

Triumphant Learning Center

Employment Policy Manual

Revised 2021



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Working at Triumphant Learning Center

Welcome to Triumphant Learning Center,

I am so excited to have you join our team of dedicated staff. Our motto is Excellence Personified and our goal is that every student gains at least one year each year academically and emotionally. We value loyalty, integrity, respect, and selfless service.

You are now a part of a team that is highly focused on student academic and emotional learning and student outcomes. Everything we do has some impact on our students understanding of these core values and goals. As you onboard, there will be orientation meetings for you on Triumphant Learning Center ethos, policies, procedures, and activities. I am eager to watch how our values positively shape your professional growth and experience.

If at any time you are unsure of what to do you can ask another staff member. I have an open-door policy and look forward to answering any questions you may have. The school phone contact number is 928-348-8422 and my work email is rdutt@tlctigers.com. If you have questions, feel free to ask me.

Best Regards,

Robin Dutt EdD, Director

Introduction

This Employee Policy Manual is intended as a summary of policies, guidelines and standards for working at Triumphant Learning Center as approved by the Governing Board (GB). This manual may not cover every subject or situation that could occur so this information regarding subjects contained in this manual may change from time to time without notice. As an employee, you should know and follow these policies, rules, guidelines and standards, as well as policies and requirements for your position. If you do not, you may be subject to disciplinary action up to and including termination of employment. If you find something in this manual that you do not understand or wish clarified, please feel free to discuss it with the Director of Triumphant Learning Center.

School premises or property, or the workplace, as referred to herein, includes any school building or premise, school-owned or approved vehicle used to transport staff or students, parking area used by staff and students, and any school-sponsored or approved activity, event, or function that takes place on or off-school property where students or staff are under the jurisdiction of the school.

Information included in this manual about benefit programs is intended to provide a brief summary only. The actual plan documents may give you more complete information. If there is any discrepancy between this manual and the plan documents, the documents will be the authority. Information contained in this manual is not considered a promise to employees, nor is it intended as a contract of employment, but is provided only for information and direction. This booklet supersedes and replaces any earlier employee manual.

TLC Employment

Confidentiality

Confidential matters whether of a personal or business nature or information concerning Triumphant Learning Center is proprietary information, and is not to be disclosed or released to any outside party without written authorization. Disclosure of confidential information to another employee should only be done on a need-to-know basis. This standard also applies to confidential information regarding students. Failure to comply with this policy may result in disciplinary action, including termination of employment.

Contagious and Communicable Diseases

An employee who displays symptoms of tuberculosis may be required to submit to such tests or examinations, as a licensed physician deems appropriate. Any employee who has had significant exposure to blood-borne pathogens (Hepatitis B / HIV) is required to report such incident, in writing, to the administrative offices, and must follow required post-exposure evaluation and follow-up activities. Failure to do so could result in loss of any claim to rights.

Employees born after January 1, 1957 shall present proof of immunity to Rubella (measles) and Rubella (German measles) prior to start of work. Employees exempt from this requirement may include those with medical contraindications for receiving vaccines and those who refuse for religious reasons. Non-immune employees, including those with exemption, may be placed on leave in the event of an outbreak of either disease. An employee may use earned sick time for this time off; otherwise, the leave will be unpaid.

The Arizona Department of Health Services requires certain health control measures in regard to communicable diseases. A physician or a health department official must reassess and release any employee absent from school as a result of any communicable disease prior to returning to school. Communicable diseases include, but are not limited to, novel coronavirus (COVID 19), Acquired Immune Deficiency Syndrome (AIDS), Chicken pox, Diphtheria, Encephalitis, MERSA, Pandemic Level Illnesses, Hepatitis, Measles, and Mumps. Review the Triumphant Learning Center Pandemic Plan for additional information.

When, in the opinion of the supervisor or administrator, and/or if the employee's physical or emotional condition warrants, the employee may be required to undergo a physical examination by a licensed physician selected by the school and at the school's expense. Staff will be required to go home if they run a fever of 100 degrees Fahrenheit. If staff have severe symptoms of COVID 19, flu, or a cold they should stay home, call in to the office, and if a teacher let your aide know.

In order to protect an employee's privacy, information concerning an employee's health must be kept confidential to the greatest extent possible, without jeopardizing the health or safety of others.

All requirements of the school set by the Arizona Department of Health Services will be followed.

Discipline Policy

Employee performance and behavior is expected to contribute toward the achievement of Triumphant Learning Center's mission, goals, and objectives. When employee performance becomes unsatisfactory, or work standards and rules are not followed, disciplinary actions will occur. Corrective action will follow a process of progressive discipline when the situation is a result of inappropriate behavior or unsatisfactory performance.

No amount of administrative action can alter an inappropriate behavior or unsatisfactory performance in the long run unless the employee is committed to improve or learn from their mistake. True discipline is a function of education because it can/will changes the very attitude of the workers towards their work and workplace. It must, therefore, be understood that discipline must be and is developed from within.

There will be a review of the employee policy manual as well as the staff and family handbooks. All employees will sign off that they have read and understood the standards of conduct applied at Triumphant Learning Center. When standards of conduct are not met, the supervisor initiates disciplinary action and documents disciplinary action. These policies and procedures apply to all employees.

Discipline Guidelines and Procedures

Discipline should not be viewed as punishment, but as a method of correcting a problem. The supervisor must inform an employee of the standards of particular conduct that apply in the workplace. An employee may be disciplined for breaching standards of general conduct or standards of particular conduct.

Disciplinary action should only be taken after an employee has an opportunity to provide an explanation of his/her behavior. A meeting should be held with the employee for this purpose. It is inappropriate to allow other employees to witness the discipline of a co-worker. Interviews involving discipline must be scheduled in advance and held in private.

Depending on the nature of the misconduct, the supervisor may speak to witnesses and taking notes of all interviews, discussions, and meetings. Disciplinary action should not be unduly delayed.

The progression of disciplinary measures at Triumphant Learning Center are as follows:

- Verbal reprimand/Discussion point;
- Written reprimand;
- One day suspension without pay;
- Five-day suspension without pay;
- Dismissal.

