills and practices will be outlined and scheduled throughout the school year.

### **Civil Liability**

The school reserves the right to bring suit against any individual responsible for a violation of this policy and to seek restitution and other damages as permitted by law.

### **Lost Instructional Time**

Instructional time lost as a result of a threat will be rescheduled at the earliest appropriate opportunity as

determined by the Head of School in consultation with the board.

### **Security**

Maintaining security is every employee's responsibility. Develop habits that ensure security. Below are general measures you should follow:

- Always keep personal cash properly secured and school monies in the office.
- Know the location of all alarms and fire extinguishers, and familiarize yourself with the proper procedure for using them, should the need arise.
- When you leave the school premises, make sure that all entrances and windows are properly locked and secured. If you are the last person out of the building at night, please be sure to walk the inside perimeter to ensure all windows and doors are secured. ALL exterior doors, including the portable, need to be locked at all times. ALL staff need to carry keys on them 100% of the time.

### **Staff Disciplinary Consequences**

A school employee who makes or communicates a threat will be reported to appropriate law enforcement authorities and will be subject to disciplinary action up to and including termination of employment. Disciplinary action shall be consistent with board policies. A school system employee who fails to report information or knowledge of a threat will be subject to discipline up to and including termination of employment.

### **District Key Policy**

Only authorized persons are allowed to be in possession of a key to the school. Authorized persons are only those persons with documentation of authority to possess or control a key. Authorization is specific to each key issued. No person may give their key to an unauthorized user for any period of time. Any key(s) found to be in the possession of an unauthorized person will be confiscated and any person found to have provided a key or a copy of a key to an unauthorized user may be disciplined up to and including termination. Unauthorized duplication of a key is strictly prohibited. No person may duplicate a key or request the duplication of a key without express, written permission.

Lost or stolen keys must be reported to the office immediately. A lost key may require one or more buildings to be rekeyed. This process may cost a substantial amount of money. Where permitted by applicable laws, the school may withhold the cost of rekeying the building(s) from an employee's check or final paycheck if a violation of this policy resulted in the lost or stolen key.

Key holders agree to refrain from compromising the security of the campus or a building. Key holders are required to report to the Head of School any doors that are unsecured or in violation of the school's policies. Employees must return to the Head of School and/or administrative assistant immediately upon request, all keys assigned to them or that are in their possession in the event of termination of employment, resignation, or layoff.

Violation of these requirements may result in the loss of key privileges and may result in discipline up to and including termination.

## **CONFLICT AND PROBLEM RESOLUTION**

### **PROBLEM RESOLUTION POLICY**

The school is committed to sustaining a positive work environment in which employees work constructively together. The problem resolution policy and procedures have been established as a foundation for ensuring that

the work environment remains positive. Please note that the Harassment and Retaliation Prevention Policy takes precedence over this policy; any individual who believes they have been the subject of any form of harassment should immediately report the incident or act to one or more of the individuals listed in that policy.

The problem resolution policy is intended to:

- Provide the opportunity to resolve a conflict or complaint quickly, fairly and without reprisal.
- Improve communication and understanding between employees and between employees and their supervisors.
- Ensure confidence in management decisions by providing a mechanism whereby management decisions can be objectively reviewed.
- Support a positive work environment for preventing and resolving conflicts and complaints.
- Identify organization policies and procedures which need to be clarified or modified.
- Encourage employees who are experiencing a work related conflict or have a complaint to resolve it through discussions directly with the person involved or with the assistance of their supervisor whenever possible, if appropriate.
- Investigate all requests for conflict resolution, complaints and appeals fully, and reply and resolved them as quickly as possible.
- Penalizing or retaliating against an employee who initiates conflict resolution or makes a complaint, or participates in a problem resolution investigation, will not be tolerated and may result in disciplinary action up to and including termination of employment.

Employees are encouraged to follow the informal approach to problem resolution prior to making a formal complaint, if appropriate.

