

# North Florida Educational Institute



# Employee Handbook

**Policies and Procedures**

Revised 07-2019

**WELCOME**  
to  
***North Florida Educational Institute***

**MOTTO**  
“A PLACE WHERE EVERYONE CAN ACHIEVE”

**MISSION STATEMENT**

The mission of North Florida Educational Institute is to provide a standard of educational excellence in a safe and nurturing environment. Collaboration will ensure that students succeed academically and socially to become productive citizens and lifelong learners.

**VISION STATEMENT**

The Vision of North Florida Educational Institute is to provide “A Place Where Everyone Can Achieve” in a safe and nurturing environment through academic and social engagement.

**STATEMENTS OF VALUE**

At North Florida Educational Institute we value:

- Creating an environment that fosters a variety of instructional opportunities through engagement to ensure positive learning
- Exhibiting positive relationships and respectful interactions among faculty, staff, parents and community
- Strengthening the unique physical, social, emotional, and catering to the intellectual needs of all students; in addition to, enhancing their personal and social development.

## INTRODUCTION

This handbook has been designed to provide pertinent information about the policies of the school. To help make this new venture a much easier transition by addressing important routines and practices to ensure we provide a quality service to our students, parents, the community and to you as an employee. As the year progresses this handbook will be updated as needed and changes will be given to each employee in a timely manner.

NFEI is an equal opportunity school and does not discriminate against employees, applicants or students on any basis including but not limited to: race, color, religion, sex, national origin, veteran status, age, sexual orientation, or physical/mental disability.

At NFEI students will be taught in a small group environment and given individualized instruction based on assessments and standardized data. This approach is geared towards each student's aptitude. Everything that affects the student at NFEI is catered to the academic and social needs of the student. Our goal is to help the student overcome his/her weaknesses and to build upon their strengths to enable the student to grow and learn through Project Base Learning and Differentiated Instruction.

Initially, a significant amount of time must be spent in developing trust, cooperation and a good working relationship. It is important to first become familiar with each student as an individual, their likes and dislikes, and their interests to know them as a learner to address their educational and social needs through school wide rituals and routines (Gradual Release- I Do, We Do, You Do, Standard Base Classroom/Workshop Model).

## POLICIES

**Employee Files** – each employee will have an employment file with the appropriate documentation in the administrative office. Each employee is responsible for making sure all information is current (certificates, courses taken, trainings, background checks, change of address, etc.)

**Introductory Period** – All new employees will be subjected to an introductory period during their first 90 days of employment. This period allows you as the employee to determine if the position is suitable for you and provides the employer the opportunity to evaluate your performance on the job. Please note that the completion of this period does not guarantee continued employment for any period thereafter (**Also note that based on any disciplinary and/or corrective actions, employee may be subjected to an additional 90-day probationary period and/or an Individual Success Plan**). Any party can terminate employment with proper notification (verbal or written) in a timely manner, unless actions dictate otherwise.

**At Will Employment** – All employment at *NFEI* is “at will.” This means that both employees and *NFEI* have the right to terminate employment at any time, with or without notice (although we request you give fourteen days’ notice), and with or without cause. No one other than the Executive Director has the authority to alter this arrangement, to enter into an agreement for employment for a specified period, or to make any agreement contrary to this policy, and any such agreement must be in writing and must be signed by the Executive Director. In addition, *NFEI* maintains a highly flexible culture. Given the entrepreneurial nature of *NFEI*, an employee’s position and/or position description may be changed at any given time by his or her supervisor to best meet the needs of our students and the organization as a whole.

### EMPLOYEE STATUS

An “employee” of *NFEI* is a person who regularly works for *NFEI* on a wage or salary basis. “Employees” may include exempt, non-exempt, regular full-time, regular part-time, and temporary persons, and others employed with *NFEI* who are subject to the control and direction of *NFEI* in the performance of their duties.

**Employment Status Categories** – Full-time, ten-month employees must work at least 35 hours each week and no more than 40 hours a week; part-time work less than 35 hours each week.

**Note:** All overtime must be approved by either the Executive Director or designee in advance. Otherwise, the time will be considered volunteered time.

#### Exempt

Employees whose positions meet specific criteria established by the Fair Labor Standards Act (FLSA) and who are exempt from overtime pay requirements.

### Non-Exempt

Employees whose positions do not meet FLSA criteria and who are paid one and one-half their regular rate of pay for hours worked more than 40 hours per week.

### Regular Full-time Hourly

Employees who have completed the 90-day probationary period and who are regularly scheduled to work [35] or more hours per week on a wage basis. Generally, they are eligible for select benefits subject to the terms, conditions, and limitations of each benefit program.

### Regular Full-time Salaried

Employees who have completed the 90-day probationary period and who are regularly scheduled to work [35] or more hours per week on a salaried basis. Generally, they are eligible for NFEI's benefit package, subject to the terms, conditions, and limitations of each benefit program.

### Regular Part-time

Employees who have completed the 90-day probationary period and who are regularly scheduled to work less than 35 hours per week.

### Temporary (Full-time or Part-time)

Those whose performance is being evaluated to determine whether further employment in a specific position or with *NFEI* is appropriate or individuals who are hired as interim replacements to assist in the completion of a specific project or for vacation relief. Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary employees retain that status until they are notified of a change. They are not eligible for any of *NFEI* benefit programs.