Incidents of serious misconduct (such as assault, theft or serious insubordination) may warrant serious disciplinary measures, and steps of the progressive discipline process may be by-passed. Misconduct that occurs early in the employment, and/or occurs in a short period of employment is viewed as serious misconduct. If the employee fails to correct the behavior, the discipline imposed increases with each incident as follows:

Step 1 - Verbal Reprimand/Discussion Point

The employee's immediate supervisor gives verbal reprimands. The reprimand must:

- Be given in private
- Address the area of concern including the possible outcome if the behavior is not corrected.
- Identify the gap between the desired behavior and the problematic behavior.
- Allow employee is given an opportunity to provide his or her version of the events.
- Have notes on the discussion that took place by the supervisor, as they may be needed if it is necessary to move on to the next step.
- Notes are in the employee's personnel file, but are used for the purpose of refreshing the supervisor's memory.

Step 2 - Written Reprimand

The employee's immediate supervisor gives written reprimands. This written reprimand must:

- Include actions that may be taken if the inappropriate behavior continues.
- Include a supervisor scheduled meeting with the employee to discuss the problem.
- Identify the gap between the desired behavior and the problematic behavior.
- Give employee an opportunity to provide his or her version of the events.
- Be given in private and a copy is placed in the employee's personnel file.

Step 3 - Disciplinary Suspension

- The Governing Board (GB) or a GB designee has authority to suspend employees.
- The GB or GB designee, upon reviewing the recommendation of the supervisor, administers disciplinary suspensions.
- The supervisor makes the recommendation for suspension after looking into the matter and discussing the problem with the employee.
- Suspensions are applied progressively, but should be appropriate to the seriousness of the misconduct. The first suspension is for one day. If this does not correct the behavior and/or repetition occurs, the next incident would result in a five day suspension After a five day suspension, dismissal would be considered.

Non - Disciplinary Suspension

- GB or GB designee do not give a disciplinary suspension where they feel an extensive investigation is required. Where the GB or GB designee feels an employee must be removed from the work site to properly conduct an investigation, a suspension pending investigation will be implemented.

Step 4 - Dismissal

Only the GB or GB designee has the authority to dismiss an employee from Triumphant Learning Center. The supervisor makes a recommendation for dismissal after looking into the matter and hearing the employee's explanation. The GB or GB designee, upon reviewing the recommendation of the supervisor, gives the employee an opportunity to provide a written submission.

In determining the appropriate disciplinary step to address an employee's misconduct, the supervisor should consider factors including:

- the employee's length of service;
- the employee's past discipline record;
- the seriousness of the misconduct;
- the employee's explanation; and
- any other pertinent facts.

For a part-time employee or an employee on probation, the progressive discipline process indicated above may be accelerated.

Written reprimands, letters of suspension, letters of demotion and letters of dismissal are copied to an employee's personnel file. Disciplinary letters for employees or senior management shall be kept with the employee's permanent records.

Maintenance of discipline is a prerequisite to the attainment of maximum productivity, not only at Triumphant Learning Center but also for the entire nation. Nothing stated here, however, will affect the at-will relationship referred to earlier in this manual. Triumphant Learning Center's GB or designee reserves the right to terminate employment at any time, with or without cause, prior notice, or warning.

Drug-Free Workplace

Triumphant Learning Center's GB is committed to a drug-free workplace. The presence or use of controlled substances or unauthorized alcohol on company premises or company property will not be tolerated. This does not include medications obtained with a valid prescription. Reporting to work under the influence of alcohol or controlled substances is prohibited. Even the abuse of prescription drugs in the workplace may affect an employee's performance, or may endanger the safety of an employee, staff, students, or others. Whenever management has reason to believe an employee is under the influence of alcohol, or a controlled substance, or is exhibiting impairment or influence brought about by the use of any substance, appropriate action may be taken. This action may include a test for the presence of drugs, disciplinary measures up to termination of employment. An offer of employment may be conditioned upon a test for the

presence of drugs, and a negative result of that test. Any type of involvement with the use or presence of controlled substances, or unauthorized alcohol, or the misuse of any drugs, prescription or otherwise, on company premises or property is strictly prohibited. Failure to comply with this policy may result in immediate dismissal.

Employment Relationship

This is an at-will employment relationship, without specific length, and either you or Triumphant Learning Center's GB or designee may end it at any time, with or without cause, prior notice or warning. No manager, supervisor or other agent of Triumphant Learning Center is authorized to enter into a different type of employment relationship with you and no different type of employment relationship will be recognized, unless it is in writing, is designated as an employment contract, and is signed by the Director or designee, and Governing Board of Triumphant Learning Center.

Equal Employment Opportunity

Triumphant Learning Center's GB believes in the philosophy of equal employment opportunity, and strives to make employment decisions that reflect this philosophy. We intend to give equal opportunity to all qualified applicants and employees. Our policy of equal employment prohibits discrimination on the basis of race, color, religion, sex, national origin, age, disability, veteran status, ancestry or any other basis prohibited by law.

Fingerprints

All employees are to be finger printed as required by the Arizona Revised Statutes 15-512 and 15-534.

Gifts

An employee should decline any offer of a gift where there would be even the slightest implication of exerting influence. Generally, accepting gifts might have the appearance of a conflict of interest and is therefore not permitted, except occasional gifts of nominal value.

Gifts to students are discouraged, except simple gifts to all students on/for special occasions.

Harassment

Triumphant Learning Center's GB is committed to a workplace free from discrimination harassment, including sexual harassment. Sexual harassment is defined as any unwelcome sexual advance, request for sexual favor, or other verbal or physical conduct of a sexual nature 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, or (c) it interferes with an individual's work performance or creates an intimidating, hostile, or offensive working environment.

Discrimination harassment means slurs, epithets, and other verbal comments or physical actions regarding race, national origin, age, religion, disability, or any other reason prohibited by law. It is your responsibility to immediately notify the Director of Triumphant Learning Center if you believe you have been harassed or sexually harassed by anyone in the workplace. In fact, if you become aware of any situation involving discrimination, harassment, or sexual harassment, it is your responsibility to bring it to the immediate attention of the Director. The Director will inform the Governing Board. If it is the Director the complaint is about, you are directed to go to the Governing Board directly.

