

# EMPLOYEE HANDBOOK



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## **HANBOOK DISCLAIMER**

We prepared this Handbook to help employees find the answers to many questions that they may have regarding their employment with Vaughn Next Century Learning Center (VNCLC). Please take the necessary time to read it.

We do not expect this Handbook to answer all questions. Supervisors and Human Resources also serve as a major source of information.

Neither this Handbook nor any other verbal or written communication by a management representative is, nor should it be considered, an agreement, or contract of employment, express or implied, nor does it confer any contractual rights whatsoever. VNCLC adheres to the policy of employment at-will, which permits VNCLC or the employee to end the employment relationship at any time, for any reason, with or without cause or notice.

No VNCLC representative other than Chief Executive Officer may modify at-will status and/or provide any special arrangement concerning terms or conditions of employment in an individual case or generally and any such modification must be in a signed writing.

Many matters covered by this Handbook, such as benefit plan descriptions, are also described in separate VNCLC documents. These VNCLC documents are always controlling over any statement made in this Handbook or by any member of management.

This Handbook states only general VNCLC guidelines. VNCLC may, at any time, in its sole discretion, modify, add to or delete the provisions in this Handbook, with or without notice, except for the rights of the parties to end employment at will, which may only be modified by an express written agreement signed by the employee and the Chief Executive Officer.

This Handbook supersedes all prior handbooks.

In order to ensure that you have access to the most recent version of the Handbook and related organization procedures, Employees are responsible for maintaining their current contact information on file with Human Resources, including a personal e-mail address, to facilitate administrative communication from VNCLC. VNCLC shall not otherwise use personal e-mail addresses for work-related purposes and Employees are not required to check personal e-mail while performing work for VNCLC.

All updates of the Handbook will be communicated via VNCLC's Human Resources Department where organization policies will be maintained. Upon employment and once annually, all Employees are required to review this Handbook and print and return a signed, hard copy of the acknowledgement page to the Human Resources Department to affirm their acceptance of the terms and conditions of employment contained in this Handbook.

We strongly encourage Employees to reference our policies and procedures. Hard copies of this Handbook may be requested from the Human Resources Department.

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## 1. INTRODUCTORY POLICIES

### 1.1 Welcome

Welcome to Vaughn Next Century Learning Center!

We are pleased you have chosen to join our team and we look forward to working together with you to implement our mission and vision. Our goal is to graduate students who possess the knowledge, skills and habits of mind necessary to work and live in the 21st Century global environment and to become contributing individuals and life-long learners.

### 1.2 About Vaughn Next Century Learning Center

#### 1.2.1 Mission

Vaughn Next Century Learning Center is a large, urban, full-service, public charter school that provides maximum learning opportunities to students (Preschool- Grade 12) so they will be successful academically, physically, and socially; specifically, Vaughn will:

- Prepare students to master grade level standards, think critically, and be ready for post-secondary learning
- Reduce social stressors that negatively impact child and family development, including poverty.
- Create a professional and caring community among staff, families, and community.
- Become a model for school reform locally, nationally and globally.

#### 1.2.2 Vision

Our students will possess proficient literacy skills, English fluency and technological competence. They will demonstrate knowledge and application of the arts, cultures, literature, history and social science, health, mathematics, communication, science, problem solving, and work ethic. They will value friendship, responsibility, cultural diversity, quality of life and respect for the democratic processes. They will become well informed of our interconnected world, pursue higher education and seek a professional career.

All teachers are continual learners, collaborators, and innovators who implement quality instruction and classroom management to achieve well-defined outcomes. They seek to maintain the highest professional and ethical standards and effective instructional techniques. They recognize and value the importance of each student's uniqueness and strengths. They are visionaries who are sensitive to the cultures, values and other needs of their students.

Our school is a community learning center which focuses on the active participation of families and community as a resource that supports student achievement. We foster student and family education and well-being, and we recognize that strong community and family life is positively linked to educational excellence.

#### 1.2.3 Meaning of An Educated Person in the 21st Century

Vaughn Next Century Learning Center recognizes that to be an Educated Person in the 21st Century, our students need to possess the knowledge, skills, and habits of mind necessary to work and live in the 21st Century global environment. Vaughn implements and fully supports a Graduate Profile that includes the following:

All Vaughn Next Century Learning Center's graduates will be:

- Academically prepared to successfully engage in post-secondary coursework and/or career.



- Literate and prepared for the 21st Century with mastery of skills essential to communication and learning both in English and in one or more languages other than English.
- Proficient thinkers and problem solvers with a capacity for mathematical analysis, scientific processing, and logical reasoning.
- Aware of global dynamics with the ability to become fully enfranchised and participatory global citizens.
- Collaborative team members, receptive to the views of others.
- Effective users of technology with the ability to use a multitude of digital tools for communication, presentation, and data analysis.

### **1.3 Introductory Statement**

We genuinely hope that you will find Vaughn to be a comfortable and rewarding place to work, with colleagues and managers who are pleasant and cooperative. In joining us, you have become a fundamental part in providing quality education for students as ***Educated People in the 21st Century***. Our continuous goal is to maintain a team of well-trained, enthusiastic employees working together for the success of our schools.

In order to achieve our objectives, we commit to:

- Treating each of you as individuals, with respect and dignity in everyday work situations;
- Hiring, promoting, and compensating solely on the basis of merit and not on any unlawful grounds;
- Encouraging all Team Members to take an active interest in their job and to contribute their best efforts and abilities so that we are successful;
- Providing a pleasant place to work;
- Encouraging Team Members to freely discuss all that could improve working conditions, policies and practices of Vaughn; and
- Valuing an open-door policy where Team Members feel free to discuss work related or personal issues with any members of management.

In return, Vaughn expects the following from its team:

- A sense of individual responsibility for the quality and quantity of work produced;
- A continuous effort to maximize productive time and avoid any action likely to impede Vaughn's mission;
- Personal care for all equipment and materials provided;
- Constructive suggestions to improve Vaughn; and
- Commitment to collaborate and establish good working relationships

### **1.4 Foreign Languages**

Vaughn Next Century Learning Center wants all employees to understand and comply with the policies in this handbook. If you have a problem understanding the handbook because it is not in your preferred language, please let your supervisor or the Human Resources Department know. We can provide you with assistance to understand the

information included in this document. If you fail to request assistance, we will assume that you fully understand the handbook.

Vaughn Next Century Learning Center quiere que todos sus empleados entiendan y cumplan con las pólizas de este manual. Si usted tiene dificultad entendiendo este manual porque no está en su idioma de preferencia, por favor infórmele a su supervisor o al Departamento de Recursos Humanos. Nosotros le podemos ayudar a entender la información en este documento. Si usted falla en pedir ayuda, nosotros asumiremos que usted entiende en su totalidad el contenido de este manual.

### **1.5 At-Will Employment Status**

Employment at Vaughn is at-will. Employment at-will may be terminated with or without cause and with or without notice at any time by the employee or Vaughn. Similarly, your status (e.g., position, duties, salary, promotions, demotions, etc.) may be changed at-will, with or without cause and with or without notice at any time. Nothing in this Handbook or in any document or statement shall limit the right to terminate employment at-will or limit Vaughn’s right to transfer, demote, suspend, administer discipline, and change the terms and conditions of employment at its sole discretion. No manager, supervisor, or employee of Vaughn has authority to enter into an agreement for employment for any specified period of time or to make an agreement for employment other than at-will. Any agreement that alters the “at-will” nature of employment must be approved by the Chief Executive Officer.

Please take the time to read carefully through the Vaughn Next Century Learning Center (“Vaughn”) Employee Handbook (“Handbook”). This Handbook summarizes Vaughn’s personnel policies applicable to all employees. Please review these policies carefully.

If you have any questions about the policies outlined in this Handbook, or if you have any other personnel-related questions, whether or not related to policies specifically addressed in this Handbook, please consult the Human Resources team.

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## **2. COMMITMENT TO DIVERSITY**

### **2.1 Equal Employment Opportunity**

Vaughn is an equal opportunity employer and makes employment decisions including, but not limited to hiring, recruiting, firing, promotion, demotion, training, compensation, qualifications/job requirements, on the basis of merit and/or business necessity. We want to have the best available persons in every job. Vaughn's policy prohibits unlawful discrimination based on race, religious creed (which includes religious dress and grooming practices) color, national origin (which includes, but is not limited to, national origin groups and aspects of national origin, such as height, weight, accent, or language proficiency), ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex (which includes pregnancy, childbirth, breastfeeding, and related medical conditions), gender, gender identity, gender expression, age, sexual orientation, military or veteran status (including state and federal active and reserve members as well as those ordered to duty or training), immigration/citizenship status or related protected activities (which includes undocumented individuals and human trafficking), reproductive health decision making, or any other consideration made unlawful by federal, state, or local laws, ordinances, or regulations. These categories include a perception that the individual has any of these characteristics or is associated with a person who has (or is perceived to have) any of these characteristics. All such discrimination is unlawful.

Vaughn is committed to complying with all applicable laws providing equal employment opportunities. This commitment applies to all persons involved in the operations of Vaughn and prohibits unlawful discrimination by any employee of Vaughn, including management, administrators, and co-workers.

To comply with applicable laws ensuring equal employment opportunities to qualified individuals with a disability, Vaughn will make a good faith effort to provide reasonable accommodations for the known physical or mental limitations of an otherwise qualified applicant or employee with a disability, unless undue hardship would result to Vaughn. An applicant or employee who believes he or she requires an accommodation in order to perform the essential functions of the job should contact Human Resources and request such an accommodation, specifying what accommodation he or she needs to perform the job. Vaughn will analyze the situation, engage in an interactive process with the individual, and respond to the individual's request.

If you believe you have been subjected to discrimination, please follow the complaint procedure outlined below.

### **2.2 Unlawful Harassment**

Vaughn is committed to providing a work environment that is free of unlawful harassment. Our policy prohibits harassment based on race, religious creed (which includes religious dress and grooming practices), color, national origin (which includes, but is not limited to, national origin groups and aspects of national origin, such as height, weight, accent, or language proficiency), ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex (which includes pregnancy, childbirth, breastfeeding, and related medical conditions), gender, gender identity, gender expression, age, sexual orientation, military or veteran status (including state and federal active and reserve members as well as those ordered to duty or training), immigration/citizenship status or related protected activities (which includes undocumented individuals and human trafficking), or any other consideration made unlawful by federal, state, or local laws, ordinances, or regulations. These categories include a perception that the individual has any of these characteristics or is associated with a person who has (or is perceived to have) any of these characteristics.

Vaughn's unlawful harassment policy applies to all persons involved in the operation of Vaughn and prohibits unlawful harassment by any employee of Vaughn, (which includes supervisors and co-workers) and third parties. We will take all

reasonable steps to prevent or eliminate unlawful harassment by non-employees, including students, parents, customers, clients, and suppliers, who have workplace contact with our employees.

Prohibited unlawful harassment includes, but is not limited to, the following behavior:

- Verbal conduct such as epithets, derogatory jokes or comments, slurs or unwanted sexual advances, invitations, or comments (including, but not limited to, threats of deportation against applicants and employees and family members of applicants and employees, derogatory comments about immigration status, or mockery of an accent or a language or its speakers).
- Visual conduct such as derogatory and/or sexually oriented posters, photography, cartoons, drawings, or gestures.
- Physical conduct such as assault, unwanted touching, blocking normal movement, or interfering with work because of sex, race, or any other protected basis.
- Threats and demands to submit to sexual requests as a condition of continued employment or to avoid some other loss and offers of employment benefits in return for sexual favors.
- Additional Prohibited Conduct for Employees and Students: Vaughn employees and Vaughn students are prohibited from having any kind of romantic interaction with each other. Fraternization by Vaughn staff with students outside the school environment may create the perception of inappropriate conduct or may lead to allegations or instances of sexual harassment or child abuse.
- Retaliation for having reported or threatened to report unlawful harassment in good faith.

This policy applies to all phases of employment, including, but not limited to, recruiting, testing, hiring, upgrading, promotion, demotion, transfer, layoff, termination, rates of pay, benefits, and selection for training.

If you believe you have been subjected to unlawful harassment, please follow the complaint procedure outlined below. Employees must report conduct prohibited by this policy whether or not they are personally involved.

## **2.3 Retaliation**

Vaughn prohibits retaliation against any employee because of the employee's opposition to a practice or conduct the employee reasonably believes to be unlawful or because of the employee's lawfully protected participation in an investigation or proceeding or otherwise protected activity. Any retaliatory adverse action because of such opposition or participation may be unlawful and will not be tolerated.

If you believe you have been subjected to retaliation, please follow the complaint procedure outlined below.

## **2.4 Complaint Procedure—Discrimination, Unlawful Harassment, Retaliation**

Employees must report all incidents believed to be unlawful discrimination, harassment, or retaliation, regardless of whether they are the alleged victim, a witness, a bystander, or otherwise. If you believe you have been subjected to any form of such unlawful conduct, or if you have knowledge of such unlawful conduct, submit a complaint, preferably in writing, to your supervisor or Human Resources. If these individuals are not available, or in the event that you believe that one of these individuals has engaged in inappropriate behavior in violation of these policies, submit a complaint to any other supervisor as soon as possible. Supervisors must report any and all conduct of which they are made aware, which violates, or may violate, policies regarding unlawful discrimination, harassment, or retaliation to the superintendent or other upper-level managers, as appropriate.

All complaints submitted pursuant to this policy should be done in writing, but they may be done verbally. Your complaint should be specific and should include the names of the individuals involved and the names of any witnesses.

Vaughn encourages all employees to immediately report any incidents of unlawful discrimination, harassment, and/or retaliation so that complaints can be quickly and fairly resolved. Vaughn officials will respect the confidentiality of reporters and those against whom reports are made as much as possible consistent with Vaughn's legal obligations and the need to investigate violations of this policy and take appropriate remedial action.

Reporters and those participating in Vaughn's investigations will not be subject to unlawful retaliation by Vaughn. Persons who knowingly file a false report are subject to discipline, up to and including termination of employment.

Upon notice of such a complaint, Vaughn will attempt to resolve the situation by promptly undertaking an effective, thorough, and objective investigation through the use of qualified personnel and using methods that provide all parties with appropriate due process. The designated Vaughn official will take steps as necessary to protect the reporter and other students or employees pending completion of an investigation from unlawful retaliation.

During the investigation, Vaughn will provide regular progress updates, as appropriate, to those directly involved. Vaughn will strive to complete its investigation as efficiently as possible in light of the allegations and will reach any conclusions based on the evidence collected.

The Vaughn official will consider the context and surrounding circumstances to determine whether this policy has been violated and to determine any remedy. If Vaughn determines that unlawful conduct or a violation of applicable policies has occurred, appropriate remedial measures will be taken in accordance with the circumstances involved. Any employee determined by Vaughn to be responsible for unlawful discrimination, harassment, and/or retaliation will be subject to appropriate disciplinary action, up to and including termination. Appropriate action will also be taken to deter future conduct.