## CRIMINAL HISTORY AND EDUCATIONAL HISTORY

As a condition of employment, all employees are required to submit to a criminal background check through a state approved vendor. Employees are responsible for all fees associated with background screening. The criminal background check shall include a Level 1 and Level 2 screening. Anyone who refuse to submit to a criminal background check or whose criminal background check reveals that they have been convicted of a crime or have violated the law may not be offered employment and/or may be subject to termination. Individuals whose criminal background reveals that they have been convicted of a felony will not be offered employment and/or will be terminated. Individuals whose criminal background reveals that they have been convicted of or have pleaded *nolo contendere* to a crime that prohibits one from working with or around children will not be offered employment for a position of supervisory or disciplinary authority over school children. No person employed or otherwise associated with NFEI, including members of the Board of Directors, who has been convicted of or has pleaded *nolo contendere* to a crime related to misappropriation of funds or theft shall be engaged in direct processing of school funds.

Employees are required to provide official transcripts, certifications and trainings to verify units earned/degree received or in-service hours. These requirements must be completed prior to beginning employment. Individuals whose educational background differs from that of the job description will not be considered for employment.

## CONFLICT OF INTEREST AND OUTSIDE EMPLOYMENT STATEMENT

Just as *NFEI* expects the highest personal conduct from our students, we expect employees to conduct business according to the highest ethical standards of conduct. Employees are expected to devote their best efforts to the interests of *NFEI*. Business dealings that appear to create a conflict between the interests of *NFEI* and an employee are unacceptable. *NFEI* recognizes your right to engage in activities outside of your employment which are of a private nature and unrelated to our business. However, you must disclose any possible conflicts so that *NFEI* may assess and prevent potential conflicts of interest from arising. Please disclose actual or potential conflicts of interest, in writing, to your supervisor. A potential or actual conflict of interest occurs whenever an employee is in a position to influence a decision that may result in a personal gain for the employee or an immediate family member (*i.e.*, spouse or significant other, children, parents, siblings) as a result of the *NFEI* business dealings.

Although it is not possible to specify every action that might create a conflict of interest, this policy sets forth the ones that most frequently present problems. If you have any questions whether an action or proposed course of conduct would create a conflict of interest, you should immediately contact administration to obtain advice on the issue. The purpose of this policy is to protect you from any conflict of interest that might arise. A violation of this policy will result in immediate and appropriate discipline, up to and including immediate termination.

## OUTSIDE EMPLOYMENT

As a full-time employee we expect that you devote your full professional effort to your position at *NFEI*. If you wish to participate in outside work activities you are permitted to do so, if it is not a conflict of interest and does not hinder or interfere with your standard or quality of work at *NFEI*.

In general, outside work activities are not allowed when they:

- Prevent you from fully performing work for which you are employed at *NFEI*;
- Involve organizations that are doing or seek to do business with *NFEI*, including actual or potential vendors; or
- Violate provisions of law or *NFEI* policies or rules.

In cases of conflict with any outside activity, your obligations to *NFEI* must be given priority. Full-time employees are hired and continue employment with the understanding that *NFEI* is their primary employer and that other employment, commercial involvement or volunteer activity which conflicts with the business interests of *NFEI* is strictly prohibited. *NFEI* office space, equipment, and materials are not to be used for outside employment.

Raising student achievement is hard work! From time to time *NFEI* might ask you to work beyond your normally scheduled hours. *NFEI* asks that full-time employees perform this work when requested.

- **Salary, Personal/Sick Days, Benefits** – New full-time employees will be eligible to receive applicable benefits after the 90-day probationary period (*i.e.* paid time off, health benefits, holidays, etc.).

- **Attendance** – All employees are expected to report to work every day. If you plan to be absent you are expected to submit the proper leave form at least two weeks in advance for approval. Upon approval/denial a confirmation email will be returned to employee in a timely manner. Emergencies do arise, therefore, please inform the office and/or designated administrator as soon as possible in this case if you will be late or absent. Employees with three or more consecutive days of absences because of illness or injury must give proof of physician's care and a fitness for duty release prior to returning to work. Any employee who fails to report to work for a period of three days or more without notifying his or her supervisor will be considered to have abandoned the job and voluntarily terminated the employment relationship. Chronic absences and/or repeated tardiness is unprofessional and will be dealt with using the appropriate corrective action procedure or immediate termination.
- **Recording Time** – All employees must clock in/out daily, for your hours of work to be accurately recorded. It is further required that all employees sign in and out when leaving/arriving to campus any time during their shift (i.e. breaks, intercampus travel, etc.) If an employee fails to clock-in, hours worked will be considered volunteered time. Hourly employees pay period ends on the 10<sup>th</sup> and the 25<sup>th</sup> of each month.

All employees must complete and submit a proper leave form for all absences for prior approval to ensure payment for time out. Unapproved absences or failure to complete a leave form will result in non- compensation for time out.

Misrepresenting time worked or tampering with employees' time records are extremely serious offences and will result in immediate disciplinary action, up to and including immediate termination.

It is mandatory that each staff clock-in/out daily; there are no exceptions to this procedure. Otherwise time will be considered volunteer time.

- **Timesheets** – All hourly employees are required to sign in and out on their timesheets daily. Late/missing time sheets from the designated book can be processed up to three business days after the scheduled payday.
- **Pay Period** – Pay cycles for hourly employees run from the 11<sup>th</sup> – 25<sup>th</sup>, and the 26<sup>th</sup> – 10<sup>th</sup> of each month. Pay cycles for salaried employees go from the 1<sup>st</sup> – 15<sup>th</sup>, and the 16<sup>th</sup> - the last day of each month.
- **Payday** – All employees will be paid semi-monthly on the 15<sup>th</sup> of each month and the last day of each month. When our payday falls on a holiday, you will be paid on the last business day before the holiday. If payday is a Saturday or a Sunday, you will be paid on the preceding Friday.
- **Accessing Payroll Records** – Payroll records (paystubs, IRS forms, direct deposit information) can be independently accessed by each employee. Employees may reach out the payroll provider to inquire about accessing their information online.

