

**OPTIONS CHARTER SCHOOL  
BOARD OF DIRECTORS**

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**CREATING A POSITION**

The Board of DIRECTORS recognizes the need to establish positions which, when filled by competent, qualified professional staff members, will assist the Options Charter Schools in achieving the goals set by the Board. The Options Charter School employs only U.S. citizens and others lawfully authorized to work in the United States.

The President shall verify all new full-time and part-time employees' right to work in the United States according to the Federal Immigration Reform and Control Act of 1986.

The Board reserves the right to:

- A. create new positions
- B. set the initial salary for a new position not currently covered by a valid salary schedule.

The Board shall, upon the advice of the President, consider the advisability of creating a new position.

Approved 12/17/02

**EMPLOYMENT OF PROFESSIONAL STAFF**

The Board of DIRECTORS recognizes that it is vital to the successful operation of the Options Charter Schools that positions created by the Board be filled with highly qualified and competent personnel.

The Board shall approve the employment, and also, when not covered by the terms of an adopted policy, fix the compensation, and establish the term of employment for each professional staff member employed by the Options Charter School.

Individuals employed in the following categories shall be considered members of the professional staff:

- A. administrators
- B. teachers
- C. counselors
- D. media specialists
- E. psychologists
- F. therapists

Approval shall be given only to those candidates for employment recommended by the President.

When any recommended candidate has been rejected by the Board, the President shall make a substitute recommendation.

All applications for employment shall be referred to the President or his designee.

Any professional staff member's intentional misstatement of fact material to qualifications for employment or the determination of salary shall be considered by this Board to constitute grounds for dismissal.

The employment of professional staff members prior to approval by the Board is authorized when their employment is required to maintain continuity in the educational program. Employment shall be recommended to the Board at the next regular meeting.

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BOARD OF DIRECTORS**

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Whenever possible, positions shall be filled by properly licensed professionals.

No candidate for employment as a professional staff member shall receive recommendation for such employment without having proffered visual evidence of his/her certification or pending application for certification. Such certification must indicate all of the areas in which the candidate has been certified. No deletions are acceptable.

The Options Charter Schools shall review, in accordance with any applicable terms of the negotiated agreement, a candidate's previous teaching experience at a college, university, or certified non-public schools in determining his/her position on the salary schedule.

The President shall prepare procedures for the recruitment and selection of all professional staff.

The Board will annually approve the "Addendum to Teacher Contract" for certified employees, as defined by Public Law 217, hereinafter referred to as "Teacher(s)."

Exclusions: Certified employees with district-wide responsibilities and/or duties pertaining to hiring, evaluating, non-renewing or terminating teachers. This exclusion includes the positions of President, Vice President and Principal.

**EQUAL EMPLOYMENT OPPORTUNITY**

The Board of DIRECTORS shall comply with all Federal laws and regulations prohibiting discrimination and with all requirements and regulations of the U.S. Department of Education. It is the policy of the Board that no employee or candidate for a position in this Corporation on the basis of race, color, religion, national origin, creed or ancestry, age, sex, marital status, or disability shall be discriminated against, excluded from participation in, denied the benefits of, or otherwise be subjected to, discrimination in any program or activity for which the Board is responsible or for which it receives financial assistance from the U.S. Department of Education.

Approved 12/17/02

**NEPOTISM POLICY**

The Options Charter Schools shall not employ any person who is a direct relative of those in the following policy/administration positions:

- A. Member of the Board of Directors
- B. President
- C. Vice President
- D. Building Principal

A direct relative is defined as an individual related by blood, marriage, and law:

- A. By blood: Parent, child, grandparent, grandchild, brother, sister, uncle, aunt, nephew, niece, and first cousin.
- B. By marriage: husband, wife, stepparent, stepchild, father-in-law, mother-in-law, sister-in-law, daughter-in-law, son-in-law, brother-in-law, half-sister, half-brother, uncle, aunt, nephew, and niece.
- C. By law: guardianship relationships, adoptive parent/child relationships.

Direct relatives may be employed as substitute teachers, temporary, and seasonal employees.

In the event of a marriage of two (2) employees, one of whom supervises the other, one of the persons shall be transferred to a position in which the supervisory employee has no direct or indirect supervisory duties to his/her spouse.

In the event of a marriage of two (2) administrative employees, one of the persons shall be transferred to a non-administrative position not under the direct or indirect supervision of his/her spouse.

Individuals returning from a Board-approved leave of absence or recalled following Reduction-in-Force (R.I.F.) are not considered hires.

Approved 12/17/02

**EMPLOYMENT OF SUBSTITUTE TEACHERS**

The Board of Directors recognizes the need to procure the services of substitute teachers in the operation of the Options Charter Schools as a result of the absence of regular personnel.

The President shall employ substitute teachers as services are required to replace temporarily absent regular teachers. Such assignment of substitute teachers may be terminated when their services are no longer required.

Professional substitutes must possess a valid Indiana teaching license or a substitute teaching license and have it on file in the School Office.