There will be no retaliation against any employee who brings a complaint in good faith or who honestly assists in investigating such a complaint, even if the investigation produces insufficient evidence that there has been a violation, or if the charges cannot be proven.

Employees who believe that they have been unlawfully discriminated against, harassed, or retaliated against may also file a complaint with the local office of the California Department of Fair Employment and Housing ("DFEH") or the Equal Employment Opportunity Commission ("EEOC"). The DFEH and the California Fair Employment and Housing Council ("FEHC") as well as the EEOC can also order an employer to hire, reinstate, or promote a victim of discrimination, harassment, and/or retaliation or make other changes in School policies. The address and phone number of the local DFEH and EEOC offices can be found in the government sections of your local telephone directory or online.

## **2.5 Disability Accommodation**

Vaughn is committed to complying with all laws that protect qualified individuals with disabilities. When requested, the company will provide a reasonable accommodation for any known physical or mental disability of a qualified individual, provided the requested accommodation does not create an undue hardship for the organization or pose a direct threat to the health or safety of others in the workplace or to the requesting employee.

This policy applies to all applicants and employees and extends to all aspects of the organization's employment practices, including recruiting, hiring, discipline, termination, promotions, transfers, compensation, benefits, training, leaves of absence, and other terms and conditions of employment.

To request an accommodation to perform the essential functions of an employee's job, the employee must notify Human Resources accompanied by a doctor's note. An employee requesting an accommodation should include in the request his or her suggestion for an accommodation.

Reasonable accommodations may include modification of a work station, change in job duties or schedule, reassignment to another position, or time off (with or without pay), provided that such exceptions do not pose a direct threat to the health or safety of others in the workplace or to the requesting employee.

Once the organization is aware of the need for an accommodation, it will engage with the employee in an interactive process to identify possible accommodations.

Employees are encouraged to use this procedure without fear of retaliation. Employees who believe that they have been treated in a manner not in accordance with this policy should notify Human Resources.

## **2.6 Religious Accommodation**

Vaughn respects the religious beliefs and practices of all employees and will make, on request, an accommodation for such observances when a reasonable accommodation is available that does not create an undue hardship on the company's business.

An employee whose religious beliefs or practices conflict with his or her job, work schedule, or with Vaughn's policy or practice on dress and appearance, or with other aspects of employment, and who seeks a religious accommodation must submit a written request for the accommodation to his or her immediate supervisor. The written request will include the type of religious conflict that exists and the employee's suggested accommodation.

The Vaughn official will evaluate the request considering whether a work conflict exists due to a sincerely held religious belief or practice and whether an accommodation is available that is reasonable and that would not create an undue hardship on Vaughn's business. An accommodation may be a change in job, using paid leave or leave without pay, allowing an exception to the dress and appearance code that does not affect safety or uniform requirements, or for other aspects of employment. Depending on the type of conflict and suggested accommodation, the supervisor may confer with his or her manager and with the human resources director.

The Vaughn official, supervisor, and employee will meet to discuss the request and decision on an accommodation. If the employee accepts the proposed religious accommodation, the immediate supervisor will implement the decision. If the employee rejects the proposed accommodation, he or she may appeal following the company's general grievance policy and procedure.

## **2.7 Accommodation for Adult Literacy Programs**

Pursuant to California law, Vaughn will reasonably accommodate any eligible employee who seeks to enroll in an adult literacy education program, provided that the accommodation does not impose an undue hardship on Vaughn. Vaughn does not provide paid time off for participation in an adult literacy education. However, you may utilize unpaid time off, if approved by your supervisor.

## **2.8 Accommodation for Victims of Domestic Violence, Sexual Assault or Stalking**

Vaughn provides reasonable and necessary unpaid leave and other reasonable accommodations to employees who are victims of domestic violence, sexual assault or stalking to attend legal proceedings or obtain other needed relief.

Eligible employees are those who are victims of domestic violence, sexual assault or stalking.

Unpaid leave under this policy is available for an employee who is the victim of domestic violence, sexual assault or stalking to attend legal proceedings or to obtain or attempt to obtain any relief necessary, including a restraining order, to ensure the employee's own health, safety or welfare, or that of the employee's child or children.

Employees may also request unpaid leave for the following purposes:

- Obtain services from a domestic violence shelter or rape crisis center.
- Seek medical attention for injuries caused by domestic violence or sexual assault.
- Obtain psychological counseling for the domestic violence or sexual assault.
- Take action, such as relocation, to protect against future domestic violence or sexual assault.

To request leave under this policy, an employee should provide their supervisor and/or Human Resources with as much advance notice as practicable under the circumstances. If advance notice is not possible, the employee requesting leave under this policy should provide their supervisor and/or Human Resources one of the following certifications upon returning back to work:

- A police report showing that the employee was a victim of domestic violence or sexual assault.
- A court order protecting the employee from the perpetrator or other evidence from the court or prosecuting attorney that the employee appeared in court.
- Documentation from a medical professional, domestic violence or sexual assault victim advocate, health care provider, or counselor showing that the employee's absence was due to treatment for injuries from domestic violence or sexual assault.

Employees requesting leave under this policy may choose to use accrued sick time.

In addition, the company will provide reasonable accommodations to employees who are victims of domestic violence, sexual assault or stalking for the employees' safety while at work. A reasonable accommodation may include the implementation of safety measures, such as a transfer, reassignment, modified schedule, changed work telephone, changed work station or installed lock; assistance in documenting domestic violence, sexual assault or stalking that occurs in the workplace; an implemented safety procedure; or another adjustment to the employee's job duties and position.

To request an accommodation under this policy, an employee should contact Human Resources. The company will engage the employee in a timely interactive process to determine effective reasonable accommodations.

## **2.9 Accommodation for Drug or Alcohol Treatment or Rehabilitation**

Vaughn will provide reasonable accommodations to employees who abuse alcohol or drugs by providing unpaid leave to enroll in a qualified treatment program. Employees may use accrued, unused sick leave when taking leave under this policy. Failure to enter, remain or successfully complete a qualified treatment program may result in termination of employment. Confidentiality of records and information will be maintained in accordance with all local, state and federal laws.

Entrance into a treatment program does not relieve an employee of the obligation to satisfy Vaughn's standards regarding employee performance, and participation will not prevent Vaughn from administering discipline for violation of its policies or relieve the employee of his or her responsibility to perform his or her job in a safe and efficient manner.

Vaughn may require any employee who has gone through substance abuse treatment to be evaluated by a Company-selected physician before being allowed to return to work.

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### 3. GENERAL EMPLOYMENT POLICIES

#### 3.1 Employee Classifications

All Vaughn employees are classified as exempt or non-exempt, full-time or part-time, or temporary. All employees are either exempt or non-exempt according to provisions of applicable federal and state wage and hour laws. An employee will not change from one status to any other status or classification simply because of the number of hours that the employee is scheduled to work, or the length of time spent as an employee.

Employment is at the mutual consent of the employee and Vaughn. Accordingly, either the employee or Vaughn can terminate the employment relationship at-will, at any time, with or without cause or advance notice.

##### 3.1.1 Exempt Employees

For purposes of federal and state wage and hour laws, exempt employees are those who exercise the requisite degree of discretion and independent judgment and perform certain administrative, professional, and/or executive duties. Exempt employees are expected to report for work and perform their jobs in a regular and timely manner. No overtime compensation will be paid to exempt employees.

##### 3.1.2 Non-Exempt Employees

For purposes of federal, state wage and hour laws, non-exempt employees are entitled to overtime pay in accordance with applicable law. Non-exempt employees may have to work hours beyond their normal schedules as work demands require. All non-exempt employees are required to obtain approval from their supervisor prior to working overtime. Failure to obtain such approval may subject an employee to discipline, up to and including termination.

Non-exempt employees are also required to take meal and rest periods in the manner described in this Handbook.

##### 3.1.3 Full-Time Employees

An employee who is regularly scheduled to work and regularly works 30 or more hours per week is considered a regular full-time employee. Generally, full-time employees are eligible for benefits, such as health care plans. However, eligibility for each benefit is ultimately governed by the applicable policy, plan document, and/or applicable law. Thus, there may be an instance in which a full-time employee is eligible for some but not all of available benefits.

##### 3.1.4 Part-Time Employees

An employee who is regularly scheduled to work and regularly works fewer than 30 hours per week is considered a regular part-time employee. Generally, part-time employees who work fewer than 30 hours per week are not eligible for benefits other than paid sick leave. In compliance with the Affordable Care Act (ACA), part-time employees who regularly work 30 or more hours per week are generally eligible for medical benefits as required by the ACA. Employees must meet the ACA eligibility requirements to participate in the medical health program offered by VNCLC.

##### 3.1.5 Temporary Employees

An employee who is hired for a particular project or job of limited or definite duration is considered a temporary employee. A temporary employee is not eligible to earn, accrue, or participate in any benefits program, except as otherwise required by law.

## **3.2 Job Duties**

Your supervisor will explain your job responsibilities and the performance standards expected of you. Be aware that your job responsibilities may change at any time during your employment. From time to time, you may be asked to work on special projects or to assist with other work necessary or important to the operation of your department or Vaughn. Your cooperation and assistance in performing such additional work is expected.

Vaughn reserves the right, at any time, with or without notice, to transfer, demote, suspend, administer discipline, change job responsibilities, and change the terms and conditions of employment at its sole discretion.

## **3.3 Hiring Process**

Vaughn Next Century Learning Center (VNCLC) has standard requirements for each position. These requirements represent the necessary qualifications to be considered for employment. VNCLC has a competitive selection process where multiple applicants will be reviewed for an opening. VNCLC shall select the candidate who demonstrates the best overall fit for the position, including skills, work experience, professional characteristics, and capacity to learn on the job.

## **3.4 Hiring Requirements**

### *3.4.1 Certification*

Teachers at Vaughn are required to hold a current California Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in public schools would be required to hold by law. Teachers of non-core subjects may not be required to comply with this policy.

### *3.4.2 Tuberculosis Testing*

No person shall be employed by Vaughn unless he or she provides proof of having submitted to a tuberculosis (TB) risk assessment within the past 60 days and that no risk factors have been identified. If TB risk factors are identified, or as an alternative to the assessment, the applicant must submit proof that a qualified professional has determined the employee is free of infectious TB following testing and examination. The examination, if required, shall consist of an approved intra-dermal tuberculin test that, if positive, shall be followed by an X-ray of the lungs. A person who transfers employment from another school can meet these requirements by providing a certificate from a qualified professional, or a verification from the prior school employer, that shows the person is found to be free of infectious TB within 60 days of initial hire.

An employee who has no identified risk factors or who tests negative for TB shall undergo the TB risk assessment and, if risk factors are identified, the examination, at least once every four years or more often if recommended by the local health officer.

The risk assessment, and examination if necessary, is a condition of initial employment, and the expense incident thereto shall be borne by the applicant.

### *3.4.3 Criminal Background Checks*

It is the policy of Vaughn to require fingerprinting and background checks for its employees consistent with legal requirements.

On a case-by-case basis, Human Resources shall determine whether a volunteer will have more than limited contact with students or consider other factors requiring a criminal background check for such a volunteer.

### *3.4.4 Immigration Compliance*

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9. The procedure has been established by law and requires every individual to present documentation establishing identity and employment eligibility no later than three business days after the employee begins work. Accordingly, all new hires must go through this procedure.

### *3.4.5 Mandated Trainings*

Every employee hired to work at Vaughn must complete an onboarding training with Human Resources and all required mandated trainings on the first day of work. New hires will not report to their assignments unless all mandated trainings are completed. In many cases, failure to complete mandated trainings within the given timelines will result in disciplinary action, up to including termination.

Supervisors who violate this section and allow new hires to assume assignments without completion of all mandated trainings will be subject to disciplinary action, up to including termination.

## **3.5 Reference Checks and Employment Verification**

Vaughn will respond to reference requests through the Human Resources Department. Vaughn will provide general information concerning the employee such as date of hire, date of discharge, and positions held. Requests for reference information must be in writing, and responses will be in writing.

When a reference check requires a supervisor to speak on the performance of an employee, any and all reference checks must be reviewed and approved by the Human Resources Manager before they are submitted to the requesting institution.

Please refer all requests for references to the Human Resources Department.

Employees contacted by outside sources, whether personally known or unknown to them, requesting an employment reference or employment verification for a current or former employee should NOT provide any information to the requesting individual or organization without the review and approval of the Human Resources Manager. Employees should refer the requesting individual or organization to the Human Resources Department.

## **3.6 Personnel Records**

The Human Resources team is responsible for maintaining personnel records. To keep our personnel records accurate and to comply with state and federal laws, you must notify your Human Resources Manager immediately of any change(s) in the following personnel information:

- Your name (whether by marriage or otherwise).
- Your home address and telephone number.
- Whom to inform in case of an emergency, including names and home and work telephone numbers and addresses.
- Withholding tax information (your marital status and correct number of dependents).
- Completion of education.
- Change of beneficiary on group life insurance or retirement.

You have a right to inspect or receive a copy of the personnel records that Vaughn maintains. Certain documents may be excluded or redacted from your personnel file by law, and there are legal limitations on the number of requests that can be made.

Any request to inspect or copy personnel records must be made in writing to the Human Resources Department. You can obtain a form for making such a written request from the Human Resources Department.

You may designate a representative to conduct the inspection of the records or receive a copy of the records. However, any designated representative must be authorized by you in writing to inspect or receive a copy of the records. Vaughn may take reasonable steps to verify the identity of any representative you have designated in writing to inspect or receive a copy of your personnel records.

The personnel records may be made available to you either at the school where you work or at a mutually agreeable location (with no loss of compensation for going to that location to inspect or copy the records). The records will be made available no later than 30 calendar days from the date Vaughn receives your written request to inspect or copy your personnel records (unless you/your representative and Vaughn mutually agree in writing to a date beyond 30 calendar days but no later than 35 calendar days from receipt of the written request).

Vaughn will attempt to restrict disclosure of your personnel file to authorized individuals within Vaughn. Any request for information from personnel files must be directed to Human Resources. Only Human Resources are authorized to release information about current or former employees. Disclosure of personnel information to outside sources will be limited. However, Vaughn will cooperate with requests from authorized law enforcement or local, state or federal agencies conducting official investigations and as otherwise legally required.

### **3.7 Open Door Policy**

Vaughn Next Century Learning Center (VNCLC) has an Open Door Policy which means our door is open to questions, comments, or concerns. We welcome suggestions for improving both VNCLC and employee working conditions.

If you have a concern, we ask that you first make your supervisor aware of the situation. If the concern is not resolved by your supervisor, you can bring the situation to the attention of your designated Human Resources Manager.