Please review your paycheck for errors. If you find an error, report it to the director or designee immediately. They will assist you in taking the necessary steps to correct the

error.

- **Direct Deposit** – You have the option of receiving your pay in a payroll check or having your pay deposited into your bank account through direct deposit. You must complete the necessary form to take advantage of this option. **If you do not select direct deposit, you will receive a hard check on your identified pay date. Hard checks are available after 12:00pm on paydays. NFEI is not responsible for any mail delays involving hard payroll checks.**
- **Holidays** - The following holidays will be observed during the school year:
  - New Year’s Day
  - Martin Luther King Jr. Day
  - President’s Day
  - Veterans Day
  - Independence Day
  - Memorial Day
  - Labor Day
  - Thanksgiving Day
  - Christmas Day

Other holidays may be allowed as indicated on school calendar.

Hourly employees will receive a paid holiday only if the holiday falls on a day they are scheduled to work.

If employee decides to voluntarily or involuntarily separate during any school break or before the end of the school year, administration has the discretion to compensate at minimum wage pay.

➤ All employees must work the physical day before and after the holiday to be paid for the holiday.

- **Weather Days** – Weather days are non-working, non-paid days for all employees.
- **Paid Time Off** – Active full-time salaried employees are eligible for paid time off (PTO). 5 days of PTO is provided throughout the year, except on the following weeks: The last two weeks of the school year and during all scheduled testing dates. No PTO time will be permitted during these periods. Any leave taken during this time will be regarded as time without pay.
  - PTO hours do not rollover to the following year.
  - Please submit PTO forms at least two weeks in advance to the director or designee.
  - PTO requests are granted or denied based on operating priorities.
  - PTO can be used as vacation time, sick time, to care for a sick child or relative or to take care of personal matters.



- Pay will not be granted in lieu of taking the actual time off. Time must be used.
  - PTO will not be granted without an approved leave form.
- **PTO time used** – requests for PTO will be in half day (4 hours) or full day (8 hour) increments.
  - **Maternity Leave** – Active full-time employees (expecting mothers only) are eligible for two weeks of paid leave at the time of delivery.
  - **Dress Code** – Each employee will be expected to adhere to the school’s dress code policy, thus setting the pace for our students. Therefore, employees are required to dress business casual or in a staff uniform shirt; **only natural colored hair, no slippers, no backless shoes, tank tops, extra-long socks, short skirts, tight fitting clothing, flip flops, spandex, leggings, revealing clothing or any other dress items that the Director or Administrator may feel is unprofessional.** Staff members will be sent home to change and must return in a timely manner (not to exceed 1 hour but must clock out and back in). You set the most influential example for students; therefore, your behavior and dress should reflect that professionalism. **You may wear jeans on Fridays. Transportation must wear a staff uniform shirt and navy or khaki bottoms (including jeans). Cafeteria staff must wear either red or blue scrub pants with school T-shirt / red or blue scrub top and apron or smock. Security Staff will wear a staff uniform shirt with navy or khaki pants.**
  - **Staff Meetings** – All employees are required to attend their appropriate weekly meetings. A schedule will be provided informing you of the dates and times. Meetings are to provide you with the necessary materials and information to assist you with effectively performing your role and give you the opportunity to take part in shared decision making. **All staff meetings are mandatory; no exceptions. This includes emergency staff meetings.**
  - **Progress Reports, Grades, and Lesson Overviews**—A schedule of due dates will be given to teachers at the beginning of the year. Please turn all items in on time. Otherwise, appropriate corrective action procedure or immediate termination will take place.
  - **Planning/Training Days**—Attendance is mandatory on these days.
  - **Supervision** - You will be asked to provide supervision always for your class, assigned lunch duty, before and after-school duty and for all school activities on and off campus. Supervision of all students is always mandatory regardless of student’s age, gender, and/or disability. Every employee is always responsible for every student.

## WORK PRODUCT OWNERSHIP

Please be aware that NFEI retains legal ownership of the product of your work. No work product created while employed by NFEI can be claimed, construed, or presented as property of the individual, even after employment by NFEI has been terminated or the relevant project completed. This includes written and electronic documents, audio and video recordings, system code, and any concepts, ideas, or other intellectual property developed for NFEI, regardless of whether the intellectual property is actually used by NFEI. Although it is acceptable for you to display and/or discuss a portion or the whole of certain work product as an example in certain situations (e.g., on a resume), please bear in mind that information classified as confidential must remain so even after the end of employment, and that supplying other entities with certain types of information may constitute a conflict of interest. In any event, it must always be made clear that work product is the sole and exclusive property of NFEI.

## PUBLIC RELATIONS

The success of NFEI depends upon the quality of the relationships between *NFEI*, its employees, students, parents and the public. The public impression of *North Florida Educational Institute* and its interest in *NFEI* will be formed, in part, by *NFEI* employees. *NFEI* employees are ambassadors. The more goodwill an employee promotes, the more other employees, students, parents and the general public will respect and appreciate the employee, *North Florida Educational Institute* and its services.

Below are several things employees can do to help leave people with a good impression of North Florida Educational Institute. These are the building blocks for our continued success.

- Communicate with parents regularly.
- Act competently and deal with others in a courteous and respectful manner.
- Communicate in a pleasant and respectful manner with all NFEI employees.
- Follow up on requests and questions promptly, provide businesslike replies to inquiries and requests, and perform all duties in an orderly manner.
- Respond to e-mail and voicemail within 24 hours during the work week.
- Take great pride in their work and aim to do your very best with joy.