Approved 12/17/02

**SELECTING STUDENT TEACHERS/ADMINISTRATIVE INTERNS**

The Board of Directors encourages cooperation with State-approved colleges and universities in the training of student teachers and administrative interns, because the public school offers an essential ingredient—direct experience with students and teachers at work in the classroom. However, certain safeguards have been found to be necessary for the best interests of all concerned.

Colleges and universities should first make contact with the President or his/her designee regarding placement of the student teachers or administrative interns.

The President shall make the final placement of student teachers or administrative interns.

The supervising staff member shall have no less than a standard certificate and shall have had no less than three (3) years of successful teaching experience in the area of assignment when feasible.

Professional staff members of the Board who agree to serve as supervisors of student teachers or administrative interns may accept honoraria or stipends directly from the college/university for those services rendered outside the regular school day and above and beyond the duties and responsibilities specified in their contract.

The following conditions shall also be met:

- A. The institution making the assignment shall provide adequate follow-up supervision.
- B. The supervising teacher or administrator must agree to work effectively with both the student teacher or administrative intern and the institution supervisor.
- C. If at any time the quality of student teaching or administrative internship is judged to be inferior or he/she is disruptive to the ongoing program, the President may request withdrawal of the person from the program.

The Board also authorizes the President to provide, in cooperation with appropriate colleges and universities, a "field experience" program in order for selected students to gain first-hand knowledge of and experience in a school environment.

The President may terminate a student-teaching program if one or more aspects of the program are not of high quality or meeting the Options Charter Schools' needs or expectations.

Approved 12/17/02

**EMPLOYMENT OF CASUAL RESOURCE PERSONNEL**

It is the purpose of this policy to allow the casual employment of personnel in a consulting capacity for administration, in-service, or construction.

In the general fund of the Board, money is appropriated annually for contracted services. This might include resource persons in specialized fields of education that could offer consulting advice on administration or instructional processes. The President shall negotiate a reasonable payment with the resource person.

Program specialists from industry, business, agriculture, or health occupation fields may be employed in a consulting capacity to assist the program planning, in-services, or directly in the instructional program. Professional staff members employed by the Options Charter Schools may be used as casual resource personnel, outside of the regular scheduled teaching assignment, at the discretion of the President.

The President shall prepare administrative guidelines to ensure proper implementation of this policy.

Approved 12/17/02

**EMPLOYMENT OF PERSONNEL FOR EXTRA-CURRICULAR ACTIVITIES**

The Board of School Directors may find it necessary to employ on a part-time basis, coaches or activity sponsors who are not members of professional staff. Such part-time employees may be members of the Corporation's support staff or individuals from the community or nearby areas.

The Board authorizes the President to act for the Board in employing such part-time staff.

The President shall establish administrative guidelines to ensure that each person employed as a coach or activity sponsor has the appropriate qualifications, has been properly interviewed, and signs an employment contract which includes the conditions of employment, compensation arrangements, and contract termination procedures.

Approved 12/17/02

**CRIMINAL HISTORY REPORTS**

To help ensure a safe environment and as required by state law, the Options Charter Schools will obtain for each individual hired for employment that is likely to have direct, ongoing contact with children as a result of the individual's position an expanded criminal history check. The expanded criminal history check will be obtained by the Corporation prior to the individual's employment and no later than three (3) months after the individual's employment begins.

The individual will be responsible for the cost to the School Corporation for obtaining the expanded criminal history check. Each individual hired may be questioned about the individual's expanded criminal history check. Failure to answer honestly any questions related to the expanded criminal history check may be cause for termination of the applicant.

Any volunteer who may have direct, ongoing contact with children when performing services for the school, must provide to the Corporation a limited criminal history check prior to beginning volunteer work for the Corporation. The volunteer will be responsible for all costs associated with obtaining the limited criminal history. However, the School Corporation will pay the costs by way of reimbursement for volunteers who are selected for service.

Any entity which has a contract to provide services to the Corporation and whose employees have direct, ongoing contact with children when performing those services for the school, must provide to the Corporation limited criminal histories for such employees. The entity and/or the entity's employees are responsible for all costs associated with obtaining the limited criminal histories. An individual who is working for such an entity may also be required to provide the individual's limited criminal history to the school corporation upon its request to do so or to provide consent to the school corporation for it to request a limited criminal history of the individual.

Any information obtained from any type of criminal history check is confidential and shall not be released or

disseminated. All school employees and individuals or entities who have contracts for services with the Corporation are required by state law to report convictions of certain crimes enumerated in state law to the Corporation. The superintendent or designee is responsible for implementing regulations to notify the employees, including volunteers, and the entities for contracted services of this duty. In addition to the crimes listed in the state law, the notice shall also include the convictions of the "attempted" crimes listed in the law.

Amended 11/15/2009

**EMPLOYMENT CONTRACT**

The Board of School Directors requires that each professional staff member employed by this Corporation sign an employment contract.

Each successful candidate for an administrative position shall also sign a contract.

The employment contract shall include, but not be limited to:

- A. beginning and ending dates of employment;
- B. number of days of employment;
- C. total salary to be paid during the school year;
- D. number of salary payments to be made during the school year;
- E. administrator benefits, when applicable.

The President is authorized to execute employment contracts for the Board upon approval of employment.

