



Southern Avenue
CHARTER SCHOOL

Southern Avenue Charter Elementary School of Academic Excellence and Creative Arts

**2024-2025
Faculty and Staff Handbook**

**K – 2nd Grades
2221 Democrat Rd
Memphis TN 38132**

**3rd – 5th Grades
2185 Democrat Rd
Memphis TN 38132**

**(901) 743-7335
www.southernavecharterschools.org**

Elise Evans, Founder & Executive Administrator

As of 07/08/24

“This employee handbook is subject to changes or modifications at any time that may supersede, modify, or eliminate existing policies.”

Mrs. Elise Evans, Founder and Executive Administrator

Website: <http://southernavecharterschools.org>

INTRODUCTION

This document has been developed by the Southern Avenue Charter School Administrative Team in order to familiarize our employees with information about our working conditions, key policies, procedures, and benefits that govern employment practices and expectations. This handbook is intended to support Administration, Faculty, and Staff.

Employees will receive an orientation of the policies and procedures of Southern Avenue Charter School during the first week of employment. All employees are required to sign the document, including acknowledging that you received a copy of this document. If you have any questions about the content included, please contact an Administrator immediately.

Note

The content of a manual does not constitute nor should it be construed as a promise of employment or as a contract between Southern Avenue Charter School and any of its employees.

Southern Avenue Charter School at its option, may change, delete, suspend, or discontinue parts of the policy in its entirety, at any time without prior notice.

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VISION

The vision of Southern Avenue Charter School is to be Tennessee's best charter elementary school encompassing a safe nurturing environment, strong parental involvement, and rigorous academics.

MISSION

The mission of Southern Avenue Charter School is to educate the "whole child" to experience physical / mental academic wellness and social successes through a variety of research-based, data driven teaching methods and brain developing activities; to lay the necessary foundation for the child to perform successfully in middle school, high school and beyond; thus, enabling the child to become a productive, self- supportive citizen in a technologically advanced, and culturally diverse society.

SOUTHERN AVENUE CHARTER SCHOOL - A BRIEF HISTORY

Southern Avenue Charter Elementary School of Academic Excellence and Creative Arts (SACS) was founded in 2004 and opened in August 2005 to serve at-risk students who were assigned to failing schools. SACS was chartered to open and operate by Memphis City Schools and the Tennessee Department of Education. This Kindergarten-5th grade school was established by a diverse group of community stakeholders who have a passion for every student receiving a quality education. Southern Avenue Charter School provides a unique and achievable route to success towards that goal. The founding stakeholders' desire was to provide a safe learning environment for students by offering a high quality, researched-based, data driven education with exposure to creative arts through a program known as Kaleidoscope.

PHILOSOPHY

- We believe that every child has an obligation and a duty to learn, and we have the responsibility to teach that child.
- We believe that a child's mind is like an "empty vessel" waiting to be filled.
- We believe that every child can learn and be successful in a learning environment that is safe, non-threatening, and cognitively compatible.
- We believe that success in the early grades is critical for future success in school. A child who learns and succeeds early increases his/her learning capacity forever.
- We believe that learning deficits can be prevented through early intervention as well as improved curriculum and instruction, individual attention, and strong support systems.
- We believe it is our responsibility to meet each child on his/her level and provide the educational experiences necessary to ensure that he/she has the tools to be academically, creatively, socially, and culturally successful.

- We believe that we teach children, “not” reading, writing, languages, math, social studies, science, music or physical.
- We believe that if children have not learned, the teacher has not taught. It is the responsibility of the teacher to provide students with engaging work that ensures that the students not only listen to the lesson but also are able to apply what is being taught.
- We believe that technology plays an integral part in the lives of everyday citizens in this new and competitive global economy.

FACULTY / STAFF OPERATIONAL PRINCIPLES

The school faculty / staff set the tone for the operation of the school. **All faculty and staff** are role models for our students and for each other. Self-pride, self-respect, respect for others, and positive behavior are traits demonstrated and expected by everyone.

POLICY CHANGES

This manual supersedes all previous employee manuals and memos. While every effort is made to keep the contents of this document current, Southern Avenue Charter School reserves the rights to modify, suspend, or terminate any of the policies, procedures, and/or benefits described in the manual with or without prior notice to employees.

GOVERNING BOARD

Board of Directors

The Governing Body/Board of Directors for Southern Avenue Charter School is fully constituted and functioning. Below is a list of their names, titles, and experience. Each has a proven record of community involvement and concern for the education of our children. The Board of Directions is fully capable of leading this school of excellence and providing a breadth of educational opportunities for our children. The Board meets the second Tuesday of the month (quarterly – August, November, February, and May) at the Central Office or by conference call.

Mr. Gregory D. Bethel, Chairperson	HR Business Manager, Partners for City of Memphis
Mr. Anthony Amos, Board Member	Infectious Disease Control Manager, Chief Compliance Office MATA
Mr. Stanley Burton, Vice Chairperson	State of TN. Veterans Employment Representative
Mr. Arnell Morris, Board Member	COGIC Pastor, Firefighter/ Paramedic
Ms. Stephanie Walker, Board Treasurer	Retired-Federal Express Corporation Sr. Information Planning Analyst
Ms. Tania Maria Incio, Board Member	Spanish Teacher
Mrs. Carolyn Godwin-Willett, Board Secretary	Entrepreneur and Owner of Kiddie College
Judge Walter Evans, Board Member	Retired-Chancellor Shelby County Chancery Court
Ms. Kathryn Smith, Board Member	SPED Assistant
Ms. Gwendolyn Boykin, Board Member	Retired Educator
Ms. Dell Stiner, Board Member	Retired-Family Law Attorney and Registered Nurse
Mr. Tyrus Perry	Retired Educator

Central Office Staff

- Mrs. Elise Evans, Founder/Executive Administrator.....eevans@sacsmemphis.org
- Ms. Denise Dill, Chief Operating Officer.....ddill@sacsmemphis.org
- Mr. Walter Evans, Esq., PHR, Director – Human Resourceswevans@sacsmemphis.org
- Ms. Lois Madison, Human Resource Specialist.....lmadison@sacsmemphis.org
- Ms. Jeffie Cathey, Payroll Specialist.....jcathey@sacsmemphis.org
- Ms. Ebony Turner, Human Resources Specialist/Accounting Assistant.....eturner@sacsmemphis.org
- Ms. Ervilin Pace, Special Programs Directorepace@sacsmemphis.org
- Mrs. Camille Hubbard, Accountant.....cammillehub@aol.com

School Administrative Team

- Ms. Manessa Parker, Assistant Principal.....mparker@sacsmemphis.org

School Instructional Culture and Climate Administrative Support Team

- Mrs. Jabina Harris, RTI2 Coordinatorjharris@sacsmemphis.org
- Ms. Linda Hicks, School Counselor.....lhicks@sacsmemphis.org

Office Staff

- Ms. Heather Sparkes - General Office/Financial Secretary.....hsparkes@sacsmemphis.org
- Ms. Jacqueline Jordan –PowerSchool Coordinator.....jjordan@sacsmemphis.org
- Ms. Meshauna Holmes – Office Assistant.....mholmes@sacsmemphis.org

School Principal

To be filled.....

Assistant Principal

Manessa Parker

School Counselor

Linda Hicks

RTI-2 Coordinator

Jabina Harris

Interventionists

Sheron Banks
Jeraldine Davis
Anita Gayden
Supreena Harris
Julia Paige
Clonia Young

Teachers' Assistants

KK- Ordra-Anna Westbrook
1st-Zakory Smith
1st- LaTonya Salton
1st – Tanisha Noel
1st – Latosha Brooks
2nd-Erryn Bell
3rd-Danyell Dill
4th- Michelle Brown
5th- To be filled

Special Education/ESL Programs

SPED Lashunda Brewer
SPED Asst. Kathryn Smith

Tania Incio

Support Programs

Music -Sherri Stepter
Spanish- Tania Incio

Librarian

Telisha Phillips

Information Technology

J. Christian Evans, IT Director
Kisha Windless, IT Systems Analyst Manager

Coach/Athletic Director/PE

Jamaal Rufus

Teachers

KK-01 DeeAnna Redmond
KK-02 Varita Turner
KK-03 To be filled

1-01 To be filled
1-02 Sierra Jones
1-03 To be filled
1-04 To be filled

2-01 Willedra Williams
2-02 To be filled
2-03 Ashley Stewart

3-01 Shaquita McDaniel
3-02 To be filled

4-01 Reginald Moore
4-02 Elizabeth Turner

5-01 Terrell Mitchell
5-02 To be filled

GOS/Financial Secretary

Heather Sparkes

EIS/Powerschool/ Transportation Coordinator

Jacqueline Jordan

Curriculum/ Title I Coordinator

Teena Smith

Rex Oatis, IT Media Specialist
Valencia Love, IT Secretary
Roland Turner, Media Assistant

Special Programs

Ervilin Pace, Director

Environmental Staff

Arthur Eddings, Environmental Supervisor
Reginald Reese, Assistant Supervisor
Maria Arellano-Sanchez
Larry Hampton
Robert Fair
Gracie Washington
Malcolm Pryor
Russell Rogers

Before/After Care Programs

Michelle Brown, Coordinator
Shirley Scurlock (AM)
Officer Bernard Bledsoe (AM)
Kisha Windless (PM)
Tania Incio (PM)
Jessica Banks (PM)
Ebony Turner (PM)

Nurse

Paula Williams
Kimberly White

Bus Driver

Annette Hall
Tanisha Noel

After Care USDA Food Program

Ervilin Pace, Program Director

ATTENDANCE

All faculty / staff personnel are required to report to work at scheduled time daily by 7:30 a.m. All faculty / staff members are required to sign or clock in daily for attendance evaluation and payroll purposes. Failure to sign or clock in daily may delay and/ or cause a change in the employee’s wages.

DUTY TIMES

The school day for most professional personnel is between **7:30am to 3:30pm**. As assigned, support personnel will be required to be on post by **7:30 for educational assistants and transportation**. Teachers and any instructional/support team members are expected to be on campus no later than **7:30am** to supervise students entering school and to monitor common areas, hallways and prepare for the start of the academic day. For questions regarding duty times or schedule, please refer to employment contract or contact the Human Resource.

Department	Report Time
Teachers	7:30 a.m.
Instructional Leadership/Administrators	7:30 a.m.
Educational Assistants	7:30 a.m.
Before Care	6:00 a.m.
COVID team	varies (contact Ms. Pace)
Secretaries	7:00a.m. and 7:30a.m.
Central Office and IT	7:30 a.m.
Environmental	varies (contact Mr. Arthur)

Unscheduled Absences

Each faculty / staff member is a necessary component to the successful daily operation of the school. It is the expectation that all employees report to work daily and on time as scheduled. However, illnesses and or situations arise from time to time. In the event you find it necessary to be absent from work due to illness and or other reasons beyond your control, contact your immediate supervisor immediately.

Assistant Principal- Mrs. Manessa Parker

IT Department- Mr. Evans

Special Programs/COVID- Ms. Pace

Environmental- Mr. Arthur Eddings

Please use the following steps for notification: (all absences)

1. Contact immediate supervisor *no later than 9:00 p.m. the day prior* if an unforeseen circumstance impacts your attendance. You must speak directly to your department head.

- If an emergency occurs overnight, please contact your supervisor the following day by 6:30am. Email Mrs. Manessa Parker at mparker@sacsmemphis.org about your absence.
2. If there is an emergency, which would inhibit contacting the supervisor during the allotted time, please submit required documentation (case by case). It is still your responsibility to notify the Assistant Principal as soon as possible for logistic and operational purposes.
 3. If you do not report to work and your supervisor is not notified, it will be considered No Call No Show. You will be subject to a written reprimand, loss in pay, or termination.

Our students, their care, and education are our most important responsibilities. Your professionalism, expertise, and training are needed and valued. We need you to provide those services to our students.

If you are a Before/After Care Assistant and will be absent due to illness, please contact Mrs. E. Pace within one hour of scheduled report time at (901) 421-9259.

No Call No Show

A no call, no show is an absence from work without notification. In the event that you are unable to notify the school of your absence, please have a reliable designee to do so on your behalf (i.e., spouse, parent etc.). A no-call, no-show, may result in disciplinary actions including, but not limited to, verbal / written warning, suspension and/or termination. Interventions and/or disciplinary actions regarding employee no-call, no-shows will be handled at the discretion of your supervisor and/or Executive Administrator.

I. LEAVE OF ABSENCE

Southern Avenue Charter School makes available unpaid leaves of absence to eligible employees. This policy discusses the types of leaves of absence, leave of absence options, and any restrictions that may apply.

Employees who may require time off from work for a time period in excess of two (2) weeks must notify the Payroll Specialist as soon as possible to schedule a meeting with the Director of Human Resources. During the meeting, the Executive Administrator will discuss leave options, continuation of benefits coverage, and or using professional courtesy as it relates to school communication during leaves.

A. To Request Time Off

In order to minimize disruption to the daily operation of the school, please submit requests for time-off two weeks prior for planning purposes and approval. Leave Request is submitted through Paycom platform.

Time-off Requests are approved or denied by the school Principal, Director of Human

Resources, Chief Operating Officer as well as the Executive Administrator. Please be advised that the school Principal, Director of Human Resources, Chief Operating Officer and Executive Administrator reserve the right to establish Black-Out dates when Leave Requests are approved on an emergency-only basis due to critical school operational time frames such as school-wide testing and school-wide programming when as many staff members are needed on duty as possible.

A. Time-off Request Process

1. Submit a leave request through the Paycom platform.
2. See “SHOW ME HOW” page (**Appendix 1**).
3. The school Principal, IT Director, HR Director, Special Programs Director and Chief Operating Officer, signs the Time-off Request, approves or denies the Time-off Request, and forwards it to the Executive Administrator.
4. Approved or denied Leave Requests are emailed in a timely manner to all parties involved.
5. If you submitted a leave request and have not received a response within 24 hours, please follow-up via email to the supervisor.

****If you have an unscheduled absence from work, you will need to complete a Time-off Request, upon your return. Your prompt attention is required.**

B. Leaving Early

From time-to-time emergencies and/ or illnesses arise during the day. If it becomes necessary for you to leave work during school hours, please remember to inform the Principal or Human Resource as soon as possible. Provision must be made for classroom coverage (teacher) or duty coverage (staff).

C. Tardiness

All faculty/staff members are expected to be punctual. This includes arrival time to work and applies to classes, faculty meetings, lunch and or other duties assigned. The start of the day is not the only time that punctuality is expected.

There may be times when an employee may be late to work which are unavoidable. Notify the Principal via phone call immediately if you will be unable to report at your scheduled time. If unable to reach your supervisor, please contact the Instructional Facilitator prior to 7:15am.

Employees showing three tardiness within a pay period will result in loss of one personal day.

Continuation of this violation will result in the following:

- Verbal warning on second tardy within the pay period
- Written/Formal Reprimand warning on the third violation
- Suspension without pay
- Termination

II. HOLIDAY LEAVE

The Southern Avenue Charter School Board of Directors and Executive Administrator have approved the following Holidays as leave time (off) with pay for the 2024 - 2025 school year:

- Labor Day - September 2, 2024 **(1 Day)**
- Fall Break - October 7- 11, 2024 **(5 Days)**
- Veterans Day - November 11, 2024 **(1 Day)**
- Thanksgiving Break - November 25 - 29, 2024 **(5 Days)**
- Winter Break - December 23, 2024 – January 1, 2025 **(10 Days)**
- Dr. Martin Luther King, Jr. Holiday - January 20, 2025 **(1 Day)**
- Spring Break - March 10-14, 2025 **(5 Days)**
- Good Friday – April 18, 2025 **(1 Day)**
- Memorial Day – May 26, 2025 **(1 Day)**
- Juneteenth- June 19 **(1 Day)** -Summer Programs Staff Only

A total of **30** Holiday Leave Days were approved for the 2024 - 2025 school year. The above leave days apply to all full-time employees (*unless otherwise noted in employee contract*).

Deduction Schedule:

All deductions will be made from the 1st through 24th pay periods unless otherwise stated.

****NOTE** NO DEDUCTION FOR MEDICAL INSURANCE/AFLAC JUNE & JULY ONLY**

****NOTE** NO DEDUCTION FOR AMERICAN FIDELITY JUNE & JULY ONLY**

A. Black Out Dates

Please refrain from requesting time off during the first 20 days of school. July 23rd- August 16, 2024 It is imperative and necessary for all employees to be on campus during the following dates.

The day before or after a holiday or scheduled break and Interim & TCAP Assessments

September 5-6, 2024 (Parent/Teacher Conferences, Accelerated Reading Kick-Off Rally)

September 30, 2024, October 1-4, 2024 (Interim Assessment Q1)

December 9-13, 2024 (Interim Assessment Q2)

March 24-28, 2025 (Interim Assessment Q3)

TCAP Window April 14-30, 2025

Parent Teacher Conferences (May 1-2, 2025 & May 27-29, 2025)

Grade level scheduled Field Trips (Colleagues must attend field trips)

May Day (May 12-16, 2025)

Graduations (May 21, 2025)

May 21-May 23, 2025 School Administrative Days & School Closeout.

B. Sick Leave (Days)

1) Eligibility

1. Regular full-time employees and full-time academic personnel, shall be eligible to Accrue sick leave.
2. Part-time employees and temporary personnel, shall not be eligible to accrue sick leave.

2) Eligibility for and Rate of Accrual for Sick Leave

***see Accrual Policy (Appendix 4)**

3) Use of Sick Leave

1. Sick leave is generally applicable to absences due to illness or injury to an employee, including incapacity to work due to pregnancy, medical and dental appointments.
2. Where an employee must be absent due to illness in the immediate family, sick leave may be granted by the appropriate approving authority.
 - a. For the purposes of this section, “immediate family” shall be deemed to include:
 - Spouse
 - Child, step-child, foster child
 - Parent, step-parent, foster parent, parent-in-law
 - Sibling
3. Sick leave, if available, may be granted at the discretion of the appropriate approving authority in instances of death in the immediate family.
 - a. **Bereavement Leave** may be granted for a maximum of three (3) days.
 - b. Full-time employees shall be entitled to Bereavement Leave upon the death of:
 - Spouse
 - Child, Step-child, foster child
 - Parent, step-parent, mother-in-law, father-in-law
 - Sibling, step-sister, step-brother
 - Grandchild, grandparent
 - Son-in-law, daughter-in-law

- c. As part-time and temporary employees do not accrue sick leave, bereavement leave will be unpaid.
4. Subject to the conditions outlined in the Transfer of Sick Leave between employees, sick leave may be transferred to members of the School's Sick Leave Bank.