# EMPLOYMENT POLICIES & PROCEDURES

## EQUAL EMPLOYMENT OPPORTUNITY

Equal Employment Opportunity is a fundamental principle at *North Florida Educational Institute*. Employment is based upon personal capabilities and qualifications without discrimination because of race, color, religion, sex, national origin, age, disability, political affiliation or belief or any beneficiary of any program financially assisted under Title 1 of the Workforce Investment Act of 1998 (WIA) on the basis of the beneficiary's citizenship/status as a lawfully admitted immigrant authorized to work in the United States, or on the basis of his/her participation in any *Florida Department of Labor* program or activity veteran status, genetic predisposition or carrier status, pregnancy or any other protected characteristic as established by law.

This policy of Equal Employment Opportunity applies to all policies and procedures relating to recruitment and hiring, compensation, benefits, termination and all other terms and conditions of employment.

The Executive Director has overall responsibility for this policy and maintains reporting and monitoring procedures. Employees' questions or concerns should be referred to their supervisor or the Executive Director.

Appropriate disciplinary action may be taken against any employee willfully violating this policy.

## DISABILITY ACCOMODATION

*NFEI* is committed to complying with all applicable provisions of federal, state and local laws prohibiting discrimination based on disability. It is *NFEI's* policy not to discriminate against any qualified employee or applicant regarding any terms or conditions of employment because of such individual's disability or perceived disability so long as the employee can perform the essential functions of the job. Consistent with this policy of nondiscrimination, *North Florida Educational Institute* will provide reasonable accommodations to a qualified individual with a disability who has made *NFEI* aware of his or her disability, provided that such accommodation does not constitute an undue hardship on *North Florida Educational Institute*. Employees with a disability who believe they need a reasonable accommodation to perform the essential functions of their job should contact the Human Resource Manager. *NFEI* encourages individuals with disabilities to come forward and request reasonable accommodation.

Consistent with the non-discrimination in employment policy, all students of *NFEI* are admitted, are accorded rights and privileges, and have access to programs and activities made available to them at *NFEI* in a non-discriminatory manner. *North Florida Educational Institute* does not discriminate in the administration of its educational policies, admission policies, scholarship programs, and athletic and other school-administered programs. All testing and evaluation materials and procedures used for the purpose of evaluation, testing, assessments and/or for placement of children with disabilities are selected and administered so as not to be discriminating.

## HARASSMENT

It is the policy of *North Florida Educational Institute* to ensure equal employment opportunity without discrimination or harassment based on race, color, religion, sex, sexual orientation, age, disability, marital status, citizenship or any other characteristic protected by law. *NFEI* prohibits any such discrimination or harassment. It is our mission to provide a professional work and learning environment free of harassment that maintains equality, dignity, and respect for all. It shall be a violation of this policy for any student, teacher, administrator or other employee of *NFEI* to harass a student, teacher, administrator, or other employee through conduct or communication. This policy applies to all applicants and employees, whether related to conduct engaged in by fellow employees or someone not directly connected to *North Florida Educational Institute* (e.g., an outside vendor, consultant or customer). Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings and business-related social events.

### What is Harassment?

Harassment can take many forms. As used in this Employee Handbook, the term “harassment” includes:

- Offensive remarks, comments, jokes or slurs pertaining to an individual’s race, religion, sex, age, national origin or ancestry, disability, citizenship, veteran status or any other protected status defined by law.
- Offensive sexual remarks, sexual advances, flirtations, or requests for sexual favors regardless of the gender of the individuals involved.
- Offensive physical conduct, including touching, regardless of the gender of the individuals involved, including threats of harm, violence or assault.
- Offensive pictures, drawings or photographs or other communications, including e-mail. Threatening reprisals of an employee’s refusal to respond to requests for sexual favors or for reporting a violation to this policy.
- Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature, regardless of gender, when:
  - Submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment.
  - Submission to, or rejection of, such conduct by an individual is used as a basis of employment decisions affecting such individual.
  - Such conduct has the purpose or effect of substantially interfering with the individual’s work performance or creating an intimidating, hostile or offensive working environment.

### Responsibility

All *North Florida Educational Institute* employees have a responsibility for keeping our work environment free of harassment.

## Reporting

*NFEI* encourages reporting of all perceived incidents of discrimination, harassment or retaliation, regardless of the offender's identity or position. Individuals who believe that they have been the victim of such conduct should discuss their concerns with their immediate supervisor and/or the Executive Director. In addition, *NFEI* encourages individuals who believe they are being subjected to such conduct promptly to advise the offender that his or her behavior is unwelcome and request that it be discontinued. Often this action alone will resolve the problem. *North Florida Educational Institute* recognizes, however, that an individual may prefer to pursue the matter through informal or formal complaint procedures. Every effort will be made to keep such reports as confidential as possible, although it is understood that an investigation will normally require the involvement of third parties. *NFEI* is serious about enforcing its policy against harassment. However, *NFEI* cannot resolve a harassment problem that it does not know about. Therefore, employees are responsible for immediately bringing any such problems to our attention so it can take whatever steps are necessary to correct the problems.

## Investigation/Complaint Procedure

All complaints of harassment will be promptly investigated. If the investigation substantiates the accusations, the appropriate corrective action will be taken. This may include, but not be limited to, reprimand, suspension or dismissal, depending on the nature and severity of the offense. Appropriate action will also be taken in the event the accusations are intentionally false or malicious in intent.