In Addition to harassment, any sexual misconduct or suspected abuse must be immediately reported to the Director. If it is the Director the complaint is about, you are directed to go to the Governing Board directly.

Any complaint or report of discrimination harassment or sexual harassment will be promptly investigated, and Triumphant Learning Center's Director will take whatever necessary and corrective action is warranted, including discipline and discharge. All complaints will be treated as confidentially as circumstances permit in order to fully and fairly investigate and resolve them. Reprisals and retaliation are absolutely forbidden.

All verified accusation of sexual harassment will be turned over to the local law enforcement.

Open Door Policy

If you have work-related issues, concerns or problems, it is usually best to discuss concerns with the person you are having issues. Your supervisor is another avenue for support. If that is not appropriate, or if a satisfactory solution is not found, you may take that issue to the next level of management. You are encouraged to discuss work-related matter with the Director or bring the non-resolved concern to the Governing Board if your concern is with the Director.

Off Campus Activities

Triumphant Learning Center's GB encourages involvement in community activities, and realizes that certain outside involvements can be very rewarding. Outside activities, including those in community, industry, and charitable organizations, as well as offices or directorships held, however, should not involve a conflict of interest with the mission or vision of Triumphant Learning Center. This involvement must not conflict with your commitment to Triumphant Learning Center.

Any political involvement in which you participate is to be conducted by you as an individual, not as a representative or spokesperson of Triumphant Learning Center. Any outside employment, or directorship, while employed at Triumphant Learning Center, is subject to management approval.

Personal Conduct Policy

Each employee and the school's prestige and reputation in the community will be determined by our work, and by the employees who represent us. The Governing board Members are proud of those who work for the school, and employees can be proud of the positions of trust they hold. We must continue to earn that trust in everything we do. It is expected that employees will maintain the highest degree of loyalty, integrity, and honesty. Students, parents, and the community judge Triumphant Learning Center by the actions of its people.

Certain established policies are important in developing and maintaining the reputation of our mission. Some policies have to do with personal conduct and integrity; others are about how we present ourselves. All of these are important to our success and must be a commitment that is shared by all employees.

1. Always treat students, parents, other employees, and members of the community in a positive and professional manner. It is expected that employees will obey Federal, State, or local laws, comply with rules and regulations of the school, work in the best interests of students and of the school, and fulfill any school related or contractual obligations to completion or release.
2. Employees are expected to meet a high level of professional standards. Conduct must be consistent with an efficient and effective educational process. Conduct which could result in disciplinary action including termination of employment, even for a first offense, includes but is not limited to, the following:

- Disrupt or interfere with any school process or activity, or encourage others to do.
- Carry or possess a weapon on school property, unless specifically authorized by the Director or the Governing Board.
- Use, possession, distribution, manufacture, transfer, or sale of drugs, alcohol, or other illegal substances on school premises or property
- Physical or verbal abuse, threats of harm to anyone on school property or premises, or engaging in inappropriate horseplay
- Failure to comply with instructions or directives of supervisory or administrative personnel, or failure to perform reasonable duties when assigned
- Damage or threat to damage school property
- Careless or negligent handling or care of equipment, materials, supplies and/or property
- Forceful or unauthorized entry to school property or premises
- Failure to identify oneself to school officials, security officers or law enforcement officials when requested to do so
- Violation of school policies and regulations
- Violation of federal, state, or city laws or regulations
- Falsification of school or work records
- Use of school property for personal use without permission
- Solicitation and/or distribution of literature without authority or permission
- Negative public behaviors and attitudes written, voiced, or displayed
- Failure to comply with basic ethical standards (i.e. honesty, integrity, and self-discipline)

Political Activities

Employees may not engage in political activities, including campaigning or election activities, on school premises or properties, unless specifically authorized by the Governing Board. Political information, including circulars or posters, may not be distributed or posted on school premises or properties. The use of students for political writing or other activities is prohibited, as is the use of school equipment or material. Employees may not use their influence or authority to influence students or parents in regard to political activities.

Representing Triumphant Learning Center

School leadership encourages you to be active in the community and in public service roles; however, you should not represent yourself as speaking for, or acting on behalf of, Triumphant Learning Center. Employees are not authorized to make public statements on behalf of Triumphant Learning Center, or to endorse any product or service of any other organization on the school's behalf. The GB or Director of Triumphant Learning Center may authorize exceptions.

Safety, Health & Security

Triumphant Learning Center provides a safe and healthful work environment for employees. If you become aware of any unsafe condition at work, notify your supervisor, the Director or designee as soon as possible. Any accident or injury in the workplace should be reported to your supervisor, the Director or designee immediately.

Smoke-Free Workplace

Triumphant Learning Center's GB is committed to providing a smoke-free and Vape free workplace for employees. Smoking as well as vaping is prohibited on school premises or within school properties. All laws and ordinances in regard to smoking/vaping will be followed.

Standards of Dress

Employees contribute to the reputation of Triumphant Learning Center in the way they present themselves. Good grooming and appropriate dress reflect employee pride and inspire confidence. Inappropriate dress may be reason for asking an employee to take unpaid time off to go home and change. If you are uncertain about what is appropriate, consult the Family Handbook.

Modesty in dress demonstrates professionalism. The standard of dress for employees range from casual to business attire depending on situation and circumstance. At no time would it be appropriate for employees to wear low necklines, short hems, or tight sheer wear. Sleeveless shirts/dresses and tank styles are not allowed unless a sleeved shirt is worn over or underneath. Shirts must be long enough to prevent any midriff/back skin from showing when raising a hand or bending, etc. Shorts must be knee length or longer.

While in today's world tattoos reflect body art, tattoos can be distracting for coworkers, students, and visitors so tattoos are not to be shown during work.

One pair of earrings, one in each ear lobe, may be worn.

Professionalism in appearance extends also to the work area, which should be kept neat and free of unnecessary papers and clutter.