Physician's Statement or Other Certification

1. An employee absent for more than three (3) consecutive work days shall be required to submit evidence, in the form of physician's medical certification of the illness.

Exhaustion of Sick Leave

1. When an eligible employee has exhausted all accumulated sick leave, subsequent absences due to illness or other specified reasons, shall be deemed unpaid leave, unless the employee's illness or injury meets criteria of the Sick Leave Bank.

Separation of Employees with Accrued Sick Leave

1. Upon termination of employment, an employee with unused sick leave shall be transferred to the receiving state agency or given to another employee or the sick leave bank.

4) Transfer of Sick Leave between Employees

This policy establishes guidelines and procedures for transferring sick leave to other employees who are members of the **Sick Leave Bank**, who experience a continuing illness, disability, or injury.

5) Sick Leave Bank

To assist employees who have encountered terrible illness or injury, and have exhausted their accumulated sick leave.

6) Eligibility Criteria for Receiving Sick Leave

In order to receive sick leave donated by another employee, the following criteria must be met:

- The recipient must be a current, full-time employee and member of the School's Sick Leave Bank.
- Have used all accumulated sick leave, and any other eligible leave.
- Have a continuing illness, injury, and be unable to work.

The maximum amount that may be transferred to an employee is limited to **five (5) days per year**. Recipients shall continue to accrue sick leave in accordance with the provisions of the appropriate policies and guidelines, which shall be used prior to any donated leave.

7) **Unpaid Leave** occurs when an employee has used up his or her existing paid time off (sick leave, personal days, vacation) and requested a leave. Conversely, when an employee is absent from work without prior approval in line with the School's leave request policy or notifying the appropriate administrator, such leave may be deemed **unauthorized**. Unpaid and or unauthorized leave will automatically be deducted from an employee's salary. All employees should familiarize themselves with key policies, and procedures for reporting an absence.

8) **Criteria for Donating Leave**

In order to donate sick leave to a member of the sick leave bank, an employee must have:

1. A current minimum balance of **10 sick** leave days.
2. Donors must agree to donate a minimum of **3** days of accrued sick leave.

The maximum amount of sick leave an employee may donate during his/her employment at Southern Avenue Charter School is **5** days per calendar year.

***Note: An employee may donate more than one time to a single individual.**

9) **Procedural Guidelines**

The following procedures should be followed to facilitate the transfer of sick leave between employees:

1. The donating (donor) employee must complete a Sick Leave Donation Agreement Form.
2. A representative of Human Resources must sign the form.
3. Upon completion, the form should be forwarded to the Payroll Specialist.
4. Verification that the donor has sufficient sick leave to cover the donation.
5. The appropriate approving authority will approve the form, and a copy will be placed in both the donor and recipient personnel files.
6. At the time of transfer, the Payroll Specialist will complete adjustment forms.
7. Prior to deducting the leave from the donor, the Payroll Specialist will verify that the donor has sufficient leave to cover the amount originally donated.
8. If less than the required amount is available, the leave donation is voided.

9. Donated leave, which has not been used by the recipient, will be transferred to the Sick Leave Bank.
10. The decision to donate sick leave to another individual should be a choice made freely by each employee.

III. FAMILY MEDICAL LEAVE (FMLA)

A. Employee Eligibility

Employees who have been employed by Southern Avenue Charter School for at least 12 months, have at least 1,250 hours of service immediately preceding the need for leave are eligible for family and medical leave. Eligible employees can take up to 12 weeks of unpaid leave.

B. Leave Entitlement - FMLA Qualifying Events

- The birth of a son / daughter, and to care for newborn child
- The adoptive or foster care placement of a son / daughter with the employee
- To care for the employee's spouse, son, daughter or parent with a serious health condition
- Employee's serious health condition

Employees who have been employed by SACS for at least **12 months** immediately preceding the need for leave are eligible for family and medical leave. Eligible employees can take up to **12 weeks** of **unpaid leave** beginning on the first duty day of the school year for the following reasons:

- The birth, adoption, or foster placement of a child
- To care for a spouse, parent, or child with a serious health condition
- An employee's serious health condition

Eligible employees are entitled to continue their health care benefits under the same terms and conditions as when they were on the job and are entitled to return to their previous job or an equivalent job at the end of their leave. Under some circumstances, teachers who are able to return to work at or near the conclusion of a semester may be required to continue their leave until the end of the semester.

FMLA leave runs concurrently with accrued sick and personal leave, temporary disability leave, and or absences due to a work-related illness or injury. When the Executive Administrator or Payroll Specialist has enough information to determine whether the leave is being taken for an FMLA qualifying reason, the Executive Administrator will notify the employee of the FMLA designation.

When the need for family and medical leave is foreseeable, employees who want to use it must provide 30-day advance notice of their need. When the need for leave is not

foreseeable, employees must contact their immediate supervisor as soon as possible. Employees may be required to provide the following:

- Medical certification from a qualified healthcare provider supporting the need for leave due to a serious health condition affecting the employee or an immediate family member
- Second or third medical opinions and periodic recertification of the need for leave
- Periodic reports during the leave regarding the employee's status and intent to return to work
- Medical certification from a qualified healthcare provider at the conclusion of leave of an employee's ability to return to work

Employees requiring family and medical leave should contact our Payroll Specialist for details on eligibility, requirements, and limitations.

IV. VACATION / PERSONAL LEAVE

Vacation will be granted to regular, full-time employees subject to the following provisions:

A. General Provisions:

1. Temporary and part-time employees are not eligible for vacation.
2. Vacation pay is computed on the basis of the employee's regular schedule at the regular rate of pay.

***see Accrual Policy (Appendix 4)**

V. JURY DUTY

SACS may not discharge, discipline, reduce the salary of, or otherwise penalize or discriminate against an employee because of the employee's compliance with a summons to appear as a juror. For each regularly scheduled workday on which a non-salaried employee serves in any phase of jury service, SACS shall pay the employee the employee's normal daily compensation. An employee's accumulated personal leave may not be reduced because of the employee's service in compliance with a summons to appear as a juror.

OTHER COURT APPEARANCES

Employees will be granted paid leave to comply with a valid subpoena to appear in a civil, criminal, legislative, or administrative proceeding not related to the employee's personal business. Absences for court appearances related to an employee's personal business must be taken as personal leave or leave without pay (if no personal leave is available). Employees are required to submit documentation of their need for leave for court appearances, either in advance or immediately upon return from leave.

STANDARDS OF CONDUCT

All employees are expected to be courteous to one another and to the public. Employees are to work together in a cooperative spirit to serve the best interest of Southern Avenue Charter School's stakeholders.

Weapons and Firearms

Southern Avenue Charter School prohibited weapons and firearms on property and/or campus unless you are a hired patrol security.

Smoking

Southern Avenue Charter School has a **NO SMOKING POLICY: There will be no smoking on the campus by anyone. NO ILLEGAL SUBSTANCE OF ANY KIND (this includes marijuana, edibles, oil & etc.)**

Vaping

TCA §39-17-16: Children's Act for Clean Indoor Air:

Smoking is not permitted, and no person shall smoke, in the following places:

- 1) Child care centers; provided that the prohibition of this section does not apply to the services provided in private home. Adult staff members may be permitted to smoke in designated smoking areas to which children are not allowed access. However, written notification shall be given to the parent or legal guardian upon enrollment if the child care center has an indoor designated smoking area;
- 2) Any room or area in a community center while the room or area is being used for children's activities;
- 3) Group care homes. Adults may smoke in any fully enclosed adult staff residential quarters contained within a group care home, but not in the presence of children who reside as clients in the group care home;
- 4) Health care facilities, excluding nursing home facilities. Adult staff members may be permitted to smoke in designated smoking areas to which children are not allowed access and adults may be permitted to smoke outside the facility;
- 5) Museums (except when used after normal operating hours for private functions not attended by children). Adult staff members may be permitted to smoke while at work in designated smoking areas to which children are not allowed access;
- 6) All public and private kindergartens, elementary and secondary schools. Adult staff members may be permitted to smoke outdoors but not within fifty feet (50') of any building. Adults may also smoke in any fully enclosed adult staff residential quarters, but not in the presence of children attending the school;

7) Residential treatment facilities for children and youth. Adult staff members may be permitted to smoke in designated smoking areas to which children are not allowed access;

8) Youth development centers and facilities. Adult staff members may be permitted to smoke in designated smoking areas to which children are not allowed access;

9) Zoos. Adult staff members may be permitted to smoke in designated smoking areas to which children are not allowed access; and

10) School grounds; provided, that after regular school hours, adults are allowed to smoke on the property surrounding the institution, but no blocking any entrance to any building. The property shall not include any public seating areas, including, but not limited to, bleachers used for sporting events, or public restrooms.

Telephone Calls / Cell Phone Usage

Employees are to take care of personal business and make personal phone calls before or after school hours or during break or lunch time. Messages will be taken and placed in your mailbox for non-emergency phone calls. Only in cases of emergencies will an employee's duty time be interrupted for personal phone calls received via the school phone.

Faculty and Staff personal cell phones usage is prohibited during the day while scholars are present. Secretaries will not call the classroom with non-emergency messages. Messages will be relayed via email. Emails should be checked throughout the day, morning and afternoon. Classroom and/or school phones should be used to handle school business only.

Parents are to contact teachers via phone or email before or after school with questions or concerns. If teachers chose to give parents their personal cell phone numbers as a means of contact, they should be informed that voicemail and/or text messages will be returned within a 24 to 48 hour window. In the event of emergencies, parents should contact the main office at (901) 743-7335.

Breaks

Lunch and/or break periods vary for each employee, based on individual contractual agreements and work schedule. Teachers, Academic Coaches, and Support Teachers are entitled to a 30-minute, duty free lunch period. If necessary, due to a personnel shortage, unavoidable or unforeseen circumstances, faculty/staff may be required to supervise students during their lunch. The Administration will do everything in their power to ensure this does not occur if at all avoidable. Questions concerning breaks etc. may be directed to Central Office Personnel.

Harassment and Bullying Policy

Southern Avenue Charter School has adopted a Zero Tolerance Policy toward discrimination, bullying and all forms of unlawful harassment, including but not limited to sexual harassment. This Zero Tolerance Policy means that no unlawful discriminatory or harassing conduct by or towards any employee of Southern Avenue Charter School.

This policy applies to and prohibits all forms of illegal harassment and discrimination, not only sexual harassment. Accordingly, Southern Avenue Charter School ***absolutely prohibits*** harassment or discrimination based on sex, age, disability, perceived disability, personal

appearance, sexual orientation, race, religion, national origin, or any other legally protected characteristic.

HARASSMENT OF EMPLOYEES (Sexual, Racial, Ethnic, Religious)

We strive for a working environment for employees that are free from sexual, racial, ethnic, and religious harassment. It shall be a violation of this policy for any employee to participate in harassment activities exhibited through disparaging conduct or communication that is sexual, racial, ethnic, or religious in nature. The following guidelines are set forth to ensure an appropriate working environment.

Harassment of employees will not be tolerated. Harassment is defined as conduct, advances, gestures or words either written or spoken to include those of a sexual, racial, ethnic, or religious nature which:

1. Unreasonably interfere with an individual's work or performance;
2. Create an intimidating, hostile or offensive work environment;
3. Imply that submission to such conduct is made an explicit or implicit term of employment; or
4. Imply that submission to or rejection of such conduct will be used as a basis for an employment decision affecting the harassed employee.

There will be no retaliation against any person who reports harassment or participates in an investigation. However, an employee who refuses to cooperate or gives false information during the course of any investigation may be subject to disciplinary action. The willful filing of a false report will itself be considered harassment and will be treated as such.

Alleged victims of sexual, racial, ethnic, or religious harassment shall immediately report these incidents. This report should be made to the immediate supervisor except when the immediate supervisor is the offending party. If the immediate supervisor is the offending party, the report may be made to the Federal Rights Coordinator at 2185 Democrat Rd, Memphis TN 38132 - (901) 332-8515. Allegations of harassment shall be promptly and fully investigated. An oral complaint may be submitted; however, such complaint must be reduced to writing to ensure a more complete investigation. The complaint should include the following information:

Identity of the alleged victim and the person accused;
Location, date, time and circumstances surrounding alleged incident;
Description of what happened; any other evidence available.

After a complete investigation, if the allegations are substantiated, immediate and appropriate corrective or disciplinary action shall be initiated. A school representative or Federal Rights Coordinator will meet with and advise the complainant regarding the findings, corrective measures, and/or disciplinary action. The investigation and response to the complainant will be completed within 20 school days.

If the complainant is not in agreement with the findings of fact as reported by the school representative or Federal Rights Coordinator, an appeal may be made, within five (5) work days of receiving notification of the findings, to the Executive Administrator. The Executive Administrator will review the investigation, make any corrective action deemed necessary, and provide a written response to the complainant. A substantiated charge against an employee may subject such person to disciplinary action up to and including termination.

Building administrators are responsible for ongoing education, formal and informal, regarding this policy and procedure in the building in which they work.

Amorous Relationships

For the protection of all, SACS strongly discourages romantic or sexual relationships between a manager or the supervisory employee and their staff (an employee who reports directly or indirectly to that person) because such relationships tend to create compromising conflicts of interest or the appearance of such conflicts. In addition, such a relationship may give rise to the perception by others that there is favoritism or bias in employment directions affecting the staff employee. Moreover, given the uneven balance of power within such relationships, consent by the staff member is suspect and may be viewed by others, or at a later date by staff member, as having been given as the result of coercion or intimidation. The atmosphere created by such appearances of bias, favoritism, intimidation, coercion, or exploitation undermines the spirit of trust and mutual respect that is essential to a healthy work environment. If there is such a relationship, both parties' needs to be aware that one or both may be moved to a different department or other actions may be taken.

If an employee enters into a consensual relationship that is romantic or sexual in nature with a member of their staff (an employee who reports directly or indirectly to him or her), or if one of the parties is in a supervisory capacity in the same department in which the other party works, the parties must notify the senior management of the department and the Director of Human Resources. Because of potential issues regarding quid pro quo harassment, reporting the relationship is mandatory. This requirement does not apply to employees who do not work in the same department of two parties where neither one supervises or otherwise manages responsibilities over the other.

Once the relationship is properly reported, the Human Resource will review the situation in light of all the facts (reporting relationships between the parties, effect on co-workers, job titles of the parties, etc.) to determine whether one or both parties need to be moved to another job or department. If it is determined that one party must be moved, and there are jobs in other departments available for both, the parties may decide who will be the one to apply for a new position. If the parties cannot come to a decision, or the party is not chosen for the position to which he or she applied, the Director of Human Resource and executive administrator will decide which party will be moved. That decision will be made based which move will be least disruptive to the organization as a whole. If no other jobs are available for either party, the parties will be given the option of terminating their relationship or resigning.

Workplace Violence

Southern Avenue Charter School has adopted a Zero Tolerance Policy prohibiting workplace violence in any way, shape or form. Consistent with this policy, any act or threat of physical violence by/or towards any employee of Southern Avenue Charter School will not be tolerated. This includes but is not limited to intimidation, harassment, and or coercion or any kind.

Confidentiality and Non-Disclosure Agreement

It is the policy of Southern Avenue Charter School to provide our employees and students with a level of privacy and confidentiality with any information concerning any school employee or student. Employees, during the course of their work may have access to confidential employee, student and/ or school business information. All employees will be held accountable for maintaining the confidentiality of employee information, student data, records, school technological resources, strategic plans, financial information, and any other confidential information the employee may have access to in the performance of their job responsibilities. Unauthorized disclosure, copying and/or misuse of confidential information are a serious breach of duty. Therefore this may result in disciplinary action leading to termination. Furthermore, this agreement mandates compliance extending beyond employment, contract or association with Southern Avenue Charter School.

All employees shall adhere to all of the school's safety rules and/or regulations and shall report any unsafe conditions or practices to the Administration.

Staff Meetings (Faculty)

Faculty meetings will be held on Wednesdays after school in a designated area. General Faculty Meetings will be scheduled and communicated by the Principal. Teacher /Grade Level Meetings will be scheduled by the Principal and/or Assistant Principal.

Security

Southern Avenue Charter School is committed to the safety and security of our students, faculty/staff, parents and visitors. In order to support that commitment, Southern Avenue Charter School has developed a Security Policy that will ensure procedures are in place to prepare for, respond to, and/or prevent natural and human disasters, as well as provide security to the buildings and grounds on our campus. All employees are responsible for participating in all training, drills and/or exercises regarding safety and security procedures. Safety and security procedures may include, but not limited to, in-service training, accident or incident record keeping, emergency drills or procedures, traffic safety (drop-off, pick-up) procedures, and/or any other procedures relevant to student and employee safety and security. Additionally, access into each building is controlled through designated entry points, which are monitored. **Please see Safety Policy (later in handbook) for more details.**

Safety

Safety is everybody's business and responsibility. Safety is of prime importance in protecting our faculty and our students. Please report all injuries to the office immediately, even if minor. An incident form must be completed at the time of the injury for students and faculty members. We make every effort to comply with all federal and state workplace safety requirements. Below are some general safety rules:

- Avoid overloading electrical outlets with too many machines
- Ask for assistance when lifting heavy objects or moving heavy furniture
- Keep cabinet doors, file and desk drawers closed when not in use
- Keep your work area clean and orderly, and aisles and passageways clear
- Stack materials only to safe heights
- Watch out for the safety of other employees and students

Our organization promotes workplace safety rules and regulations by which all employees should be familiar with the evacuation procedures for their assigned area. Fire, tornado, and other emergency drills will be conducted to familiarize employees and students with evacuation procedures.

EMERGENCY PROCEDURES

Emergency evacuation procedures will be provided to teachers during orientation. Teachers should practice the following emergency drills throughout the school year.

A. Fire Drill (once per month)

When the Fire alarm sounds (**a continuous loud ring**), the teacher should:

- 1) Follow the fire evacuation route posted on the wall near the door of your classroom.
- 2) Identify the fire alarm sound (ring).
- 3) Direct your students to walk quietly to the door and listen for your directions.
- 4) Take your record book and lead your class quietly out of the building. Students should not run ahead of the teacher.
- 5) Exit the building through your primary exit as shown on the fire exit plan. When fire is in the path of the primary exit, use the secondary exit.
- 6) Students and teachers **should not stop** to get their belongings.
- 7) Walk away from the building into the parking lot to the designated area and line up your class facing the building. Use your record book to call roll to account for all students.
- 8) Wait in the parking lot until authorized personnel or the fire department gives further directions.
- 9) Maintain records of students who are released to parents or guardians.