***Informal Procedure:*** If for any reason an individual does not wish to address the offender directly, or if such action does not successfully end the offensive conduct, the individual should notify his/her immediate supervisor and/or the Executive Director who may, if the individual so requests, talk to the alleged offender on the individual's behalf. In addition, there may be instances in which an individual seeks only to discuss matters with one of *NFEI*'s designated representatives, and such discussion is encouraged. An individual reporting harassment, discrimination or retaliation should be aware; however, it may be decided it is necessary to take action to address such conduct beyond an informal discussion. This decision will be discussed with the individual. The best course of action in any case will depend on many factors and, therefore, the informal procedure will remain flexible. Moreover, the informal procedure is not a required first step for the reporting individual.

***Formal Procedure:*** As noted above, individuals who believe they have been the victims of conduct prohibited by this policy statement or believe they have witnessed such conduct should discuss their concerns with the Executive Director. *NFEI* encourages the prompt reporting of complaints or concerns so that rapid and constructive action can be taken before relationships become irreparably strained. Therefore, while no fixed reporting period has been established, early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment.

Any reported allegations of harassment, discrimination or retaliation will be investigated promptly. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge. Confidentiality will be maintained throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action. Misconduct constituting

harassment, discrimination or retaliation will be dealt with appropriately. Responsive action may include, for example, training, referral to counseling and/or disciplinary action such as warning, reprimand, withholding of a promotion or pay increase, reassignment, temporary suspension without pay or termination, as North Florida Educational Institute believes appropriate under the circumstances. If a party to a complaint does not agree with its resolution, that party may appeal to the Executive Director. False and malicious complaints of harassment, discrimination or retaliation as opposed to complaints which, even if erroneous, are made in good faith, may be the subject of appropriate disciplinary action.

## Retaliation

Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action. Acts of retaliation should be reported immediately and will be promptly investigated and addressed.

## Conclusion

This policy was developed to ensure that all employees can work in an environment free from harassment, discrimination and retaliation. North Florida Educational Institute will make every reasonable effort to ensure that all concerned are familiar with these policies and aware that any complaint in violation of such policies will be investigated and resolved appropriately. Any employee who has any questions or concerns about these policies should talk with the Executive Director. Finally, these policies should not, and may not, be used as a basis for excluding or separating individuals of a gender, or any other protected characteristic, from participating in business or work-related social activities or discussions. In other words, no one should make the mistake of engaging in discrimination or exclusion to avoid allegations of harassment. The law and the policies of NFEI prohibit disparate treatment based on sex or any other protected characteristic, regarding terms, conditions, privileges and perquisites of employment. The prohibitions against harassment, discrimination and retaliation are intended to complement and further those policies, not to form the basis of an exception to them.

## GRIEVANCE PROCEDURE

The grievance procedure is a process by which an employee of *North Florida Educational Institute* can bring workplace concerns to upper levels of management. This is a formal process and requires rules be strictly followed. Failure to follow procedures will forfeit your right to this process. In the event of a dispute involving employment practices or the enforcement of the personnel policies contained in this Employee Handbook, and after a good faith effort with the supervisor to thoroughly resolve the dispute, all employees may submit their grievance following the procedures outlined below. The good faith effort shall be documented, including problem identification, possible solutions, selection of resolution, timeline for implementation, and follow-up. This documentation will be included in the personnel file. Failure to follow the procedures and timelines below constitutes a waiver of the employee's right to grieve.

**Non-Grievance Issues:** The following issues are not eligible for processing through NFEI's Employee Grievance Procedure.

- Issues which are pending or have been concluded by the State of Florida Commission on Equal Opportunity, or through other administrative or judicial procedures.
- Performance responsibilities, expectations, and evaluations. Temporary work assignments.
- Budget and organizational structure, including the number or assignments of positions in any organizational unit.
- The selection of an individual to fill a position, unless it is alleged that the selection is in violation of an agency's written policy.
- Termination, demotion, reassignment, furlough, layoff from duties because of lack of work, or other actions resulting from a reduction in the work force or job abolition.

If the subject of your grievance is related to any of the areas listed above, your grievance cannot be processed through the Employee Grievance Procedure.

A grievance can have up to four steps: (1) grievance statement; (2) qualification for hearing; (3) hearing; and (4) review of the hearing decision. Not all grievances are qualified for hearing.

**Step 1:** The employee may submit his/her grievance in writing either by email or pre-printed grievance forms to NFEI's Leadership Committee/Board within seven calendar days of a failed good faith effort to resolve the dispute.

**Step 2:** Within fourteen calendar days of receipt of the written grievance, the Leadership Committee/Board will inform the employee of the decision to schedule a formal meeting. If a formal meeting is scheduled, it will be scheduled at a mutually convenient time and place for discussion of the complaint with all parties involved, but no event later than twenty days after receipt of the written grievance and after notification to the employee.

**Step 3:** The Committee/Board will hold a hearing and render a decision, as established by a majority vote of the members of the Committee/Board. If the Director or any member of the Committee/Board is an involved party, he/she will be precluded from hearing the grievance and participating in the decision. The decision shall be rendered within seven calendar days of the completion of the final hearing. Any such proceedings shall be conducted in closed session, unless otherwise requested by the employee. The employee may not have counsel present at the hearing. If additional information, investigation, or hearings are necessary after the initial hearing, the hearing may be continued and the final decision shall be made within seven calendar days of the last committee hearing.