Telephone Conduct

To callers on the telephone, you are the first impression of Triumphant Learning Center. It is important to create a pleasant supportive first impression. Steps to be taken when on the phone:

- Answer promptly.
- Be friendly.
- Give the caller your undivided attention.
- If you must place a person on hold, ask permission first.
- When you return to the line, thank the person for waiting.
- Apologize for any error or delay.
- Be tactful when you cannot grant a request.

Personal telephone calls should be kept to a minimum. These calls tie up lines that should be available for business, disrupt your work, and disrupt the work of those around you. The use of cell phones/text messaging except for emergencies or directly related to your work is prohibited during work hours.

Long distance personal calls may not be charged to Triumphant Learning Center. Facsimile machines, copiers, postage meters, and school computers are not to be used for personal business.

Tutoring for Pay

Staff members are not to provide tutoring services for pay to any student who is registered at Triumphant Learning Center on school calendar days. School premises may be used for educational activities for which the registered student pays a fee to the instructor, with written approval of the Governing Board or designee.

Workers Compensation

Employees are covered by workers compensation insurance for work-related illness or injuries received on the job. It is required that a written Statement of Accident be completed for an accident or injury at work, whether or not medical attention is required, and that the Director, or designee, is notified immediately.

General Personnel Policies

Attendance

Attendance and punctuality are necessary for efficient and effective work. Every employee is expected to attend work as scheduled and to be on time. If you will be absent or late for any reason, you must contact the Director or designee at the earliest possible time to give them time to find a substitute if needed. By the time you would normally report to work and you have not made contact with the office or designee it will be considered an unauthorized absence. Unauthorized or excessive absence, or failure to comply with attendance policies, will result in a daily reduced rate once all sick time is used and may be reason for dismissal. The Director or designee may have additional attendance guidelines.

Exempt Employees

If you are an exempt employee, you must submit a record of each full day's paid absence, such as time off for holidays, sick time, or vacation time.

Exempt employees will not be assigned to work overtime hours so they will not receive payment for overtime hours. Employees are expected to complete tasks pertaining to work.

Hours of Work

Teaching staff is expected to be on campus from 7:45 a.m. to 4:00 p.m. Teachers supervising *after school late pick-ups* must stay until students are picked up and signed out by student's parents/guardians.

It may sometimes be necessary for employees to work other than the ordinarily defined work week. Work hours are determined for each job by the Director, supervisor, or designee.

Part-time employee hours are scheduled by their supervisor according to the needs of the school.

Non-Exempt Employees

Non-exempt employees will be paid in compliance with federal and state law for hours worked, including overtime hours.

Overtime will be paid non-exempt employees for hours over 40 worked in a work week. Only actual time worked will be counted for the purpose of computing overtime. Absences for personal business, vacation, illness or other non-work-time absences will not be counted as time worked.

Except for emergency situations, all overtime hours must be pre-approved by your supervisor. Overtime hours must be recorded on your time sheet for the week during which the overtime was worked.

Pay Dates

Pay dates are every other Thursday for work through the prior Friday. Time sheets must be submitted by non-salaried staff. Time sheets must be completed daily and finalized by 2:30 p.m. on the Thursday they are due to be submitted. If time sheets are not submitted by dead line then the time sheet will be processed in the next pay period. Please refer to your pay schedule for exact dates.

Personnel Records

Notify your supervisor immediately of any change in your family status. Also, notify your supervisor if you have a change of address, telephone number, emergency contact, or other information that will affect your personnel records.

Personnel records, including personnel files, are the property of Triumphant Learning Center and are considered confidential.

Resignation

Employees submitting a written resignation are asked to do so with as much notice as possible, preferably at least two weeks.

Employment Exit Statement

Up to two weeks prior to employment exit, staff will complete, date, and sign the exit statement form.

Social Media

Triumphant Learning Center's social media policy encourage employees and students to participate in social media while striving to create an atmosphere of trust and individual accountability. Employees are not to include students on their personal social media account. You are the student's teacher not their friend on social media. Keep in mind that information produced by this school, our faculty, staff, students and their parents is a reflection on the entire school community and is subject to the *Acceptable Use Policy*. Our Mission and obligation are to protect the students entrusted to us. By accessing, creating or contributing to Facebook, Twitter,

blogs, discussion fora, wikis, podcasts or other social media for classroom or school use, you agree to abide by the *Acceptable Use Policy*. Please read **Appendix A**, the social media policy guide, before signing the agreement and making use of technology.

Tardiness

Although occasional tardiness is sometimes unavoidable, being late affects the workplace. Staff late arrival creates chaos and disharmony of the beginning of the school day. Students require consistency, stability, and cohesion to help create a safe environment for learning purposes. Arrival at school later than 7:45 AM would be considered tardy. Excessive tardiness may be reason for termination of employment. All staff must come prepared to fulfill their obligations for student success.

School Property

Keys

Keys to the office building, classrooms, and gates will be issued to employees. If keys are lost or stolen, the supervisor must be notified immediately. At termination of employment, all keys must be returned.

Equipment

School equipment and property, including student PE equipment, student computers, tablets, chairs, software, technological devices, facsimile machines, copy machines, etc., are to remain on school premises and are not to be taken home, or to other off-campus locations. All school files and information are school property. Teaching staff can take their assigned school computers home to complete lesson plans, post grades, or any other school related function. The computer or other devices used by the teacher remain the sole property of the school.

Computer Systems, Phone and E-Mail

Only authorized programs and software may be installed on school computer equipment. All computers, electronic and telephonic communication systems and all communication and information transmitted by, received from, or stored in these systems are the property of Triumphant Learning Center, and as such are to be used for job-related communications only. Specifically, computer systems, e-mail and phone mail shall not be used to transmit, receive or store vulgar, profane, insulting, or offensive messages, or messages that are disruptive, offensive to others, discriminatory, defamatory, or harmful to morale. For example, the display or transmission of sexually explicit images, messages, and cartoons are not allowed. Other misuse includes, but is not limited to, ethnic slurs, racial comments, off-color jokes, or anything that may be construed as harassment or showing disrespect for others. This policy, however, does not prohibit personal messages of a social nature which do not contain otherwise prohibited content.