When working together from day to day, it is normal that people have problems, misunderstandings and differences of opinion affecting their working relationship. VNCLC values your input and you should feel free to raise issues of concern, in good faith and without fear of retaliation. While most differences can be worked out amicably between Employee(s) and/or with supervisors, it is realized that this is not always accomplished. For this reason, VNCLC's Open Door Policy is available for employees to escalate their concerns through appropriate channels, except regarding matters such as harassment, for which specific procedures are available. This process is intended to be handled as privately and confidentially as practicable. No complainant will be retaliated against or treated adversely by reason of initiating a complaint. If at any time you feel you need to escalate your concerns, please follow these steps:

- Within 24 hours of the occurrence, bring the situation to the attention of your site administrator who will then investigate and attempt to provide a solution or explanation.
- If the problem is not resolved, you may present the problem in writing to the Human Resources Department who will attempt to reach a final resolution.

Employees with concerns about illegal practices or violations of the School's policies are encouraged to report them to their supervisors or Human Resources. Employees may report these concerns to their supervisors or Human Resources,

or the Chief Executive Officer. Employees who come forward with credible information on illegal practices or policy violations will be protected from retaliation.

This procedure, which we believe is important for both you and Vaughn, cannot result in every problem being resolved to your satisfaction. However, Vaughn values your input and you shall feel free to raise issues of concern, in good faith, without the fear of retaliation.

### **3.8 Progressive Discipline**

Vaughn Next Century Learning Center (VNCLC) progressive discipline policy and procedures are designed to provide a structured corrective action process to improve and prevent a recurrence of undesirable employee behavior and performance issues.

Outlined below are the steps of VNCLC progressive discipline policy and procedures. VNCLC reserves the right to combine or skip steps depending on the facts of each situation and the nature of the offense. Some of the factors that will be considered are whether the offense is repeated despite coaching, counseling or training; the employee's work record; and the impact the conduct and performance issues have on the organization.

Supervisors play a crucial role in the Progressive Discipline process and bare responsibility for the proper documentation, counseling session(s), and the support to the employee.

Nothing in this policy provides any contractual rights regarding employee discipline or counseling, nor should anything in this policy be read or construed as modifying or altering the employment-at-will relationship between VNCLC and its employees.

Progressive discipline is a method of discipline that uses gradual steps for dealing with problems related to an employee's conduct or performance that do not meet clearly defined standards and policies. The ultimate objective of progressive discipline is to help employees correct conduct problems and resolve performance issues in the earliest stages. Using a progressive discipline system:

- Provides a consistent, objective and fair process for disciplining.
- Promotes open communication between a supervisor and his or her employee.
- Improves employee productivity.
- Potentially increases employee retention by resolving issues.
- Provides important documentation should a termination become necessary.

The Human Resources Department will determine the course of action best suited to the circumstances. The steps taken at the minimum shall include the following:

#### **Step 1: Counseling**

For a first offense where the infraction is minor, an oral discussion characterized as "counseling" is usually appropriate. The employee's supervisor should inform the employee of the infraction and clearly advise the employee both of the conduct expected and that future infractions may result in more severe discipline. Counseling sessions are different from verbal warnings because counseling sessions are used as a pre-emptive measure before the problem becomes too serious.

#### **Step 2: Verbal Warning**

A verbal warning may be appropriate for a more serious offense where counseling is inadequate. It is also a step following counseling. When issuing an oral warning, the supervisor should clearly advise the employee as to what is needed to remedy the employee's infraction and advise the employee that more severe disciplinary consequences will follow if the infraction is repeated.

#### Step 3: Write up

The next step in a progressive discipline is a write up. A write up usually follows an unsuccessful verbal warning, or new problems that have arisen. This document should clearly state the infraction and the consequences for a repeat offense. The write up should be addressed to the employee and a copy placed in the employee's personnel file. The determination of how many write up's will be determined by the nature of the disciplinary issues that generally arise.

#### Step 4: Termination

Depending on the nature or repetition of the offense, the employee may be terminated if he/she does not improve his/her performance, or has violated work place conduct policy. The decision to terminate an employee should be one made as the result of consultation and approval from the Human Resources Department. The decision should never be made by a single person. Consistency is important. A supervisor can expose the organization to various legal claims if one employee is discharged for an infraction while another employee is merely suspended for a few days for the same infraction.

### **3.9 Voluntary Terminations**

A voluntary termination of employment occurs when an employee submits a written or verbal notice of resignation, including intent to retire to their supervisor. Except as otherwise provided by law, an employee who fails to report to work for three or more consecutively scheduled workdays without notice to, or approval by their supervisor, will, in most cases, be deemed to have voluntarily terminated their employment with Vaughn.

Employees are requested to provide a minimum of two weeks' notice of their intention to separate employment. The employee should provide a written resignation notification to their manager. Because the students' and community's adjustment to the loss of a teacher is paramount in this communication, its timing is extremely important and must, whenever possible, be concluded in a respectful manner by the employee or Vaughn providing at least two (2) weeks' notice well before the end of the school year.

Upon receipt of an employee's resignation, the manager will notify Human Resources by sending a copy of the resignation letter and any other pertinent information (e.g., employee's reason for leaving, last day of work).

Human Resources will coordinate the employee's departure from the company. This process will include a review of the employee's post-termination benefits status and the employee's completion of an exit interview. All company property (laptops, cell phones, student files, student grades and work product, lesson plans, keys, files, identification badges, credit cards, etc.) must be returned immediately upon termination of employment.

### **3.10 Reporting Post-Graduate Units**

Vaughn recognizes the academic advancement of its employees by providing compensation for qualifying positions (in qualifying pay plans). Post-graduate units must be completed at accredited colleges and universities and directly related to the K-12 subjects commonly taught at Vaughn and the coursework must also enhance the employee's knowledge of the subject(s) taught as well as increase the methodology skills associated with teaching those subjects. Units completed by qualifying employees that are part of a bachelor's degree cannot be counted as post-graduate units.

To ensure that semester and quarter units have the same weight in determining post-graduate units, quarter units awarded by some institutions of higher education in place of semester units shall be computed as the equivalent to two-thirds of a semester unit (or 1.5 quarter units = 1 semester unit). Similarly, Continuing Education Units (CEU) will be converted to semester units for purposes of education advancement, where 1.5 CEUs (15 contact hours) is equivalent to one (1) semester unit.

To report post-graduate units submit (a) Form CR (HR-0322) and (b) official transcripts including all reported units to your Human Resources Manager. Subsequently, the Human Resources Manager will verify the satisfactory completion of units and recommend certification to the Human Resources Director. Upon certification, the employee will receive correspondence with the outcome of the post-graduate units submission.

Employees may file, in writing, a request for review within five (5) business days of receipt of correspondence with the outcome of the post-graduate units submission, if they believe that eligible units were not accounted for. Failure to file such a request for review will constitute acceptance of the outcome of post-graduate units submission.

The effective date of the advancement in the pay plan, due to reporting qualifying units and meeting unit requirements, will be the first full pay period after (a) Form CR (HR-0322) and (b) official transcripts are submitted to Human Resources.

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## 4. WORKPLACE CONDUCT

### 4.1 Prohibited Conduct

The following conduct is prohibited and will not be tolerated by Vaughn. This list of prohibited conduct is illustrative only; other types of conduct injurious to security, personal safety, employee welfare, and Vaughn's operations also may be prohibited.

Violation of the following standards may result in disciplinary action, up to and including immediate termination:

- Falsification of employment records, employment information, or other School records. This includes making false statements or omitting material information in the application procedure for employment.
- Falsifying any time record.
- Theft, damage, or destruction of any School property or the property of any employee or student.
- Removing or borrowing School property without prior authorization.
- Unauthorized use of School equipment, time, materials, or facilities.
- Provoking a fight or fighting during working hours or on School property.
- Participating in horseplay on School time or on School premises.
- Carrying firearms or any other dangerous weapons on School premises at any time.
- Causing, creating, or participating in a disruption of any kind during working hours on School property.
- Insubordination, including, but not limited to, failure or refusal to obey the legitimate orders or instructions of a supervisor or administrator, or the use of abusive or threatening language toward a supervisor or administrator.
- Using abusive, profane, threatening, indecent, or foul language and/or having inappropriate physical contact with students, parents, or other employees at any time on School premises.
- Unreported absences.
- Failure to observe working schedules, including meal and rest periods.
- Sleeping or malingering on the job.
- Working overtime without authorization or refusing to work assigned overtime.
- Working "off the clock" or failing to record or report all hours worked.
- Failing to keep confidential information pertaining to parents, students, or vendors.
- Failing to disclose outside employment and activities to Vaughn in violation of the Vaughn Moonlighting Policy.
- Violation of any safety, health, security, or other School policies, rules, or procedures.
- Committing a fraudulent act or a breach of trust under any circumstances.
- Engaging in unlawful harassment, discrimination, or retaliation.
- Making false or malicious statements about any employee, parent or student, or about Vaughn.



- Poor personal hygiene and grooming habits unless otherwise protected by law.
- Gambling of any type on School premises.
- Violation of the Drug and Alcohol Abuse Policy, including, but not limited to, refusing to submit to a drug/alcohol test mandated by Vaughn.
- Unauthorized use of cameras or other recording devices on School premises.
- Intentionally supplying false information in order to obtain a leave of absence or other benefits from Vaughn.
- Poor attendance, including, but not limited to, habitual tardiness and/or absenteeism, leaving early without permission, absence from work without permission, and abuse of time during work hours, to the extent permitted by law.
- Unsatisfactory work performance.
- Unfit for service, including the inability to appropriately instruct or associate with students.
- Performing unauthorized work on School time.
- Failure to observe designated areas limiting smoking, eating, drinking, or other activities.
- Smoking or using tobacco products (including vaping) on School property.

This statement of prohibited conduct does not alter Vaughn’s policy of at-will employment. Vaughn and you retain the right to terminate the employment relationship at any time, with or without reason or advance notice.

## **4.2 Employee-Student Relations Policy**

While the use of appropriate touching is part of daily life and is important for student development, teachers and other staff members 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.

### *4.2.1 Boundaries Defined*

For the purposes of this policy the term “boundaries” is defined as acceptable professional behavior by staff members while interacting with a student. Trespassing beyond the boundaries of a student-teacher relationship is deemed an abuse of power and a betrayal of public trust.

### *4.2.2 Acceptable and Unacceptable Behaviors*

Some activities may seem innocent from a staff member’s perspective but may be perceived as flirtation or sexual insinuation from a student or parental point of view. The purpose of the following lists of unacceptable and acceptable behaviors is not to restrain innocent, positive relationships between staff and students, but to prevent relationships that could lead to or may be perceived as inappropriate, or sexual misconduct, or “grooming.” Grooming is defined as an act or series of acts by a sexual predator to gain physical and/or emotional control by gaining trust (of staff and/or family and a minor) and desensitizing the minor to various forms of touching and other intimate interaction.

Staff members must understand their own responsibilities for ensuring that they do not cross the boundaries as written in this policy. Violations could subject the teacher or staff member to discipline up to and including termination. Disagreeing with the wording or intent of these established boundaries will be considered irrelevant for any required

disciplinary purposes. Thus, it is critical that all employees study this policy thoroughly and apply its spirit and intent in their daily activities.

#### 4.2.3 Unacceptable Behaviors

These lists (and any subsequent lists) are not meant to be all-inclusive, but rather, illustrative of the types of behavior we intend to address by this policy.

- Giving gifts to an individual student that are of a personal and intimate nature (including photographs); or items such as money, food, outings, electronics, etc. without the written pre-approval of the Principal or School Leader. It is recommended that any such gifts be filtered through Human Resources along with the rationale therefor.
- Kissing of ANY kind
- Massage
- Full frontal or rear hugs and lengthy embraces
- Sitting students on one's lap (grades 3 and above)
- Touching buttocks, thighs, chest or genital area
- Wrestling with students or other staff member except in the context of a formal wrestling program
- Tickling or piggyback rides
- Any form of sexual contact
- Any type of unnecessary physical contact with a student in a private situation
- Intentionally being alone with a student away from school
- Furnishing alcohol, tobacco products, or drugs or failing to report knowledge of such
- "Dating" or "going out with" a student
- Remarks about physical attributes or physiological development of anyone. This includes comments such as "Looking fine!" or "Check out that [body part]."
- Taking photographs or videos of students for personal use or posting online
- Undressing in front of a student
- Leaving campus alone with a student for lunch
- Sharing a bed, mat, or sleeping bag with a student
- Making, or participating in, sexually inappropriate comments
- Sexual jokes, or jokes/comments with sexual overtones or double-entendres
- Seeking emotional involvement (which can include intimate attachment) with a student beyond the normative care and concern required of an educator.
- Listening to or telling stories that are sexually oriented

- Discussing your personal troubles or intimate issues with a student
- Becoming involved with a student so that a reasonable person may suspect inappropriate behavior
- Giving students a ride to/from school or school activities without the express, advance written permission of the Administrator on duty and the student's parent or legal guardian
- Being alone in a room with a student at school with the door closed and/or windows blocked from view
- Allowing students at your home and/or in rooms within your home without signed parental permission for a pre-planned and pre-communicated educational activity which must include another educator, parent, or designated school volunteer
- Staff mirroring the immature behavior of minors
- Sending emails, text messages, social media responses, making phone calls, or sending notes or letters to students if the content is not about school activities. Communication via private social media accounts is not acceptable.

#### *4.2.4 Acceptable Behaviors*

- Pats on the shoulder or back
- Handshakes
- "High-fives" and hand slapping
- Touching face to check temperature, wipe away a tear, remove hair from face, or other similar types of contact
- Placing TK through second grade students on one's lap for purposes of comforting the child for a short duration only
- Holding hands while walking with small children or children with significant disabilities
- Assisting with toileting of small or disabled children in view of another staff member
- Touch required under an IEP or 504 Plan
- Reasonable restraint of a violent person to protect self, others, or property
- Obtaining formal written pre-approval from the Administrator on duty to take students off school property for activities such as field trips or competitions, including parent's written permission and waiver form for any sponsored after-school activity whether on or off campus
- Emails, text-messages, phone conversations, and other communications to and with students, if permitted, must be professional and pertain to school activities or classes (communication should be initiated via transparent [non-private] school-based technology and equipment)
- Keeping the door wide open when alone with a student
- Keeping reasonable and appropriate space between you and the student
- Stopping and correcting students if they cross your own personal boundaries, including touching legs, or buttocks, frontal hugs, kissing, or caressing
- Keeping administration informed when a significant issue develops about a student, such as a change in demeanor or uncharacteristic behavior

- Keeping after-class discussions with a student professional and brief
- Immediately asking for advice from senior staff or administration if you find yourself in a difficult situation related to boundaries
- Involving your supervisor in discussion about boundaries situations that have the potential to become more severe (including but not limited to: grooming or other red flag behaviors observed in colleagues, written material that is disturbing, or a student's fixation on an adult)
- Making detailed notes about an incident that in your best judgement could evolve into a more serious situation later
- Recognizing the responsibility to stop Unacceptable Behaviors of students and/or co-workers
- Asking another staff member to be present, or within close supervisory distance, when you must be alone with a student after regular school hours
- Prioritizing professional behavior during all moments of student contact
- Asking yourself if any of your actions, which are contrary to these provisions, are worth sacrificing your job and career.