**Step 4:** The decision of the Committee/Board shall be final unless appealed by the employee to the Executive Director, who may review and modify the decision of the Committee/Board if it finds that the Committee failed to properly follow the grievance process described above. A request for an appeal must be submitted to the Executive Director within seven calendar days of the decision of the Committee/Board. After receiving an appeal request, the Executive Director shall schedule a meeting with the Committee/Board to consider such an appeal as soon as administratively practical. Any employee or affiliate, who is an interested party, shall excuse themselves from any reviews of Committee/Board decisions. Any such proceedings shall be conducted in closed session, unless requested otherwise by the employee. The employee may not have counsel participate in any such proceedings. Written notice of the result of the review shall be sent to the

employee and the members of the Personnel Committee within seven calendar days.

## SUBSTANCE ABUSE POLICY

*North Florida Educational Institute* is a drug free zone and is committed to providing a safe and productive workplace for its employees. In keeping with this commitment, the following rules regarding alcohol and drug abuse have been established for all staff members, regardless of position, including both regular and temporary employees. The rules apply to all employees of *NFEI* while they are on school premises or elsewhere on school business.

- The manufacture, distribution, possession, sale, or purchase of controlled substances of abuse on school property is prohibited.
- Being under the influence of illegal drugs, alcohol, or substance abuse on school property is prohibited.
- Working while under the influence of prescription drugs that impair performance is prohibited.

So that there is no question about what these rules signify, please note the following definitions:

School property/ *NFEI* Property: All Company owned or leased property used by employees.

Controlled substance of abuse: Any substance listed in Schedules I-V of Section 202 of the Controlled Substance Act, as amended.

Drug: Any chemical substance that produces physical, mental, emotional, or behavioral change in the user.

Drug paraphernalia: Equipment, a product, or material that is used or intended for use in concealing an illegal drug, or otherwise introducing into the human body an illegal drug or controlled substance.

Illegal drug:

- a. Any drug or derivative thereof whose use, possession, sale, transfer, attempted sale or transfer, manufacture, or storage is illegal or regulated under any federal, state, or local law or regulation.
- b. Any drug, including – but not limited to – prescription drugs, used for any reason other than that prescribed by a physician.
- c. Inhalants used illegally.

Under the influence: A state of not having the normal use of mental or physical faculties resulting from the voluntary introduction into the body of an alcoholic beverage, drug, or substance of abuse.

Consistent with the rules listed above, any of the following actions constitutes a violation of school policy on drugs and may subject an employee to disciplinary action, up to and including immediate termination.

Using, selling, purchasing, transferring, manufacturing, or storing an illegal drug or drug



paraphernalia, or attempting to or assisting another to do so is prohibited while employed with NFEI.

Working or reporting to work, conducting business or being on school property while under the influence of an illegal drug or alcohol, or in an impaired condition is also prohibited.

## SMOKING

The use of tobacco products including vapors is not permitted anywhere on the premises of North Florida Educational Institute.

## NON-DISCLOSURE/CONFIDENTIALITY

The protection of confidential business information is essential to the interests and success of North Florida Educational Institute. Such confidential information includes, but is not limited to, the following examples:

- Compensation data, student information, financial information, marketing strategies, pending projects and proposals, proprietary production processes, personnel/payroll records, and conversations between any persons associated with the company.

All employees are required to sign a non-disclosure agreement as a condition of employment.

Employees who improperly use or disclose confidential business information will be subject to disciplinary action, including termination of employment and legal action, even if they do not actually benefit from the disclosed information.

## NEW EMPLOYEE ORIENTATION

Orientation is a formal welcoming process that is designed to make new employees feel comfortable, informed about the company, and prepared for their position. New employee orientation is conducted by Administration, and includes an overview of the company history, an explanation of core values, vision, mission, and goals and objectives. In addition, new employees will be given an overview of benefits and will complete required documents.

Employees are presented with all pertinent information and procedures needed to navigate within the workplace. New employees are introduced during pre-planning. If hired during the school year, the supervisor then introduces the new hire to staff throughout the school, reviews their job description and scope of position, explains the school's evaluation procedures, and helps the new employee get started on specific functions.

## PROBATIONARY PERIOD FOR NEW EMPLOYEES

The probationary period for regular full-time and regular part-time employees lasts up to 90 days from date of hire. During this time, employees can evaluate NFEI as a place to work and

management has its first opportunity to evaluate the employee. During this introductory period, both the employee and NFEI have the right to terminate employment without notice.

Upon satisfactory completion of the probationary period, a 90-day review will be given and benefits will begin as appropriate. All employees, regardless of classification or length of service, are expected to meet and maintain standards for job performance and behavior.

## PERSONNEL FILES

Employee personnel files include the following: job application, job description, résumé, records of participation in training events, salary history, records of disciplinary action and documents related to employee performance reviews, coaching, and mentoring and any disciplinary documentation.

Employees who wish to review their own file should contact the Executive Director with reasonable notice, the employee may review his/her personnel file in the school *administrator's* office and in the presence of their supervisor [or Human Resources Representative].

## PERSONNEL DATA CHANGES

It is the responsibility of each employee to promptly notify the Administrative Assistant with the updated/correct mailing address, telephone numbers, name and number of dependents, and individuals to be contacted in the event of an emergency. An employee's personnel data should be accurate and current at all times.

## INCLEMENT WEATHER/EMERGENCY CLOSINGS

At times, emergencies such as severe weather, fires, or power failures can disrupt the school's operations. The decision to close the school will be made by the Executive Director.

When the decision is made to close the school, employees will receive official notification from their supervisors.

Time off from scheduled work due to emergency closings will be unpaid for all non-exempt employees. However, if employees would like to be paid, they are permitted to use vacation time if it is available to them.