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

Employees are not permitted to use passwords, access a file or retrieve any stored communication unless authorized to do so. All passwords are the property of the school. Authorized representatives of the school, from time to time, may monitor the use of its equipment. This may include accessing recorded messages and printing and reading data files. Employees who violate this policy are subject to disciplinary action up to and including termination of employment.

Travel Expense Reimbursement

Employees using a personal car for pre-authorized school business may be reimbursed for the actual cost of gasoline used. The Director or designee must have approved all expenses submitted for reimbursement in advance of the travel.

Benefits

Arizona State Retirement System

Employees, who work 20 or more weeks, and 20 or more hours per week in a calendar year, will be enrolled in the Arizona State Retirement System.

Bereavement

Employees will be granted paid time off to attend a funeral, or make funeral arrangements, when there is a death in the immediate family. Generally, up to three working days will be granted if the death is in-state; up to five working days if out-of-state.

Immediate family includes spouse, parents, grandparents, children, brothers and sisters of the employee or of the employee's spouse.

Equipment

A computer may be assigned to a teacher for classroom and may be use at home for school work. Assigned computers will revert to Triumphant Learning Center will end when employee leaves.

Health Insurance / Tax Secured Investment Account Option

Triumphant Learning Center's GB provides full-time employees with the opportunity to participate in health insurance coverage or to invest in a tax secured account. If employee leaves prior to the end of the school year all benefits will be prorated. For further information concerning your eligibility for this benefit, contact the Director.

Holidays

All employees are eligible for paid holidays, based upon their regularly scheduled work hours.

Triumphant Learning Center's GB currently observes the following holidays:

President's Day Labor Day Veteran's Day MLK Day
Thanksgiving Day Christmas Day New Year's

Holidays falling on a Saturday are normally observed on that day. Holidays falling on a Sunday are normally observed on the following Monday. Management at the beginning of the school year usually determines dates observed for holidays.

Jury Duty

Full-time exempt and non-exempt employees who are asked to serve jury duty will be paid the difference between their regular pay and the amount paid by the court for the days required to be at court, up to a maximum of one week.

During off time, except lunch and other breaks, it is expected that you will report to work. Jury duty is to be reported to the administration if salaried and on your time sheet for non-salaried staff. If the time off for Jury Duty extends beyond one week, payment for additional time off will be at management's discretion. You will be required to submit certification of your service.

Medical Leave of Absence

29 CFR § 825.600 (b) - Special rules for school employees. Cornell Law School posted the Legal Information Institute [LII] stating that employees of a rural school would not be eligible for FMLA leave if the school has fewer than 50 employees and there are no other schools under the jurisdiction of the same employer (usually, a school board) within 75 miles. Triumphant Learning Center's Governing Board support employees in taking job-protected unpaid leave when they have a serious health condition or to care for certain family members when the family member has a serious health condition. ([29 U.S.C.2601 et seq.](#)) Each employee is integral to the school's reputation and success so supporting our staff during a time of need is an important aspect and a driving force of our success.

The Family Medical Leave Act (FMLA) allows employees to take **up to** 12 weeks (48 work days) off in a 12-month period. Employees who have worked continuously for the prior twelve months and worked 1,250 hours (about 25 hours per week) during that time may request a Medical Leave of Absence. Childbirth and bonding with a newborn are reasons for a medical leave of absence receiving four weeks (16 paid work days) off. A Medical Leave of Absence may provide **up to** 48 work days off and of this time **up to** 8 work days as paid time off for:

- a serious health condition affecting you,
- your need to care for a family member with a serious health condition,
- care for a minor child due to closure of school or childcare facility

- childbirth and bonding with a newborn
- a recent adoption or foster care placement
- specific reasons related to certain military deployments
- mandated quarantine period for COVID 19 or another such communicable disease.

Only immediate family are covered by FMLA such as yourself, your spouse, child under 18 years of age or 18 or older but incapable of self-care, or parent.

Part-time employee's FMLA is provided at a prorated basis. All leaves of absence decisions will be made at the discretion of the Governing Board or designee of Triumphant Learning Center, and in accordance with applicable laws.

It will be considered a Medical Leave of Absence for an absence of more than eight consecutive work days. Generally, time off for a Medical Leave is granted only for the time you are medically unable to work. The employee must complete a medical leave form as soon as they know they require such a leave. Employee's will use accrued paid leave (personal days and sick time) prior to using FMLA. At the end of the medical leave of absence, the employee will continue in their former position with restoration of pay and benefits.

The Affordable Care Act requires employers to do a calculation for full-time equivalent, for counting purposes. This process uses the definition of 30 hours a week as full-time and it takes part-time employees and calculates the percentage each part-timer works as compared to a full-time employee. This calculation doesn't affect the employees; it's just for counting purposes.

In order to request a Medical Leave, you must meet the following requirements:

- Continuous employment for the past twelve months;
- Request the Leave in writing, stating the reason for the request; or
- Submit a statement from a physician that states that you are (or will be) medically unable to work, the effective date of that status, and the anticipated date you will be medically able to return to work.

The request and physician's statement will be submitted to the GB for final approval. Your request should be made **30 days in advance**, or as soon as the need for the leave is known. Under some circumstances, Triumphant Learning Center's administration may initiate a leave with Governing Board approval.

Medical Leave of Absence-Return

Upon return from a Medical Leave of Absence, an employee must submit a request to return and a physician's statement confirming the ability to return to work. In the case of COVID 19 the employee may need a Health Department release.

An employee is expected to return to work as originally scheduled on the Leave request. If your expected return-to-work date changes, you must notify your supervisor and request that the

return date be rescheduled. If you do not return to work at the end of the Leave, as scheduled, your employment may be terminated.

During your leave period, you may be asked to provide medical evidence that your leave is still required. Triumphant Learning Center may request that a physician of our choice examine the employee. If an employee refuses, or if acceptable medical evidence has not been submitted, the absence may be considered unauthorized and termination of employment may result.

Earned sick time and personal days will be applied to a Medical Leave of Absence. Once all sick days and personal days have been used, the leave will be unpaid.