10) Do not re-enter the building until given an “all clear” signal by the fire department or authorized personnel.

B. Tornado Drill (once per month)

When the Tornado alarm sounds (**3 short rings of the fire alarm sound**), teachers should:

- 1) Stop the class routine and direct the students to walk quietly to the designated safe area (away from windows in the hallways/corridors). Keep away from glass doors and windows.
- 2) Direct the students to sit against the wall on their knees, head down, and hands covering their heads.
- 3) Remain quiet and stay in the area until “the all clear” signal is given by authorized personnel.

C. Earthquake Drill

- 1) Immediately duck, cover and hold (table legs, desk legs).
- 2) Stay away from windows, bookshelves, file cabinets, and other hazards, if possible.
- 3) Get under desk, table, or against an interior solid wall or supported doorway.
- 4) When on the OUTSIDE:
 - Move to an open space
 - Stay away from buildings and overhead power lines.
 - Lie down or crouch low to the ground.

Trespassers are all individuals who enter the building and fail to report to the office to sign-in. Staff members should escort trespassers to the office (do not use students as escorts) and notify the main office. If the person refuses, note his or her physical description and notify the main office. All visitors are to use the main building entrance located in front of the building. **STAFF MEMBERS ARE NOT TO LEAVE BUILDING DOORS PROPPED OPEN AT ANY TIME.**

Lockdown

(For use to protect building occupants from potential dangers in the building)

When the notice of LOCKDOWN is given:

- Students are to be cleared from the hallways immediately and to report to the nearest available classroom.
- Assist those needing special assistance
- Close and lock all windows and doors, and do not leave for any reason
- Cover all room and door windows
- Stay away from all doors and windows. Move students to interior walls and drop to the floor
- Shut off the lights and BE QUIET.
- **DO NOT OPEN THE DOOR FOR ANYONE UNTIL THE ALL CLEAR SIGNAL IS GIVEN.**

Outdoor Safety

The physical education program is extended to the playground. Each class will be scheduled time (**10 – 15 minutes**) to use the playground on a daily basis. Teachers should plan activities for outdoor play. Close supervision of student activities is required for safety and building socialization skills ensuring students are wearing masks. To provide quality supervision of our students, teachers must refrain from sitting and standing in clusters where they cannot view and supervise the students. When more than one class is on the playground, teachers should position themselves to watch every section of the outdoor area.

Weapons on Premises

Employees, visitors, and students are prohibited from bringing firearms, knives, clubs, or other prohibited weapons onto school premises, grounds or buildings where a school-sponsored activity takes place.

Search and Seizure

2021 Tennessee Code Title 49- Education Chapter 6- Elementary and Secondary Education Part 42- School Security Act of 1981 49-6-4205. Search of Students:

A. Reasonable Basis for Search:

1. A student may be subject to **physical search** because of the results of a locker search, or because of information received from a teacher, staff member, student or other person if such action is reasonable to the principal.

B. Standards of Reasonableness:

1. A particular student has violated school policy.
2. The search will yield evidence of the violation of school policy or will lead to disclosure of a dangerous weapon, drug paraphernalia or drugs.
3. The search is in pursuit of legitimate interests of the school in maintaining order, discipline, safety, supervision and education of students.
4. The search is not conducted for the sole purpose of discovering evidence to be used in a criminal prosecution.
5. The search shall be reasonably related to the objectives of the search and not excessively intrusive in light of the age and sex of the student, as well as the nature of the infraction alleged to have been committed.

These provisions aim to balance student safety and privacy while maintaining a conducive learning environment.

Personal Search of Students

1. A student may be subject to **physical search** because of the results of a locker search, or because of information received from a teacher, staff member, student or other person if such action is reasonable to the principal.
2. Personal search of students will be conducted by a member of the administration that is the same gender of the students.

Personal Property

Each employee is responsible for any personal property brought onto school property. Southern Avenue Charter School will not take responsibility for, nor assume risk for any lost, stolen and or damaged employee's personal property. Southern Avenue Charter School recommends that all employees have personal insurance policies covering the loss of personal property left on school property. Lockers are available in each Teacher Work Room for staff members wishing to have additional storage options for their property.

HUMAN RESOURCES / PAYROLL

Southern Avenue Charter School is an equal employment opportunity employer. The school does not discriminate against any applicant or employee based on race, color, religion, sex, age, national origin, disability, military status, or on any other basis prohibited by law. Southern Avenue Charter School utilizes strategic hiring policies that are efficient, accurate, fair and ethical. Prospective employees are screened for hiring based on their individual merit, experience, job related abilities and skills. Employees with concerns about the hiring process and or discrimination should contact the Director of Human Resources and/or the Executive Administrator.

Background Check

As deemed necessary, Southern Avenue Charter School may conduct employee background checks. A comprehensive background check may include employment history, professional reference checks, credential/education verification, credit check, sex offender registry, and/or criminal background check. Southern Avenue Charter School is committed to protecting the security, safety and health of employees, students, and others as well as safeguarding the assets and resources of the school and interest of the school's stakeholders. **See Human Resources for more information.**

Terms of Employment

All employees of Southern Avenue Charter School sign a legal contract of employment. The contract outlines the terms and conditions of the employee's job. Each employee contract time is for a period of one (1) year unless otherwise specified. At its discretion, Southern Avenue Charter School may choose to renew or not renew an employee's contract. The school reserves the right not to renew a contractual relationship for any reason. This decision is deemed a separation of employment and not considered termination. Written notification will be provided to an employee whose contract is not renewed. An employee has the right to request reconsideration on the part of the school regarding employment separation. Southern Avenue Charter also utilizes professional service providers and external contractors as team members. Those team members are not eligible for benefits, paid time off, or holiday pay. Southern Avenue Charter School is NOT responsible for any government or state assistance upon separation of services.

Employment Classification

It is the policy of Southern Avenue Charter School to classify its employees based on the following:

- 1. Full-time Employee** - An individual who works 40 hours per week.

2. **Part-time Employee** - An individual who works **less** than thirty (30) hours per week during a normal forty (40) hour workweek.
3. **Hourly Employee** - An employee who is covered under the Fair Labor Standards Act (Wage Hour Law). Hourly employees are paid on an hourly basis and are eligible for Overtime.
4. **Contractual Employee** - An employee who is not covered by the Fair Labor Standards Act (Wage Hour Law). Contractual employees are paid on a fixed contractual daily salary basis.

Probationary Period

The probationary period for regular full-time and regular part-time employees is **ninety (90) days** from the date of hire. New Hires do not accrue time off until the **ninety (90) days** have ended. During this time, the employee has the opportunity to evaluate the School as a place to work and management has the opportunity to evaluate the employee. Within the **ninety (90) days** probationary period management has the right to evaluate the employee performance and determine whether the employee shall remain employed.

Progressive Discipline (see appendix 2)

To ensure you, our employees, have an opportunity to correct minor issues, SACS follows progressive discipline model when appropriate. As such, employees receive notice of concerns and an opportunity to improve or correct behavior prior to receiving corrective disciplinary action.

The steps involved include the following:

- **Oral reprimand**
- **Written reprimand/Documented counseling**
- **Demotion**
- **Suspension**
- **Discharge**

Please note that the type of discipline administered shall be based on the nature or severity of the offense and the pattern of violations and offenses in the employee's employment record. Please note some offenses may require discipline up to, and including immediate termination, depending on the severity of the action.

Performance Evaluation

A job description and specific job criteria are provided for each position and is clearly communicated to each employee. Southern Avenue Charter School believes in human growth and development, and performance feedback is an important part of each person's growth. Feedback will be given on an ongoing basis. New employees and employees who have a change in responsibilities may be reviewed more often. All employees will participate in the evaluation process. Consult with the Executive Administrator and or designee for additional information and documentation regarding the faculty evaluation process used by Southern Avenue Charter School.

Exit Interview

An exit interview may be conducted by the Human Resources Department or Administrator in a voluntary separation / resignation situation. The exit interview is a tool used to ascertain the basis for the employee's decision, glean feedback from the employee in order to improve the organization, better retain employees and reduce turnover. During the exit interview, you may express yourself freely. We hope this will provide insight to both parties. All information will be kept confidential and will not affect any reference information we provide to another employer.

Return of School Property

Any property issued to an employee of Southern Avenue Charter School is the responsibility of the employee. Property includes but is not limited to items such as, keys, laptops, other computer equipment, school credit cards, ID badges, and parking passes. Employees must return all school property issued at the time of end of year check - out and or employment separation. Sole responsibility for any lost or damaged property, and or property not returned belongs to the employee.

Personnel Administration

Employee files and benefit records are considered confidential. It is the duty of the Human Resources Department to maintain and manage all SACS employee personnel files. Employee personnel files are stored securely and all contents kept confidential at all times. Specific information contained in an employee personnel record, such as salary, medical and or benefits information is confidential to all except those who have a need-to-know certain information to carry out the functions of their HR/Payroll position. Only authorized persons shall have access.

Employee Change of Status

If an employee has a change in status, he / she should go into the Paycom portal as soon as possible. The employee should complete and submit an employee change of status form. This form can be obtained through Paycom. A change of status form must be completed for any of the following:

- Name change
- Change of address
- Change of telephone number
- Marital status
- Dependents
- Beneficiary (insurance)

An employee changing the number of tax exemptions for withholding purposes must complete and submit a W4 form through Paycom.

Payroll Deductions

Payroll deductions are specified amounts withheld by Southern Avenue Charter School from an employee's earnings. These deductions can be mandatory and or elective. The following payroll deductions are required for all SACS employees:

- Tennessee Retirement System
- Income Taxes
- Social Security (FICA)
- Medicare Tax (FICA)

Employees may elect to have other payroll deductions withheld from their earnings, such as:

- Health Premiums
- Additional Health / Medical Coverage (i.e., AFLAC)

COMPENSATION

Each Employee's salary and wages are paid in accordance with administrative guidelines and a pay structure established for each position. All positions are classified as either exempt or nonexempt according to federal law. Professional and Administrative employees are generally classified as exempt and are paid monthly salaries, and are not entitled to overtime compensation.

Employees generally classified as non-exempt are paid based on an hourly wage and receive compensatory time, or overtime pay for each overtime hour worked over 40 hours in a workweek.

Overtime Compensation

SACS compensates overtime for nonexempt employees in accordance with federal wage and hour laws. Only non-exempt employees (hourly and paraprofessional employees) are entitled to overtime compensation. ***Nonexempt employees are not authorized to work beyond their normal work schedule without advance approval from the Executive Administrator.***

All employees will receive written notice of his or her pay and work schedules before the start of each school year. Employees are paid on the 15th and the last day of every month based on their contract duration throughout the school year. If the 15th or last day of the month falls on a weekend, payday will be the Friday before that weekend.

Employees should contact the HR/Payroll Specialist for more information about the pay schedule or individual pay (**Ms. J. Cathey (901)-666-1400**). Employees are paid in accordance with the school year or fiscal calendar provided by administration. ***A Performance Bonus may be awarded to an employee at the discretion and approval of the Executive Administrator.***

WORKERS' COMPENSATION

SACS, in accordance with state law, provides workers' compensation benefits to employees who suffer a work-related illness or injury on the job. Workers' Compensation insurance provides medical benefits and wage replacement to an employee injured in the course of employment while the employee recovers. Law, depending on the circumstances of each case, prescribes specific benefits.

All work-related accidents or injuries should be reported immediately to the Principal, Central Office, and Executive Administrator. An employee accident report must be completed and submitted to the immediate supervisor by the employee if possible. If an employee is unable to complete the report, the immediate supervisor is to complete and submit the accident report. Employees who are unable to work due to a work-related injury will be notified of their rights and responsibilities under the Tennessee Labor Code. See Workers' compensation benefits for information on use of paid leave for such absences.

UNEMPLOYMENT COMPENSATION

Employees who have been laid off or terminated through no fault of their own may be eligible for unemployment compensation benefits under the Tennessee Unemployment Compensation Act. Employees are not eligible to collect unemployment benefits during regularly scheduled breaks in the school year or the summer months if they have employment contracts or reasonable assurance of returning to service. Employees with questions should contact the Executive Administrator and or Payroll Specialist.

Career Progression and Promotion

Employee growth, professional development and career progression are supported and encouraged at Southern Avenue Charter School. Approval of employee progression moves and/or promotions are dependent upon the following:

- Organizational needs
- Training / Certification
- Work History / Experience

Southern Avenue Charter School is committed to considering internal candidates for promotion and progression opportunities, however reserves the right to pursue external candidates as well.

Direct Deposit

Direct Deposit is the preferred method used by Southern Avenue Charter School to pay employees. Southern Avenue Charter Schools request all employees participate in direct deposit for payroll purposes. All employees must complete and submit a direct deposit form to the Payroll Specialist.

An employee should complete and submit a new direct deposit form to the Payroll Specialist as soon as possible if any changes occur, such as, change in banking institution, change in account information, etc. Failure to do so may delay direct deposit of payroll funds.

RETIREMENT

All regular full-time employees of SACS shall be members of the state-supported retirement system, Tennessee Consolidated Retirement System (TCRS). A five percent (5%) deduction will automatically be contributed per pay period.

Employees who are members of the TCRS are eligible to retire upon attainment of appropriate age and years of creditable service, or a combination thereof. Employees who plan to retire must notify the Executive Administrator and contact the Payroll Specialist for required procedures and documents. Additional information and inquiries regarding contributions etc. may be directed to the Tennessee Consolidated Retirement System (TCRS) customer service call center at 1-800-922-7772 from 8:00 am - 7:00 pm CST.

BENEFITS

As a full-time permanent employee, you are eligible for benefits administered through Shelby County Schools.

- **Effective Date of Coverage:** Benefits begin on the first day of the month after the completion of **30 days**. (Example: Hired August 6th, Benefits begin October 1st)
- **Enrollment Deadline:** New Charter School employees have **30 days** from their date of hire to enroll.
- **Benefits Online Enrollment:** All Charter School employees must enroll online. You may elect to waive any of these benefits individually. **If you do not log in to the SCS Benefits System to make your choices all benefits will waive at the end of your enrollment period. The next opportunity to enroll will be during open enrollment only.**

Choose your benefits wisely because the next opportunity to make benefits changes will be the next annual Enrollment period, unless you experience a qualified life event change (i.e., birth of a child, adoption, marriage/divorce, etc. If you experience a change, contact the HR/Payroll Specialist immediately. The SCS Benefits office must be notified of the change (s) within **30 days** of the qualified life event. If SCS Benefits is not informed during this timeframe, the employee will have to wait until the next enrollment period to make the change.

For other benefits questions not addressed by SACS Central Office, contact SCS Payroll Specialist:

- Email: benefits@scsk12.org
- Phone: 901-416-5344 or 901-416-5464

Existing eligible employees may make changes to their benefit coverage during the **Annual Enrollment period**. All employees will be provided with a benefits guide outlining benefits coverage, employee cost and eligibility requirements. For more information contact the Payroll Specialist.

OPEN COMMUNICATION

Communication, the flow of information between all personnel across the whole organization, is a very important part of the workplace culture at Southern Avenue Charter School. Open communication is encouraged at SACS, where all employees are able to express ideas to one another, in conversation or debate. An open communication climate creates team building, transparency, and increased productivity. Employees are encouraged to share positive recommendations and ideas that will benefit our school, students and workplace environment. Southern Avenue Charter School values employee creativity, innovation, and commitment to excellence.

At SACS, we strive to promote a culture that encourages employees to:

- Talk openly with other employees and administrators without fear of reprisal
- Resolve conflicts among themselves amicably and constructively
- Be proactive in identifying potential problems and solving them before any negative effects can manifest.
- Taking the initiative to share information with team members and communicating with Administrators

Administration and employees have a role in maintaining open communication. If a concern and or situation arises that may be beyond the employee's control to resolve, the employee should meet with their immediate supervisor. If at any time an employee perceives a concern or problem is not properly addressed and or resolved, the employee should contact the Human Resources Specialist. Employees can be assured that any information discussed within the meeting will be kept confidential, while allowing administrators access to resolve the issue. If an employee is not satisfied with the HR Specialist resolution, he or she may submit their concern / grievance in writing to the Human Relations Committee of the Governing Board.

ETHICAL STANDARDS

Southern Avenue Charter School operations and business practices are governed by a set of principles that guide the organization in its policies, procedures, programs and decisions. The Governing Board of SACS, as well as the Executive Administrator and School

Administration are driven by and committed to doing the right things right and with integrity. Southern Avenue Charter School expects the same fidelity of all employees, in executing the mission, vision, philosophy and guiding principles of the school.

MOONLIGHTING

I. Purpose

To establish guidelines for secondary employment.

II. SCOPE

This policy applies to all full-time employees engaging in secondary employment. This policy shall not apply to dual employment.

III. DEFINITIONS

Dual employment - work for compensation in a primary position (full-time) with the District while simultaneously working in a secondary and distinctly different position (part-time) for extra compensation paid by the District. Performance of work in the secondary position occurs on a reoccurring rather than one-time or sporadic basis.

Secondary employment - work for compensation outside of the district including self-employment for consulting or performing other non-district related work.

IV. POLICY STATEMENT

The Board recognizes that employees may choose to work for other entities while employed with the District. While District employees have the right to seek and hold secondary employment, certain restrictions, based on reasonable business concerns, shall apply. When engaging in secondary employment the following conditions, at minimum, must be met:

1. The work shall not be inconsistent with MSCS District policies 4002 Staff Ethics and 4003 Conflict of Interest.
2. The work shall not interfere with the degree of effectiveness of employees work for SACS; and
3. The secondary work shall not be performed during time required to fulfill responsibilities of the primary position with SACS. This, however, shall not preclude an employee from performing secondary job responsibilities during duty-free periods of time (e.g., meal periods), provided the performance of such responsibilities is not otherwise inconsistent with District policy and administrative rules and regulations.

Guidelines to ensure that this policy is applied and enforced consistently and non-discriminately shall be developed by the Superintendent or his/her designee.

A. Teachers

A teacher employed full time by SACS may be employed and paid by the same or another institution for additional part-time work outside the teacher's regular hours in accordance with provisions set forth in State law.

B. Sanctions

Violation of this policy and/or administrative rules and regulations may result in disciplinary actions up to and including termination from employment.