Please listen to local news and radio reports. In general, NFEI will follow the decisions of the local school systems. Days that the schools are closed due to inclement weather may create a need to extend the school year or shorten holiday breaks.

# PERFORMANCE

## EMPLOYEE PERFORMANCE REVIEW AND PLANNING SESSIONS

Supervisors will conduct performance reviews with all regular full-time and regular part-time employees annually. Supervisors may conduct informal performance reviews and goal setting sessions more often if they choose.

Performance reviews are designed for the supervisor and the employee to discuss his/her current job tasks, encourage and recognize attributes, and discuss positive, purposeful approaches for meeting work-related goals. Together, employee and supervisor discuss ways in which the employee can accomplish goals or learn new skills. The goal setting sessions are designed for the employee and his/her supervisor to make and agree on new goals, skills, and areas for improvement.

NFEI directly links wage and salary increases with performance. Your performance review and goal setting sessions may or may not have a direct effect on any changes in your compensation. For this reason among others, it is important to prepare for these reviews carefully, and participate in them fully.

## CORRECTIVE ACTION

*NFEI* holds each of its employees to certain work rules and standards of conduct. When an employee deviates from these rules and standards, *NFEI* expects the employee's supervisor to take corrective action.

Corrective action is progressive. That is, the action taken in response to a rule infraction or violation of standards typically follows a pattern increasing in seriousness until the infraction or violation is corrected.

The usual sequence of corrective actions includes an oral warning, a written warning, suspension, probation, and finally termination of employment. In deciding which initial corrective action would be appropriate, a supervisor will consider the seriousness of the infraction, the circumstances surrounding the matter, and the employee's previous record.

Though committed to a progressive approach to corrective action, *North Florida Educational Institute* considers certain rule infractions and violations of standards as grounds for immediate termination of employment. These include but are not limited to: theft in any form, insubordinate behavior, any misconduct concerning a child/student, vandalism or destruction of company property, being on company property during non-business hours, the use of company equipment without prior authorization by the Executive Director, untruthfulness about personal work history, skills, or training, divulging business practices, and misrepresentations of *NFEI* to another employee, a prospective employee, or the public.

## DISCIPLINE

All employees are expected to meet *North Florida Educational Institute* standards of work performance. Work performance encompasses many factors, including attendance, punctuality, personal conduct, job proficiency and general compliance with *NFEI* policies and procedures. If an employee does not meet these standards, *NFEI* may or may not, at sole discretion, take corrective action, other than immediate dismissal.

The intent of corrective action is to formally document problems while providing the employee with a reasonable time within which to improve performance. The process is designed to encourage development by providing employees with guidance in areas that need improvement such as poor work performance, attendance problems, personal conduct, general compliance with *NFEI* policies and procedures and/or other disciplinary problems.

### Warnings:

The supervisor should discuss any problem and present a warning to the employee that clearly identifies the problem and outlines a course of corrective action within a specific time frame. The employee should clearly understand both the corrective action and the consequence (*i.e.*, termination) if the problem is not corrected or recurs. The employee should acknowledge receipt of the warning and include any additional comments of his or her own before signing it. A record of the discussion and the employee's comments should be placed in the employee's file.

Employees who have had formal written warnings may not be eligible for salary increases, bonus awards, promotions, leaves of absence or transfers during the warning period.

Corrective action may include any of a variety of actions depending upon the circumstances and severity of the particular situation.

Corrective actions may be taken at the discretion of management and include any of the following:

- Verbal counseling with you, which will be confirmed in writing by the supervisor for your personnel file.
- Written warning, which will be placed in your file.
- Suspension, which will be confirmed in writing for your personnel file. Suspension is normally used to remove an employee from organization premises during an investigation, or as a disciplinary action. This may be paid or unpaid. If you are suspended, it will be documented in your personnel file.

Discharge, which will be documented in your file.

The corrective action process will not always commence with a verbal counseling or include every step. The above options are not to be seen as a process in which one step always follows another. Some acts, particularly those that are intentional or serious, warrant more severe action on the first or subsequent offense. Consideration will be given to the seriousness of the offense, your intent and motivation to change the performance, and the environment in which the offense took place.

## STANDARDS OF CONDUCT

The work rules and standards of conduct for *NFEI* are important, and *NFEI* regards them seriously. All employees are urged to become familiar with these rules and standards. In addition, employees are expected to follow the rules and standards faithfully in doing their own jobs and conducting *NFEI* business. Please note that any employee who deviates from these rules and standards will be subject to corrective action, up to and including termination of employment (Corrective Action section).

While not intended to list all the forms of behavior that are considered unacceptable in the workplace, the following are examples of rule infractions or misconduct that may result in disciplinary action, including termination of employment.

- Theft or inappropriate removal or possession of property
- Falsification of timekeeping records
- Working under the influence of alcohol or illegal drugs (See Substance Abuse section); Possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the workplace (See Substance Abuse section)
- Fighting or threatening violence in the workplace
- Boisterous or disruptive activity in the workplace
- Negligence or improper conduct leading to damage of company-owned or customer-owned property
- Insubordination or other disrespectful conduct
- Violation of safety or health rules
- Smoking in the workplace
- Sexual or other unlawful or unwelcome harassment (See Harassment section)
- Excessive absenteeism or any absence without notice (See Attendance section)
- Unauthorized use of telephones, or other company-owned equipment
- Using company equipment for purposes other than business (i.e. playing games on computers or personal Internet usage);
- Unauthorized disclosure of business “secrets” or confidential information;
- Violation of personnel policies
- Unsatisfactory performance or conduct

## PHYSICAL CONTACT WITH STUDENTS AND OTHER STAFF MEMBERS

Under the *State of Florida* Law, touching is a battery, and illegal, if there is an intentional use of force or violence upon the person of another; or the intentional administration of a poison or other noxious liquid or substance to another. To establish battery, *Florida* courts have held that it is sufficient if the inflictor intends to inflict an offensive contact without the other’s consent. There is no requirement for maliciousness or intent to inflict actual damage. The essential element of a battery is physical contact, whether injurious or merely offensive, and a battery may be committed by touching another through the clothing. It is the policy of *NFEI* that no teacher or staff member will use corporal punishment against a student. This prohibition includes spanking, slapping, pinching, hitting or the use of any other physical force as retaliation or correction for inappropriate behavior. While the use of appropriate touching is part of daily life and is important for student development, a teacher and staff member must ensure that they do not exceed appropriate behavior.