This policy does not prevent:

1. touching a student for the purpose of guiding them along a physical path;
2. helping them up after a fall; or
3. 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, another person, or the child or to protect property is legally permitted. Excessive force is prohibited.

#### *4.2.5 Boundaries Reporting*

When any staff member, parent, or student becomes aware of a staff member (or volunteer, guest, vendor) having crossed the boundaries specified in this policy, or has a strong suspicion of misconduct, he or she must report the suspicion to Human Resources promptly. Reasonable suspicion means something perceived in spite of inconclusive or slight evidence. It is based on facts that would lead a reasonable person to believe the conduct occurred. Prompt reporting is essential to protect students, the suspected staff member, any witnesses, and the school as a whole. Employees must also report to the administration any awareness of, or concern about, student behavior that crosses boundaries, or any situation in which a student appears to be at risk for sexual abuse.

#### *4.2.6 Child Abuse Reporting*

If, within your professional capacity or within the scope of your employment, you observe or gain possession of knowledge that a child has been a victim of child abuse or sexual abuse, or you reasonably suspect it, California Penal Code Section 11166 requires you to immediately report this information or suspicion to a child protective agency or the police. The report shall be made by phone as soon as possible and a subsequent written report must be sent within 36 hours of your knowledge or suspicion of the abuse. Internal reporting to the Human Resources Department occurs after the phone-in report. Failure to meet these obligations can result in a monetary fine and/or jail.

#### *4.2.7 Investigating*

Human Resources will promptly investigate and document the investigation of any allegation of sexual misconduct or inappropriate behavior by a staff member, using such support staff or outside assistance, as he or she deems necessary and appropriate under the circumstances. Throughout this fact-finding process, the investigating administrator, and all others privy to the investigation, shall protect the privacy interests of any affected student(s) and/or staff member(s) including any potential witnesses, as much as possible. The investigating administrator shall promptly notify the Governing Board in closed session of the existence and status of any investigations. Upon completion of any such investigations, Human Resources shall report to the Governing Board any conclusions reached. The investigating administrator shall consult with legal counsel, as appropriate, prior to, during, and after conducting any investigation.

#### *4.2.8 Consequences*

Staff members who have violated this policy will be subject to appropriate disciplinary action, and where appropriate, will be reported to authorities for potential legal action.

### **4.3 Confidential School Information**

Employee and staff are in daily contact with and have access to confidential and privileged information about students, their families, faculty, staff, other employees, and business dealings of Vaughn. To protect the privacy and integrity of Vaughn, its faculty, the students and their families, it is imperative that such information never be divulged or otherwise improperly used by faculty or staff members. Employees are responsible for safeguarding confidential information obtained during their employment with Vaughn. Any breach of this policy will not be tolerated and may result in termination.

Information about Vaughn, its Employees, students, suppliers, and vendors is to be kept confidential and divulged only to individuals within Vaughn with both a need to receive and authorization to receive the information. If in doubt as to whether information shall be divulged, err in favor of not divulging information and discuss the situation with your manager.

All records and files maintained by Vaughn are confidential and remain the property of Vaughn. Records and files are not to be disclosed to any outside party without the express permission of the Chief Executive Officer. Confidential information includes but is not limited to financial records; personnel and payroll records regarding current and former Employees; the identity of, contact information for, and any other information on students, vendors, and suppliers; programs, trade secrets, and any other documents or information regarding Vaughn's operations, procedures, or practices. Confidential information may not be removed from Vaughn premises without express authorization.

Confidential information obtained during or through employment with Vaughn may not be used by any Employee for the purpose of furthering current or future outside employment or activities or for obtaining personal gain or profit. Vaughn reserves the right to seek all legal or equitable remedies to prevent impermissible use of confidential information or to recover damages incurred as a result of the impermissible use of confidential information. Employees may be required to enter into written confidentiality agreements confirming their understanding of Vaughn's confidentiality policies.

To protect the privacy and integrity of Vaughn its faculty, the students and their families, it is imperative that such information never be divulged or otherwise improperly used by Employees. Employees are responsible for safeguarding confidential information obtained during their employment with Vaughn. Any breach of this policy will not be tolerated and may result in termination.

## 4.4 Dress Code

Employees are expected to maintain the highest standards of personal cleanliness and present a neat, clean, and professional appearance at all times to the extent permitted by applicable law. Employees should wear clothing appropriate for the nature of our business and the type of work performed. Some employees may be required to wear uniforms or safety equipment/clothing as a requirement of their position. The acceptable business casual attire described below is allowed as permitted by Cal/OSHA (Occupational Safety and Health Administration) regulations. These guidelines apply whenever an employee is onsite for business purposes including but not limited to during school hours, before school begins, during conference periods, during after-school tutoring, and when representing Vaughn at off-campus events and activities.

### 4.4.1 Guidelines for Business Casual Attire

#### **Slacks, Pants, and Shorts**

##### **Acceptable slacks, pants and shorts include:**

- Slacks that are similar to Dockers and dressy capris.
- Jeans that are in good repair, of single consistent coloring. Jeans should not have a worn appearance or be torn whether intentional or not. (Jeans may be worn unless conducting interviews or any event that requires formal or business dress attire.) Shorts that are knee length, fully tailored, properly fitted, worn above the hips and made of non-denim materials.
- Tights, leggings must be accompanied by a top and/or bottom (shorts/skirts) that are at a minimum, mid-thigh length.

##### **Unacceptable slacks, pants, and shorts include:**

- Pants that are low cut or that expose underwear; pants worn below the hips with or without belts; pants shorter than “mid-calf length;” baggy pants
- Sweat pants, running or track suits, basketball shorts (**acceptable ONLY for Physical Education teaching**)

#### **Skirts and Dresses**

##### **Acceptable skirts and dresses include:**

- Dresses and skirts of a length that permit an employee to stand, sit, stoop, and bend over comfortably in public.
- Casual dresses and skirts that are split at or below the knee.

##### **Unacceptable skirts and dresses include:**

- Backless or strapless dresses or
- See-through dresses unless worn over opaque tops and pants.

#### **Shirts, Tops, and Blouses**

Acceptable shirts, tops, and blouses include dress shirts, sweaters, tops, golf-type shirts, turtlenecks, and casual shirts.

Site Staff may wear, or be asked to wear, Vaughn Next Century Learning Center shirts for field trips or other occasions.

##### **Unacceptable shirts, tops, and blouses for All Employees:**

- Backless or strapless shirts, see-through tops, unless worn over opaque under-tops
- Tops that expose underwear or underwear straps; tops that expose cleavage when standing, stooping, or bending over; halter or tube tops
- Top and pant combinations that expose the midriff or underpants in front or in back when standing, bending, squatting, or moving around

### **Shoes and Footwear**

#### **Acceptable footwear includes:**

- Sneakers, loafers, heels with a max height of 2", boots, flats, and leather deck-type shoes are acceptable choices.
- Staff must have closed toe shoes that fit the above descriptions.
- While in an office and classroom setting, sandals are also acceptable.
- Open toed shoes are also acceptable while in an office and classroom setting.

#### **Unacceptable footwear includes:**

- Flip-flop style shoes, sandals or any type of shoes without a back strap when attending off-site activities such as field trips, excursions, or when conducting interviews or any event that requires formal or business dress attire.

### **Hats and Head-Coverings**

- Hats or caps with the VNCLC logo may be worn indoors.
- Other hats, caps, or head coverings may be worn outdoors for sun protection. Baseball-type caps must be worn forward-facing.

#### *4.4.2 Dress Code Violations*

Human Resources may require employees to remove or cover items that are prohibited under this Policy. If doing so requires an employee to leave the work site to change into clothing or footwear that complies with this policy, or to otherwise bring an employee's appearance into compliance with this Policy, such time away from work will not be compensated for non-exempt employees. Reasonable accommodation will be made when required.

Repeated failure to comply with this Policy may be grounds for disciplinary action, up to and including termination.

### **4.5 Attendance and Punctuality**

Each of our employees plays an important role in getting the day's work done. Therefore, each employee is expected to be at his or her workstation on time each day and to remain there throughout his or her scheduled hours. Tardiness, even for good reasons, is disruptive to our operations and interferes with our ability to satisfy our students' needs. Excessive tardiness, excused or unexcused, can result in discipline, up to and including termination, to the extent allowed by applicable law.

If you are going to be late for work for any reason, personally notify your supervisor as far in advance as possible and in any case no less than two hours before your shift starts so that proper arrangements can be made to handle your work during your absence. Of course, some situations may arise in which prior notice cannot be given. In those circumstances, notify your supervisor as soon as possible. Because voice mail messages may go unheard for significant

periods of time, leaving a voice mail message is not a sufficient method of notifying your supervisor—you must personally contact your supervisor in a timely manner. If you are required to leave work early, you must also personally contact your supervisor and obtain his or her permission. If you are a teacher and will be late or absent, you must follow all applicable substitute teacher policies and procedures.

As an employee of Vaughn, you are also expected to be regular in attendance. Any absence causes problems for those whom you serve and your fellow employees as well as your supervisor. When you are absent, others must perform your workload, just as you must assume the workload of others who are absent. Employees are expected to report to work as scheduled, on time, and prepared to start work. Employees also are expected to remain at work for their entire work schedule, except for meal and rest periods when appropriate or when required to leave on authorized School business.

**Teachers are expected to arrive at least 20 minutes before school starts and leave no earlier than 15 minutes after dismissal.** If leaving 15 minutes after dismissal conflicts with school professional development, school sponsored activities to which teachers are expected to attend, or meetings (including faculty, committee, IEPs, 504s, SSPTs), teachers are expected to remain at work and attend such commitments in their entirety. Late arrival, early departure, or other absences from scheduled hours are disruptive and must be avoided.

In all cases of absence, employees must provide their supervisor with an honest reason or explanation. Employees also must inform their supervisor of the expected duration of any absence. Absent extenuating circumstances, you must call in on any day you are scheduled to work and will not report to work. Excessive, unexcused absenteeism will not be tolerated and, to the extent allowed by applicable law, may result in disciplinary action, up to and including termination.

Except as otherwise provided by law, if you fail to report for work without any notification to your supervisor and your absence continues for a period of three consecutively scheduled workdays, Vaughn will, in most cases, consider that you have abandoned your employment and have voluntarily resigned.

#### **4.6 Clocking In and Out (Hourly Employee Responsibilities)**

All hourly staff members are required to punch in at arrival and punch out upon departure daily, either on their phone or hand scan device located at each campus' main office. Failure to do so will result in error of attendance reporting and related pay.

1. Employees are only allowed to punch in 1-2 minutes prior to start time and 1-2 minutes after end time. Each position is allocated a set number of hours per year. Failure to comply will result in a formal conference with your supervisor and may lead to disciplinary action.
2. Employees must punch in and out for their entire lunch break accordingly
  - Lunch must be taken before the end of the fifth work hour and no less than 30 minutes. Paycom will not allow you to clock in earlier than 30 minutes.
  - Example: If your "In Day" is at 7:30 a.m. and you are taking a 30 minute lunch, you must take a lunch break by 12:30 p.m. and end at 1:00 p.m.
3. Review and approve your timesheet on a daily or weekly basis via the Paycom application to ensure accuracy. Punch requests should be rare and only applied during system failure. For further assistance, reach out to your supervisor. If the issue is not yet resolved, please schedule an appointment with the Payroll Associate.
  - More than three punch requests (adjustments) per month will result in a conference with your supervisor.
  - If concerns persist, the supervisor will notify the HR department for next steps including disciplinary action.



## 4.7 Computer Usage and Privacy

Every user who is provided access to Vaughn's Communications Systems is responsible for using the Communications Systems in accordance with this policy. Any questions about this policy should be addressed to Human Resources.

### 4.7.1 Definitions

Vaughn's electronic communications systems ("Communications Systems") includes, but is not limited to, computers, laptops, e-mail, telephones, cellular phones, tablets, PDAs, text messaging, instant messaging, video conferencing, voice mail, facsimiles, and connections to the Internet and other internal or external networks.

### 4.7.2 Ownership and Conditions of Use

The Communications Systems is the property of Vaughn. It has been provided by Vaughn for the sole purpose of conducting School-related business as well as other business that is approved by department director. All communications and information transmitted by, received from, or stored in these systems are School records and the property of Vaughn.

Electronic communications are a means of business communication. Vaughn requires all users to conduct themselves in a professional manner. Users should conduct all electronic communications with the same care, judgment, and responsibility that they would use when sending letters or memoranda written on School letterhead. Special care must be taken when posting any information on the Internet because of the potentially broad distribution of and access to such information.

To protect the integrity of Vaughn's Communications Systems and the users thereof against unauthorized or improper use of these systems, Vaughn reserves the right, without notice, to limit or restrict any individual's use, and to inspect, copy, remove, or delete any unauthorized use of its Communications Systems upon authorization of the Chief Executive Officer. Vaughn also reserves the right periodically to monitor the use of its Communications Systems and to access users' voice mail, Internet access, and e-mail for that purpose or any other business-related purpose upon authorization of the Chief Executive Officer.

Erasing an e-mail message from a mailbox does not necessarily erase all copies of the message on the network. Archived copies may be stored for substantial periods of time and are subject to the provisions of this policy regarding content, review, access, and disclosure. Users are required to comply with Vaughn's Computer Usage and Privacy Policy and agree to be bound by this policy by using Vaughn's Communications Systems.

### 4.7.3 Confidentiality and Privileges

Information stored on the Communications Systems is intended to be kept confidential within Vaughn. Vaughn has taken all reasonable steps to assure confidentiality and security. Like other means of communication, however, it is not possible to guarantee complete security of electronic communications either within or outside Vaughn, and care should be exercised when sending or receiving sensitive, privileged, or confidential information electronically. For example, information sent through the Internet can be monitored by external systems in route to its final destination. All users must keep this in mind when forwarding sensitive, confidential, and/or privileged information. Where appropriate, this fact should be disclosed to outside contacts.

### 4.7.4 Prohibited Use

Users are prohibited from using the Communications Systems for any unauthorized or unlawful purpose, including, but not limited to, the following:

Users of the Communications Systems are strictly prohibited from using the Communications Systems to deliver a message that is harassing or offensive on the basis of race, religious creed (which includes religious dress and grooming practices), color, national origin (which includes, but is not limited to, national origin groups and aspects of national origin, such as height, weight, accent, or language proficiency), ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex (which includes pregnancy, childbirth, breastfeeding, and related medical conditions), gender, gender identity, gender expression, age, sexual orientation, military or veteran status (including state and federal active and reserve members as well as those ordered to duty or training), immigration/citizenship status or related protected activities (which includes undocumented individuals and human trafficking), or any other consideration made unlawful by federal, state, or local laws, ordinances, or regulations. Vaughn has policies against discrimination, harassment, and retaliation, and those policies apply to the use of the Communications Systems.