V. RESPONSIBILITY

- A. Supervisors are responsible for ensuring that employees under his/her jurisdiction are aware of the guidelines of this policy.
- B. Employees are responsible for adhering to all guidelines of this policy.
- C. Questions concerning this policy should be directed to Human Resources.
- D. It is the responsibility of the Superintendent to ensure that this policy is followed.

SOLICITATION POLICY

The purpose of this policy is to establish SAC's intent to have a work environment free from solicitation efforts that do not relate to Southern Avenue Charter School's business or interest. While SACS actively encourages employees' participation in community activities and organizations outside of work, the time spent at work is more productive and pleasant when not interrupted by solicitations and distribution of materials by employees. Employees may not solicit on work time. Employees may not distribute any literature or other non-work-related materials either on work time or in work areas, unless otherwise approved by the Executive Administrator.

HEALTH - RELATED INCIDENTS

Employees who are aware of pre-existing medical conditions or become aware of any health - related issue that may impact the health of the employee at work, should provide notification to their immediate supervisor in writing. In the event a health- related incident / accident occurs during work hours, an official incident form should be used to document and report the incident. Any incidents of self - injury, or other incidents must be reported and documented as soon as possible. Employee incident forms may be obtained from the main office in each building. Report **EVERY** accident regardless of how minor it may seem at the time. *Failure to report an incident involving a Teacher may jeopardize your claim to workman's compensation for injuries if applicable.*

TECHNOLOGY

1. Acceptable Use

In general, acceptable use means respecting the rights of other computer users, the integrity of the physical facilities, and all pertinent license and contractual agreements. As a user of the technological services and facilities, you have access to valuable SACS resources, data, and internal and external networks. Consequently, all SACS employees are required to behave in a responsible, ethical, and legal manner. Computing resources usage, by an employee, of a personal nature is permitted but limited. All data, including email communications, stored or transmitted on SACS electronic system will be treated no differently from other school-related data.

2. Email, Internet and Equipment Usage

Any employee, volunteer, intern, or contractor personnel, who assesses, or uses the school's computer system, network, Internet access, or email service for any purpose agrees to be bound by the terms established by Southern Avenue Charter School.

An employee, who is issued a laptop and or any other equipment by Southern Avenue Charter School, is responsible for acceptable usage and care of provided equipment. Email services, Internet access; equipment, and any other technological resources are to be used for the purpose of conducting school business.

The Southern Avenue Charter School's Internet Safety and Acceptable Use Policy is intended to prevent unauthorized access and unlawful activities by users online, prevent unauthorized disclosure of or access to sensitive information, and to comply with the Children's Internet Protection Act (CIPA). This policy applies to all SACS students and employees, as well as volunteers, interns and contracted personnel, whose access to, or use of, Internet and/or e-mail services is provided by Southern Avenue Charter School.

Prohibited and illegal activities, including but not limited to the following:

- Sending or displaying offensive messages or pictures
- Using obscene language
- Harassing, insulting, demeaning or attacking others
- Damaging computers, computer systems or computer networks
- Hacking or attempting unauthorized access to any computer
- Violation of copyright laws
- Trespassing in another's folders, work or files
- Intentional misuse of resources
- Using another's password or another identifier (impersonation)
- Use of the network for commercial purposes

3. Computer Software Usage

Southern Avenue Charter School does not condone the illegal duplication of software. The copyright law is clear. The copyright holder is given certain exclusive rights, including the right to make and distribute copies. *Title 17 of the U.S. Code:* states that “it is illegal to make or distribute copies of copyrighted material without authorization” (*Section 106*). The only exception is the user’s right to make a backup copy for archival purposes (Section 117).

SOCIAL MEDIA GUIDELINES

Think Before You Speak

Official Spokesperson for Southern Avenue Charter School

Direct any complaints, concerns, questions or otherwise, posed to you in person, or online, to the Executive Administrator and/or Human Resources. You are not to comment.

Current or past employees are not the official spokesperson for any business related to Southern Avenue Charter School. Any questions (posed to you) statements requiring a response, or otherwise should not be answered or commented on. Refer all questions regarding the operation of Southern Avenue Charter School, in any way, to the official spokesperson(s) for Southern Avenue Charter School. The current and official spokesperson for Southern Avenue Charter School is the Executive Administrator, Mrs. Elise Evans. If Mrs. Evans is not available to answer questions, the backup spokesperson is the Human Resources Director, Mr. Walter Evans.

Think Before You Post

Employees are required to refrain from social media use or usage that:

- 1) interferes, disrupts or undermines the effective operation of the school;
- 2) is used to engage in harassing, defamatory, obscene, abusive, discriminatory or threatening or similarly inappropriate communications;
- 3) creates a hostile work environment;
- 4) breaches confidentiality obligations of SACS; or
- 5) violates the law, school, or board policies and/or any other school rules and regulations.

Definitions:

The rapid speed at which technology continuously evolves makes it difficult to identify all types of social media.

Thus, the term Social Media includes a variety of online tools and services that allow users to publish content and interact with their audiences. By way of example, social media includes but is not limited to:

- a) social-networking sites (i.e. Facebook, LinkedIn, Google+);
- b) blogs and microblogs (i.e. Twitter, Tumblr);
- c) content-sharing sites (i.e. Scribd, SlideShare); and
- d) image sharing and video sharing sites (i.e. Flickr, YouTube, Instagram, Vine, Pinterest, Tik-Tok).
- e) any all names, logos, buildings, images and entities under the authority of Southern Avenue Charter School, Inc.
- f) In addition, this policy applies to any form of instant or direct messaging available through social media. Other forms of one- to-one electronic communications with students including voice, email and text-messaging.

Southern Avenue recognizes the importance of incorporating current technology tools, including new methods of electronic communication, into the classroom to enhance student learning. It further recognizes the importance of employees, students and parents engaging, learning, collaborating and sharing in digital environments as part of 21stCentury learning. SACS strives to ensure that electronic communication tools incorporated into the school curriculum are used responsibly and safely.

School employees who use social media for personal purposes must be mindful that they are responsible for their public conduct even when not acting in their capacities as school system employees. All school employees, including student teachers and independent contractors shall comply with the requirements of this policy when using electronic social media for personal purposes.

A. SOCIAL MEDIA COMMUNICATIONS INVOLVING STUDENTS

Employees are to maintain professional relationships with students at all times. All electronic communications with students who are currently enrolled in the school system must be school-related and within the scope of the employees' professional responsibilities, unless otherwise authorized by this policy. School personnel may use only school-controlled technological resources and social media tools to communicate directly with students or to comment on student matters through use of the Internet. An employee seeking to utilize and/or establish a non-school-controlled social media website for instructional or other school-related purposes must have prior written approval from the Executive Administrator and principal.

The use of electronic media for communicating with students and parents is an extension of the employee's workplace responsibilities. Accordingly, SACS expects employees to use professional judgment when using social media or other electronic communications.

Employees are prohibited from knowingly communicating with current students through a personal social network page. An Internet posting on a personal social media website intended for a particular student will be considered a form of direct communication with that student in violation of this policy. However, an employee may communicate with a student using personal social media networks to the extent the employee and student have a family relationship or other type of appropriate relationship which originated outside of the school setting. For example, an employee may have a relationship with a niece or nephew, a student who is the child of an adult friend, a student who is a friend of the employee's child, or a member or participant in the same civic, social, recreational, sport or religious organization.

B. EMPLOYEE PERSONAL USE OF SOCIAL MEDIA

The Board respects the right of employees to use social media as a medium of self-expression on their personal time. Employees are responsible for their public conduct even when they are not performing their job duties as employees of the school system. Employees will be held to the same professional standards in their public use of social media and other electronic communications as they are for any other public conduct. Further, school employees remain subject to applicable state and federal laws, SACS policies, even if communicating with others concerning personal and private matters. If an employee's use of social media interferes with the employee's ability to effectively perform his or her job duties, the employee is subject to disciplinary action, up to and including termination of employment.

Employees are responsible for the content on their social media sites, including content added by the employee, the employee's friends or members of the public who can access the employee's site, and for Web links on the employee's site. Employees shall take reasonable precautions, such as using available security settings, to restrict students from viewing their personal information on social media websites and to prevent students from accessing materials that are not age-appropriate.

Any use of electronic social media by Employees during the school day must be limited and must not interfere with job duties.

C. POSTING TO SOCIAL MEDIA SITES

Employees who use social media for personal purposes must be aware that the content they post may be viewed by anyone, including students, parents and community members. Employees shall observe the following principles when communicating through social media:

1. Employees shall not post confidential information about students, employees or school system business.

2. Employees shall not accept current students as “friends” or “followers” or otherwise connect with students on social media sites, unless the employee and student have a family relationship or other type of appropriate relationship which originated outside of the school setting.
3. Employees shall not knowingly allow students access to their personal social media sites that discuss or portray sex, nudity, alcohol or drug use or other behaviors associated with the employees’ private lives that would be inappropriate to discuss with a student at school.
4. Employees may not knowingly grant students access to any portions of their personal social media sites that are not accessible to the general public, unless the employee and student have a family relationship or other type of appropriate relationship which originated outside of the school setting.
5. Employees shall be professional in all Internet postings related to or referencing the school system, students and other employees.
6. Employees shall not use profane, pornographic, obscene, indecent, lewd, vulgar or sexually offensive language, pictures or graphics or other communication that could reasonably be anticipated to cause a substantial disruption to the school environment.
7. Employees shall not use the school system’s logo or other copyrighted material of the system without express, written consent from the SACS.
8. Employees shall not post identifiable images of a student or student’s family without permission from the student and the student’s parent or legal guardian.
9. Employees shall not use Internet postings to libel or defame the Board, individual Board members, students or other school employees.
10. Employees shall not use Internet postings to harass, bully or intimidate other employees or students.
11. Employees shall not post inappropriate content that negatively impacts their ability to perform their jobs.
12. Employees shall not use Internet postings to engage in any other conduct that violates school policy and administrative procedures or state and federal laws.

CONSEQUENCES

School system personnel shall monitor online activities of employees who access the Internet using school technological resources. Additionally, the Executive Administrator or designee may periodically conduct public Internet searches to determine if an employee has engaged in conduct that violates this policy. Any employee who has been found by the superintendent to have violated this policy may be subject to disciplinary action, up to and including dismissal.

Social Media

Overall, Southern Avenue Charter School (SACS) employees who choose to use the Internet for social or professional networking purposes are urged to be cautious about the

content of the material they post on the Internet. The SACS Acceptable Use Policy states that Staff cannot have associations with students through virtual technology if they are irregular, unprofessional, improper or imprudent in ways that negatively affect the goals of the SACS. Any conduct, which reflects poorly upon personnel or the school district, may be grounds for disciplinary action. I have discretion in determining if conduct reflects poorly on our students, staff and the SACS.

- "Friending" students, former students under 18 years old, and/or families of students: It is recommended that you not "friend" students, former students under 18 years old, or the families of students in order to keep your role as educator clear. In the eyes of the law, all educators are considered to be in a "position of trust" both inside and outside of the classroom.
- Using strict privacy controls: Even if you make the decision to never "friend" a student, students still can have access to content you post on social networking sites, as well as content available across the Internet (e.g. comments on blogs, etc.). Expect that students will "Google" you. It is recommended that you use the strictest privacy controls possible to ensure that your personal life remains personal, and conflicts over publicly accessible Web content are minimized.
- Posting inappropriate or disruptive content: The SACS Acceptable Use Policy states that staff cannot use the Internet to post inappropriate data, documents, photographs or other such information that might result in a disruption of classroom activity. This can include pictures or writing by educators that contradict messaging about safe and healthy decisions or commentary that places our schools or programs in an unflattering light. To avoid potential conflicts, it is recommended that you only publish work-related writing/images on SACS-authorized websites or other media tools.
- Please be mindful of statements, videos, etc. that are deemed unprofessional and inappropriate posting not only from an educator, but also as it relates to the education profession. Your postings should be of a positive, yet encouraging nature, not one that discredits the industry.
- Maintaining staff and student privacy: Employees should respect the privacy of the school, SACS community, and should not divulge or post online any identifying information of any member of the school district community, particularly on personal web pages or social networking sites, without permission (including, but not limited to, names, addresses, photos, videos, email addresses, phone numbers).
- Password integrity: Staff cannot provide passwords for SACS and social networking tools to students. If a student maintains a club or other school-related page(s) on the SACS website, a separate username and password can be created for the student. Submit a request through the IT Help desk to have a student account set up for your student helpers and leaders.
- Representing the SACS in your public communication: School employees should understand that certain expectations for professional conduct extend into the personal online world of social networking, blogs, and other

communication tools, especially regarding mention of the school SACS, or members of the school SACS community.

These guidelines also extend to the SACS official use of tools like Facebook and Twitter to promote events and activities in the Southern Avenue Charter Schools. There are also unofficial and unauthorized sites about the Southern Avenue Charter School on Facebook and other social networking sites on the Internet. If you hear of or see online content about a member of our staff or some other aspect of SACS operations please let your supervisor know so it can be addressed.

TEACHERS / SUPPORT TEACHERS (*If applicable*)

Administrative / Planning Period

Maintaining the educational integrity of Southern Avenue Charter School requires commitment and planning on the parts of the teachers. Planning effective instruction takes time and must be purposefully spent. In-house professional development, parent-student conferences, team meetings, and individual planning are all integrated into your planning period. It is essential that teachers remain on campus throughout the school day. If a teacher must leave campus for any reason, the teacher must speak directly to the Principal and clock in and out of the office. Upon receiving administrative approval, you must clock out in the main office. Upon returning to campus, the teacher must clock in or risk nonpayment for the remainder of the day.

Lesson Plans/Lesson Internalization

ELA and Math lesson plans are scripted. Therefore teachers will need to internalize, annotate and submit to the instructional facilitator each Wednesday by 3:00pm. Science and Social teachers are expected to create weekly lesson plans. Lesson plans are to be submitted to the Instructional Facilitator every Wednesday by 3:00p.m. Teachers will receive an instructional protocol handbook with more information pertaining to lesson plans and grades. Lesson plans must include:

- Course outline / goal
- Course objective / expectation
- Indicate Standard and Benchmark goal addressed
- Differentiation of Instruction based on student needs
- Accommodations for gifted / special education students
- Daily objective and procedures
- Assignments / due dates
- Evaluation procedures / rubrics

Every teacher should prepare and keep a **Substitute Teacher Lesson Plan Folder**. This folder must include:

- Seating charts / attendance sheets
- Routine procedures / emergency procedures
- Adequate and comprehensive lessons for the day
- Any special notes
- List duties

- Substitute may only show movies that have prior approval from Administration

Classroom Maintenance

If a repair is needed, please complete a Maintenance Work Order Form. Email the Principal after one week if your maintenance request has not been addressed or if there is a maintenance emergency.

Classroom cleanliness can be greatly assisted by the teacher and students following a few guidelines:

1. Have students pick up papers and trash and deposit them in the trash containers.
2. Do not leave excessive clutter in your room.
3. It is the teacher's responsibility to make sure desks and or tables are kept clean.
4. Please do not leave food (covered or uncovered in your classrooms) in order to prevent pests.

Mailboxes

Mailboxes are located in the main office (K-2) and staff workroom (Academy) where you will receive telephone messages, mail, faculty memos, attendance rosters and event collection logs. Outgoing U. S. mail may be left in the box designated "U. S. Mail" before 10:00am. to insure pickup for the day. Please check your mailbox before school, before and after lunch, and at the end of the day. **PLEASE DO NOT SEND STUDENTS TO THE OFFICE FOR YOUR MAIL.** The SCS board mail system picks up Tuesday and Thursday around noon.

Keys

Classroom keys will be issued the first day of school and are to be returned on the last day of school unless prior arrangements have been made in the Administrative Office. Keys are a vital issue as always; **do not lend your keys to anyone**, especially students. If they need access to your room, accompany them. All doors are to be locked and kept closed.

Record Keeping

All teachers must keep PowerSchool updated weekly. Grades are due Tuesday by 3:00pm from the previous week. Those grades are to include homework, class work, quiz and testing projects. A grade book must be used to keep accurate student records as a backup if PowerSchool crashes or login does not work. Attendance should be accurately recorded in the grade book daily. Teachers should have an accurate attendance record at the end of each grading report period. Record books must be:

1. Labeled neatly on the cover, with Teacher's name and the school year
2. Must be kept neatly and accurately
3. Should include grades and attendance
4. Must be turned in to the Principal at the close of the school year.

*Teachers are **NOT** to enter student names in the record book during the first week of school, as registration and or class assignments may not be finalized. Use temporary rosters

until then. Use the student's proper name on all official records. Please keep all records current and up to date, as students may be transferred at any time during the school year.

Student Classroom Files

Teachers must make and maintain a classroom file folder for each student. Student classroom files should contain:

- A copy of all parent contact forms for that student and parent phone call logs
- Copies of notes of absences, medical problems, dismissals, tardy slips etc., are to be filed
- Teacher's copy of disciplinary referrals
- Copies of weekly conduct or behavior forms
- All student assessments (chapter tests, unit test, etc.), copies of progress reports.

Classroom Management

Teachers are expected to create a safe and comfortable classroom environment for students that will maximize opportunities for student learning, which in turn will factor into governing student behavior. Teachers should develop strategies for establishing and maintaining a well-managed classroom environment to optimize learning opportunities. Here are a few useful tips to assist in creating an environment where students want to learn:

1. Make your classroom stimulating and visually appealing, trying to limit potential distractions.
2. Make students feel welcome and comfortable by getting to know their names and interests right away.
3. Treat all students equitably; make them feel cared for, listened to, and respected.
4. At the beginning of the year, communicate classroom rules and expectations clearly and directly. State, explain, and review SACS' code of conduct.
5. Implement and post daily routines and procedures
6. Organize materials to maximize accessibility and to lessen "free time" (time spent gathering materials)
7. Create and establish a continuous flow of activities to prevent students from becoming bored or sidetracked.

Duty Assignments

Teachers, Academic Coaches and Support Staff may be given a morning, afternoon and or hall duty assignment. It is imperative that all assigned personnel be in their designated duty stations to ensure safe, effective and smooth transitions during morning arrivals, hallway transitions, lunchtime, and afternoon dismissals. **All faculty and staff members are expected to actively monitor students, parents, and visitors to maintain a safe, healthy and effective school environment.**

Daily Operations

Teachers, Academic Coaches, and Support Staff upon arrival are to sign in and report to their assigned morning duty stations.