Approved 12/17/02

**Certified Employee Contract Addendum**

In the event that teachers are not participating in contract negotiations as members of a duly formed and recognized collective bargaining unit, the Board shall adopt a document, "Addendum to Teacher Contract," outlining specific contract details and obligations not contained on the teacher contract form.

The "Addendum to Teacher Contract" shall pertain to certified employees as defined by Public Law 217. The Options Charter Schools does, however, exclude the contracts of certified employees with district-wide responsibilities and/or duties pertaining to hiring, evaluating, non-renewing or terminating teachers. This exclusion includes the positions of President, Vice President and Principal.

At minimum, the "Addendum to Teacher Contract" shall address the following:

1. Length of school day
2. Teacher Evaluation
3. Compensation
4. Group Insurance Program
5. Paid Leave
6. Personal Business Days
7. Professional Leave
8. Maternity/Paternity Leave
9. Bereavement Leave
10. Other Fringe Benefit Programs (if applicable)

The "Addendum to Teacher Contract" and the signed contract form shall constitute the full and complete commitments between both parties and may be altered, changed, added to, deleted from or modified only through the mutual consent of the Board and Teacher in a written and signed agreement.

**ASSIGNMENT AND TRANSFER**

The Board of Directors believes that the appropriate placement of qualified and competent staff is essential to the successful functioning of the Options Charter Schools. Transfers of positions within schools and positions between schools may be necessary to create the optimal learning environment. The President shall be responsible for the assignment and transfer of all professional staff and other staff members.

Approved 12/17/02

**REDUCTION IN STAFF**

It is the responsibility of the Board of Directors to provide the staff necessary for the implementation of the educational program of the Options Charter Schools and for the operation of the school and to do so efficiently and economically.

The Board reserves the right to abolish positions in the Options Charter Schools and to reduce the staff whenever reasons of decreased enrollment of students, return to duty of regular professional staff members after leaves of absence, closing of schools or territorial changes affecting the Options Charter Schools, or other good cause warrant.

The President shall develop administrative guidelines for the reduction of staff which shall be in accordance with the Indiana code and the best interests of the Options Charter Schools.

Approved 12/17/02

**PROMOTIONS**

It shall be the policy of the Board of Directors to employ the best qualified individuals for any Options Charter School vacancy at any level.

Vacancies shall be announced, and all members of the professional staff shall be eligible for any Options Charter School vacancy, providing they are properly qualified.

The President shall establish procedures to facilitate identification and evaluation of candidates for administrative, supervisory, and other leadership positions.

Approved 12/17/02

**TERMINATION AND RESIGNATION**

**TERMINATION**

An employment contract may be suspended or terminated, upon the majority vote of the Board, for violation of the policies of the Board or for reasons set forth in the law.

It is the policy of the Board that the professional staff who are not going to be rehired be given an opportunity to resign.

**RESIGNATION**

It is the policy of the Board of Directors to accept all resignations upon their submission to the President, who shall so inform the Board at its next meeting.

Approved 12/17/02

**CANCELLATION OF A TEACHING CONTRACT**

The Board of Directors recognizes its obligation to employ only those professional staff members best trained and equipped to meet the educational needs of the students of the Options Charter School. The Board shall discharge that obligation by retaining in service only those teachers who meet these standards.

It will be the responsibility of the President to establish administrative guidelines that ensure that all necessary procedures have been followed when there is a recommendation for non-renewal of a teaching contract.

Approved 12/17/02

**NON-RENEWAL OF ADMINISTRATIVE CONTRACTS**

Before taking action to non-renew an administrator's contract, the Board of Directors shall send preliminary notice of the pending action to the administrator at least 30 days prior to the June 1st preceding the determination date. The notice shall contain the reasons for the non-renewal and the statement of his/her right to a confidential meeting with the President, if requested within five days after receipt of the preliminary notice. Further, the administrator is to be advised in the preliminary notice of his/her right to a private conference with the Board to discuss the non-renewal of the contract, if requested within five days after the conference with the President.

If the non-renewal is for cause, the President shall have provided the administrator with a written evaluation of his/her performance at least 30 days prior to the preliminary notice to provide time for the administrator to show progress toward eliminating deficiencies identified in the evaluation.

Approved 12/17/02

**PHYSICAL EXAMINATION**

The Board of Directors or the President reserves the right to require any employee or candidate, after a conditional offer of employment, to submit to an examination in order to determine the physical and/or mental capacity to perform assigned duties.

Reports of all such examinations or evaluations shall be delivered to the President, who shall protect their confidentiality. Reports will be discussed with the employee or candidate and made a part of the employee's personnel record. In the event of a report of a condition that could influence job performance, the President shall base a non-employment recommendation to the Board upon a conference with a physician and substantiation that the condition is directly correlated to defined job responsibilities and reasonable accommodation will not allow the employee or prospective employee to adequately fulfill those responsibilities.

The Board shall assume any uninsured fees for required examinations.

Approved 12/17/02

**INVOLUNTARY LEAVES OF ABSENCE**

It is the policy of the Board of Directors to protect the students of the Options Charter Schools from the influence of unwell professional staff members.

The Board reserves the right to place a professional staff member on involuntary leave of absence for physical or mental inability to perform assigned duties.