Medical Leave of Absence - Effect on Benefits

Generally, benefits will not continue during a Medical Leave. For example:

- Payment will not be made for holidays occurring during the Leave.
- Health Insurance/Tax Secured Investment Account benefits **may be paid** during an unpaid/paid medical leave.
- The next performance appraisal, or salary increase date; will be extended by the amount of Leave time taken.

Military Leave of Absence

Triumphant Learning Center's Governing Board adheres to all Federal and State laws, as required at the time, regarding a Military Leave of Absence.

Personal Leave of Absence

Occasionally a paid personal leave of absence may be approved for an employee. This would include two days per semester for up to (4) days in a school year for salaried and non-salaried staff. These days may not be carried over from year to year. Requests for personal leave are to be submitted to the Director or designee in writing at least one week prior to the leave.

Reimbursement/Educational

Educational classes, workshops, seminars, or the like that ultimately improves academic performance of students may be paid for by Triumphant Learning Center, assuming there are funds available. This may include the costs for classes or seminars, books, or other educationally related expenses such as travel, and lodging. The applicant must provide detailed information about the event, proof of attendance and or passing the course with a grade of 'B' or better.

School Breaks

Triumphant Learning Center employees will observe the following school breaks:

- Fall Break a designated week in October
- Christmas Break (includes Christmas Day and New Year's Day)
- Spring Break a designated week in March

Dates for these or any additional school breaks will be announced at the beginning of each school year. No additional vacation time is available.

Sick Time

Under the Healthy Families Act employees have rights to paid sick leave. Sick time is time off with pay due to an employee's temporary illness such a flu, or cold or injury, which precludes the employee from reporting to work. Full-time employees will earn one paid sick day per month of employment, up to a maximum of seven days per school year.

At the end of a year, unused sick time will carry over to the following year, up to a maximum of 21 work days.

Paid sick days are not intended to provide personal days off, but are intended to provide you with income when you are unable to work due to illness or injury. You will be asked to provide evidence from a physician confirming your inability to work after missing 3 consecutive work days.

Although sick time is designed to be used for your own personal illness or injury, you may occasionally use it for an emergency or to stabilize the medical situation of your dependent children or other immediate family members living with you who are your responsibility. Once the situation has been stabilized, i.e., arrangements made for someone to care for the family member; your sick time may no longer be used for that purpose. Medical and dental appointments should be made after work hours or on Fridays whenever possible. Otherwise, time off for these appointments will be applied against your sick leave.

The minimum charge against your sick leave will be two hours then hourly after that.

If you are taking a sick day, you must notify your supervisor before your normal work starting time, if possible. If you are out more than one day, your supervisor may require that you call in daily. Verification of your illness or medical disability may be required on the third consecutive sick day. An absence in excess of three consecutive days, during which no contact has been made with Triumphant Learning Center, may be considered a voluntary termination.

Sick time is not counted as hours worked for the payment of overtime. Payment will not be made in lieu of sick time, nor will unused sick time be paid at termination of employment.

Improper use of paid sick time is subject to disciplinary action, as determined by the Governing Board and Director or designee, up to and including termination of employment.

Part-time employees earn one hour of sick time for every thirty hours worked up to 40 hours per year. For part-time employees, the minimum charge against sick time will be two hours and then hourly after that.

301 Teacher and Aide Distribution ARS 15-977

(Distribution based on available money and number of teacher contact time and teacher aide at a 70/30 split.)

Base pay is usually distributed in December and Performance pay in June.

#1 Base Pay - 20% (For teachers & aides)

Based on contact time with students.

#2A Performance Pay - 20% (For teachers & aides)

For performance pay, teachers must analyze and report on student and class growth. Students must demonstrate at least one year's academic growth for each grade level.

K-2st: TLC testing: WRAT, STAR Math and Reading, Dibels

3rd-8th: TLC testing: WRAT, STAR Math and Reading, (Dibels 3rd and 4th grade), and State Assessments

#2B Performance Pay - 20% (For teachers & aides)

Team Work and Attendance (60%)

Parent & Student Surveys (20%)

Administrative Observations (20%)

Optional: video lesson

#3 Miscellaneous Pay - 40%

Distributed at the discretion of the TLC Governing Board. Can be used for class size reduction, teacher compensation increases, State testing intervention programs, and teacher development.

Created August 2009

Board reviewed and Approved _____

Triumphant Learning Center Booklet Receipt

I acknowledge receipt of the Triumphant Learning Center Employee policy manual. I understand it is my responsibility to read, know and follow the policies, standards, and procedures outlined in this manual. I have read and understood the Social Media Acceptable Use Policy and agree to abide by it:

I further understand that information contained in this Manual is not considered a promise to employees, nor is it intended as a contract of employment, but is provided only for information and direction on following school policy.

I understand this is an at-will employment relationship and either Triumphant Learning Center Governing Board/designee or I may end it at any time, without cause, prior notice or warning.

I understand that no manager, supervisor or other agent of Triumphant Learning Center may enter into any other type of employment relationship with me unless it is in writing, is designated as an employment contract, and is signed by the Director or Governing Board of Triumphant Learning Center.

Employee Name

Employee Signature

Date

Appendix A

SOCIAL MEDIA POLICY Triumphant Learning Center

PURPOSE

Triumphant Learning Center's Administration understands the importance of teachers, students and parents engaging, collaborating, learning, and sharing in the fast-moving world of the Internet and "social media" – such services as "Facebook", "Twitter", "Shutterfly", Wikipedia, "blogs", and many other online tools such as smart phone text messaging and photo/video technology through which people connect and share information. With this in mind, our administration developed the following guidelines to provide direction for instructional employees, students and the school community when participating in online social media activities.

Whether or not an employee chooses to participate in a blog, Wikipedia, discussion forum, online social network or any other form of online publishing or discussion it is his or her own decision. However, to the extent that employees, faculty, parents and members of the school community represent our school to each other and to the wider community, participation in such social media should be done responsibly with a mind toward how both the location where one chooses to participate and the content one posts reflect on that person individually and on the school. Moreover, issues concerning the proper respect for the privacy of our students, confidentiality of sensitive information and respect for copyrights and trademarks are all important to understand before participating in an online social environment.