Users are prohibited from using the Communications Systems for transmitting or making accessible annoying, offensive, defamatory, or harassing material or intentionally damaging or violating the privacy of information of others.

Users are prohibited from using the Communications Systems to transmit, display, store, publish, or purposely receive any pornographic, obscene, or sexually explicit material. Users are prohibited from using the Communications Systems for visiting, or transmitting or receiving data to or from, social networking websites, including, but not limited to, Facebook, Twitter, Pinterest, LinkedIn, YouTube, Instagram, TikTok, and MySpace.

Users must respect all copyrights and licenses to software and other online information, and may not upload, download, or copy software or other material through the Communications Systems without the prior written authorization of the Chief Executive Officer.

Users must not alter, copy, transmit, or remove School information, proprietary software, or other files without proper authorization from Vaughn.

Users are prohibited from reading, copying, recording, or listening to messages and information delivered to another person's e-mail and voice mail mailboxes without proper authorization, based on legitimate business reasons, from the Chief Executive Officer. Anyone who receives an electronic communication for which he or she is not the intended recipient must immediately inform the sender that the message was sent improperly and must delete the message from their e-mail and voice mail mailboxes.

#### *4.7.5 Access and Disclosure*

The Communications Systems is provided solely for the purpose of conducting Vaughn business. Incidental and occasional personal use of the Communications Systems is permitted, but such communications must not disrupt School business, and users do not have any expectation of personal privacy in any matters stored in, created, received, or sent over the Communications Systems.

Vaughn, as owner of the Communications Systems, to protect the integrity of its systems from unauthorized or improper use, reserves the right for legitimate business reasons, upon authorization of the Chief Executive Officer, to monitor, access, retrieve, download, copy, listen to, or delete anything stored in, created, received, or sent over its Communications Systems without the permission of or prior notice to any user.

Although Vaughn entrusts you with the use of voice mail, e-mail, computer files, software, or similar School property, you should keep in mind that these items have been installed and maintained at great expense to Vaughn and are only intended for business purposes. At all times, they remain School property. Likewise, all records, files, software, and electronic communications contained in these systems also are School property. You are advised that electronic files, records, and communications on School computer systems, electronic communication systems, or through the use of

School telecommunications equipment are not private. Although they are a confidential part of School property, you should not use this equipment or these systems for confidential messages. The use of passwords to limit access to these systems is only intended to prevent unauthorized access to voice mail, e-mail, and computer systems, files, and records. Additionally, these systems are subject to inspection, search, and/or monitoring by School personnel for any number of business reasons. As a result, employees do not have an expectation of privacy in this regard. Accordingly, these systems and equipment should not be used to transmit personal messages, except in necessary situations or when exceptions are specifically sanctioned by management. Voice mail messages and e-mail messages should be routinely deleted when no longer needed. Vaughn is not responsible for costs incurred when employees use School telephones or e-mail systems for personal matters.

You should be advised to use voice mail and e-mail as cautiously as you would use any more permanent communication medium such as a memorandum or letter.

You should realize that e-mail messages:

- May be saved and read by third parties.
- May be retrieved even after “deletion.”
- May be accessed by authorized service personnel.
- May be examined by management without notice for business purposes.

There will be times when Vaughn in order to conduct business, will utilize its ability to access your e-mail, voice mail, computer files, software, or other School property. Vaughn also may inspect the contents of your voice mail, e-mail, computers, computer files, or software to monitor job performance, for training or quality control purposes, or when Vaughn suspects that School property is being used in an unauthorized manner.

Vaughn reserves the right to use and disclose any electronic non-privileged communication on its Communications Systems without the permission of or any prior notice to any user, including disclosure to law enforcement officials.

#### *4.7.6 Discipline for Violations of Policy*

Any person who discovers misuse of the Internet access or any of Vaughn’s Communications Systems should immediately contact Human Resources. Any user who violates any part of this policy will be subject to discipline, up to and including immediate termination.

#### *4.7.7 Policy May Be Amended at Any Time*

The pace of technological change and growth in electronic communications is rapid. This policy applies to all present and future electronic communications systems and devices and to improvements and innovations to existing systems and devices and to completely new technologies, devices, and systems. Vaughn reserves the right to amend this policy at any time through an authorized writing from an authorized School representative.

### **4.8 Social Media**

In light of the explosive growth and popularity of social media technology in today’s society, Vaughn has developed the following policy to establish rules and guidelines regarding the appropriate use of social media by employees.

This policy applies to situations when you:

1. make a post to a social media platform that is related to Vaughn;

2. engage in social media activities during working hours;
3. use School equipment or resources while engaging in social media activities;
4. use your School e-mail address to make a post to a social media platform;
5. post in a manner that reveals your affiliation with Vaughn;
6. interact with School students or parents/guardians of School students (regarding School-related business) on the Internet and on social media sites; or
7. create or use a School-affiliated social media account.

For the purposes of this policy, the phrase “social media” refers to the use of a website or other electronic application to connect with other people, including, but not limited to, Facebook, Twitter, Pinterest, LinkedIn, YouTube, Instagram, and MySpace, as well as related web-based media, such as blogs, wikis, and any other form of user-generated media or web-based discussion forums. Social media may be accessed through a variety of electronic devices, including computers, cell phones, smart phones, PDAs, tablets, and other similar devices.

This policy is intended to supplement, not replace, Vaughn’s other policies, rules, and standards of conduct. For example, School policies on confidentiality, use of School equipment, professionalism, employee references and background checks, workplace violence, unlawful harassment, and other rules of conduct are not affected by this policy.

You are required to comply with all School policies whenever your social media activities may involve or implicate Vaughn in any way, including, but not limited to, the policies contained in this Handbook.

#### *4.8.1 Standards of Conduct*

You are required to comply with the following rules and guidelines when participating in social media activities that are governed by this policy:

- Comply with the law at all times. Do not post any information or engage in any social media activity that may violate applicable local, state, or federal laws or regulations.
- Do not engage in any discriminatory, harassing, or retaliatory behavior in violation of School policy.
- Respect copyright, fair use, and financial disclosure rules and regulations. Identify all copyrighted or borrowed material with proper citations and/or links.
- Maintain the confidentiality of Vaughn’s trade secrets and private or confidential information. Trade secrets may include information regarding the development of systems, processes, products, know-how, and technology. Do not post internal reports, policies, procedures, or other internal business-related confidential communications. This prohibition applies both during and after your employment with Vaughn.
- Do not post confidential information (as defined in this Handbook) about Vaughn, its employees, or its students. Remember that most student information is protected by the Family Educational Rights and Privacy Act, including any and all information that might identify the student. Publicizing student work and accomplishments is permitted only if appropriate consents are obtained.
- You may not engage in social media activities during working hours. Do not use your School -authorized e-mail address to register on social media websites, blogs, or other online tools utilized for personal use.

- Be knowledgeable about and comply with Vaughn's background check procedures. Do not "research" job candidates on the Internet or social media websites without prior approval from Administration.
- Be knowledgeable about and comply with Vaughn's reference policy. Do not provide employment references for current or former employees, regardless of the substance of such comments, without prior approval from Human Resources.
- Always be fair and courteous to fellow employees, students, parents, vendors, customers, suppliers, or other people who work on behalf of Vaughn. Avoid posting statements, photographs, video, or audio that could be reasonably viewed as malicious, obscene, threatening, or intimidating, that disparage employees, students, parents, vendors, customers, suppliers, or other people who work on behalf of Vaughn or that might constitute harassment or bullying.
- Make sure you are always honest and accurate when posting information or news, and if you make a mistake, correct it quickly. Never post any information or rumors that you know to be false about Vaughn, fellow employees, students, parents, vendors, customers, suppliers, people working on behalf of Vaughn, or competitors.
- Express only your personal opinions. Never represent yourself as a spokesperson for Vaughn unless authorized to do so. If you publish social media content that may be related to your work or subjects associated with Vaughn make it clear that you are not speaking on behalf of Vaughn and that your views do not represent those of Vaughn, fellow employees, students, parents, vendors, customers, suppliers, or other people working on behalf of Vaughn. It is best to use a disclaimer such as "The postings on this site are my own and do not necessarily reflect the views of Vaughn."
- Never be false or misleading with respect to your professional credentials.

#### *4.8.2 Creating and Using School Social Media*

Employees are only permitted to communicate and connect with students on social media that is owned and operated by Vaughn. Employees are only permitted to communicate and connect with students' parents or guardians regarding School-related matters on social media that is owned and operated by Vaughn. All communications with parents or guardians regarding School-related matters on non-School or personal social media may result in disciplinary action, up to and including termination. Any communication whatsoever with students on non-School or personal social media may result in disciplinary action, up to and including termination.

The IT Department, in addition to Administration, is responsible for creating School social media, monitoring School social media for inappropriate and unprofessional content, and maintaining the social media account information (including, but not limited to, username and password). Employees are not permitted to create School social media on their own. Vaughn owns, operates, and controls all School-affiliated social media accounts. Vaughn has final approval over all content and reserves the right to close the social media account at any time, with or without notice. Any unlawful, inappropriate or unprofessional communications may result in disciplinary action, up to and including termination.

Any social media created and/or used in violation of this policy may result in disciplinary action, up to and including termination.

#### *4.8.3 Access*

Employees are reminded that Vaughn's various electronic communications systems, including, but not limited to, its electronic devices, computers, telephones, e-mail accounts, video conferencing, voice mail, facsimiles, internal and external networks, computers, cell phones, smart phones, PDAs, tablets, and other similar devices, are the property of

Vaughn. All communications and information transmitted by, received from, or stored in these systems are School records.

As a result, Vaughn may, and does, monitor its employees' use of these electronic communication systems, including for social media activities, from time to time. Vaughn may monitor such activities randomly, periodically, and/or in situations when there is reason to believe that someone associated with Vaughn has engaged in a violation of this, or any other, School policy. As a result, employees do not have a reasonable expectation of privacy in their use of or access to Vaughn's various electronic communications systems.

#### *4.8.4 Discipline*

Any violation of this Social Media Policy may result in disciplinary action, up to and including immediate termination.

#### *4.8.5 Retaliation Is Prohibited*

Vaughn prohibits retaliation against any employee for reporting a possible violation of this policy or for cooperating in an investigation of a potential violation of this policy. Any employee who retaliates against another employee for reporting a possible violation of this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.

#### *4.8.6 Questions*

In the event you have any questions about whether a particular social media activity may involve or implicate Vaughn or may violate this policy, please contact Human Resources.

Social media is in a state of constant evolution, and Vaughn recognizes that there will likely be events or issues that are not addressed in these guidelines. Thus, each School employee is responsible for using good judgment and seeking guidance, clarification, or authorization before engaging in social media activities that may implicate this policy.

### **4.9 Conflicts of Interest**

While employed by Vaughn, employees owe a duty of loyalty to Vaughn and are required to avoid any situation that presents an actual or potential conflict of interest. An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of Vaughn's business dealings. For purposes of this policy, "relatives" are defined to include spouses, registered domestic partners, children, siblings, parents, in-laws, and step-relatives. Instances where an actual or potential conflict of interest may arise include, but are not limited to, the acceptance of gifts, engaging in outside activities, and personal and familial relationships.

Notwithstanding this policy, if an employee is a "designated employee" under the Board's Conflicts of Interest Code (adopted pursuant to the Political Reform Act), then the employee must comply with those provisions in addition to this policy.

#### *4.9.1 Gifts*

Improper personal gain may result not only where an employee or relative has a significant ownership interest in a company with which Vaughn does business but also when an employee or relative receives any kickback, bribe, substantial gift, or special consideration as a result of any transaction or business dealings involving Vaughn. The receipt of occasional flowers, candy or gifts worth less than \$250.00 from clients, customers, or vendors fall outside the intent of

this policy and acceptance of such items is permissible. However, employees must obtain written approval from Human Resources before accepting any item worth in excess of \$250.00 from clients, customers, or vendors.

#### *4.9.2 Outside Activities*

Employees may not engage in any outside activity, including outside employment, which presents an actual or potential conflict of interest. Such outside activities must not affect the employee's work hours, interfere or conflict with the employee's job duties, raise any ethical or conflict of interest concerns, or create any conditions that may impact the employee's job performance. Accordingly, employees must follow Vaughn's Outside Activities Policy and disclose to Human Resources any outside activity, employment, or financial interest that may involve any of the following:

1. the use of Vaughn's time, facilities, equipment or supplies;
2. compensation from anyone other than Vaughn for the performance of an act which you are required or expected to render in the regular course employment with Vaughn;
3. a consultant or service provider of Vaughn; or
4. time demands that may impact the employee's performance for Vaughn.

For more information on the Outside Activities Policy, please contact Human Resources.

Employees also may not use Vaughn's name, logo, supplies, equipment, or other property in connection with any outside activities. If you have any questions regarding the potential impact of any outside activities, including outside employment, please contact Human Resources prior to engaging in such activity.

#### *4.9.3 Personal and Familial Relationships*

Employees have an obligation to place Vaughn's interests before their own and to exercise good judgment on behalf of Vaughn. Personal involvement with a competitor, customer, vendor, supplier, or subordinate employee of Vaughn, which impairs an employee's ability to exercise good judgment on behalf of Vaughn, creates an actual or potential conflict of interest. An employee involved in any such relationship must immediately and fully disclose the circumstances to Human Resources for a determination as to whether a conflict exists. If an actual or potential conflict of interest exists, Vaughn will take appropriate corrective action according to the circumstances, up to and including termination.

Relatives of employees may be eligible for employment with Vaughn only if the individuals involved do not work in a direct supervisory relationship or in job positions in which an actual or potential conflict of interest could arise. Current employees who marry will be permitted to continue working in the same job positions held only if they do not work in direct supervisory relationship with one another or in job positions involving conflicts of interest. If relatives are found to be employed in any of these prohibited job positions, Vaughn will take action to eliminate the conflict, including possibly requiring one or both employees to accept a transfer to another position or to resign.

Failure to comply with the Conflicts of Interest Policy may result in disciplinary action, up to and including termination.

#### *4.9.4. Non-Fraternization*

Vaughn Next Century Learning Center (VNCLC) desires to avoid misunderstandings, complaints of favoritism, possible claims of sexual harassment and the employee morale issues that can result from certain relationships between employees. If an employee becomes romantically involved with anyone above or below him or her in the chain of command, both employees are immediately obligated to disclose this information to the Human Resources Manager. In accordance with applicable laws, VNCLC will endeavor to resolve the conflict in a way that is the least disruptive to the



operation of its organization and employees. Corrective action may include reassignment or termination of one or both of the employees. If employees fail to timely disclose their relationship, VNCLC may take disciplinary action against the employees, up to and including termination.

#### **4.10 Contact with the Media**

Employees may be approached for interviews or comments by the news media. Only contact people designated by the Chief Executive Officer may comment to news reporters on Vaughn policy or events relevant to Vaughn.