In the case of a professional staff member who, in the opinion of the President, is unable to function properly in the Options Charter Schools by reason of physical or mental condition, the professional staff member will be offered the opportunity for a hearing which shall be conducted in accordance with Indiana law.

If a professional staff member fails to comply with the President's recommendation or fails to request an appearance before the Board within the time allowed, the Board shall order the professional staff member to submit to an appropriate examination by a physician designated and compensated by the Board.

Where the physician designated by the Board disagrees with the physician designated by the professional staff member, the two physicians shall agree in good faith on a third impartial physician who shall examine the professional staff member and whose medical opinion shall be conclusive and binding on the issue of medical capacity to perform assigned duties. The expenses of a third examination shall be borne by the Board.

If, as a result of such examination, the professional staff member is found to be unable to perform assigned duties, the professional staff member shall be placed on leave of absence until proof of recovery, satisfactory to the Board, is furnished or for a period not to exceed one year.

Should a professional staff member refuse to submit to the examination requested by the Board and the professional staff member has exercised his/her rights under the provisions herein above set forth, such refusal shall subject the professional staff member to disciplinary

action. The action may include the institution of procedures for the termination of contract.

Approved 12/17/02

**SUBSTANCE ABUSE**

The Board of Directors recognizes alcoholism and drug abuse as treatable illnesses. When such illnesses impair the performance of professional staff members, the Board recognizes the responsibility to assist in the treatment of those illnesses.

A professional staff member having an illness or other problems relating to the use of alcohol or other drugs will receive the same careful consideration and offer of assistance that is presently extended to the professional staff members having any other illness.

The responsibility to correct unsatisfactory job performance or behavior resulting from a suspected health problem rests with the professional staff member. Failure to do so, for whatever reason, will result in appropriate corrective or disciplinary action as determined by the Board.

No professional staff member will have his/her job security or promotion opportunities jeopardized by his/her request for counseling or referral assistance.

Professional staff members who suspect they may have an alcohol or other drug abuse problem are encouraged to seek counseling and information on a confidential basis by contacting resources available for such service.

This policy applies to all professional staff members.

Approved 12/17/02

**CONTROLLED SUBSTANCE AND ALCOHOL POLICY**

In compliance with the United States Department of Transportation (DOT) regulations (49 C.F.R. part 382) concerning the alcohol and controlled substance testing program for employees with a Commercial Driver's License (CDL), the Board of School Directors adopts and will enforce this policy.

This policy encourages a view of alcoholism and other drug dependencies as behavioral/medical problems which can be treated while recognizing the adverse effects of alcohol or other drug use on employee's performance, health, and safety and the safety of students. Drivers are expected and are required to be of suitable mental and physical condition to perform their responsibilities satisfactorily, efficiently, and safely. A driver whose use of alcohol or other drugs interferes with such expectations will be subject to termination. Employees who are required to hold a CDL to perform their job functions for the Options Charter Schools are prohibited from:

- A. the use, possession, sale, purchase, or transfer of the unauthorized or illegal drugs or substances, or the abuse or misuse of illegal drugs on school property, while on school business, or while operating school vehicles or equipment;
- B. drinking alcoholic beverages during work hours (including breaks during those hours);
- C. off-duty use of drugs and alcohol to the extent it affects a driver's attendance or performance and his/her ability to pass required DOT alcohol and controlled substance tasks.

Any violation of these prohibitions will result in termination of employment. Violation of the prohibitions will also result in criminal prosecution.

All employees required to have a CDL will be subject to alcohol and substance abuse testing pursuant to the Testing Policy adopted by the Corporation at the same time this policy is adopted. Refusal to submit to a test under the Testing Policy will be treated as a positive test result for purposes of this policy.

The Board of Directors may offer the driver (at the driver's expense) the opportunity to receive appropriate treatment for any controlled substance or alcohol-related violation of this policy. Satisfactory completion of such treatment will not entitle the driver to return to employment with the Corporation.

Because use of over-the-counter and prescription drugs can affect behavior and performance, drivers should advise their supervisor whenever they are taking such drugs. When the use of such drugs adversely affects job performance or safety, it is in the best interest of the driver, co-workers, students, and the Corporation that the driver not perform safety-sensitive functions until the use and effect of such drugs has ceased.

Any information concerning a driver's drug or alcohol abuse will be available only to the members of administration whom the President believes should be aware of this information. Unless otherwise required by law, this information shall not be disclosed by the President to any other employer, organization, or individual without the driver's written consent.

Approved 12/17/02

**STAFF ETHICS**

An effective educational program requires the services of men and women of integrity, high ideals, and human understanding. To maintain and promote these essentials, the Board of Directors expects all professional staff members to maintain high standards in their working relationships.

Professional staff members in the performance of their professional duties will:

- A. recognize basic dignities of all individuals with whom they interact in the performance of their duties;
- B. represent accurately their qualifications;
- C. exercise due care to protect the mental and physical safety of students, colleagues, and subordinates;
- D. seek and apply the knowledge and skills appropriate to assigned responsibilities;
- E. keep in confidence such information as they may secure, unless disclosure is required by law, authorized by the President, or is necessary to protect the health and welfare of the student or others;
- F. insure that their actions or those of another on their behalf are not made with specific intent of advancing private economic interests;
- G. refrain from using their position or public property, or permitting another person to use an employee's position or public property for partisan political or sectarian religious purposes;
- H. avoid accepting anything of value offered by another for the purpose of influencing judgment.