If a child or other staff member specifically requests that he or she not be touched, then that request must be honored without question. If the child or other staff member has not requested that they not be touched, then the following forms of touching are considered appropriate:

- Hugs initiated by the student
- Hugs given with permission
- Pats on the shoulder or back
- Hand-shakes
- “High fives” and hand slapping
- Touching shoulders and arms around the shoulder area
- Touching face to check temperature, wipe away a tear, and remove hair from face or other similar types of contact for similar purposes
- Patting a student on the knee (grades K through 5)
- Sitting students on one’s lap (grades K-2) for purposes of comforting the student
- Holding hands while walking with small children or children with significant disabilities
- Arms around shoulders
- Reasonable self-defense
- Reasonable defense of another
- Reasonable restraint of a violent person to protect others or property

Except as discussed above, the following forms of touching are never appropriate:

- Inappropriate or lengthy kisses on the mouth
- Corporal punishment
- Sitting students on one’s lap (grades 3-12)
- Touching buttocks, chests or genital areas
- Pushing a person or another person’s body part (other than in self-defense, defense of another or property)
- Showing affection in isolated areas
- Wrestling with students or other staff-members
- Bench-pressing another person
- Tickling
- Piggyback rides
- Massages
- Any form of unwanted affection
- Any form of sexual contact
- Poking fingers at another person that results in an offensive

This policy does not prevent touching a student for guiding them along a physical path, helping them up after a fall, engaging in a rescue or the application of Cardio Pulmonary Resuscitation (CPR) or other emergency first-aid. Nor does it prohibit the use of reasonable force and touching in self-defense or in the defense of another. Restraining a child who is trying to engage in violent or inappropriate behavior is also allowed. Only such force as necessary to defend one’s self or another or to protect property is legally allowed. Excessive force is prohibited. In the State of Florida, an assault is an attempt to commit a battery or the intentional placing of another in reasonable apprehension of receiving a battery.

Consequently, an attempt to violate this policy or placing another person in reasonable

apprehension that they will be victim of one of the acts prohibited under this policy is also prohibited. A reasonable apprehension normally includes an overt act, but words alone may be sufficient to violate this policy if the words uttered were such that under the circumstances it could be reasonably assumed that physical contact would be attempted. Violation of this policy could subject the teacher or staff member to discipline to include termination for cause. The victim may also choose to bring civil or criminal charges against the violator. This policy must necessarily be somewhat flexible. Sometimes, especially when dealing with younger children or children with a disability, touching is more appropriate. A touch for helping (i.e.: cleaning up a small child after a bathroom accident) may be appropriate in limited circumstances although clearly inappropriate in more general circumstances. An accidental touch is never inappropriate provided it is a true accident. It is impossible to define each instance when touching is inappropriate. Teachers and staff members should apply the rules of common sense in the circumstances they find themselves.

## REPORTING CHILD ABUSE

Pursuant to *[Florida State Law Child Abuse]*

## CONFIDENTIALITY TO ACCESS CHILDREN'S RECORDS

All information contained in student's records, including information contained in a electronic database, is confidential and maintained in accordance with the Family Educational Rights and Privacy Act. These records are the property of NFEI, whose responsibility it is to secure the information against loss, defacements, tampering or use by unauthorized persons.

Please do not speak about children in hallways or public areas. The information about children is confidential and must not be discussed in the outside community. No child's files are to be taken off premises unless granted permission by the Records Clerk and/or administration.

Only teachers, administrative and office personnel are permitted to review the children's files. When a file is requested from the main office, it must be signed out and returned the same day. Files may not be copied without express authorization from the Academic Director or their designee. If a file is needed by 8:00 a.m. the following morning, you must request this file the day before, not later than 2:30 p.m. and that file will be pulled and ready for you when you arrive the following day.

Please do not remove any materials from any student's file. Files may not leave the records area/room without specific written authorization from Academic Director or their designee. If you request a student's file, you will be responsible for its contents.

## LIABILITY:

The effective teacher is concerned for the welfare of students and takes measures to insure their welfare. Nevertheless, it is well to be aware of the possible consequences of negligence.

The teacher is legally responsible to act in a reasonable and prudent manner at all times. Specifically, the teacher must do the following:

1. Never leave students unsupervised. Leaving a classroom or designated student gathering area without another responsible adult present is leaving students unsupervised.
2. Require students to conduct themselves in an orderly, safe manner and administer such disciplinary actions as are reasonable and proper in any situation involving student misconduct.
3. Report any unsafe condition in the room or on campus to the Executive Director/Lead so that it may be corrected.
4. Strictly adhere to all stated policy of the school.

Failure by teachers to meet their responsibilities may have severe consequences, e.g., revocation of their license, criminal charges, etc... Additionally, teachers may be held legally liable for negligence in the performances of their duties.