This policy does not limit an employee's right to discuss the terms and conditions of his or her employment, or to try and improve these conditions.

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## 5. TIME OFF AND LEAVES OF ABSENCE

### 5.1 Holidays

Vaughn NCLC calendar reflects any and all holidays observed by the School. The following holidays are generally observed by public entities, including public schools:

- New Year's Day
- Martin Luther King Jr. Birthday
- President's Day
- Memorial Day
- Independence Day
- Labor Day
- Veteran's Day
- Thanksgiving
- Friday after Thanksgiving
- Day before Christmas
- Christmas Day

When a holiday falls on a Saturday or Sunday, it is usually observed on the preceding Friday or following Monday. However, Vaughn may close on another day. Holiday observance will be announced in advance. Vaughn reserves the right to change this policy at any time, with or without notice. Holidays are observed but not compensated.

Vaughn NCLC closes its offices and campuses on all observed holidays shown above. Employees are not expected to work on observed holidays.

### 5.2 Non-Work Days (for Administrators and Full-Time Classified)

While the School recognizes the importance of non-work days as a period of rest and rejuvenation away from the job, non-work days must be scheduled with due consideration for "peak traffic periods" in the school. With this in mind, it is expected that non-work days will be taken when school is not in session.

Any pre-determined time-off taken during the school year or otherwise should be coordinated and cleared by the Director subject to scheduling and seniority. In the case of Administrators, pre-determined time-off taken during the school year or otherwise should be coordinated and cleared by the Chief Executive Officer. No non-work days may be taken by clerical staff during the last two weeks of August unless specifically authorized by the Director.

For clerical employees, non-work days should be scheduled when school is not in session.

### 5.3 Sick Leave

Vaughn NCLC provides paid sick leave according to the Los Angeles Minimum Wage Ordinance. The paid sick leave is provided to all Employees who work at least two hours in a particular week for 30 days or more within a year.

For hourly employees, sick time is accrued at the rate of one (1) hour of paid sick leave for every thirty (30) hours worked. Salaried employees accrue 3.33 hours of paid sick leave for every pay period worked.

An employee may use paid sick leave beginning on the 90<sup>th</sup> day of employment and only up to the amount of accrued and unused sick time available.

**For employees not participating in CalSTRS:**

Accrued sick time shall not be paid out to an employee upon termination, resignation, retirement, or other separation from employment. If an employee is rehired within a year of separation from employment, previously accrued and unused paid sick leave shall be reinstated.

**For certificated employees participating in CalSTRS who end their employment with Vaughn due to termination, resignation, or other separation from employment (outside of retirement):**

- Are able to have their unused accrued sick time transferred to their new employing school district/charter school if such school district/charter school accepts the transfer of the unused accrued sick time. Vaughn will provide verification of accrued sick time upon the request of the new district/charter school. All accrued sick time transferred to the new employer will be removed from Vaughn's records to avoid duplication when reporting to CalSTRS.
- If a school district/charter school does not accept the transfer of unused accrued sick time, it is the responsibility of the employee to archive verification of their accrued sick time in order to have these records to present to CalSTRS upon planning for retirement. Verification of accrued sick time will be reflected in your final pay stub at time of exit from Vaughn.

**For certificated employees participating in CalSTRS who retire from Vaughn:**

- Verification of accrued sick time will be reflected in your final pay stub at time of exit from Vaughn. CalSTRS also provides the retiring employee with form SR 0554E (Express Benefit Report form) to certify this information. It is the responsibility of the employee to bring this form to the business office to have it certified.

Vaughn NCLC shall provide paid sick leave upon the oral or written request of an Employee for themselves or a family member, as defined by California Labor Code Sections 246.5(a) and 245.5(c), or for any individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship.

California Labor Code 245.5

(c) "Family member" means any of the following:

- (1) A child, which for purposes of this article means a biological, adopted, or foster child, stepchild, legal ward, or a child to whom the employee stands in loco parentis. This definition of a child is applicable regardless of age or dependency status.
- (2) A biological, adoptive, or foster parent, stepparent, or legal guardian of an employee or the employee's spouse or registered domestic partner, or a person who stood in loco parentis when the employee was a minor child.
- (3) A spouse.
- (4) A registered domestic partner.

(5) A grandparent.

(6) A grandchild.

(7) A sibling.

California Labor Code 246.5

(a) Upon the oral or written request of an employee, an employer shall provide paid sick days for the following purposes:

(1) Diagnosis, care, or treatment of an existing health condition of, or preventive care for, an employee or an employee's family member.

(2) For an employee who is a victim of domestic violence, sexual assault, or stalking, the purposes described in subdivision (c) of Section 230 and subdivision (a) of Section 230.1.

Vaughn NCLC reserves the right to request a doctor's note for sick leaves exceeding three (3) consecutive work days.

## 5.4 Bereavement Leave

When the death of an immediate family member of an employee requires the employee to lose regularly scheduled work to attend a funeral, to make any necessary memorial arrangements, and/or travel to and from the funeral, up to five days of paid time off will be granted at the regular scheduled hours the employee works. Employees may use this benefit after being employed by Vaughn for 30 days. Bereavement Leave but must be taken within three months of the family member's death, and can be taken all at once or intermittently. Vaughn may, in its discretion, request documentation (i.e., copy of the death certificate, proof of travel) to certify the need for such leave.

For the purposes of this policy, "immediate family members" include: parent, step-parent, sibling, mother-in-law, father-in-law, spouse, registered domestic partner, child, grandparent, or grandchild.

Employees must inform their supervisor prior to commencing bereavement leave. Bereavement Leave must be approved by the Human Resources Department in advance and will not be charged to accrued paid leave.

## 5.5 Family and Medical Leave

Eligible employees may request a family and medical leave of absence under the circumstances described below. Eligible employees are those who have been employed by Vaughn for at least 12 months (not necessarily consecutive), have worked at least 1250 hours during the 12 months immediately prior to the family and medical leave of absence, and are employed at a worksite where there are 50 or more employees of Vaughn within 75 miles.

Ordinarily, you must request a planned family and medical leave at least 30 days before the leave begins. If the need for the leave is not foreseeable, you must request the leave as soon as practicable. You should use Vaughn's request form, which is available upon request from Human Resources. Failure to comply with this requirement may result in a delay of the start of the leave.

A family and medical leave may be taken for the following reasons:

- the birth of an employee's child or the placement of a child with the employee for foster care or adoption, so long as the leave is completed within 12 months of the birth or placement of the child;
- the care of the employee's spouse, child, parent, or registered domestic partner, or designated person with a "serious health condition";

- the “serious health condition” of the employee;
- the care of the employee’s spouse, child, parent, or next of kin who is a member of the Armed Forces, including a member of the National Guard or Reserves, and who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or
- any qualifying exigency as defined by the applicable regulations arising out of the fact that the employee’s spouse, child, or parent is on active duty (or has been notified of an impending call or order to active duty) in the Armed Forces in support of a contingency operation.

A “designated person” is defined to include any individual related by blood or whose association with the employee is the equivalent of a family relationship. An employee will be asked to identify a designated person at the time the employee request CFRA leave. Employees are limited to one designated person in a 12-month period.

A “serious health condition” is one that requires inpatient care in a hospital or other medical care facility or continuing treatment or supervision by a health care provider. You may take a leave under paragraph (2) above only if due to a serious health condition, your spouse, child, parent, or registered domestic partner requires your care or assistance as certified in writing by the family member’s health care provider. If you are seeking a leave under paragraph (3) above, you must provide Vaughn with a medical certification from your health care provider establishing eligibility for the leave, and you must provide Vaughn with a release to return to work from the health care provider before returning to work. You must provide the required medical certification to Vaughn in a timely manner to avoid a delay or denial of leave. You may obtain the appropriate forms from Human Resources.

Family and medical leave may be taken for up to 12 workweeks during the designated 12-month period (with the exception of qualifying leaves to care for a member of the Armed Services who has a serious illness or injury, which may be taken for up to a total of 26 workweeks of leave during a single 12-month period). The 12-month period will be defined as a “rolling twelve months” looking backward over the preceding 12 months to calculate how much family and medical leave time has been taken and therefore determine the amount of leave that is available. Qualifying leaves to care for a member of the Armed Services who has a serious illness or injury will be calculated on the 12-month period looking forward. All time off that qualifies as family and medical leave will be counted against your state and federal family and medical leave entitlements to the fullest extent permitted by law.

You will be required to use any accrued paid leave during unpaid family and medical leave. You will also be required to use any accrued paid leave during unpaid family and medical leave that is due to your own or a family member’s serious health condition. However, if an employee is receiving benefit payments pursuant to a disability insurance plan (such as California’s State Disability Insurance plan or Paid Family Leave program) or workers’ compensation insurance plan, the employee and Vaughn may mutually agree to supplement such benefit payments with available accrued paid leave.

During a family and medical leave, group health benefits will be maintained as if you were continuously employed. However, you must continue to pay your share of applicable premiums (for yourself and any dependents) during the leave.

If you do not return to work on the first workday following the expiration of an approved family and medical leave, you will be deemed to have resigned from your employment. Upon returning from such a leave, you will normally be reinstated to your original or an equivalent position and will receive pay and benefits equivalent to those you received prior to the leave, as required by law. In certain circumstances, “key” employees may not be eligible for reinstatement following a family and medical leave. Vaughn will provide written notice to any “key” employee who is not eligible for reinstatement.

If you have any questions concerning or would like to submit a request for a family and medical leave of absence, please contact Human Resources.

## **5.6 New Parent Leave Act**

Pursuant to the California New Parent Leave Act (“NPLA”), eligible employees may request a new parent leave of absence pursuant to this policy. Eligible employees are those who have been employed by Vaughn for at least 12 months, have worked at least 1,250 hours during the 12 months immediately prior to the new parent leave of absence, and are employed at a worksite where there between 20 and 49 employees of Vaughn within 75 miles.

If an employee is employed at a worksite where there are 50 or more employees of Vaughn within 75 miles, and is otherwise eligible for leave pursuant to the federal Family and Medical Leave Act (“FMLA”) and the California Family Rights Act (“CFRA”), the employee will be eligible for leave pursuant to FMLA and CFRA in lieu of being eligible for leave pursuant to NPLA. In other words, an employee cannot be eligible for leave under both NPLA and FMLA/CFRA. While Vaughn is subject to compliance with FMLA and CFRA, it is Vaughn’s belief that none of its employees are currently eligible for FMLA/CFRA pursuant to the qualifying conditions set forth in applicable statutes/regulations. If an employee has questions about eligibility under NPLA, FMLA, or CFRA, please contact Human Resources.

An employee may request leave under this policy for the following baby-bonding reasons: the birth of an employee’s child or the placement of a child with the employee for foster care or adoption, so long as the leave is completed within 12 months of the birth or placement of the child. This leave may be taken for up to 12 workweeks during the designated 12-month period, which will be defined as a “rolling twelve months” looking backward over the preceding 12 months to calculate how much leave time has been taken and therefore determine the amount of leave that is available. This leave may be taken in addition to the Pregnancy Disability Leave set forth below, subject to those terms and conditions.

Ordinarily, you must request a planned new parent leave at least 30 days before the leave begins. If the need for the leave is not foreseeable, you must request the leave as soon as practicable. You should use Vaughn’s request form, which is available upon request from Human Resources. Failure to comply with this requirement may result in a delay of the start of the leave.

When an approved new parent leave ends, the employee will be reinstated to the same position or a comparable position, unless the job ceased to exist because of legitimate business reasons. An employee has no greater right to reinstatement to the same position or to other benefits and conditions of employment than if the employee had been continuously employed in this position during the new parent leave. If the same position is not available, the employee will be offered a comparable position in terms of such issues as pay, location, job content, and promotional opportunities, if one exists. An employee has no greater right to reinstatement to a comparable position or to other benefits or conditions of employment than an employee who has been continuously employed in another position that is being eliminated.

New parent leave is unpaid. However, you may utilize any accrued paid leave during your leave. If an employee is receiving benefit payments pursuant to a disability insurance plan (such as California’s State Disability Insurance plan or Paid Family Leave program), the employee and Vaughn may mutually agree to supplement such benefit payments with available accrued paid leave. The use of such benefits does not extend the length of the leave.

Benefit accrual, such as a paid leave, if any, will be suspended during new parent leave and will resume upon return to active employment. Group health benefits will be maintained during the approved new parent leave as if you were continuously employed. However, you must continue to pay your share of applicable premiums (for yourself and any dependents) during the leave.

For more information on new parent leave, please contact Human Resources.

### **5.7 Pregnancy Disability Leave**

Vaughn provides pregnancy disability leaves of absence without pay to eligible employees who are temporarily unable to work due to a disability related to pregnancy, childbirth, or related medical conditions. Employees should make requests for pregnancy disability leave to their supervisor at least 30 days in advance of foreseeable events and as soon as possible for unforeseeable events. A health care provider's statement must be submitted, verifying the need for such leave and its beginning and expected ending dates. Any changes in this information should be promptly reported to Vaughn. Employees returning from pregnancy disability leave must submit a health care provider's verification of their fitness to return to work.

Vaughn will make a good faith effort to provide reasonable accommodations and/or transfer requests when such a request is medically advisable based on the certification of a health care provider. When an employee's health care provider finds it is medically advisable for an employee to take intermittent leave or leave on a reduced work schedule and such leave is foreseeable based on planned medical treatment because of pregnancy, Vaughn may require the employee to transfer temporarily to an available alternative position. This alternative position will have equivalent rate of pay and benefits and must better accommodate recurring periods of leave than the employee's regular job.

Eligible employees are normally granted unpaid leave for the period of disability, up to a maximum of four months (or 17 1/3 weeks or 693 hours) per pregnancy. Employees will be required to use any accrued paid leave during any unpaid portion of pregnancy disability leave. If an employee is receiving benefit payments pursuant to a disability insurance plan (such as California's State Disability Insurance plan or Paid Family Leave program), the employee and Vaughn may mutually agree to supplement such benefit payments with available accrued paid leave.

Benefit accrual will be suspended during the approved pregnancy disability leave period and will resume upon return to active employment. Group health benefits will be maintained during the approved pregnancy disability leave as if you were continuously employed. However, the employee must continue to pay his/her share of applicable premiums (for self and any dependents) during the leave.

So that an employee's return to work can be properly scheduled, an employee on pregnancy disability leave is requested to provide Vaughn with at least one week's advance notice of the date she intends to return to work.

When an approved pregnancy disability leave ends, the employee will be reinstated to the same position, unless the job ceased to exist because of legitimate business reasons. An employee has no greater right to reinstatement to the same position or to other benefits and conditions of employment than if she had been continuously employed in this position during the pregnancy disability leave or transfer. If the same position is not available, the employee will be offered a comparable position in terms of such issues as pay, location, job content, and promotional opportunities, if one exists. An employee has no greater right to reinstatement to a comparable position or to other benefits or conditions of employment than an employee who has been continuously employed in another position that is being eliminated.