This policy will in no way limit constitutionally or legally protected rights as a citizen.

Approved 12/17/02

**RESPONSIBILITIES AND DUTIES**

Believing education to be a continuous process, the Board of Directors believes that members of its professional staff should strive for professional growth and development by way of such technologies as may be appropriate.

Each teacher shall be considered professionally and legally responsible for fulfilling, in good faith, the terms of his/her employment contract as long as that contract shall remain in effect.

Specific responsibilities and limitations concerning teachers' duties shall be established by the President.

Approved 12/17/02

**STUDENT WELFARE**

Staff members may be confronted with situations which, if handled incorrectly, could jeopardize student well-being, as well as resulting in liability to the Options Charter Schools and personal liability to the staff member.

It is the responsibility of the President to prepare administrative guidelines to ensure the maintenance of the following standards:

- A. each staff member shall immediately report to the principal any accident or safety hazards he/she detects.
- B. A staff member shall not require students to do personal errands.
- C. A professional staff member shall not be associated with students at any time in a manner which gives the appearance of impropriety, including, but not limited to, the creation or participation in any situation or activity which could be considered abusive or sexually suggestive or involve illegal substances such as tobacco, alcohol, or drugs. This includes correspondence and communication through technological means.

This provision should not be construed as precluding a professional staff member from associating with students in private for legitimate or proper reasons.

- D. staff members shall not transport students in a private vehicle, on school time or immediately before or after a school activity, without the approval of the President or Principal.
- E. A student shall not be required to perform work or services that may be detrimental to his/her health.

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BOARD OF DIRECTORS**

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Any employee hired by the Options Charter School on or after January 20, 2009 will acknowledge receipt of this policy by signing this form. Human Resources will sign the policy, indicating that it has been explained to the employee.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Human Resources Signature

\_\_\_\_\_  
Date

**STAFF GIFTS**

The Board of Directors considers the presentation of gifts to professional staff members by students and their families an undesirable practice because it tends to embarrass students with limited means and gives the appearance of currying favor.

Based on the foregoing premise, it is the policy of the Board that:

- A. professional staff members may accept gifts of nominal value from students or parents;
- B. professional staff members instruct their class to express their feelings in letters rather than gifts.

Individual gifts from the professional staff member to each student are strongly discouraged. It is suggested that if a professional staff member wishes to give a gift, he/she may do so as a gift to the classroom, for example, library books or other educational resources for the class.

The President may approve acts of generosity to individual staff members in unusual situations.

Upon the recommendation of the President, the Board shall consider, as appropriate, the presentation of token gifts to retiring members of the staff who have rendered outstanding service for an extended period of time.

Approved 12/17/02

**SMOKE/TOBACCO FREE ENVIRONMENT**

The Board of Directors is dedicated to providing a healthy, comfortable, and productive environment for students, staff, and citizens. It is the intent of the Board to create a "tobacco free" school environment. Appropriately, the Board shall prohibit the use of all tobacco products by staff in school buildings, and in school owned or operated vehicles.

The Board also believes that education has a central role in establishing patterns of behavior related to good health and shall take measures to help students and staff to resist tobacco use. Moreover, the Board recognizes and supports the positive impact and the importance of adult role-modeling for students during their formative years in a tobacco-free environment.

Approved 12/17/02

**DRUG-FREE WORKPLACE**

No employee of the Options Charter Schools shall distribute, dispense, possess, use or be under the influence of any alcoholic beverage, malt beverage or fortified wine or other intoxicating liquor; and no employee shall manufacture, distribute, dispense, possess or use or be under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, anabolic steroids or any other controlled substance, as defined in Schedules I through V of Section 202 of the Controlled Substances Act (21 U.S.C. Part 812) and as further defined by regulation 21 C.F.B. 1300.11 through 1300.15 before, during or after school hours at school or in any other Options Charter School location as defined below.

"Options Charter School location" means any school building or on any school premises; on any school-owned vehicle used to transport students to and from school or school-related activities; off-school property at any school-sponsored or school-approved activity, event or function such as a field trip or athletic event, where students are under the jurisdiction of the Options Charter School, or during any period of time such employee is supervising students on behalf of the Options Charter Schools or in any way engaged in Options Charter School business that involves students.

Any employee who directly or indirectly performs work on a Federal grant shall abide by the terms of this policy and shall notify his/her supervisor in writing of his/her conviction on any criminal drug statute for a violation occurring in any of the places listed above, no later than five (5) calendar days after such conviction.

Any employee who violates this policy by distributing or dispensing any alcoholic beverages or other intoxicating liquor, narcotic drugs, hallucinogenic drugs, amphetamines, barbiturates, marijuana, anabolic steroids or any other controlled substance to students or other employees before, during and after school hours or in any other School location as described in this policy shall be subject to having his/her employment suspended (without pay) or

terminated at the discretion of the Board of Directors.