Triumphant Learning Center's social media guidelines encourage employees and students to participate in social computing while striving to create an atmosphere of trust and individual accountability. Keep in mind that information produced by this school, our faculty, staff, students and their parents is a reflection on the entire School community and is subject to our Acceptable Use Policy. Our Mission and obligation is to protect the students entrusted to us. By accessing, creating or contributing to Facebook, Twitter, blogs, discussion fora, wikis, podcasts or other social media for classroom or school use, you agree to abide by these guidelines. Please read them carefully before making use of such social media.

If you have any doubts or concerns about how these guidelines apply to you or your situation, or how they might apply to some new form of social media in the future, please err on the side of caution and direct your questions and concerns to the Director of the School before you make use of such media. In the online world, an ounce of prevention is worth far more than a pound of cure.

Overview

The new rules seem obvious:

- Stay professional on Facebook, Twitter and all other social media sites.
- Don't post inappropriate photos or otherwise embarrass the school district.
- Do not "friend" current students.
- Keep all conversations focused on school and learning.

GENERAL GUIDELINES

Consult the employee manual and/or parent and student handbook. Be aware that all existing policies and behavior guidelines extend to school-related activities in the online environment as well as on School premises.

Use good judgment. Think about the type of image that you want to convey on behalf of the school when you're posting to social networks and social media sites. Remember that what you post will be viewed and archived permanently online once you hit the "publish" button. On sites where you publicize your professional affiliation, make sure that your profile adheres to established criteria.

Provide value. Think about what you have to offer the community, whether it's thoughtful, relevant blog posts, newsy tweets, or homework help, and focus on providing that consistently. Look for opportunities on these social sites to offer recommendations or services to engage patrons and provide value to your community. Don't be an Internet "troll" by posting or passing along mass email forwards and urban legends (funny stories, videos, non-school photos and other "SPAM").

Accept responsibility. If you're wrong about something, admit it and move on. It's not the end of the world to have made a mistake, and in the long run it's better to be honest about it and apologize than to deny it or cover it up. People on the Internet are still people.

Copyright and Fair Use

- Respect copyright and fair use guidelines. See <http://www.copyright.gov/fls/fl102.html>
- Hyper-linking to outside sources is recommended. Be sure not to plagiarize and to give credit where it is due. If you are re-posting photos, videos, poems, music, text, artwork or other copyrightable material, take the extra step of identifying the creator of the materials to the extent reasonably possible.
- When hyper-linking to other sites and media, be sure that the content to which you are hyper-linking is appropriate and consistent with these guidelines.
- Be aware that photographs taken by professional photographers cannot be scanned and used on the internet without the photographer's permission – even if they are photos of you and for which you paid. Most photographers will charge a little extra for "digital rights" to photos.

LEGAL FRAMEWORK

Triumphant Learning Center's Administration is committed to ensuring that all staff members provide confidential services that meet the highest standards. All individuals working on behalf of the school are bound by a legal duty of confidence and other laws to protect the confidential

information they have access to during the course of their work. Disclosure of confidential information on social media is likely to be a breach of a number of laws and professional codes of conduct, including:

- the Human Rights Act 1998
- Common law duty of confidentiality, and
- the Data Protection Act 1998.

Confidential information includes, but is not limited to: Person-identifiable information, e.g. pupil and employee records protected by the

- Data Protection Act 1998
- Information divulged in the expectation of confidentiality
- School or County Council business or corporate records containing organizationally or publicly sensitive information
- Any commercially sensitive information such as information relating to commercial proposals or current negotiations, and
- Politically sensitive information.

Staff members should also be aware that other laws relating to libel, defamation, harassment and copyright may apply to information posted on social media, including:

- Libel Act 1843
- Defamation Acts 1952 and 1996
- Protection from Harassment Act 1997
- Criminal Justice and Public Order Act 1994
- Malicious Communications Act 1998
- Communications Act 2003, and
- Copyright, Designs and Patents Act 1988.

Profiles and Identity

- Remember your association and responsibility with this school in online social environments. If you identify yourself as a school employee, ensure your profile and related content is consistent with how you wish to present yourself with colleagues, parents, and students and consistent with the image, purpose and Mission of the School. Remember how you represent yourself online should be comparable to how you represent yourself in person.

- No identifying personal information, such as full names, addresses or phone numbers should appear on blogs or wikis or other social media.

- Be cautious how you setup your profile, bio, avatar, etc. The same guidelines apply to this information as well as the substantive content you post.

- When uploading digital pictures or avatars that represent yourself make sure you select a school appropriate image. Also remember not to utilize protected images.

Social Bookmarking

- Be aware that others can view the sites that you bookmark.

- Be aware of words used to *tag* or describe the bookmark.

- Be aware of URL shortening services and verify the landing site they point to before submitting a link as a bookmark.
- Attempt to link directly to a page or resource if possible as you do not control what appears on landing pages in the future.

FACULTY AND STAFF GUIDELINES, Policies and Procedures

Blogs, Wikis, Podcasts, Digital Images & Video Personal Responsibility

- Triumphant Learning Center employees are personally responsible for the content they publish online. Be mindful that what you publish will be public for a long time—protect your privacy and that of the school, our students and their families. Once materials have been published online, they may be out of your control.
- Your online behavior should reflect the same standards of honesty, respect, and consideration that you use face-to-face and should be carried out consistent with the standards applied on school premises and in furtherance of the Triumphant Learning Center Mission.
- When posting to a blog, discussion forum, or Twitter or Facebook account, be sure you make it clear that the information is representative of your views and opinions and not necessarily the views and opinions of this school. Remember that blogs, wikis, discussion groups, and podcasts are an extension of your classroom. What is inappropriate in your classroom should be deemed inappropriate online.
- The lines between public and private, personal and professional are blurred in the online world. By virtue of identifying yourself online as affiliated with this school, you are now connected to colleagues, students, parents and the Triumphant Learning Center community. You should ensure that content associated with you is consistent with your work at the School and School’s Mission.
- Don’t participate in spreading false or unsubstantiated rumors or false information. Strive to speak the truth - and when you don’t know, sometimes saying nothing is the best choice.
- When contributing online do not post confidential student information.
- Before posting videos and photographs of students to any online forum, including Facebook, Shutterfly, a blog or any other media, notify the Director in advance of posting them, letting him or her know the content of what you intend to post, where you intend to post it, and the identity of any school staff, faculty or students depicted in the media. Photographs, videos and other digital content identifying our school students or their families should not be posted online without prior approval from the Director. (Photographs posted on social media sites easily can be appropriated by visitors. Consider adding a watermark and/or posting images at 72 dpi and approximately 800x600 resolution to protect your intellectual property. Images at that size are sufficient for viewing on the Web, but not suitable for printing.)
- Such materials should ONLY be posted to social media that provides reasonable protection against general public access and has tools in place to limit access only to identified or invited persons.