If you have any questions regarding pregnancy disability leave, please contact Human Resources.

### **5.8 Unpaid Leave of Absence (Medical)**

In an effort to comply with its duty to accommodate employees with qualifying disabilities, Vaughn will provide leaves of absence without pay when an employee is temporarily unable to work due to a mental or physical disability, certified in writing by his or her health care provider, unless such leave would cause an undue hardship to Vaughn. Approved

absences of less than two weeks are not treated as medical leaves of absences but rather as excused absences without pay. Employees granted unpaid medical leave have no right to guaranteed reinstatement.

Employees will be required to use any accrued paid leave during any unpaid portion of this leave. Benefit accrual will be suspended during an unpaid medical leave period and will resume upon return to active employment. Unless otherwise required by law, Vaughn does not continue to pay premiums for health insurance coverage for employees on unpaid medical leave. However, if eligible, you may self-pay the premiums under the provisions of COBRA.

### **5.9 Discretionary Unpaid Leave of Absence (Non-Medical)**

Vaughn may grant a discretionary unpaid leave of absence to employees in certain unusual circumstances. It is important to request any leave in writing as far in advance as possible, to keep in touch with your supervisor and Human Resources during your leave, and to give prompt notice if there is any change in your return date. If your leave expires and you have not contacted your supervisor or Vaughn, Vaughn will assume that you do not plan to return and that you have voluntarily terminated your employment. Employees do not continue to accrue paid leave benefits while they are on unpaid discretionary leaves of absence.

Employees will be required to use any accrued paid leave during this leave. Unless otherwise required by law, Vaughn does not continue to pay premiums for health insurance coverage for employees on discretionary unpaid leaves of absence. However, if eligible, you may self-pay the premiums under the provisions of COBRA.

### **5.10 Military Leave**

All employees who leave Vaughn for active military service or military reserve duty will be placed on an unpaid military leave of absence. Employees are entitled to reinstatement upon completion of such military service or duty, provided an application for reinstatement is made within 90 days of discharge, or as otherwise provided by law.

You may use accrued sick time during military leave. Time spent on military leave counts for purposes of determining "length of service." However, you will not accrue sick during military leave.

### **5.11 Jury Duty/Witness Duty**

All employees who receive a notice of jury/witness duty must notify their supervisor as soon as possible so that arrangements may be made to cover the absence. In addition, employees must provide a copy of the official jury/witness duty notice to their supervisor. Employees must report for work whenever the court schedule permits. Either Vaughn or the employee may request an excuse from jury/witness duty if, in Vaughn's judgment, the employee's absence would create serious operational difficulties.

Non-exempt employees will receive full pay while serving up to five days of jury or witness duty or for taking up to five days off to appear in court in an effort to obtain relief from domestic violence. Exempt employees will receive pay for up to five days of absence due to jury or witness duty or due to appearing in court to obtain relief from domestic violence. Any additional time off will be without pay. Verification from the court clerk of having served may be required. On the days you take off from work to perform jury duty, witness duty, or to obtain relief from domestic violence, you will be expected to return to work for the remainder of your work schedule if time permits.

### **5.12 Time Off for Voting**

Vaughn encourages its employees to fulfill their civic responsibilities by participating in elections. Because polls are open from 7:00 a.m. until 8:00 p.m., employees generally are able to find time to vote either before or after their regular work



schedule. If employees are unable to vote in an election during their non-working hours and have not requested an absentee ballot, then Vaughn will grant up to two hours of paid time off to vote.

Employees must request time off to vote from their supervisor at least two working days prior to the election day. Advance notice is required so that the necessary time off can be scheduled at the beginning or end of the work shift, whichever provides the least disruption to the normal work schedule.

Employees must submit a voter's receipt on the first working day following the election to qualify for Time Off for Voting pay.

### **5.13 Emergency Duty/Training Leave**

In California, no employee shall receive discipline for taking time off to perform emergency duty/training as a volunteer firefighter, reserve peace officer, or emergency rescue personnel. If you are participating in this kind of emergency duty/training, please alert your supervisor so that he or she may be aware of the fact that you may have to take unpaid time off for emergency duty/training. In the event that you need to take time off for emergency duty/training, please alert your supervisor before doing so whenever possible. Time off for emergency training may not exceed 14 days per calendar year.

Emergency Duty/Training Leave is unpaid. You may choose to use your accrued paid leave if you wish to receive compensation for this time off, but you are not required to do so.

If you feel you have been treated unfairly as a result of taking or requesting Emergency Duty/Training Leave, you should contact your supervisor or any other manager, as appropriate.

### **5.14 Suspended Pupil/Child Leave**

California law requires employers to provide time off for parents required to visit a child's school when the child has served a period of suspension from school. To be eligible for time off to attend a child's school, the employee must be the parent of a child in kindergarten or in grades 1-12 and must present the school's letter, which requests the employee's appearance at the school, to his or her supervisor at least two days before the requested time off. Employees may use accrued paid leave while attending a child's school under these circumstances. If not, suspended pupil/child leave will be unpaid.

### **5.15 Leave for Crime Victims and Their Family Members**

If you are the victim—or an immediate family member (e.g., spouse, registered domestic partner, child, step-child, sibling, step-sibling, parent, step-parent, or the child of a registered domestic partner) of the victim—of a violent felony, serious felony (as defined by the California Penal Code), or felonies related to theft or embezzlement, you are permitted to be absent from work to attend judicial proceedings related to the crime.

You must provide your supervisor with written notification for each scheduled proceeding, unless advance notice is not possible. This time off is unpaid. You may choose to use your accrued sick time, but this is not required.

### **5.16 Military Spouse Leave**

Qualified employees are eligible for up to 10 days of unpaid leave when their spouse or registered domestic partner is on leave from military deployment. A qualified employee is one who regularly works more than 20 hours per week and whose spouse or registered domestic partner is a member of the Armed Forces, National Guard, or Reserves and is on leave from deployment during a period of military conflict.



If you are eligible for such leave, please submit a written request for leave to Human Resources within two business days of receiving official notice that your spouse or registered domestic partner will be on leave from deployment. You will also be required to provide written documentation certifying that your spouse or registered domestic partner will be on leave from deployment.

Non-exempt employees must use accrued sick time in order to receive compensation for this time off. If no sick time is available, the employee may take this time off without pay. An exempt employee is required to charge any absence of four or more hours under this policy to his or her accrued paid leave, if any. Otherwise, exempt employees will be compensated to the extent required by applicable law.

### **5.17 School and Daycare Leave**

If you are the parent or guardian of a child who is in school up to grade 12, or who attends a licensed day care facility, you may take up to 40 hours of unpaid leave per year to participate in the activities of the school or day care facility, to find, enroll or reenroll your child in a school or with a licensed child care provider and/or to address a child care provider or school emergency. You may take no more than eight hours off for this purpose in any one calendar month. Unless it is to address an emergency, you should schedule this time off with your supervisor in advance. You may be asked to provide documentation from the school or day care facility to confirm your attendance at its facility for reasons covered under this policy on the specific date and time that you took the leave. This time off is unpaid. You may choose to use your accrued paid leave, but this is not required.

### **5.18 Leave for Victims of Domestic Violence, Sexual Assault and Stalking**

#### *5.18.1 Right to Time Off*

All employees have the right to take time off from work to get help to protect themselves and their children's health, safety, or welfare. All employees can take time off to get a restraining order or other court order. All employees can take time off from work to get medical attention or services from a domestic violence shelter, program, or rape crisis center, or receive psychological counseling or safety planning related to domestic violence, sexual assault, or stalking.

Employees may use available accrued paid leave. Otherwise, the time off is unpaid. In general, employees are not required to provide documentation for time off under this policy. However, employees shall provide reasonable advance notice of their intent to take time off, unless advance notice is not feasible. If employees are unable to provide advance notice for time off under this policy, they can provide certification of their absence (such as a police report, court order, or health care provider certification) within a reasonable time period thereafter.

If employees provide reasonable advance notice or provide documentation within a reasonable time period thereafter for an unscheduled absence, they will not be subject to any disciplinary action for time off under this policy.

#### *5.18.2 Right to Reasonable Accommodation*

Employees have the right to ask Vaughn for help or changes in their workplace to make sure they are safe at work. Vaughn will work with its employees to see what changes can be made. Changes in the workplace may include putting in locks, changing shifts or phone numbers, transferring or reassigning the employee, or help with keeping a record of what happened to the employee. Vaughn may ask the affected employee for a signed statement certifying that this request is for a proper purpose and may also request proof showing the need for an accommodation. Vaughn will maintain confidentiality regarding any requests for accommodations under this policy.

#### *5.18.3 Prohibition on Retaliation and Discrimination*

Vaughn is committed to ensuring employees are not treated differently or retaliated against because of any of the following:

- The employee is a victim of domestic violence, sexual assault, or stalking.
- The employee asked for time off to get help.
- The employee asked Vaughn for help or changes in the workplace to ensure safety at work.

#### **5.18.4 Right to File a Complaint**

If any employee believes that he or she has experienced retaliation or discrimination as a result of conduct protected by this policy, the employee may file a complaint with his or her supervisor and/or the Labor Commissioner's Office.

For more information, contact the Labor Commissioner's Office by phone at 213-897-6595 or visit a local office by finding the nearest one on website: [www.dir.ca.gov/dlse/DistrictOffices.htm](http://www.dir.ca.gov/dlse/DistrictOffices.htm). The Labor Commissioner's Office provides an interpreter at no cost to the employee, if needed.

#### **5.19 Adult Literacy Leave**

Pursuant to California law, Vaughn will reasonably accommodate any eligible employee who seeks to enroll in an adult literacy education program, provided that the accommodation does not impose an undue hardship on Vaughn. Vaughn does not provide paid time off for participation in an adult literacy education. However, you may utilize accrued paid leave if you want compensation for this time off. If you do not have accrued paid leave available, you will be permitted to take the time off without pay.

#### **5.20 Alcohol and Drug Rehabilitation Leave**

Pursuant to California law, Vaughn will reasonably accommodate any eligible employee who wishes to voluntarily enter and participate in an alcohol or drug rehabilitation program, provided that the accommodation does not impose an undue hardship on Vaughn. Vaughn does not provide paid time off for participation in an alcohol or drug rehabilitation program. However, you may utilize accrued sick time if you want compensation for this time off. If you do not have accrued sick time available, you will be permitted to take the time off without pay.

This policy in no way restricts Vaughn's right to discipline an employee, up to and including termination of employment, for violation of Vaughn's Drug and Alcohol Abuse Policy.

#### **5.21 Civil Air Patrol Leave**

Pursuant to California law, Vaughn will provide unpaid leave to employees who are volunteer members of the California Wing of the Civil Air Patrol and who have been duly directed and authorized to respond to an emergency operational mission of the California Wing of the Civil Air Patrol. Employees must be employed for at least 90 days immediately preceding the commencement of leave in order to be eligible.

Employees are required to give Vaughn as much notice as possible of the intended dates upon which the leave would begin and end. Vaughn will restore the employee to the position he or she held when the leave began or to a position with equivalent seniority status, employee benefits, pay, and other terms and conditions of employment, unless the employee is not restored because of conditions unrelated to the exercise of the leave rights by the employee. The time off is unpaid. However, an employee may utilize accrued paid leave.

## 5.22 Leave for Bone Marrow and Organ Donors

Pursuant to California law, Vaughn will provide up to five business days of paid leave within a one-year period to an employee who donates bone marrow to another person; Vaughn will also provide up to 30 business days of paid leave within a one-year period to an employee who donates an organ to another person. Vaughn requires that bone marrow donors use up to five days of available accrued paid leave during the course of the leave. Organ donors must use up to ten days of available accrued paid leave during the course of the leave.

If needed by the employee, Vaughn shall grant an additional unpaid leave of absence, not exceeding 30 business days in a one-year period, to an employee who is an organ donor, for the purpose of donating the employee's organ to another person. The one-year period is measured from the date the employee's leave begins and shall consist of 12 consecutive months.

To qualify for this leave, an employee must have been employed for at least 90 days prior to the commencement of the leave and must provide Vaughn with written verification of his or her status as an organ or bone marrow donor and the medical necessity for the donation. During such leave, Vaughn will continue coverage under its group medical insurance plan, if applicable. However, employees must continue to pay their portion of the applicable premiums. Employees should give Vaughn as much notice as possible of the intended dates upon which the leave would begin and end.

## 5.23 Workers' Compensation Disability Leave

Vaughn will grant you a workers' compensation disability leave in accordance with state law if you incur an occupational illness or injury. As an alternative, Vaughn may offer you modified work. Leave taken under the workers' compensation disability policy runs concurrently with family and medical leave under both federal and state law.

You must report all accidents, injuries, and illnesses, no matter how minor, to your site director or office manager. Upon reporting work related injuries, your site director or office manager will provide you with appropriate workers' compensation paperwork. The Human Resources Department will guide you through the process. After you visit a medical provider within our medical provider network (MPN), you must provide the Human Resources Department with a health care provider's statement/work status certifying your work-related illness or injury, your inability to work, any work restrictions/accommodations needed, and the expected duration of your leave.

Compensation for lost earnings due to a workers' compensation disability leave will be paid by the company's workers' compensation insurance carrier according to California law. You may also utilize accrued sick time during the leave, to supplement any workers' compensation benefits, state disability, or other wage reimbursement benefits for which you may be eligible. At no time will you receive a greater total payment than your regular compensation.

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## 6. PAY PRACTICES

### 6.1 Performance Evaluations

Vaughn strives to conduct performance evaluations semi-annually. The frequency of performance evaluations may vary depending upon length of service, job position, past performance, changes in job duties, or recurring performance problems.

Vaughn's provision of performance evaluations does not alter the at-will employment relationship. Nothing in this policy shall limit the right to terminate employment at-will or limit Vaughn's right to transfer, demote, suspend, administer discipline, and change the terms and conditions of employment at its sole discretion. Failure by Vaughn to evaluate the employee will not prevent Vaughn from transferring, demoting, disciplining, or terminating an employee. Employment is at the mutual consent of the employee and Vaughn. Accordingly, either the employee or Vaughn can terminate the employment relationship at-will, at any time, with or without reason and with or without notice.

### 6.2 Payment of Wages

Employees are paid semi-monthly, on the 10th and 25th day of each month. If a normal payday falls on a weekend or holiday, employees will be paid on the preceding workday. Employees are required to report any overpayment of wages to the Payroll Department. Any discrepancies or shortages in the calculation of wages should be reported as soon as possible after payday. Such discrepancies should be reported to the Human Resource Director.

### 6.3 Payroll Deductions

The stub on each payroll check shows your gross earnings for the monthly pay period minus those deductions required by law in addition to those authorized by the employee. It also shows the cumulative totals of your gross pay and deductions for the calendar year to date.

We are required by law to deduct the following from your pay:

- Federal Income Tax
- State Income Tax
- Social Security and Medicare Contributions (FICA)
- State Disability Insurance Premium (SDI)

An annual report is prepared each year showing the earnings including the deductions made from each individual's pay. This report (W-2) is for tax purposes and the employee's permanent record. The (W-2) will be provided to employees no later than January 31.