It is to be further understood that any employee who violates this policy by possessing, using or being under the influence of any intoxicating liquor, narcotic drugs, hallucinogenic drugs, amphetamines, barbiturates, marijuana, anabolic steroids or any other controlled substance, shall be required to satisfactorily participate in one of the drug and alcohol abuse counseling and rehabilitation programs identified and approved by the Board of Directors. If the employee fails to satisfactorily participate in such program, the employee shall be subject to be non-renewed or have his/her employment suspended (without pay) or terminated at the discretion of the Board.

The President shall develop administrative guidelines and procedures for establishing the employees' counseling and rehabilitation program. It is the intent that these guidelines will comply with this policy in providing for appropriate employee disciplinary action while establishing and maintaining a safe and positive educational environment for the Options Charter Schools and its constituencies.

Any employee who is taking properly prescribed medications containing controlled substances (e.g., barbiturates, benzodiazepines, codeine, morphine, oxycodone, etc.) would not be considered to be in violation of this policy as long as the medication does not interfere with his/her performance of duties.

Approved 12/17/02

**STAFF DRESS AND GROOMING**

The Board of Directors believes that professional staff members set an example in dress and grooming for their students to follow. A professional staff member who understands this precept and adheres to it enlarges the importance of his/her task, presents an image of dignity, and encourages respect for authority. These factors act in a positive manner toward the maintenance of discipline.

The Board retains the authority to specify the following dress and grooming guidelines for staff that will prevent such matters from having an adverse impact on the educational process. All professional staff member shall, when assigned to Options Charter School duty:

- A. be physically clean, neat, and well groomed;
- B. dress in a manner consistent with their professional responsibilities;
- C. dress in a manner that communicates to students a pride in personal appearance;
- D. dress in a manner that does not cause damage to Options Charter School property;
- E. be groomed in such a way that their hairstyle or dress does not disrupt the educational process or cause any health or safety hazard.

Approved 12/17/02

**STAFF EVALUATION**

The Board of Directors, through the powers derived from the General School Laws, is responsible for the employment and discharge of all personnel. To carry out this responsibility, it delegates to the President the function of establishing and implementing a program of personal assessment.

It is the purpose of the program of staff assessment to:

- A. strive for the improvement of the total Options Charter School program;
- B. stress the importance of personal improvement on the part of individual professional staff members so that each student may be provided a quality education;
- C. ensure the continuous improvement of administrative and supervisory services provided professional staff members;
- D. establish a process of continuous and systematic professional staff member evaluation.

The staff evaluation program shall aim at the early identification of specific areas in which the individual professional staff member needs help so that appropriate staff members can provide the type of assistance needed. A supervisor offering suggestions for improvement to a professional staff member shall not release that professional staff member from the responsibility to improve. If a professional staff member, after receiving a reasonable degree of assistance, fails to perform his/her assigned responsibilities in a satisfactory manner, dismissal procedures may be invoked.

In such an instance, all relative evaluation documents may be used in the proceedings.

Evaluations shall be conducted of each professional staff member in accordance with administrative guidelines established by the President. Each professional staff member shall be given a copy of all documents relating to his/her performance which is placed in his/her personnel file. He/she shall be given the opportunity to append a written statement of his/her viewpoint to any evaluation to which he/she dissents and which is to be placed in his his/her file.

Approved 12/17/02

**OUTSIDE ACTIVITIES OF STAFF**

The Board of School DIRECTORS directs the President to promulgate the following guidelines so that staff members may avoid situations in which their personal interests, activities, and associations may conflict with the interests of the Options Charter Schools. If non-school activities threaten a staff member's effectiveness within the school system, the Board reserves the right to evaluate the impact of such activity upon a staff member's responsibility to the students and to the Board.

- A. Staff members should not give school time to an outside activity without valid reason to be excused from assigned duties.
- B. Staff members shall not use school property or school time to solicit or accept customers from private enterprises without written administrative permission.
- C. Staff members shall not campaign on school property while acting within the scope of their official duties on behalf of any political issue or candidate for local, state, or national office.
- D. Staff members may not accept fees for tutoring when such tutoring is conducted during the normal workday.
- E. Staff members may not accept fees for remedial tutoring of students currently enrolled in one or more of their classes.

**Research and Publishing**

- A. Professional staff members are encouraged to contribute articles to the professional literature and to engage in approved professional research.
- B. Materials that might be considered for publication and/or production, which identify the Options Charter Schools in any manner, shall be cleared with the President prior to publication and/or production.

- C. Publications and productions shall be subject to the following copyright provisions:
1. Rights to copyrights or patents of books, materials, devices, etc. developed by professional staff members on their own time will be relinquished by the Board upon request of the staff member provided that:
    - a. The books, materials, devices, etc. were prepared without the use of Options Charter School data, facilities, and/or equipment;
    - b. Options Charter Schools is granted the privilege of purchasing the materials or products free of any copyright or royalty charges;
    - c. the staff member does not become involved in any way in the selling of the product to the Options Charter Schools.

The final decision regarding whether materials were produced independently of any work assignment, and/or without using school equipment, facilities, data, or equipment rests with the President, who shall submit such decisions to the Board.