Classroom Daily Operations

- **Attendance** - submitted to the office by **9:00a.m** and **NOT before 8:00a.m**. Students arriving to the classroom after **8:01a.m. are to be marked tardy. WE ALL** must be **consistent** in this practice, especially since many families have multiple children and inconsistencies lead to misunderstandings. All notes of absence received in the classroom should be sent to the office immediately upon receipt. If the student does not bring a note to school within **two (2) school days**, the absence is to be marked as **unexcused (unexcused is the default until documentation is received)**. **Daily attendance and the accurate reporting of are imperative**. It is the teacher's responsibility to make sure each student has been marked properly and correctly. **Errors in marking can be very costly (\$\$) and have adverse effects on our school wide attendance rate.** * *Southern Avenue Charter School and School Seed Foundation are taking a firm stand on attendance. Parents with excessive absences may also be referred to School Seed Foundation, (901) 207-1472; 2670 Union Ext., Suite 1123, Memphis, TN 38112 or info@schoolseed.org.*
- **Dress Code Compliance** - Homeroom teachers are expected to monitor dress code compliance. ***Please refer to uniform policy (Parent/Student Handbook) for detailed information.***
- **Student Communication / Homework Folder** - Teachers are expected to check student folders each day, for homework, parent signatures, absence notes, money, permission slips etc. Absence notes, money etc., must be submitted to the office in a timely manner (refer to attendance and cash handling procedures). Folder checks and record keeping should be consistent and accurate.
- **Cash Handling Process** - Cash handling and collection are a part of daily classroom management practices. The accurate and efficient management of this process is consistent with the highly structured environment that Southern Avenue operates. Faculty and staff should record payments for school fees, field trips, clubs and or fundraisers, etc., and use cash handling collection logs. Payments are recorded to account for money exchanged between parents, students, faculty and staff for bookkeeping and accounting purposes. The faculty or staff member will log each cash exchange for each student / parent. The information should be recorded by event on the collection log. For example, if a student pays for a field trip a log entry should be written. **Please record each student's last name, and first name in the space provided on the log sheet. When completing logs, please fill out completely and accurately. Include full name of student, amount (numerical) in space provided, and event collecting for. Please count and verify all money given to you. If the amount given is short please return to the student/parent with a note.** The collection log and cash must be returned to the main office **each day by 10:00a.m.** to Ms. Heather

Sparkes. *All money that is not submitted to the Financial Secretary at the allotted time will be reported to the Principal.*

- **Dismissal - (Early Dismissal)** -Only the office has the authority to release students from school. **DO NOT DISMISS A STUDENT UNLESS THE OFFICE STAFF OR DESIGNEE HAS NOTIFIED YOU. YOU WILL BE HELD RESPONSIBLE FOR ANY CHILD NOT DISMISSED PROPERLY. NO PARENT IS TO COME TO THE CLASSROOM TO PICK UP A CHILD UNLESS YOU HAVE RECEIVED PRIOR NOTIFICATION FROM THE OFFICE.**
- **Early dismissal will not be permitted under any circumstances, unless accompanied with medical documentation. No early dismissal/pick-ups will be allowed during TCAP Testing at all.**
- **Students will not be permitted to enter the school building after 8:15 a.m., unless they have a medical excuse.**
- **Students will not be allowed to be tardy more than 3 times a month. Excessive tardiness after 3 times will result to an overnight suspension.**

Regular dismissal is at 2:45 p.m. daily. The dismissal team will begin calling for students at 3:01p.m.

- **Students Present After Dismissal** - Student safety is the highest priority of Southern Avenue Charter School. We are concerned about students who are left after dismissal time. **Students remaining after dismissal are to be escorted by the teacher to the multipurpose room (k-2 building) or designated area. A SACS staff member will supervise students until 3:15p.m. If a student is not picked up by 3:16p.m., the student is placed in aftercare. The parent/guardian is charged a \$15 drop in fee by the aftercare Program. The fee is due at the time of pick up. Refer to Late Pick-Up Policy for more details.**

Sick Child

If a student appears to be ill, please contact his/her parents using the phone in your classrooms or send them to the office to use the phone. The COVID-19 Coordinator must be notified in case of any student's illness.

The Shelby County Health Department requires excluding students from school for the following reasons: COVID-19, Chicken Pox, Hepatitis A, Impetigo, Measles, Mumps, Head Lice, Pink Eye, Ringworm, Rubella, Scabies, and Scarlet Fever. **If you suspect a student to have one of the above, please notify his/her parents immediately to pick-up the child. A child is not allowed to return to school unless a doctor's statement has been provided.**

Student Incident Report

Incident forms are to be used to document and report any student injury, accident, behavioral issue, or other incidents as soon as they occur. The faculty member who witnessed the incident is to complete the incident form in its entirety, notify the parent/guardian of the incident, and submit the form to the main office. A copy of the incident report should be given to the parent, and a copy should be kept on file at the Central Office.

Medicine Storage and Authorization (student)

All student medication is to be stored and locked in the Nurse's office. The school nurse or a designated staff member will receive, store and secure all medication. At no time is medication to be stored in the classroom, student desk, backpack, or cubby area.

The parent must bring a copy of the prescription that shows clear instructions for administering medication. The copy of the prescription MUST be on file in the main office prior to any medication being administered at school. The child's name, nature of illness, type of medication, side effects, date to begin, dosage amount and frequency MUST be indicated on the form along with the Parent/Guardian signature. All medication must be clearly labeled with the child's name and in the proper container. Non-prescription medication WILL NOT be administered at school unless accompanied by a copy of the prescription from the physician.

Allergies (student)

All student allergies should be documented on the student's Coordinated Health Form, and filed in the main office. Allergy information should be reported to the appropriate cafeteria staff for proper meal preparation purposes.

Weather-Related and Emergency Closings

Certain weather conditions make it necessary to close school entirely, have a delayed opening, or dismiss school early. SACS Administration makes these decisions with the safety of the students and staff in mind. We adhere to the closings of Shelby County Schools (SCS). If SCS announces closures, we are closed as well.

To determine if SACS will be closed due to inclement weather, please watch television channels 3, 5, and 13. You may also call the school at **901-743-7335**, the Principal, or the Executive Administrator. If Shelby County Schools are closed during inclement weather, SACS will also be closed.

Each employee and student are expected to obey safety rules and exercise caution and common sense in all work activities.

PREVIOUSLY REFERENCED INFORMATION:

CHILD ABUSE AND CHILD SEXUAL ABUSE

Definitions

For purposes of this policy as provided in T.C.A. §37-1-403(i) "school" means any public or privately-operated child-care agency as defined in T.C.A. §71-3-501 which includes preschool, nursery school, kindergarten, elementary or secondary schools.

- a. It is the law of the state of Tennessee that teachers or other persons employed in the public schools are required to report suspected child abuse and neglect.
- b. An abused or neglected child shall mean any child less than 18 years of age whose parent(s) or other person responsible for the child's care:
 1. Creates or inflicts, threatens to create or inflict, or allows to be created or inflicted upon such a child a physical or mental injury by other than accidental means, or creates a substantial risk of death, disfigurement, impairment of bodily or mental functions;
 2. Neglects or refuses to provide care necessary for the child's health;
 3. Abandons such child;
 4. Commits or allows to be committed any sexual acts upon a child in violation of the law.

REPORTING OF BRUTALITY, ABUSE, NEGLECT OR CHILD SEXUAL ABUSE

Any person who has knowledge or is called upon to render aid to a child who is suffering from or has sustained any wound, injury, disability or physical or mental condition shall report this type of harm immediately, if caused by brutality, abuse or neglect. (T.C.A. § 37-1-403) Any person with such knowledge shall report by phone or otherwise to the Department of Children's Services (DCS) and simultaneously report such action to the Principal of the school, Director of Counseling, or law enforcement agency.

NOTIFICATION TO PARENTS OF ABUSE ON SCHOOL GROUNDS OR UNDER SCHOOL SUPERVISION

Pursuant to the future well-being of the child, school teachers, school officials or any other school personnel who have knowledge or reasonable cause to suspect: (1) that a child who attends the school may be a victim of child abuse or child sexual abuse, and (2) that the abuse occurred on school grounds or while the child was under the supervision of the school, the following actions shall be taken:

- a. If the alleged abuser is a school employee, the employee shall immediately be placed on paid administrative leave pending investigation. If the alleged abuser is a student, the student shall be given due process and shall be separated either by suspension, expulsion or otherwise from the alleged victim pending investigation.
- b. The Principal shall notify the Department of Children's Services.

- c. The Principal shall verbally notify the parent or legal guardian of the child within twenty-four hours with coordination with the Department of Children's Services. **The notice shall not be given to any parent or legal guardian if there is reasonable cause to believe that the parent or legal guardian may be the perpetrator or in any way responsible for the child abuse or child sexual abuse.**
- d. After the parent or legal guardian has been given notice, the Principal or designated person, shall provide the parent or legal guardian all school information and records relevant to the alleged abuse or sexual abuse, if requested by the parent or legal guardian; provided that the information is edited to protect the confidentiality of the identity of the person who made the report, any other person whose life or safety may be endangered by the disclosure and any information made confidential pursuant to Federal law of T.C.A. §10-7-504. Other agencies or departments' records shall not be released.
- e. The Principal shall contact the Student Federal Rights Coordinator and the Employee Federal Rights Coordinator who shall immediately commence an investigation of the complaint.
- f. After the investigation by the Federal Rights Coordinators has been concluded, the Federal Rights Coordinators shall contact the Principal regarding their findings and in the event the charges are substantiated, appropriate disciplinary action shall be taken against the alleged abuser.
- g. If the charges are substantiated, the Principal shall advise the parents of the measures that have been taken to ensure that no further instances of child abuse or child sexual abuse occur again in the future.
- h. If a teacher, school official or any other school personnel has knowledge or reasonable cause to suspect that a child who attends such school may be a victim of child abuse or child sexual abuse sufficient to require reporting and that the abuse occurred on school grounds or while the child was under the supervision or care of the school, then the principal or other person designated by the school shall verbally notify the parent or legal guardian of the child that a report has been made and shall provide other information relevant to the future well-being of the child while under the supervision or care of the school. The verbal notice shall be made in coordination with the Department of Children's Services to the parent or legal guardian within twenty-four (24) hours from the time the school, teacher, school official or other school personnel reports the abuse to the Department of Children's Services; provided, that in no event may the notice be later than twenty-four (24) hours from the time the report was made. The notice shall not be given to any parent or legal guardian if there is reasonable cause to believe that the parent or legal guardian may be the perpetrator or in any way responsible for the child abuse or child sexual abuse. Once notice is given as provided above, the principal or other designated person shall provide to the parent or legal guardian all school information and records relevant to the alleged abuse or sexual abuse, if requested by

the parent or legal guardian; provided, that the information is edited to protect the confidentiality of the identity of the person who made the report, any other person whose life or safety may be endangered by the disclosure, and any information made confidential pursuant to federal law or T.C.A. § 10-7-504(a)(4). The information and records described above shall not include records of other agencies or departments.

REPORTING CHILD ABUSE

Southern Avenue Charter School places the highest emphasis on the safety and wellbeing of its students. The protection of minors, especially from physical or sexual abuse, is a core value of Southern Avenue Charter School, and every member of the school community has an obligation to comply with the provisions of the **Child Abuse Policy outlined later in this handbook**. All Southern Avenue Charter School employees, regardless of position, are required by law and by SACS, to report any suspected cases of child abuse / and or neglect.

PENALTIES

Any person required to file a report regarding suspected child abuse and neglect that is found guilty of failure to do so is subject to disciplinary action up to and including termination, as well as current legal penalties established by the state and legislature.

Any employee found to have committed child abuse or child sexual abuse upon any Shelby County student shall be terminated from their employment with Shelby County Schools.

Any student found to have committed child abuse or child sexual abuse upon another student shall receive the appropriate disciplinary action, which may include expulsion.

T.C.A. § 37-1-403

T.C.A. § 37-1-410

T.C.A. § 37-1-605

T.C.A. § 49-6-1601

Dress Code Policy

Southern Avenue Charter Elementary School has adopted a business casual dress code, both internally and externally. If you are conducting or attending meetings, seminars, roundtable, etc., where you come in contact with other business professionals, you are expected to represent Southern Avenue Charter Elementary School in a professional manner and dress appropriately for conducting such business unless directed otherwise. Know your audience, remember what you represent and dress accordingly. **See Appendix 3**

Objective

Employee appearance contributes to SACS's culture and reputation. Employees are expected to present themselves in a professional manner that results in a favorable impression by students and constituents.

Procedure

School and department managers are reasonable for ensuring that employees adhere to SACS (Southern Avenue Charter School) professional dress guidelines. Employees who do not meet a professional dress code standard may be sent home to change, and nonexempt employees will not be paid for that time. Reasonable accommodations will be made where required.

PERSONAL APPEARANCE

All faculty and staff are expected to dress in appropriate professional attire. Personal attire greatly influences both student appearance and behavior. A SACS (Southern Avenue Charter School) employee's dress should exceed the students' standards.

Approved Workplace Attire

Traditional business or business casual attire is expected of all School Leaders and Central Office Employees. Basic elements for appropriate attire include clothing that is neat and clean condition.

Appropriate workplace dress does not include clothing that is too tight or revealing; clothing with rips, tears or frays, or any extreme style in fashion in dress, footwear, accessories, fragrances, or hair.

Although it is impossible and undesirable to establish an absolute dress and appearance code, SACS will apply a reasonable and professional workplace standard to individuals on a case-by-case basis. Management may make exceptions for special occasions or in the case of inclement weather, at which time employees will be notified in advance. An employee who is unsure of what is appropriate should check with his or her manager or supervisor. Exceptions are required to accommodate an employee's religious dress, medical needs and grooming practices.

Business Casual Attire

Business Casual Attire is expected for all instructional staff at a minimum and will be permitted on Fridays for Central Office staff/School leaders. **Failure to adhere to the appropriate dress policy will result in disciplinary action.**

Exceptions to the business casual dress requirements include (P.E. teachers, Uniformed employees, environmental, maintenance grounds and facilities staff). Exceptions also may be allowed for special designated events/projects such as field day, homecoming week, special school wide celebrations, beautification days, etc.

Guide to Business Casual Dress for Work

This is a general overview of appropriate business casual attire. Southern Avenue Charter Elementary School wishes to provide a work environment that is free of safety hazards, offensive behavior and harassment of any kind. Items that are not appropriate for the office are listed below. Neither is an all- inclusive list and both are open to change. One is a generally acceptable business casual attire list and the other is an un- acceptable business casual attire list.

Acceptable Attire

Dress Slacks

Khaki bottoms

Dress shirts (button down Oxford)

Polo collar or golf shirts

Sports jackets or blazers

Dresses at the knee

Skirts at the knee

Dress Capris

Blouses

Dress shoes

Wedge heels

All shoes must have a strap or enclosed heel.

Tennis shoes (unless approved by Principal, Chief Operations Officer, or Executive Administrator for specific event or Coach Attire)

Jeans are not allowed, unless approved by Principal, Chief Operations Officer, or Executive Administrator for specific events.

Body Piercing & Tattoo

Ear piercings are acceptable. However, other body piercings are prohibited while on campus or affiliated with Southern Avenue Charter School events. Please wear a face mask to keep nose or face piercings covered. Please refrain from facial and neck tattoos. Try your best to cover tattoos while in the presence of SACS students.

Unacceptable Attire

Your professional attire should be presentable, clean, and wrinkle free, free of rips, holes, and tears. If the pants are designed with belt loops and are visible, please wear a belt. Please refrain from loose sagging pants, and oversized shirts.

Clothing that reveals excessive cleavage, back, chest, stomach or undergarments are not appropriate for a business setting or school environment. Clothing that works well for the beach, yard work, dance clubs, exercise sessions, and sports contests is not appropriate for a professional appearance at work. Any clothing item made of spandex, sweat suit material, or clothing that is excessively tight and form fitting is not appropriate for the office environment.

No dress code can cover all contingencies so employees must exert a certain amount of judgment in their choice of clothing to wear to work. If you experience uncertainty about acceptable, business casual attire for work, please ask your Principal. With prior approval from the Executive Administrator and/or Principal, jeans and or/ other casual attire may be acceptable on certain days, such as moving, cleanups or special events.

Slacks, Pant, and Suit Pants

Slacks that are similar to Dockers and other makers of cotton or synthetic material pants, wool pants, flannel pants, and nice-looking dress synthetic pants and dress capris are acceptable. Inappropriate slacks or pants include jeans other than designated days, sweatpants, exercise pants, shorts, overalls, leggings, and any spandex or other form-fitting pants such as people wear for biking.

Skirts, Dresses, and Skirted Suits

Casual dresses and skirts, and skirts that are split at or below the knee are acceptable. Dress and skirt length should be no more than one (1) inch above the knee when standing. Short, tight skirts that ride halfway up the thigh are inappropriate for work. Sleeveless dresses are acceptable for the office. Mini-skirts, skorts, and beach dresses are inappropriate for work. Spaghetti-strap and halter dresses are inappropriate for the office unless they are worn with a jacket.

Shirts, Tops, Blouses, and Jackets

All shirts with collars, business casual crewneck or V-neck shirts, blouses, and golf and polo shirts, optional tie or seasonal sport coat, a dress or skirt at knee length or below (with appropriate undergarments), a tailored blazer, knit shirt, or sweater

Inappropriate attire for work includes sweatshirt hoodies, midriff tops, shirts, with potentially offensive words, terms logos, pictures, cartoons, or slogans; halter-tops. Tops with bare shoulders, camisole, and tank tops are inappropriate for work. Inappropriate t-shirts, shirts with inappropriate slogans, tank tops, muscle shirts, crop tops, halters, see through garments, or clothing with revealing necklines, bare backs, bare midriffs, or spaghetti straps.

Pants

Casual slacks and trousers and jeans without holes, frays, etc, are acceptable. Jeans are proper attire on casual Fridays (**with a fee for fundraising**) at the managers or principal's discretion. **Sagging is not allowed.** Pants must be worn at waist level and loose pants must be worn with a belt.

Inappropriate attire of pants includes shorts, and pants worn below the waist or hip line, leggings, warm-ups, yoga pants, spandex or similar pants, or exercise clothes.

Footwear

Casual tie shoes, dress sandals with a back strap, and clean athletic shoes. Inappropriate footwear includes flip-flops, hunting boots, or backless shoes.