## **INFORMAL CONFLICT AND RESOLUTION PROCESS**

- Conflicts involving harassment, retaliation or discrimination are resolved under those policies as outlined in this handbook.
- Employees who experience another work related conflict or who have a complaint should first attempt to discuss the matter with the person that the issue involves.
- Employees who experience a work related conflict or who have a complaint that has not been resolved should discuss the matter with their supervisor.
- The supervisor will analyze the merits of the conflict resolution request or complaint, and will meet with the employee to inform the employee of the proposed plan of action.
- If the employee is not satisfied with the informal resolution of the problem, they may proceed with the formal problem resolution process.

## **FORMAL CONFLICT RESOLUTION AND COMPLAINT PROCESS**

Employees who have a complaint or require management intervention in relation to a work related conflict and wish to initiate the formal problem resolution process must prepare written documentation, with supporting details, of the conflict situation or complaint and submit it to their immediate supervisor in writing. If the complaint involves the immediate supervisor, then it will be submitted to a Business Office representative. Complaints that relate to harassment, retaliation or discrimination are covered under those respective policies in this handbook.

- The supervisor will investigate the merits of the conflict resolution request or complaint. The supervisor will consult with a Business Office representative and other relevant individuals, if necessary.
- Within seven (7) working days of receiving the conflict resolution request or complaint, the supervisor will complete the investigation and prepare a written response. The supervisor will forward a copy of the response along with a request that the employee sign and date the copy to confirm that they have

received the reply and agrees or disagrees with the supervisor's plan of action.

- If the employee agrees with the recommended plan of action, the supervisor will send a copy of the signed reply to the Business Office for inclusion in the employee's personnel file.
- If the conflict or complaint has not been resolved to the employee's satisfaction, the supervisor will forward the complete file, including the conflict resolution request or complaint, documentation of relevant factual information, analysis of the information, the conclusion, and the recommended resolution, to the next level of management, the director of Business Office.
- The director of the Business Office will investigate any relevant issues in the file and any newly discovered evidence or information that may arise during the problem resolution process. The director of the Business Office will forward a response to the employee either concurring with the previous resolution or proposing an alternative resolution.
- If the employee agrees with the resolution at this stage, the director of the Business Office will include a copy of the signed reply for inclusion in the employee's personnel file.

If the complaint has not been resolved, the employee can request the complaint be investigated by the Head of School. The decision and recommendations made by the Head of School will be final.

If the complaint is concerning the Head of School and is sent to the Board of Directors, the decision and recommendations made by the Board will be final.

## **TERMINATION OF EMPLOYMENT**

### **SEPARATION FROM EMPLOYMENT**

An employee may be separated from employment either voluntarily by resignation or retirement, or involuntarily by lack of work, poor performance or other reasons permitted by state and federal laws.

Should it become necessary for an employee to terminate their employment with the school, the school requests the professional courtesy of a written notice of intent to terminate employment at least two weeks prior to termination.

Employees are required to return keys, equipment, and any other School property issued to them upon separation from employment.

### **REDUCTION IN FORCE**

At such time as the Head of School determines that a reduction in force may be necessary, the Head of School shall notify the board, and upon request, meet with the board prior to any final decision.

- Order of Layoff
  - When the Head of School determines that a reduction in force is necessary, it shall consider the relative qualifications and abilities of all employees within the specific impact area in which the reduction occurs. The Head of School shall have the sole determination of which impact area shall be affected by a reduction.
- Criteria for Selection
  - In determining which employee(s) will be impacted, the criteria that the Head of School shall consider are certification, experience(s), education, and performance evaluations.
- Recall
  - When a vacancy occurs within a specific impact area, those employees who have lost their position within the specific impact area shall be recalled to that position by order of layoff

within the 90 days from separation. Employees that are laid off shall remain on the recall list for a period of up to 90 days from the date of separation. If an opening occurs for which the employee is qualified, the Head of School will send a notice by certified mail to the employee's address on file, notifying the employee of a vacancy within the first 90 days of the layoff period. An employee's failure to respond affirmatively, within fifteen (15) days after receipt of the Head of School's notice recalling such employee, shall result in the termination of the employee's rights of recall. After the 90 days from separation, the employee would need to apply for an opening and a notice will not be sent to the employee notifying them of an opening.