Professional staff members who desire to publish or produce materials on their own time should make such action known to the President prior to the time such work is started in order that proper procedures can be established to assure that Options Charter Schools' interests and the interests of the staff member are protected.

2. All books, materials, devices, or products that result from the paid work time and/or prescribed duties of professional staff members shall remain the property of the Options Charter Schools. The Options Charter Schools shall retain all rights and privileges pertaining to the ownership thereof.

In the event that any of these products have commercial possibilities, the President is authorized to secure copyrights, patents, etc., that will ensure the ownership of the product by the Options Charter Schools.

The President is authorized to negotiate with appropriate agencies for the production and distribution of products of commercial appeal. Such negotiations shall ensure fair and appropriate compensation, including a sharing of royalties, for the staff members who developed the products.

Approved 12/17/02

**PROFESSIONAL ORGANIZATIONS**

Professional staff members shall be encouraged to maintain active memberships in local, state, and national organizations, which have as their purpose the improvement and expansion of the professional role of teachers and welfare of students.

Every professional staff member, however, shall be accorded freedom of choice, and shall be assured that decisions affecting their welfare shall be made without regard to membership in professional organizations.

Approved 12/17/02

**PROFESSIONAL GROWTH REQUIREMENTS**

The Board of Directors believes that continued study is a prerequisite for continued professional growth of staff. It therefore encourages the participation of professional staff members in in-service and other training programs.

The President shall plan and implement a program of staff development for professional and support staff members and explore other training programs.

The Board may reimburse staff members for the costs incurred in participation therein if funds are available.

Approved 12/17/02

**PROFESSIONAL MEETINGS**

The Board of Directors encourages opportunities for professional staff members to develop increased competence beyond that which they may attain through the performance of their assigned duties through attendance at professional meetings.

For purposes of this policy, a professional meeting shall be defined as any meeting that is related to the activities, duties, or responsibilities of professional staff members as determined by the President or Principal .

The President shall prepare administrative guidelines to implement this policy.

Approved 12/17/02

**FREEDOM OF SPEECH IN NON-INSTRUCTIONAL SETTINGS**

The Board of Directors acknowledges the right of its professional staff members, as citizens in a democratic society, to speak out on issues of public concern. When those issues are related to the Options Charter Schools, however, the professional staff member's expression must be balanced against the interests of the organization.

The following guidelines are adopted by the Board to help clarify and, therefore, avoid situations in which the professional staff member's expression could conflict with the Options Charter Schools. In situations in which the professional staff member is not engaged in the performance of professional duties, he/she should:

- A. state clearly that his/her expression represents personal views and not necessarily those of the Options Charter Schools;
- B. not discuss with others any individual with whom he/she would normally be in daily contact in the performance of duties, in order to avoid the disruption of corporate staff relationships;
- C. refrain from the expressions that would disrupt harmony among co-workers or interfere with the maintenance of disciplines by school officials;
- D. not make abusive or personally defamatory comments about co-workers, administrators, or officials of the Options Charter Schools;
- E. refrain from making public expressions which he/she knows to be false or are made without regard for truth or accuracy;
- F. not make threats against co-workers, supervisors or school officials.

Violations of these guidelines may result in disciplinary action.

Approved 12/17/02

**REPORTING SEXUAL MISCONDUCT AND SEXUAL AND  
OTHER FORMS OF HARASSMENT**

Conduct constituting sexual misconduct or sexual harassment may take different forms, including but not limited to the following:

**Sexual Misconduct or Harassment**

A. Verbal:

The making of offensive written or oral sexual innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, threats, or proposition toward a fellow staff member, student, or other person associated with the Options Charter Schools.

B. Non-Verbal:

Causing the placement of offensive, sexually suggestive objects, pictures, or graphic commentaries in the school environment or the making of offensive, sexually suggestive or insulting gestures, sounds, leering, whistling, and the like to a fellow staff member, student, or other person associated with the Options Charter Schools.

C. Physical Contact:

Threatening or causing unwanted touching, contact, or attempts at same, including patting, pinching, pushing the body or coerced sexual intercourse with a fellow staff member, student or other person associated with the Options Charter Schools.

**Gender/Ethnic/Religious/Disability/Height/Weight Harassment**

A. Verbal:

Written or oral innuendoes, comments, jokes, insults, threats, or disparaging remarks concerning a person's gender, national origin, religious beliefs, etc., that are offensive to a fellow staff member, student, or other person associated with the Options Charter Schools.

B. Non-Verbal:

Placing objects, pictures, or graphic commentaries in the school environment or making insulting or threatening gestures that are offensive to a staff member, student, or other person associated with the Options Charter School.

Any staff member or student who believes that he/she is the victim of any of the above actions or has observed such action taken by a supervisor, co-worker, student, or other person associated with the Options Charter Schools, such as a vendor, contractor, volunteer, or school official should promptly take the following steps:

- A. If the alleged perpetrator is the staff member's supervisor, the affected employee should, as soon as possible after the incident, contact the President.
- B. If the alleged perpetrator is not the staff member's supervisor, the affected staff member should, as soon as possible after the incident, contact his/her supervisor.
- C. If the alleged perpetrator is a student of an Options Charter School, the supervisor should immediately inform the President of the alleged sexual misconduct or harassment.