Head Apparel

Head apparel should not be worn inside the building. Exceptions will be considered for employees whose job roles require them to adhere to alternate guidelines (ex. PE instructors, nutritional staff, grounds and facilities staff, etc.)

SACS and the District understand the significance of religious beliefs and medical conditions espoused by individuals in its workforce. Unless the accommodation creates an undue burden, SACS will reasonably accommodate a staff member's religious and medical convictions in terms of workplace attire. In view of worker safety concerns, accommodating religious beliefs in terms of wardrobe may be problematic. Requests for religious and medical dress accommodations in the workplace should be directed to the human resource department.

Inappropriate head apparel includes hoods, hats, caps, head coverings designed for sleep, etc.

Compliance

The Principal, Chief Operations Officer, or Executive Administrator is responsible for ensuring department personnel are in compliance and reserve the right to send any person home to change clothes who violates any part of the dress appropriate attire. When an employee's clothing is questionable, the Principal, Chief Operations Officer, or Executive Administrator has the authority to determine whether the attire is acceptable or not. If you wish to report noncompliance, please report it to your Principal, Chief Operations Officer, or Executive Administrator.

It is also necessary to establish disciplinary criteria. In the event there are violations of this policy, the following actions may occur:

1st Violation Verbal Warning

2nd Violation Written Warning

3rd Violation- unpaid three (3) day suspension

*Environmental, COVID team members, and Special Programs staff will wear red polos and navy/black bottoms.

ACKNOWLEDGMENT OF RECEIPT OF FACULTY HANDBOOK

I have received and reviewed the Southern Avenue Charter School Faculty Handbook in its most current form.

The Faculty Handbook describes important information about Southern Avenue Charter School and I understand that I should consult Administrative Leaders and/or the Human Resources Department regarding any questions not answered in the Faculty Handbook.

Since the information, policies, and benefits described here are necessarily subject to change, I acknowledge that revisions to the Faculty Handbook may occur. All such changes will be communicated through official notices. I understand that revised information may supersede, modify, or eliminate existing policies.

Furthermore, I acknowledge that this Faculty Handbook is neither a contract of employment nor a legal document. I have received the Faculty Handbook and I understand that it is my responsibility to read and comply with the policies contained in this Faculty Handbook and any revisions made to it.

Employee's Name (printed)

Position

Employee's Signature

Date

(Please detach this page from your Faculty Handbook and submit to the principal to be included in your personnel file. Thank you.)

INDEMNIFICATION and HOLD HARMLESS AGREEMENT

At the discretion of the Board of Directors, any employee may be subject to sign an indemnification and hold harmless agreement, if at any time, the Board or Administration deems the continued employment of an individual would subject Southern Avenue to liability, such as lawsuits, worker’s compensation claims, or otherwise. (Effective August 2024).

Employee’s Name

In consideration for continued employment, I, _____
Agree to indemnify and hold Southern Avenue Charter Schools, Inc., (hereinafter referred to as Southern Avenue) its affiliated entities, employees, owners, staff, agents, and officers, harmless from any liability, loss, or damage that may occur as a result of my continued employment or any accident that might occur while on duty.

I, hereby release any claims, demands, costs, or judgments against Southern Avenue that may arise out of any activities or actions that may occur while on Southern Avenue School grounds, facilities, or while performing any duties for the School.

Employee’s Name (printed)

Employee’s Signature

Appendix 1:

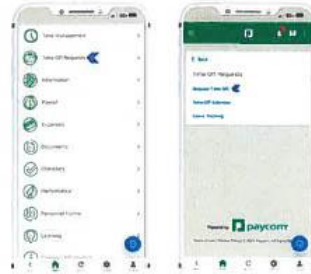
Show Me How

to Request Time Off

TIME-OFF REQUESTS

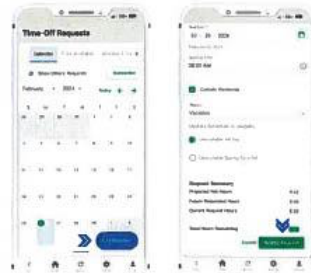
STEP 1

Log in to the Paycom app and navigate to Time-Off Requests > Request Time Off.



STEP 2

Tap "Add Request" to enter the details of your request. Ensure you select the correct request type (vacation, sick, etc.). After all details are entered, tap "Submit Request."



HELPFUL TIPS

Review accrued paid time off by navigating to Time-Off Requests > Request Time Off > Time Available or by navigating to Time-Off Requests > Time-Off Balances.

2-26-24

EMPLOYEES

Visit the Help Menu for the most up-to-date version of this guide.



Appendix 2:

Guidelines for Progressive Discipline

**Department of Labor
and Employee
Relations**

Appendix 2:

Preface

This guide describes the basic elements of progressive discipline and serves as a resource for those with supervisory responsibilities. Use this guide as a reference and procedural guide in determining when disciplinary action is necessary, what level of discipline is appropriate, and how to administer discipline.

We recognize that most employees only need to be properly trained and be informed of the rules in order to be positive, productive employees. However, there are times when the supervisor must use the discipline process in order to get the employee's attention and attain the desired result. Supervisors are encouraged to make sure that the employee has been properly trained and informed prior to resorting to the discipline process. This guide details how to evaluate a situation prior to taking any disciplinary action, including the investigation process. A checklist of questions along with sample disciplinary letters is also provided to help guide the supervisor through the disciplinary process.

The Department of Labor and Employee Relations is responsible for assisting those with supervisory responsibilities in administering the disciplinary process in conformity with board policies and the Memorandums of Understanding. The procedures of any Memorandum of Understanding will take precedence over the procedures in this guide. When considering any disciplinary action, the Department of Labor and Employee Relations is available to provide supervisors with assistance. At the more advanced disciplinary steps (suspension/demotion/termination), SCS requires that the supervisor refer the employee to the Department of Labor and Employee Relations. Managers may utilize the electronic disciplinary referral system to refer an employee.

Appendix 2:

Introduction to Progressive Discipline

In order for discipline to be effective and correct employee behavior, it must have certain fundamental characteristics. Discipline must be progressive, consider past practice and equitable treatment, and meet the test of just cause. The principle of "progressive" discipline involves informing the employee of the problem and the need to correct it, and then using increasingly stronger disciplinary measures if the employee fails to correct the problem.

In most situations, the problem will first be brought to the employee's attention with a counseling session. During counseling, the supervisor should make sure the employee is aware of the problem and impress upon the employee the importance and necessity of correcting the problem. Most employees will correct the problem through such counseling. If the problem continues, disciplinary action may be initiated. Although counseling is not recognized as a formal disciplinary step, it is strongly recommended to retain a written record of counseling including dates. It is expected that in most cases, counseling will precede the formal disciplinary process.

The formal disciplinary process may include a documented oral reprimand, a written reprimand, suspension, and termination of employment. For most problems, each step in the complete process is necessary. For more serious problems the earlier steps may be eliminated. The degree of discipline taken must correlate to the seriousness of the offense and the employee's record. Discipline should be taken at the minimum level necessary to bring about correction of the problem. If the problem is not corrected, more severe action will be taken, up to and including termination of employment. Other factors to consider when determining the appropriate discipline are the level of the employee's position and the type of position. For example, managers and supervisors are held to higher standards of performance and behavior. Discipline can progress to the final step, which is termination of employment.

Steps in the Progressive Discipline Continuum

- Counseling – 1st Minor Offense
- Oral Reprimand – 2nd Minor Offense
- Written Reprimand – 3rd Minor Offense/1st Major Offense
- Suspension Without Pay – 4th Minor Offense/Serious Offense
- Termination of Employment – 5th Minor Offense/Serious Offense

There are no formulas or set rules that will apply to all situations and give the "answer" to the proper disciplinary step to take. Each disciplinary action will depend upon the nature of the offense and the related circumstance.

The Steps of Progressive Discipline

Appendix 2:

At each step of the progressive discipline process, the supervisor must ensure that certain things occur:

1. Conduct a thorough investigation and make sure the employee has done (or not done) whatever you are considering disciplining for.
2. Meet with the employee and provide an opportunity for representation for the employee during the investigative meeting as well as in any follow up meeting.
3. Clearly identify the problem and attempt to ensure the employee understands.
4. Allow the employee the opportunity to respond to the allegations.
5. Clearly explain to the employee the expected behavior.
6. Inform the employee of the consequences if the problem is not resolved.
7. **Document the disciplinary action.**

a. **Counseling** – An opportunity for the employee and the supervisor to informally discuss work-related problems and concerns. The counseling session is designed to help the employee:

- Recognize the mistake or deficiency.
- Accept the standard that is required.
- Clarify expectations and standards.
- Understand the consequences of failing to meet the standard.
- The counseling session should be documented with a memo to the administrator's employee desk file.

Typically counseling is appropriate for the first offense of infractions that have a relatively minor impact on the organization but still requires management's intervention. Example: Tardiness, poor attendance, unsatisfactory work performance. For repeated violations of the same offense a manager may proceed through the progressive discipline continuum.

b. **Documented Oral Reprimand** – Used to get the attention of the employee while the situation is still correctable. The primary purpose of this step is to alleviate any misunderstandings and to clarify the direction for necessary and successful correction of the problem. An oral reprimand must:

- Clearly indicate the nature of the problem, cite the work standard, rule or policy governing the situation, and explain precisely what corrective action is expected.
- Point out that future behavior of a similar type may result in more serious disciplinary action.
- Must be confirmed in writing, clearly defined as an "oral reprimand" with a copy placed in the employee's file at the work site.
- Advise the employee that a copy of the reprimand will be placed in his/her personnel file and forward a copy to the Department of Labor and Employee Relations.

c. **Written Reprimand** – Utilized when prior counseling sessions and/or the oral reprimand have not resulted in satisfactory changes of behavior. A written reprimand may or may not be preceded by an oral reprimand, depending on the type of violation. When issuing a written reprimand please:

Appendix 2:

- Include a review of prior disciplinary action taken.
- Notify the employee of the specific work rule or standard being violated.
- Place the employee on written notice that corrective action must be taken.
- Base the written reprimand on facts and information of record as opposed to hearsay and unfounded conclusions.
- Keep a copy in the employee's personnel file at the work site.
- Advise the employee that a copy of the reprimand will be placed in his/her personnel file and forward a copy to the Department of Labor and Employee Relations.

d. Administrative Leave, Suspension, or Demotion

- **Suspension**
 - May be used when the employee has not responded to counseling, oral or written reprimands or commits a more serious rule violation that warrants suspension for a first offense.
 - The Department of Labor and Employee Relations must handle disciplinary issues that may warrant suspension.
- **Administrative Leave**
 - Examples of situations where the employee may need to be removed from the work place before an investigation can be conducted may include sexual harassment, disorderly conduct, or other situations where the employee presents a potential threat to other employees.
 - *The supervisor should contact the Department of Labor and Employee Relations prior to sending the employee home, unless there is an immediate need to remove the employee from the work place.*
 - Administrative Leave is imposed with the understanding that a final decision relative to the appropriate disciplinary action will be made after the investigation.
 - If there is no cause for disciplinary action, the employee will receive pay for the regular earnings lost during the suspension.
- **Demotion**
 - Disciplinary demotions may be in the form of reduction in rank, reduction in pay, or both.
 - Demotion in rank refers to the removal of an employee from his present position to one of less responsibility.
 - *The Department of Labor and Employee Relations will handle disciplinary issues that may warrant demotion.*

- e. **Termination-** If all previous steps of the disciplinary process have been unsuccessful, the employee may be terminated from employment. Certain violations may warrant immediate termination. Because of the severity in the loss of one's job and the probability that taking such an action will result in a grievance, appeal, or possibly legal action, it is important that employee dismissals not be done in

Appendix 2:

haste and only after a thorough investigation. At minimum, the investigation should provide assurances that:

- The employee did, in fact, commit the act.
- Substantial evidence of guilt is available.
- The employee was aware, or should have been aware of the consequences of the act.
- The employee's entire work record, good and bad, has been considered.
- The same rules are applied uniformly to all employees.
- The credible witnesses provide essentially the same story.
- The penalty of dismissal is reasonably related to the seriousness of the offense.

Before terminating an employee for unsatisfactory job performance, the Department of Labor and Employee Relations will consider the following:

- Has the supervisor fully explained to the employee what he or she is supposed to do? Pointed out how the work is to be done? Is there no possibility of a misunderstanding on these two points between the supervisor and the employee?
- Are the requirements for this employee the same as for those for other workers in similar jobs? Do these requirements compare favorably with those established by other supervisors for similar tasks? Are your requirements reasonable?
- Can you clearly show that you have seriously attempted to train the employee in the skills and knowledge required by the job? Have you given the employee time to develop the necessary skills after training?
- Have you discussed the employee's performance with him/her? Does the employee actually know that his/her performance is below that required of the job? Have you told the employee exactly what improvements must be made in order to meet job requirements?
- Have you followed established procedures by notifying the employee in writing of his/her unsatisfactory performance, and what needs to be done to bring the work up to satisfactory levels? Was the employee advised of the length of time you are allowing to bring the work up to a satisfactory level? Have you explained what satisfactory work is? Are copies of all such notices in the employee's official personnel file? Was the employee required to sign each notice and given a copy?
- Will your action withstand scrutiny from others, such as the HR Associate Superintendent, a court of law, or a board hearing?

Prior to taking formal termination action, the Department of Labor and Employee Relations must ensure that the employee has received procedural due process. This procedure requires the Department of Labor and Employee Relations to have a conference meeting with the employee, which includes, but may not be limited to:

Appendix 2:

- Informing the employee of the charges.
- Providing the employee with an opportunity to respond to the charges.
- Having representation present, if requested.
- Having the employee's response given proper consideration.
- Providing a decision in a reasonable amount of time.

Following the disciplinary conference and after double-checking the facts and all alternatives, if it is still decided that the only course of action left is dismissal:

- A written notice will be provided to the employee at the time the action is taken. If the employee is not available and the notice must be mailed, it will be sent by certified mail to ensure delivery is made. If the notice is returned unclaimed by the Post Office, the letter will be placed in the employee's file in the Department of Labor and Employee Relations.
- The employee is informed of the reasons for the dismissal with each incident or offense identified. Names, times and dates, are given when possible.

Elements of Documentation

Appendix 2:



Appendix 2:



In most situations, these steps should be taken regarding all disciplinary actions unless the behavior or performance falls into the category of a major infraction.

Documentation Checklist

When documenting misconduct, each document describing employee performance deficiencies should contain most, if not all, of the elements identified below:

- Date the document was prepared.
- Printed name of the person preparing the document.
- A description of the location, date, and time of the event(s).
- Identification of alleged perpetrator, victim(s), and all witnesses to the event.
- A description of what occurred: *Provide an objective recording of sensory observations, not subjective conclusions or value judgments.*
- If applicable, include a description of the severity of the act.
- Include all relevant documents: *i.e. photographs, videos, recording, and send via EORS, board mail, or e-mail.*
- If adhering to progressive discipline, provide a copy of all previous discipline when referring an employee to the Department of Labor & Employee Relations.

Appendix 2:

Conduct a Thorough Investigation

- Who was responsible for the incident?
- Who witnessed the incident?
- What actually happened?
- When did it happen?
- Where did it happen?
- Why did it happen?
- How did the incident or situation occur?
- Cooperate with local authorities (i.e., SCS Security, Sherriff Dept., DCS).



At each step of the progressive discipline process, the supervisor must ensure that certain things occur:

1. Conduct a thorough investigation and make sure the employee has done (or not done) whatever you are considering disciplining for.
2. Meet with the employee and provide an opportunity for representation for the employee during the investigative meeting as well as in any follow up meeting.
3. Clearly identify the problem and attempt to ensure the employee understands.
4. Allow the employee the opportunity to respond to the allegations.
5. Clearly explain to the employee the expected behavior.
6. Inform the employee of the consequences if the problem is not resolved.
7. **Document the disciplinary action (dispositions should be referred to LR).**

Appendix 2:

Disciplinary Offenses (Behavioral and/or Job Performance Related)

- a. Misconduct including but not limited to:
 - Attendance problems
 - Dishonesty and related problems
 - Behavior problems
- b. Performance Issues:
 - Failure to complete work assignments
 - Producing substandard products or services
 - Failure to meet established performance standards

The Department of Labor and Employee Relations will handle all violations involving the following offenses:

- Abuse (or allegations of) of students, or any other inappropriate conduct with students, staff, or parents.
- Assault (or allegations of) or any other type of workplace violence.
- Possession or under the influence of alcohol or illegal narcotics while at work.
- Referrals from supervisors, administrators, and principals for violations occurring after the written reprimand step.

Appendix 2:

Systematic Process to Review and Evaluate Disciplinary Issues (What Process is used to determine the level of disciplinary action?)

- a. Review the rules
 - Review of Board policies and rules for reasonableness and appropriateness as applied to the incident or offense.
- f. Review the employee's record
 - Review of performance appraisals and personnel file documentation of prior offenses of a similar nature.
- g. Review the evidence
 - Review of work records, incidents reports, witness statements and performance appraisals.
- h. Review consequences
 - Review of the effect of the offense or incident on the employee's continuing ability to perform, and the department, school, or district's ability to meet its obligations to determine severity of discipline.
- i. Review past practice
 - Review of the history of rule enforcement pertaining to the offense or violation.
 - Review of prior record of disciplining employees for similar (mis)conduct.
- j. Review attitude
 - Review of the likelihood of a recurrence of the offense or violation.
 - Review of the employee's understanding and acceptance of the rule.
- k. Review excuses
 - Review of any mitigating factors or concurring causes to determine severity of discipline.

Questions relative to determining the severity of discipline:

1. Employee's record - Does the employee have a prior record of similar offenses, or is this a first offense? Does the employee otherwise have a good record of satisfactory performance?
2. Consequences of the act - Were the consequences such that there would be financial or other liability to the district or school? Would the act affect the district or employee's ability to carry out assigned responsibilities?
3. Mitigating factors - Were there intervening factors that either caused or had some effect on the employee's alleged act?
4. Attitude - Is the type of discipline contemplated necessary in order to convince the employee that the conduct cannot be tolerated?
5. Past practice - Is the discipline to be administered consistent with the discipline administered in prior similar cases?

Appendix 2:

Shelby County Schools Table of Disciplinary Offenses and Penalties

Category A -This category of infractions generally includes acts of misconduct of a most serious nature that severely impact students' safety and the operation of the district and are considered "major infractions". Major infractions are violations of Shelby County Schools Policies that are so egregious or damaging to the district or individuals that disciplinary steps may or may not be followed. These infractions require a mandatory referral to the Department of Labor and Employee Relations.