## **EXIT INTERVIEWS**

Management may conduct an exit interview to discuss your reasons for leaving and any other impressions that you may have about the school. During the exit interview, you can provide insights into areas for improvement for the school and your specific position.

## **RETURN OF SCHOOL PROPERTY**

Any property issued to you by the school, such as software, computer equipment, databases, files, cell phone, pager, keys, parking passes, credit card(s) or any other equipment, must be returned at the time of termination. You will be responsible for the MSRP (manufacturer's suggested retail price) for a new replacement upon loss or irreparable damage. If the item is not returned and we are unable to reach you through conventional methods, the proper authorities will be notified and legal action may be taken.

## **EMPLOYMENT REFERENCES**

All requests for employment verification on current or former employees must be referred to the Assistant Head of School or Head of School. Job title, dates of employment, and salary will be verified.

## **NON-DISCLOSURE AGREEMENT**

It is the policy of the school to provide our employees and students with a level of privacy and confidentiality regarding information concerning any of our employees and students.

In the course of your work, you may have access to confidential information (oral, written or computer generated, not otherwise available to the public at large) about employees or students, their families and/or personal business. School business information includes computer programs, software and supporting documentation, technological improvement plans, strategic plans, financial information and employee information (including but not limited to co-workers and their families).

THEREFORE, BY SIGNING THE STAFF HANDBOOK ACKNOWLEDGEMENT PAGE, I AGREE that:

My right to make use of confidential information is restricted to my need to know the data or information to perform my job responsibilities. I will keep my computer access password(s) confidential. If another method of accessing a computer system is used, I will restrict its use to myself. I will not discuss any confidential information in any public areas, hallways, gathering spaces, etc.

I will hold all confidential information of which I have knowledge in the truest confidence, as required by law. I agree to utilize confidential information obtained by me only for the benefit of the employee or student or in performance of my job responsibilities.

Unauthorized disclosure, copying and/or misuse of confidential information is a serious breach of duty and will

result in disciplinary action up to and including termination of employment with MEAA.

**STAFF HANDBOOK**  
**Revised Effective 9/1/2021**  
**HANDBOOK ACKNOWLEDGMENT FORM**

I acknowledge that I have received the School Staff Handbook. I understand that I have access to and can obtain a copy of the staff handbook for review at any time by contacting the Business Office or my supervisor.

I further agree and consent to all policies contained or referenced herein and understand that the information contained in the handbook represents guidelines for the School and that the school reserves the right to modify the handbook or amend or terminate any policy, procedure or employee benefit program at any time. I understand that any amendment of the handbook will always govern and supersede any prior versions.

I further understand that the contents of the handbook do not form a written employment contract for employment for a specific term or duration. My employment with the school is at-will.

I further understand that no manager, supervisor or other representative of the school, other than the president or vice president of the board or the Head of School, has any authority to change my at-will status or enter into any agreement guaranteeing employment for any specific period of time. I also understand that any such agreement, if made, will not be duly authorized and enforceable unless it is in writing and signed by both parties. My signature on the handbook acknowledgement form certifies that I understand the at-will employment relationship between the school and me.

I further understand that if I have any questions about the interpretation or application of any policies contained in the handbook, I should direct these questions to the business office or my direct supervisor.

I hereby confirm that I have read the 'Staff Handbook' and understand the expectations of being employed at Maine Arts Academy (aka the school).

**EMPLOYEE SIGNATURE:** \_\_\_\_\_

**PRINTED NAME:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**\*Please sign and return this acknowledgment to the Business Office.\***