The staff member or student may make contact either by a written report or by telephone or personal visit. During this contact, the reporting student or staff member should provide the name of the person(s) whom he/she believes to be responsible for the sexual misconduct or harassment and the nature of the sexual misconduct or harassing incident(s). A written summary of each such report is to be prepared promptly by the staff member receiving the report and forwarded to the President.

Each report received by the supervisor or President as provided above, shall be investigated in a timely and confidential manner. While a charge is under investigation, no information is to be released to anyone who is not involved with the investigation, except as may be required by law or in the context of a legal or

administrative proceeding. No one involved is to discuss the subject outside of the investigation.

The purpose of this provision is to:

- A. protect the confidentiality of the staff member or student who files a complaint.
- B. encourage the reporting of any incidents of sexual misconduct or harassment;
- C. protect the reputation of any person wrongfully charged with sexual misconduct or harassment.

Investigation of a complaint will normally include conferring with the parties involved and any named or apparent witness. All staff members, students, and others involved are to be protected from coercion, intimidation, retaliation, or discrimination for filing a complaint or assisting in an investigation.

If the investigation reveals that the complaint is valid, then prompt, appropriate remedial and/or disciplinary action will be taken immediately to prevent the continuance of the sexual misconduct or harassment or its recurrence. Any form of sexual harassment or sexual misconduct may be considered a form of child abuse and consideration should immediately be given to legal reporting requirements.

Options Charter Schools recognizes that determining whether a particular action or incident is sexual misconduct or harassment or, conversely, is reflective of a social relationship without a discriminatory or intimidating intent or effect must be based on all the facts in the matter. Given the nature of this type of intimidation, Options Charter Schools recognizes that false accusations of sexual misconduct or harassment can have serious effects on innocent individuals. Accordingly, all staff members are expected to act responsibly, honestly, and with the utmost candor whenever they present sexual misconduct or harassment allegations or charges against fellow staff members, students, or others associated with the Options Charter Schools.

**THREATENING BEHAVIOR TOWARD STAFF MEMBERS**

The Board of Directors believes that a staff member should be able to work in an environment free of threatening speech or actions.

Threatening behavior consisting of any words or deeds that intimidate a staff member or cause anxiety concerning his/her physical well-being is strictly forbidden. Any student, staff member, or agent of this Board who is found to have threatened a member of the staff will be subject to discipline and reported to the authorities.

The President shall implement guidelines whereby students and employees understand this policy and appropriate procedures are established for prompt and effective action on any reported incidents.

Approved 12/17/02

**COMPENSATION FOR PART-TIME STAFF**

The Board of School Directors requires that part-time professional staff members be compensated in an amount equivalent to the portion of time worked, whether it is a fraction of a day or a fraction of a year. The President shall prepare administrative guidelines to ensure that end.

Approved 12/17/02

**SUBSTITUTE COMPENSATION**

In order to retain well-qualified substitutes for service at the Options Charter School, the Board of School Directors will offer competitive compensation at a rate set annually by the Board.

Approved 12/17/02

**BENEFITS FOR NON-PROFESSIONAL STAFF**

Salaried and fringe benefits for all staff members not covered under the definition of Professional Staff shall be determined by the Board of Directors upon the recommendation of the President.

The President shall develop one (1) or more benefits packages appropriate for the various types and level of such positions.

Approved 12/17/02

**Work Schedule Alterations for Salaried Staff**

It is expected that a salaried employee is paid salary to perform all job responsibilities, and that at times, those responsibilities will require time spent outside of the normal work day. However, when extraordinary circumstances require the salaried employee to work at unexpected times, the President or his designee may grant compensatory time to the employee.

By way of example, a social worker may be needed to help conduct new student orientation sessions for three days during the summer months. To do so, the social worker may be given credit for three days of work in the future. The President or President's designee must pre-approve the additional time and the exchange. This exchange will be granted in half-day increments.

The President will provide administrative guidelines for the effective administration of this policy.

Approved 9/16/08

**JOB-RELATED EXPENSES**

The Board of Directors will provide for the payment of the actual and necessary expenses, including travel expenses, of any professional staff member of the Options Charter Schools incurred in the course of performing services for the school, whether within or outside the school, under the direction of the Board and in accordance with the President's administrative guidelines.

The validity of payments for job-related expenses shall be determined by the President.

The Board shall pay the expenses of professional staff members when they attend professional meetings approved in accordance with the guidelines established by the President.

Approved 12/17/02

**WORK STOPPAGE**

The Board of Directors is obligated and committed to provide certain basic services to students participating in the Options Charter Schools' programs. Therefore, if the schools are open and the students are in attendance, those basic services will be provided.

Recognizing the fact that the Options Charter Schools, for various reasons, could have a work stoppage, slowdown, or "work to contract", the Board remains committed to providing services to the school and will fulfill its obligations.

Professional staff members are required at all times to perform their normal duties as assigned by the President. Professional staff members who fail to perform their duties when so required will be subject to loss of pay and disciplinary measures in accordance with the policies of this Board and the laws of the State, and may be subject to the loss of benefits as well.

Approved 12/17/02