1. Conviction of a felony or misdemeanor that involves theft of property, alcohol/drug use, assault (including domestic violence against another district employee).
2. Any indication of child abuse or neglect of a child by the Department of Children Services.
3. Unlawful possession, sale, or evidence of use of drugs/narcotics on district property or at a district sponsored activity.
4. Unauthorized possession of a firearm on district property.
5. Being under the influence of and/or evidence of drinking or possession of alcoholic beverages during work hours.
6. Physical or verbal intimidation or threats to others.
7. Physical violence or threatening bodily harm to others including transmitting by an electronic device any communication containing a credible threat to cause bodily injury or death to others and the transmission of such threat creates actual disruption in the work environment.
8. Sexual, racial, ethnic, or religious harassment/discrimination.
9. Bullying, intimidation, and harassment.
10. Absences in excess of three consecutive workdays without authorization.
11. Falsification of records or any unauthorized use of district records.
12. Willfully or recklessly damaging of district property.
13. Engaging in inappropriate communication with a student via telephone, email, text messages, social networking websites or other electronic communications.
14. Engaging in inappropriate relationships with students.
15. Leaving students unattended which results in injury.
16. Misappropriation of funds.

Appendix 2:

Penalty for Category A Offenses: Suspension (5-10 days)/Termination of Employment

Category B- This category generally includes acts of misconduct or a more serious nature that

SCS Disciplinary Offenses and Penalties						
(For assistance determining the appropriate category for an offense, Supervisors should contact the Department of Labor and Employee Relations.)						
Category A – Major Infractions (Automatic Referral to LR)	Counseling	Oral Reprimand	Written Reprimand	1-3 Day Suspension	5-10 Day Suspension	Termination
Conviction of a felony or misdemeanor that involves theft of property, alcohol/drug use, assault (including domestic violence against another district employee).						•
Unlawful possession, sale, or evidence of use of drugs/narcotics/alcohol on district property or at a school-sponsored activity						•
Unauthorized possession of a firearm on district property or at a school sponsored activity.						•
Any indication of child abuse or neglect of a child by the Department of Children Services.						•
Physical or verbal intimidation, Bullying, Cyber- Bullying, or threats to others.					•	•
Physical violence or threatening bodily harm to others including transmitting by an electronic device any communication containing a credible threat to cause bodily injury or death to others and the transmission of such threat creates actual disruption in the work environment.					•	•
Sexual, racial, ethnic, or religious harassment/discrimination.					•	•
Absences in excess of three workdays without authorization/Job Abandonment.						•
Falsification of records or any unauthorized use of district records.					•	•
Willfully or recklessly damaging of district property.					•	•
Engaging in inappropriate communication of corporate information with a student via telephone, email, text messages, Misappropriation of funds, websites or other electronic communication		•	•	•	•	•
NOTE: For Category A Offenses, 5-10 Day Suspension – Termination						

Appendix 2:

SCS Disciplinary Offenses and Penalties						
<i>(For assistance determining the appropriate category for an offense,</i>						
<p>This list of infractions is designed only as a guide and is evolving and not all encompassing. It is a description of typical infractions or violations of policy and/or state statutes. The infractions are grouped into categories according to the seriousness of the offense. For infractions not specifically listed below, supervisors shall assign discipline in accordance with the category that appears to be comparable to the offenses specifically listed in the category. (If you need assistance in determining the appropriate category for an offense, supervisors should contact the Department of Labor and Employee Relations.)</p>						
progressive disciplinary measures are applicable.						
Habitual and/or excessive tardiness/absenteeism			•	•		
Intentional disturbance of the work environment.			•	•		
Leaving work without permission.			•	•		
Altercation (verbal or physical) with a student/colleague.			•	•		
Leaving Students unattended.			•	•		
Disrespectful conduct; use of profanity, or making slanderous, defamatory, disparaging comments.			•	•		
Sleeping on the job.			•	•		
Unauthorized fundraiser.			•	•		
Unsatisfactory Job Performance			•	•		
NOTE: For Category B Offenses: 1-3 Day Suspension - Termination						

Appendix 2:

SCS Disciplinary Offenses and Penalties (For assistance determining the appropriate category for an offense, Supervisors should contact the Department of Labor and Employee Relations.)						
<i>Category C – This category of infractions have a relatively minor impact on the district’s business operations, but requires management intervention. Supervisors should follow the progressive discipline continuum. For repeated offenses, increasing progressive disciplinary measures are applicable.</i>	Counseling	Oral Reprimand	Written Reprimand	1-3 Day Suspension	5-10 Day Suspension	Termination
Poor attendance including tardiness and absences.	•	•	•			
Use of profanity or obscene language.	•	•	•			
Unprofessional or Discourteous conduct with coworkers, students, and parents.	•	•	•			
Failure to follow supervisor’s directions or to comply with board policy/insubordination.	•	•	•			
Violation of a board policy/work rules or standards.	•	•	•			
Poor job performance, failure to complete assignments.	•	•	•			

^N This list of infractions is designed only as a guide and is evolving and not all encompassing. It is a description of typical infractions or violations of policy and/or state statutes. The infractions are grouped into categories according to the seriousness of the offense. For infractions not specifically listed below, supervisors shall assign discipline in accordance with the category that appears to be comparable to the offenses specifically listed in the category. (If you need assistance in determining the appropriate category for an offense, supervisors should contact the Department of Labor and Employee Relations.)

Procedures for Some Common Violation and Offenses

SCS Disciplinary Offenses and Penalties

(For assistance determining the appropriate category for an offense, Supervisors should contact the Department of Labor and Employee Relations.)

<i>Category C – This category of infractions have a relatively minor impact on the district’s business operations, but requires management intervention. Supervisors should follow the progressive discipline continuum. For repeated offenses, increasing progressive disciplinary measures are applicable.</i>	Counseling	Oral Reprimand	Written Reprimand	1-3 Day Suspension	5-10 Day Suspension	Termination
Poor attendance including tardiness and absences.	•	•	•			
Use of profanity or obscene language.	•	•	•			
Unprofessional or Discourteous conduct with coworkers, students, and parents.	•	•	•			
Failure to follow supervisor’s directions or to comply with board policy/insubordination.	•	•	•			
Violation of a board policy/work rules or standards.	•	•	•			
Poor job performance, failure to complete assignments.	•	•	•			

^N This list of infractions is designed only as a guide and is evolving and not all encompassing. It is a description of typical infractions or violations of policy and/or state statutes. The infractions are grouped into categories according to the seriousness of the offense. For infractions not specifically listed below, supervisors shall assign discipline in accordance with the category that appears to be comparable to the offenses specifically listed in the category. (If you need assistance in determining the appropriate category for an offense, supervisors should contact the Department of Labor and Employee Relations.)

Procedures for Some Common Violation and Offenses

Appendix 2:

(Not Intended to List all Violations)

Negligence

Negligence or carelessness signifies lack of care, caution, attention, diligence, or discretion. Negligence is not synonymous with incompetence. Administrators sometimes will confuse negligence with incompetence, and even some arbitrators will inadvertently use the terms synonymously. The administrator should exercise caution in labeling an employee's actions as negligent.

Questions relative to establishing cause:

1. Was there clear and convincing evidence that the event was attributable to the employee? Supervisors must also consider whether there were intervening factors beyond the employee's control that were contributing factors to the offense.
2. Was the employee chargeable with simple or gross negligence? This could also have an influence on the degree of discipline imposed.
3. Was the employee chargeable with a willful or wanton act, or merely inattention to the job? This could influence the decision as to whether the offense was negligence or unsatisfactory work performance.
4. Did the employee fail to exercise due caution?
5. Did the employee fail to exercise reasonable judgment?
6. Did the employee fail to observe a published work rule, law, or assigned duty? Was the employee aware of the consequences of a violation?
7. In the past, have there been exceptions to the rule of care required of this employee?

Excessive or Habitual Absenteeism

Excessive absenteeism is one of the most difficult employee problems for supervisors to handle/monitor. Absences are generally sporadic and for short periods of time, but they keep recurring. Excuses include: personal sickness, family illness, transportation problems, baby-sitting problems, personal appointments or business, etc. The supervisor must determine whether the absences involve a legitimate use of approved leave, and whether the absences are adversely affecting the employee's work. Even legitimate absences can become excessive to the point that corrective action must be taken.

The Human Resources' policies outline the conditions under which the different types of leave can be approved. The supervisors and employees must be familiar with the leave provisions in Board Policy and the Memorandum of Understanding.

On occasion, any employee may need to miss a day from work due to legitimate personal or family illness. However, the supervisor has a right to expect employees to be available to perform work with a reasonable degree of regularity. The employee, who occasionally misses time from work, including the employee who has a serious illness requiring extensive use of sick leave, is not generally the problem. It is usually the employee who uses leave as quickly as it is earned, and the employee who establishes a pattern of absences that create the problem.

An excessive absentee record usually develops over a period of time. The supervisor, therefore, will have adequate opportunity to have consultation meetings with the employee, review the record of absences,

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compare the employee's record with the overall record of absenteeism for the work unit, and finally if improvement does not occur, warn the employee of possible disciplinary action. While discipline is the last resort when counseling has failed to make the employee aware of the seriousness of the problem, it should not be delayed to the point that the problem is uncorrectable.

While illness is a justifiable reason to excuse an absence under normal circumstances, there is a point where the employer should no longer be required to tolerate absences that have become excessive, even when necessitated by illness, and where the employee has been granted sufficient opportunity by the employer to obtain medical treatment and relief. This does not mean that the employer can forego having a firm, written and clear policy regarding absenteeism, nor avoid giving the employee sufficient warning. In the case of a chronic condition, the employee should seek adequate medical advice and treatment so as either to control or cure the condition.

Generally, arbitrators have held that excessive absences, regardless of the reason and in the absence of contractual obligations, are cause for discharge. However, management rules cannot be unreasonable, arbitrary, or capricious. The rules must also be consistently and uniformly enforced. Further, it must be shown that the employee was given appropriate warnings and that management complied with any required steps of progressive discipline.

Questions relative to determining cause:

1. How long has the employee had an absentee problem? Have counseling sessions and even prior discipline failed to correct the problem?
2. What is the pattern of absences? Are the days missed sporadic, or are they grouped together possibly reflecting a legitimate medical problem? Does the employee miss the same day(s) each week/month?
3. Is the employee being dismissed for missing too many days from work, or is the employee actually being charged with misuse of sick leave?
4. If the employee is charged with missing too much time from work, how do the absentee records of other employees in the work unit compare?
5. If the employee is being charged with misuse of sick leave, on what was that conclusion based? For example, is there medical or other evidence the employee was not sick or disabled?
6. Have you been consistent and uniform in the enforcement of the absentee/sick leave policy?
7. Is the employee a candidate for an employee assistance program, and has it been offered?
8. What affect has the absenteeism had on the employee's work performance?
9. Did the employee violate a Board policy, local work rule or law? In the past have there been exceptions? Was the employee aware of the consequences of a violation?

Currently the Shelby County Schools is using a standard of acceptable absenteeism of 5% or less of scheduled hours. Any employee whose attendance record indicates that he/she is consistently above a 5% absenteeism rate is eligible for disciplinary action.

Excessive or Habitual Tardiness

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The employee who fails to follow established work schedules may have a problem with one or more of the following: reporting late at the beginning of the work schedule, leaving early or returning late from breaks or lunch or leaving work early at the end of the work schedule, all without approval. Although occurring at different times, the effect is the same. If these actions are allowed to continue, other employees will eventually conclude that they too are not required to follow the work schedules.

As in the case of excessive absenteeism, supervisors may tend to overlook an offense of this nature until it creates some other problem, e.g., loss of productivity, affecting other employees. Most supervisors do not like to be clock-watchers. Also, many employees who are not punctual will work a little harder and maintain the expected productivity. Employees may even willingly agree to charge the tardiness or overextended breaks and lunches to leave or compensatory time. So, for various reasons, supervisors will rationalize their acceptance of this type of offense. While this attitude of benevolence may survive in some work situations, there are many others where even minor departures from work schedules will result in significant problems.

The bottom line in all situations must be that employees are expected to (1) be at their work stations ready to begin work at the established times; (2) take only the allotted time for breaks and lunch; and (3) leave work at the scheduled time and not before. An employee cannot be expected to always rigidly follow the scheduled work times. However, as in the case of controlling absenteeism, the supervisor is entitled to be given advance notice when the employee needs to report late, leave early, or take additional time off. It is the repeated unapproved tardiness and extra break and lunchtimes that are unacceptable to management.

Corrective action, as in other types of similar offenses, must be preceded by notice and warnings. The main caution is that an offense of this nature, if allowed to continue and spread, can have very serious consequences. Not the least of the problems will be the supervisor's loss of control.

Questions relative to determining cause:

1. How long has the employee had the problem of tardiness or excessive break or lunch periods? Have counseling sessions and/or prior discipline failed to correct the problem?
2. What is the pattern of tardiness or excessive break or lunch time? Do the times vary, are the offenses sporadic, or do they occur with regularity?
3. What is the nature of the excuses? Does the tardiness result from childcare or transportation problems, or are the excuses related to oversleeping, personal illness, etc.?
4. Has management been consistent and uniform in the enforcement of its work schedule policy? Has the employee been informed as to the need for punctuality?
5. What effect is the tardiness or failure to follow break and lunch schedules having on the employee's work performance?

Leaving Work Without Permission (AWOL)

This particular offense may include failure to obtain permission in advance to be off or misrepresenting (falsifying) the need for sick leave.

In the first example, employees are expected to obtain approval to take leave, with or without pay, in advance of the taking of such leave. An exception may arise when an employee is taken ill suddenly while

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off work, and telephones the supervisor either prior to or during the normal working hours to report off. Management becomes upset if an employee makes a habit of taking time off in that manner, fails to call in within a reasonable time after the person normally would begin work, and/or such practice results in overtime or work not being performed.

The HR policies state in part that leave shall be used only with the approval of the proper authority within the department. Problems surface when the employee claims lack of knowledge of the proper report procedure, confusion exists as to the particular supervisor to call or the person with authority to approve the leave, or non-existent or inaccurate report-off records. All of these problems can be avoided. Discipline of employees for absences without proper authorization will generally be upheld where management acts within its authority and where its actions are not arbitrary or unreasonable, and especially if the employee acts in a defiant or contemptuous manner.

Questions relative to establishing cause:

1. Was the rule on obtaining approval for leave clearly spelled out?
2. Did the employee know who had authority to approve leave?
3. Did the employee make a request for leave, and was it made timely under the circumstances?

Insubordination

An acceptable definition of insubordination is a deliberate and inexcusable refusal to obey a reasonable order that relates to an employee's job function. Insubordination has also been more broadly defined as an unwillingness to submit to authority. This offense has been linked both to an expressed refusal to obey a proper order, as well as a deliberate failure to carry out an order.

An employee may base a refusal on a claim that the order violates the Memorandum of Understanding or is otherwise not part of the employee's job. However, an employee may not engage in this type of "self-help." Many arbitrators have taken the position that employees must not take matters into their own hands, but must obey orders and carry out assignments, even if they believe those orders violate the Memorandum of Understanding. Employees must instead turn to the grievance procedure for relief.

There are varying degrees and/or types of insubordination. There is the open and stated refusal to carry out orders, and there is also the silent refusal. A verbal refusal to obey a direct order is not an essential element of insubordination. The employee's silence accompanied by not obeying the order can also be considered insubordination. However, the obvious difficulty of proving insubordination in such case makes it important for the supervisor to avoid being placed in this position by insisting upon a response from the employee.

Work stoppages have in some cases been considered insubordination and cause for discipline. However, in those cases the employees were given direct orders to resume work and refused.

If an order is not obeyed, but the employee takes another course of action by accepting the alternative performance, the supervisor may have waived any right to discipline.

An employee may refuse to perform a task that he/she believes may place them in immediate danger of death or serious injury. This is a defense that must be addressed by management. In certain cases this may be a legitimate defense. However, these circumstances are strictly limited to situations where: (1) management orders an employee to work under conditions the employee reasonably believes pose an

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imminent threat of death or severe injury, and (2) the employee believes there is insufficient time or opportunity either to get management to correct the hazardous condition (or to alert OSHA, where applicable, to the danger).

The primary focus in an action for insubordination is directed toward the order itself, the reasonableness of the order, the employee's exact words or action, and the language of the rule or procedure violated. If the rule specified "gross" insubordination, an isolated outburst may not be sufficient for disciplinary action. Words or actions that are "contemptuous" may not necessarily be insubordinate, since the two words commonly used are not synonymous. Some courts also recognize a personality conflict or friction that develops between employee and supervisor. In such cases management may have to share responsibility.

Questions relative to establishing cause:

1. Was the order such as to create a safety or health hazard to the employee? An employee may refuse to obey an order that would create such a hazard. But even here, disciplinary action may be upheld where: (a) the dangerous aspects of the job could have been eliminated by the employee, (b) the employee's job necessarily involves hazardous work or the alleged hazardous conditions are not unusual, and (c) the employer has already determined that the work is not, in fact, dangerous.
2. Was the employee deliberately testing management's authority? An employee may not resort to insubordination to test the reasonableness of the employer's order, since (a) it is a settled principle that employees may not decide for themselves which instructions they will obey and which they will not, absent their being exposed to abnormal risk of personal harm and certain other limited kinds of situations, and (b) the employee might have pursued a remedy through a grievance procedure.
3. Was the order direct, clear and unambiguous?
4. Would obeying the order have violated a law or statute?
5. Did the supervisor provoke the insubordination?
6. Did the employee violate a published work rule? In practice have there been exceptions to the rule? Was the employee aware of the consequences of a violation?
7. Was the employee's conduct [use of profanity, belligerence linked with an order to perform a service?

Criminal or Disorderly Conduct

Although HR policies include such conduct within the definition of "just cause", a more precise definition of the specific conduct that is "unbecoming" is more difficult to determine. There is also the issue of whether the conduct occurred during the course of the employee's work, or whether the questionable conduct took place off the job. In the former situation the relationship between the work and conduct is more easily established, along with the impact of the conduct on the employee's ability to continue to

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perform the job. In the latter situation, the connection between the conduct and impact on job performance may be more difficult to establish.