- Use of student time for social media should have an articulated and defined instructional purpose consistent with the School's Mission.

Disclaimers

- All Triumphant Learning Center employees must include disclaimers within their personal blogs and other media in which they either identify themselves or are likely to be identified as affiliated with Triumphant Learning Center that the views are their own and do not reflect on Triumphant Learning Center. For example, "The postings on this site are my own and don't necessarily represent Triumphant Learning Center's positions, strategies, or opinions."
- This standard disclaimer does not by itself exempt school employees from a special or personal responsibility when posting online.
- Where online media is open to content and participation (such as comments) from students and parents. Teachers are encouraged to carefully review and moderate such comments or disable their use.

Instant Messaging

- School employees are required to get authorization to have instant messaging programs downloaded on their school computers.
- School employees also recognize this same authorization is required for access to instant messaging programs that are available through web interfaces with no download.
- Avatar images and profile information should follow the same guidelines as the above *Profiles and Identity* section.
- A written request must be submitted to the Director for approval.
- When submitting a request to the Director, please provide a statement identifying the program and explaining your instructional purposes for using the program.

Requests for Social Media Sites

Triumphant Learning Center's Administration understands that technology is constantly changing and that many sites have pedagogical significance for teacher and student use.

- If you would like to request that another online site be accessible to use for teaching and learning, please submit a request to the Director for review, identifying the online tools you wish to use, and your instructional purpose in using them.
- Requests will be reviewed by the Director and the School Board, if necessary, and these social media guidelines will be updated periodically throughout the school year as needed to keep up with emerging technologies and challenges in the online environment.
- A description should be provided of the intended use of the site and what tools on the site match your needed criteria.

Limitation of Liability

Triumphant Learning Center’s GB or administration will not be responsible for damage or harm to persons, files, data, or hardware. While Triumphant Learning Center’s IT personnel employs filtering and other safety and security mechanisms, and attempts to ensure their proper function, it makes no guarantees as to their effectiveness. Triumphant Learning Center’s GB will not be responsible, financially or otherwise, for unauthorized transactions conducted over the school network.

Violations of the Social Media Acceptable Use Policy

Violations of this policy may have disciplinary repercussions, including:

- Suspension of network, technology, or computer privileges
- Disciplinary action up to Termination of employment
- Legal action and/or prosecution

Employee Name

Employee Signature

Date

Board reviewed and approved _____

Appendix B
Medical Leave forms

TLC Family and Medical Leave Request Form

To request unpaid leave on the basis of the Family and Medical Leave Act (FMLA), please complete the following request form and submit to Administrative office at least 30 days prior to leave (unless leave is unforeseen, in which case submit the form as soon as practical).

Employee Name (print clearly): _____

Requested Leave Start Date: _____ Estimated End Date: _____

The reason for this FMLA leave request is (select the most appropriate box):

- Birth of a son or daughter and to care for the newborn child.
 - Placement with the employee of a son or daughter for adoption or foster care.
 - To care for the employee's spouse, son, daughter or parent with a serious health condition.
 - A serious health condition that makes the employee unable to perform the functions of the employee's job.
 - A qualifying exigency arising out of the fact that the employee's spouse, son, daughter or parent is a military member on covered active duty (or has been notified of an impending call or order to covered active duty status).
 - To care for a covered service member with a serious injury or illness if the employee is the spouse, son, daughter, parent or next of kin of the covered service member.
 - To care for the employee's child when the employee is unable to work (or telework) due to the closing of the child's school, place of care, or unavailability of the regular childcare provider due to a public health emergency with respect to COVID-19.
-
-

Time off work is expected to be (select the most appropriate box):

- For a continuous block of time (several continuous days, weeks or months off work).
- For a reduced work schedule (change in work schedule needed—fewer hours per day or fewer hours per week). Explain possible schedule:
- On an intermittent basis (periodic time off that is not usually expected to be the same days or time off from week to week; examples may be time off for flare-ups of a medical condition and/or for ongoing medical treatment/appointments).

Additional information about employee FMLA rights and responsibilities will be provided to you in writing within five business days after receipt of this notice (unless already provided).

Determination of eligibility for leave under the FMLA, and/or additional documentation or clarification of documentation, may be required prior to making a final FMLA determination to approve or deny an FMLA leave request. Please contact Human Resources with any questions.

Employee Signature: _____ Date: _____

Return to Administrative Assistant

For Office use ONLY: Administrator Name/Signature: _____

Date received: _____ FMLA Eligibility Notice sent: _____

TLC Request to Return from Medical Leave of Absence

Employee's name: _____

Position: _____

HealthCare Provider Name: _____

HealthCare Provider Address: _____

HealthCare Provided Phone Number: _____

Provider's Statement: This is to certify that _____

may return to work on _____.

Restrictions or limitations?

None

Yes, Restrictions:

End Date of restrictions: _____ (if unknown, please list date of next follow up appointment) Follow up Date: _____

Provider's signature: _____ Date: _____

This form must be completed prior to returning to work. Provide completed form to your supervisor for signature. Once faxed to HR, please retain copy of return form for your records. Return form to the Director or designee for HR.

Supervisor printed name: _____

Supervisor signature: _____ Date: _____

Board reviewed and approved _____