In some cases, the off-duty conduct was not, per se, illegal, was not provable, or was in no way job connected. Management must then prove the relationship between the conduct and the job. In other cases, management may discipline an employee based solely on the fact that an employee has been charged with off-duty misconduct by civil authorities. This type of discipline is discussed separately, but the relationship between the charge and the employee's job is still an important consideration. Generally, courts have construed the terms as requiring that the employee's conduct adversely affect the employee's relationship with the public.

Questions relative to determining cause:

1. What is the specific conduct that is the basis of the discipline?
2. What are the standards against which the employee's conduct is measured?
3. What is the relationship between the conduct and the employee's ability to perform the job? Has the alleged conduct and/or any publicity resulted in the employee not being able to carry out his/her normal duties?
4. Has the impact been documented with evidence, witnesses, complaints, etc?
5. Has the employee misused professional status or authority?
6. Has the employee violated a published work rule or law? In the past have there been exceptions? Was the employee aware of the consequences of a violation?
7. What is the attitude of co-worker, clients, and community toward the employee on the job? Has anyone refused to work with, associate with, or be served by the employee?
8. Has the employee previously engaged in similar conduct?

Inefficiency or Inability to Perform Assigned Duties

Unacceptable work performance is probably one of the two most difficult employee problems to handle/monitor, with absenteeism being the second. Both are conditions that usually develop over extended periods of time, are the cumulation of multiple incidents, and are often mixed in with periods of satisfactory attendance and performance.

In order to label an employee's work Below Performance Standards, the supervisor must measure that performance against an established standard. That standard must be a stated measure of the level of performance the employee is expected to achieve or the objectives the employee is expected to accomplish.

While the policies do not specifically establish standards or levels of performance, they do establish the framework within, which management should work with the employee. Acceptable standards (levels) of performance should be established, communicated to the employees, and then applied uniformly and in a nondiscriminatory manner to all employees. As mentioned earlier, a distinction may be made between the employee who cannot perform up to the required level and the employee who won't perform, and in fact gives the impression of willfully disobeying instructions. In the former, the employee may be trying to perform satisfactorily, but is limited by physical or other skill deficiencies. That employee might be able

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to perform at acceptable levels in a different class if given the chance. The attitude of the employee becomes significant.

The supervisor should anticipate and prepare for the usual employee complaints of: "I wasn't told I wasn't doing it right", "I work as hard as anyone else", "I don't make any more mistakes than the other people", "I've always done the same amount of work", "my supervisor was new and never saw my work", and etc.

Questions relative to determining cause:

1. How long has the employee's performance been unacceptable? Have counseling and prior warnings failed to correct the problem?
2. Was the deterioration in performance gradual or did it happen all at once?
3. Were there any outside factors that contributed to the employee's less than satisfactory performance? Examples: health or personal problems, lack of education, etc.?
4. Was the employee properly trained? If so, when?
5. Are there other employees who are performing at the same level who are not being similarly evaluated?
6. Were the required performance standards known to the employee and were they uniformly and consistently applied?
7. Was the employee told specifically what the performance deficiencies were, and given a reasonable period to improve?
8. Has the supervisor been properly trained in appraisal techniques?
9. Did the supervisor review the employee's performance (especially important when the supervisor is relatively new)?
10. Were the tasks the employee was unable to perform part of his/her assigned duties?

Questions relative to determining the type of personnel action:

1. Employee's record - Does the employee have a prior record of similar performance and warnings? Does the record indicate improvement?

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2. Consequences of the act - Were the consequences such that there would be financial or other liability to the school system? Would the act affect the employee's ability to carry out assigned responsibilities?
3. Mitigating factors - Were there intervening factors that either caused or had some effect on the employee's actions?
4. Attitude - Is the type of action contemplated necessary in order to convince the employee that the conduct cannot be tolerated?
5. Past practice - Is the personnel action contemplated consistent with the action in prior similar cases?
6. Is the supervisor precluded, due to the capabilities of the employee, from offering to reassign the employee to another job?
7. Would a demotion serve to salvage an otherwise valuable employee, or would it result simply in transferring a problem?

Falsification of Records

The term "falsify" is generally defined as: to prove or declare false; to make false; to represent falsely; to tell lies. A reading of this definition could lead to the conclusion that there is an element of intent present in at least some acts of falsification. In fact, there is some authority for the proposition that the term "falsify" can be used to convey two different meanings - either that of the term being intentionally or knowingly untrue, made with intent to defraud, or mistakenly and accidentally untrue.

Therefore, when attempting to determine whether an employee has incorrectly completed a record, a determination should also be made as to whether the act was intentional. The incorrect record may be the result of ignorance or lack of job knowledge, or the record may in fact be false as the result of an intentional act of the employee.

Questions relative to determining cause:

1. What has been the past record of insisting on accurate records, properly completed?
2. Is there a specific rule to cover the situation? Is there a distinction between negligence and falsification?
3. What are the consequences of the employee's act? Was the employee aware of the consequences?

Threatening, Abusive, Offensive, or Inappropriate Language or Conduct

This misconduct may be directed by an employee toward a supervisor or a fellow employee. In the former, the supervisor's authority may be challenged, which is a serious situation to have developed. In the latter, the consequences can be just as serious, since a significant part of the work force could choose sides or otherwise become involved.

This type of misconduct may start off as horseplay or just joking around. This does not excuse the misconduct. However, if management has allowed employees to engage in this type of conduct in the past, an immediate discharge probably would be overturned in favor of progressive discipline.

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A review of arbitration decisions indicates that the arbitrator looks closely at the content of the employee's utterance, the manner in which it was delivered, and the circumstances under which the utterance was made. Listed below are the different types of threats:

Threats of death - these normally result in termination, unless there is a known mental aberration on the part of the employee, such as history of mental illness or alcoholism. In such instances another course of action other than discharge may be indicated. Refer immediately to the Department of Labor and Employee Relations.

Threats of bodily harm - normally result in suspension of the employee unless there has been prior discipline for the same offense. If the threat of bodily harm is made in the course of a highly heated exchange, discharge of the employee may be in order. In a few cases involving a long record of satisfactory service with no disciplinary actions previously having been taken against an employee, arbitrators have felt that suspension is not in order and that a written reprimand would be more appropriate. Refer immediately to the Department of Labor and Employee Relations.

General swearing, vulgarity, and obscenities - depending upon the content of these utterances, penalties normally applied range from written reprimand to suspension.

Racial, ethnic or religious insults - these normally are dealt with more harshly than general swearing, vulgarities and obscenities. Arbitrators apparently consider these to be more inflammatory and more potentially dangerous in terms of the response that could be generated.

Sexual Harassment

Sexual harassment is a pervasive problem in our school and work environments. It surfaces as inappropriate visual, verbal, and physical conduct directed by an adult to an adult, an adult to a student, a student to an adult or a student to a student. It has defining characteristics and there are generally two types. Type I is Quid pro Quo, which means "you do something for me and I'll do something for you." Type II is Hostile Environment; this usually involves a course of conduct rather than a single event. For practical purposes, any unwelcome sexually oriented conduct or atmosphere that is so severe or so pervasive that it is intimidating or offensive to a "reasonable person" of the same gender as the victim may be construed as sexual harassment. Sexual conduct may also be "unwelcome" and create a hostile environment for persons other than the "direct" victim who are present at the time the behavior occurs. If you have any indication that sexual harassment has taken place, *contact the Department of Labor and Employee Relations immediately.*

If there is supervisory provocation resulting in threats of bodily harm, swearing, vulgarity, obscenities or insults by the employee, the penalties meted out are generally reduced in relationship to the provocation.

Questions relative to determining cause:

Appendix 2:

1. Does the language or threat fall in the category of "shoptalk"? Has the supervisor or employee made a practice of joking around, or otherwise engaging in verbal or physical familiarity, or profanity?
2. Was the employee engaged in protected activity (grievance representative) at the time the offense occurred?
3. Was the employee physically capable of carrying out the threat? Example: A 5' 6", 120-pound employee threatening a 6' 3", 250 pound supervisor or fellow employee?
4. Did the alleged incident occur in the privacy of the supervisor's office or in front of other employees? The former does not negate the fact that the employee committed the act, but may go to the severity of discipline that should be administered.
5. Did the supervisor or a fellow employee provoke the employee? Example: Sexist remarks, racial/ethnic slurs, or language of an otherwise inflammatory nature.
6. Was one participant merely acting in self-defense when assaulted by another employee?
7. Did the threats and/or abusive language or assault, if made on the job, involve an off-duty problem? Occasionally employees and supervisors will become involved in a personal disagreement off the job that resurfaces at work. This will not excuse the misconduct.
8. Did an off-duty assault or threat by an employee on a supervisor, have its origin on the job? In this case an employee can still be disciplined provided the employment relationship brought about the assault.

Abuse or Misuse of District Property

The terms "abuse" and "misuse" are not always synonymous. The former is generally defined as: a corrupt practice or custom; improper use or treatment; physical maltreatment. The latter is defined as: to use incorrectly or improperly; misapplication. The former would include mistreatment while the latter would include using something in the wrong way. Consequently, care should be exercised in the use of the terms. Arbitrators will generally consider whether it is a first time offense of this nature for this employee and whether the act was deliberate or intentional. It is important to determine the exact language of the agency rule and whether it speaks to "willful" acts.

Charges should be specific as to the ownership of the property, the specific alleged acts, whether the charge arises from abuse, misuse, or both, and any monetary loss.

Questions relative to establishing cause:

1. Was there any question as to the status of the property involved? Is there any claim that it was "scrap" property or the property of someone other than the school system?
2. Is it a case of misuse or deliberate abuse?

Other Types of Workplace Behavior and Conduct Violations

- a. Workplace harassment

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- b. Smoking in prohibited areas
- c. Inappropriate dress
- d. Gambling on premises
- e. Assault
- f. Possession of a firearm or weapon while at work
- g. Acts intending to harm persons or property
- h. Possession of alcohol or narcotics while at work
- i. Being under the influence of alcohol or narcotics while at work
- j. Violating clearly marked safety rules
- k. Stealing
- l. Threats to or intimidation of co-workers or administrators

Major Infractions

Major infractions are violations of Shelby County Schools Policy or Procedures so egregious or damaging to the district or individuals that disciplinary steps may or may not be followed. Examples of behaviors that may warrant invoking the use of major infraction language would be, but are not limited to, the following:

- a. Workplace intoxication/drug use
- b. Workplace violence
- c. Extreme insubordination
- d. Any inappropriate contact with children

If you have a situation where you are unsure if it is appropriate to apply this language, contact the Department of Labor and Employee Relations.

Appendix 3:

Employee Handbook

APPROPRIATE WORKPLACE ATTIRE

Our valued employees are the face of MSCS, and we ask that you dress and groom in a clean, neat manner appropriate for your assignments, in accordance with the following standards, as well as any additional standards established by your supervisor. (Central Office, School Leadership and School-Based Instructional Staff)

Objective

Employee appearance contributes to Memphis-Shelby County School's culture and reputation. Employees are expected to present themselves in a professional manner that results in a favorable impression by students and constituents.

Procedures

School and department managers are reasonable for ensuring that employees adhere to district professional dress guidelines. Employees who do not meet a professional standard may be sent home to change, and nonexempt employees will not be paid for that time. Reasonable accommodations will be made where required.

Approved Workplace Attire

Traditional business or business casual attire is expected of all School Leaders and Central Office Employees. Basic elements for appropriate and professional business attire include clothing that is in neat and clean condition.

Appropriate workplace dress does not include clothing that is too tight or revealing; clothing with rips, tears or frays; or any extreme style or fashion in dress, footwear, accessories, fragrances or hair.

Although it is impossible and undesirable to establish an absolute dress and appearance code, Memphis-Shelby County Schools will apply a reasonable and professional workplace standard to individuals on a case-by-case basis. Management may make exceptions for special occasions or in the case of inclement weather, at which time employees will be notified in advance. An employee who is unsure of what is appropriate should check with his or her manager or supervisor. Exceptions are required to accommodate an employee's religious dress, medical needs and grooming practices.



Business casual dress is defined as follows:

Business Casual Attire

Business Casual Attire is expected for all instructional staff at a minimum and will be permitted on Fridays for Central Office staff/School leaders. Failure to adhere to the appropriate dress policy will result in disciplinary action.

Exceptions to the business/business casual dress requirements include (P.E. Teachers, Uniformed employee, janitorial, maintenance grounds and facilities staff). Exceptions also may be allowed for special designated events/projects such as field day, homecoming week, special school/district wide celebrations, beautification days, etc.

Casual shirts: All shirts with collars, business casual crewneck or V-neck shirts, blouses, and golf and polo shirts. Optional tie or seasonal sport coat, a dress or skirt at knee-length or below (with appropriate undergarments), a tailored blazer, knit shirt or sweater

*Examples of inappropriate shirts include T-shirts, shirts with inappropriate slogans, tank tops, muscle shirts, crop tops, halters, see-through garments, or clothing with revealing necklines, bare backs, bare midriffs, or spaghetti straps.

Pants: Casual slacks and trousers and jeans without holes, frays, etc. Jeans are proper attire on casual Fridays at the managers or principal's discretion. **Sagging will not be allowed.** Pants must be worn at waist level and loose pants must be worn with a belt.*Examples of inappropriate pants include shorts, and pants worn below the waist or hip line, leggings, warm-ups, yoga pants, spandex or similar pants or exercise clothes.

Appendix 3:

Employee Handbook

ADDRESSING WORKPLACE ATTIRE AND HYGIENE PROBLEMS

It's important to make the workplace comfortable for all employees and respectful of the families we serve. Therefore, violations of the policy can range from inappropriate clothing to offensive perfumes and body odor. If a staff member comes to work in inappropriate dress, he or she will be required to go home, change into conforming attire or properly groom, then return to work.

If a staff member's poor hygiene or use of too much perfume/ cologne is an issue, the supervisor should respectfully discuss the problem with the staff member in private and should point out the specific areas to be corrected. If the problem persists, supervisors should follow the normal corrective action process. Thank you in advance for being considerate of others.

ABSENTEEISM AND TARDINESS

Memphis-Shelby County Schools relies on all staff to report to work as scheduled to ensure the quality and continuity of instruction for students entrusted in our care. Good attendance is an important responsibility of all employees. Good attendance is defined as being at work on time and ready to perform, on every day the employee is scheduled to work, and remaining at work for the entire shift. Frequent absenteeism, tardiness or early departure makes it difficult to maintain a productive and positive work environment because it places an extra burden on colleagues. Out of respect for everyone, unscheduled absences, late arrivals or early departures are grounds for corrective action. In addition, each employee is responsible for following department procedures for scheduling time off and following proper call-in procedures when reporting absences due to illness or emergency.

CALL-IN PROCEDURE:

1. In order to allow time for management to make alternative work arrangements, an employee should report an absence well in advance of the start of their assigned shift. The amount of advance time required to request an absence varies based on department/school and work schedules.
2. The employee should contact the supervisor or other designated individual within the department/school and

provide a specific reason for the absence. Employees are asked not to rely on friends, relatives or fellow employees to report an absence.

3. An employee is required to follow the call-in procedure for every unplanned day of absence unless he/she indicates that the absence will be for more than one day.
4. Please follow proper call-in procedures to avoid any progressive corrective action, up to and including recommendation for discharge.



Appendix 4:

	10 month exempt employees (Teachers/Teacher Types/Teachers Assistants)	12 month exempt employees (Central Office, Secretaries, IT Department, Principal, and Assistant Principal, Environmental Tech Manager [Arthur Eddings] and Assistant Manager [Reginald Reese])
<u>Hiring Window</u>	1st and 15th of every month	1st and 15th of every month
<u>Sick Time</u>		
When this time is earned	4 hours per month (1/2 day) even during probationary 90 day period	4 hours per month (1/2 day) even during probationary 90 day period
When can this time be used	After 90 day probationary period - Must be taken in 4 hour (min.) blocks	After 90 day probationary period - Must be taken in 4 hour (min.) blocks
When can sick time earned in 2nd semester be used	Whenever they earn it (must be taken in 4 hour (min.) blocks)	Whenever they earn it (must be taken in 4 hour (min.) blocks)
Does it carry over into the next school year or semester	Yes; but no more than 80 hours (10 days)	Yes; but no more than 80 hours (10 days)
Can residual time be paid out to an employee at resignation?	No, it will be transferred to TCRS (Tennessee Consolidated Retirement System)	No, it will be transferred to TCRS (Tennessee Consolidated Retirement System)

Appendix 4:

Can an employee donate this time to a bank or another employee?	Yes, employee can donate up to 24 hours - IF THEY HAVE A BANK OF 80 HOURS (10 Days)	Yes, employee can donate up to 24 hours - IF THEY HAVE A BANK OF 80 HOURS (10 Days)
When does the new fiscal year start	1-Aug	1-Jul
	10 month exempt employees (Teachers/Teacher Types/Teachers Assistants)	12 month exempt employees (Central Office, Secretaries, IT Department, Principal, and Assistant Principal, Environmental Tech Manager [Arthur Eddings] and Assistant Manager [Reginald Reese])
<u>Personal Time</u>		
When this time is earned	2 hours per month, beginning with the first date of employment	2 hours per month, beginning with the first date of employment
When can this time be used	Whenever they earn it (must be taken in 4 hour (min.) blocks	Whenever they earn it (must be taken in 4 hour (min.) blocks
When can this time earned in 2nd semester be used	Whenever they earn it (must be taken in 4 hour (min.) blocks	Whenever they earn it (must be taken in 4 hour (min.) blocks
Does it carry over into the next school year or semester	No	It will carry over to the next school semester; not the next school year

Appendix 4:

Can residual time be paid out to an employee at resignation?	No	No
Can an employee donate this time to a bank or another employee?	No	No
When does the new fiscal year start	1-Jul	1-Aug
	10 month exempt employees (Teachers/Teacher Types/Teachers Assistants)	12 month exempt employees (Central Office, Secretaries, IT Department, Principal, and Assistant Principal, Environmental Tech Manager [Arthur Eddings] and Assistant Manager [Reginald Reese])
<u>Vacation Time</u>		
When this time is earned	N/A	After 12 months of employment - 80 hours (10 days) is earned
When can this time be used	N/A	After 12 months of employment - Except during blackout dates
When can this time earned in 2nd semester be used	N/A	N/A
Does it carry over into the next school year or semester	N/A	No

Appendix 4:

Can residual time be paid out to an employee at resignation?	N/A	No, if not used it's lost
Can an employee donate this time to a bank or another employee?	N/A	No
When does the new fiscal year start	1-Aug	1-Jul