### 6.4 Work Schedules

#### 6.4.1 Teachers

The work schedule for teachers shall include onsite hours, defined as a minimum of eight hours, including instruction, conference or class coverage, and daily advisory period per scheduled school day. Teachers are to arrive at work at least 20 minutes before the start of the school day and to remain on campus until at least 15 minutes after the close of the school day. It is expected that teachers will attend professional development days, night performances, parent meetings

in the evening, orientation, and other school events that may occur on the weekend. Teachers shall be present at additional times as may be reasonably necessary.

#### *6.4.2 All Other Employees*

Normal operating hours at Vaughn are 7:00 a.m. to 5:30 p.m. Monday through Friday. The Human Resources Department will assign your work schedule at the time of hire. Once assigned, this work schedule can be modified by your supervisor with approval from the Human Resources Department at any time for such reasons as to better serve the students, fluctuations in Vaughn's calendar, or the reorganization of your responsibilities.

### **6.5 Overtime**

All non-exempt employees are required to inform their supervisor of the need to work overtime. Should the supervisor agree with the need for the employee's overtime, the supervisor must obtain approval from the Human Resources Department prior to the employee working overtime. Failure to obtain such approval may subject an employee to discipline, up to and including termination. Overtime compensation will be paid in accordance with all state and federal laws. Exempt employees are not entitled to overtime.

### **6.6 Workday and Workweek Defined**

For purposes of calculating overtime, Vaughn's standard workweek begins on Sunday at 12:00 a.m. and ends on Saturday at 11:59 p.m. (midnight). Vaughn's standard workday is 12:00 a.m. to 11:59 p.m. (midnight) each day.

### **6.7 Meal and Rest Periods**

Vaughn prioritizes compliance with California's meal and rest period laws. All non-exempt (hourly) employees are required to abide by these requirements. Further, all supervisors are responsible for facilitating compliance with these requirements.

#### *6.7.1 Meal Periods*

All non-exempt employees must take an uninterrupted and off-duty meal period of at least 30 minutes each day they work more than 5 hours, in accordance with this policy. Further, all non-exempt employees must take a second uninterrupted and off-duty meal period of at least 30 minutes each day they work more than 10 hours, in accordance with this policy.

Employees must begin their first meal period within five hours of starting work. For example, if the employee begins working at 7:00 a.m., then the employee must clock out to begin his or her meal period no later than 12:00 p.m. (noon). Further, employees must begin their second meal period (if applicable) within ten hours of starting work. For example, if the employee begins working at 7:00 a.m., then the employee must clock out to begin his or her second meal period no later than 5:00 p.m.

An employee who works five to six hours may waive, in writing, his or her right to a first meal period on that workday. Further, an employee may waive his or her right to a second meal period as long as the employee does not work more than 12 hours and did not waive his or her first meal period. Vaughn offers written Meal Period Waiver Agreements that govern an employee's entire employment, which are voluntary and may be revoked at any time, to document the employee's waiver of first and second meal periods.

Employees are eligible for the following number of meal periods:

Length of Workday in Hours	# of Meal Periods	Explanation
0 to ≤5	0	An employee who works 5 hours or less in a workday is not entitled to a meal break.
>5 to ≤10	1	An employee who works more than 5 hours in a workday, but who does not work more than ten hours in a workday, is eligible to take a 30-minute uninterrupted and off-duty meal period, <i>unless the employee works six or fewer hours and voluntarily waives his or her first meal period.</i>
>10	2	An employee who works more than ten hours in a workday is eligible to take a second uninterrupted and off-duty 30-minute meal period, <i>unless the employee work 12 or fewer hours, did not waive the first meal period, and voluntarily waives his or her second meal period.</i>

Which Meal Period	When
First Meal Period	An employee’s first meal period must begin within 5 hours of starting work (in other words, by the end of the fifth hour of work or 5 hours and 0 minutes on the clock). By way of example, if an employee clocks in <b>7:00 a.m.</b> , then the employee must clock out and start his or her meal period no later than <b>12:00 p.m.</b>
Second Meal Period	An employee's second meal period must begin within ten hours of starting work (in other words, by the end of the tenth hour of work or 10 hours and 0 minutes on the clock). By way of example, if an employee clocks in <b>7:00 a.m.</b> , then the employee must clock out and start his or her second meal period no later than <b>5:00 p.m.</b>

During meal periods, employees are absolutely prohibited from performing work of any kind or any amount. Employees are excused from all duties and are free to leave the premises. Employees must record the exact start and stop times of each meal period through Vaughn’s timekeeping system so that Vaughn may monitor time records for compliance. Employees may not join together required meal periods to take a longer break.

### 6.7.2 Rest Periods

All non-exempt employees are authorized, permitted, and strongly encouraged to take a 10-minute paid rest period for every 4 hours worked or major fraction thereof. Ordinarily, this amounts to two 10-minute rest periods per 8-hour workday.

Employees are eligible for the following number of rest periods:

Length of Workday in Hours	# of Rest Periods	Explanation
0 to <3.5	0	An employee who works less than 3.5 hours in a workday is not entitled to a rest period.
≥3.5 to ≤6	1	An employee who works 3.5 hours in a workday but who does not work more than 6 hours in a workday is eligible to take one rest period.
>6 to ≤10	2	A non-exempt employee who works more than 6 hours in a workday but who does not work more than 10 hours in a workday is eligible to take two rest periods.

Length of Workday in Hours	# of Rest Periods	Explanation
>10 to ≤14	3	A non-exempt employee who works more than 10 hours in a workday but who does not work more than 14 hours in a workday is eligible to take three rest periods.

Employees who work more than 14 hours in one workday may be eligible to additional rest periods. Please contact Human Resources for more information.

Whenever practicable, non-exempt employees should take their rest periods near the middle of each four-hour work period. Non-exempt employees may not accumulate rest periods or use rest periods as a basis for starting work late, leaving work early, or extending a meal period. Because rest periods are paid, non-exempt employees should not clock out for them. Employees are free to leave the premises during rest periods.

**6.7.3 Daily Meal Period and Rest Period Reporting**

Any employee who misses a meal or rest period or who experiences a late, short, or interrupted meal period—for any reason—must immediately report this issue to his or her supervisor by making a note on the employee’s electronic timesheet. The employee must include a thorough explanation for the non-compliant meal or rest period. The employee must complete the note on the same workday that he or she experienced the non-compliant meal or rest period.

If an employee voluntarily chooses to miss a meal or rest period or take a late, short, or interrupted meal period (e.g., I chose to take my lunch later in the day or I chose to refuse an “authorized” meal period at the time provided by Vaughn), the employee is not entitled to premium pay (one additional hour at the employee’s regular rate of compensation or straight time). If an employee involuntarily experiences a missed meal or rest period or a late, short, or interrupted meal period (e.g., my supervisor asked me to handle a client call or meeting that caused me to miss or take a late meal period), the employee is entitled to premium pay. Employees must report the reason for the non-compliant meal or rest period on the electronic timesheet.

**6.7.4 Premium Pay**

When a meal, rest, or recovery break is denied or interrupted, the employee must be paid premium pay in the form of one additional hour of pay at their regular rate of compensation for each type of break that is denied. This mean that the employee may recover an hour of premium pay for a denied lunch, and an hour of premium pay for a denied rest break. However, where an employee is not provided two rest breaks, they are only entitled to an hour of premium pay, not two hours.

**6.7.5 Responsibilities**

Non-exempt employees are required to take their meal and rest periods in accordance with this policy. If you encounter any challenges with taking meal or rest periods in accordance with this policy, please immediately contact your supervisor or the Human Resources Department.

Supervisors are responsible for facilitating meal and rest periods in a fair and uniform manner. Supervisors may not pressure or coerce employees to take late, short, or interrupted meal and rest periods or to skip their meal and rest periods.



### 6.7.6 Discipline

Failure to comply with Vaughn's policy regarding meal and/or rest periods can lead to discipline, up to and including termination. This applies to non-exempt employees as well as supervisors, who are responsible for assisting Vaughn with implementing these requirements.

## 6.8 Timekeeping

To ensure compliance with all applicable laws, non-exempt employees must accurately record all hours worked using Vaughn's timekeeping system. This means they must clock in and out whenever they begin, cease, or resume working during the course of a workday. While you need not clock out and in during your rest periods, you must clock out and in during your meal periods. Under no circumstances may one employee clock in or out for another employee.

Exempt employees may also be expected to record their total time worked and report absences from work due to personal needs or illness.

Employees are prohibited from doing the following:

- Recording inaccurate hours worked.
- Recording hours worked on behalf of another employee.
- Working "off the clock."
- Failing to record all hours worked.
- Falsification of any time record.

Violations of this policy may result in disciplinary action, up to and including termination.

## 6.9 Timesheet Approval

Accurate and timely submission of timesheets facilitate a smooth and accurate payroll process. Employees are expected to review and approve their worked hours via Paycom by the timesheet deadline shared by the Payroll department. Employee approval of his or her own hours for the pay period starting on the 1st day of the month through the 15th day of the month must be approved by the 15th day of the month. For the pay period starting on the 16th day of the month through the last day of the month must be submitted by the last day of the month. Timesheets must be error free and complete when submitting for supervisor's review and approval. The use of accrued sick leave for qualifying reasons must also be submitted and approved in accordance to the schedule described above. For clarification as to what are qualifying reasons for using accrued sick leave, refer to 5.3 Sick Leave.

Supervisors, too, play a crucial role in the successful process of payroll. Supervisors must review and approve their employee's timesheets by the 16th day of the month (for pay period 1st - 15th) and by the 1st of the month (for pay period 16th - last day of the of the previous month). Supervisors are responsible for reviewing for the accuracy of and approving timesheets.

## 6.10 Lactation Accommodation

Employees may use their meal and/or rest periods for the purpose of expressing breast milk. If required, a reasonable amount of additional time will be provided. Such additional time will be unpaid.



In compliance with California Labor Code - LAB § 1031, a private place to express breast milk, other than a toilet, will be provided in close proximity to the employee's work area. The employee's normal work area may be used if it allows the employee to express milk in private and have access to a sink with running water, a refrigeration system, and a power outlet. In certain circumstances, a temporary location may be provided in accordance with applicable law. Please see Human Resources for more information.

**THIS AREA IS INTENTIONALLY LEFT BLANK**

## 7. INSURANCE BENEFITS

### 7.1 Medical Insurance

Eligible employees may participate in Vaughn's medical insurance plan. Subject to applicable law, there is no guarantee that Vaughn will continue to maintain a medical insurance plan or that the terms and conditions of any such plan will not be changed at any time. Further, in order to continue participation in any such plan, employees may be required to pay a part of the premium. Eligible dependents and spouses of the employee may be eligible to enroll in the medical insurance plan pursuant to the specific terms and conditions of the plan, which ultimately govern all aspects of the employee's eligibility for and participation in the plan.

An "eligible employee" and "an eligible dependent or spouse" are defined by applicable law, including, but not limited to, the Patient Protection and Affordable Care Act and applicable regulations. Please consult the plan documents or Human Resources if you have questions regarding your eligibility.

### 7.2 State Disability Insurance (Wage Supplement)

Vaughn contributes to the State of California to provide you with disability insurance pursuant to the California Unemployment Insurance Code. Contributions are made through a payroll deduction. Disability insurance is payable when you cannot work because of illness or injury not caused by employment with Vaughn or when you are entitled to temporary workers' compensation at a rate less than the daily disability benefit amount.

SDI is a wage supplement provided concurrently while an employee takes an eligible leave of absence under Company policy and applicable law. The program will be administered in a manner consistent with California law. For more information regarding this program, you may contact the California Employment Development Department.

### 7.3 Family Temporary Disability Insurance Benefits (Wage Supplement)

Under California law, eligible employees may participate in the Paid Family Leave ("PFL") program, which is part of the state's unemployment compensation disability insurance program. The PFL program provides up to six weeks of partial wage replacement benefits to employees who take time off to care for a seriously ill or injured child, spouse, parent, or registered domestic partner or to bond with a new child (by birth, adoption, or foster care). The PFL program does not provide job protection or reinstatement rights. It is a wage supplement provided concurrently while an employee takes an eligible leave of absence under Company policy and applicable law.

Vaughn will require you to take up to two weeks of accrued but unused paid leave prior to your receipt of benefits under the FTDI program.

The program will be administered in a manner consistent with California law. For more information regarding this program, you may contact the California Employment Development Department.

### 7.4 Unemployment Compensation

Vaughn contributes a significant amount of money each year to the California Unemployment Insurance Fund on behalf of its employees. Under certain circumstances, you may be eligible for unemployment insurance benefits.

### 7.5 Social Security

Social Security is an important part of every employee's retirement benefit. Vaughn pays a matching contribution to each employee's Social Security taxes.

## 7.6 Workers' Compensation Insurance

Vaughn, in accordance with state law, provides insurance coverage for employees in case of work-related injury. The workers' compensation benefits provided to injured employees may include:

- Medical care;
- Cash benefits to replace lost wages; and
- Vocational rehabilitation to help qualified injured employees return to suitable employment.

To ensure that you receive any workers' compensation benefits to which you may be entitled, you will need to:

- Immediately report any work-related injury to your site director or office manager (or supervisor if you work at Vaughn Central or the Family and Community Center);
- Seek medical treatment and follow-up care if needed;
- Complete the Workers' Compensation Packet (available at your site's main office) and return it to your site director or office manager (or supervisor if you work at Vaughn Central or the Family and Community Center); and
- Provide Vaughn with a certification from your health care provider regarding the need for workers' compensation disability leave, as well as your eventual ability to return to work from the leave.

Upon submission of a medical certification that an employee is able to return to work after a workers' compensation leave, the employee under most circumstances will be reinstated to his or her same position held at the time the leave began, or to an equivalent position, if available. An employee returning from a workers' compensation leave has no greater right to reinstatement than if the employee had been continuously employed rather than on leave. For example, if the employee on workers' compensation leave would have been laid off had he or she not gone on leave, or if the employee's position has been eliminated or filled in order to avoid undermining Vaughn's ability to operate safely and efficiently during the leave, and no equivalent or comparable positions are available, then the employee would not be entitled to reinstatement.

An employee's return depends on his or her qualifications for any existing openings. If, after returning from a workers' compensation disability leave, an employee is unable to perform the essential functions of his or her job because of a physical or mental disability, Vaughn's obligations to the employee may include reasonable accommodation, as governed by applicable law.

The law requires Vaughn to notify the workers' compensation insurance company of any concerns of false or fraudulent claims.

Any person who makes or causes to be made any knowingly false or fraudulent material statement or material misrepresentation for the purpose of obtaining or denying workers' compensation benefits or payments is guilty of a felony. A violation of this law is punishable by imprisonment for one to five years, or by a fine not exceeding \$50,000 or double the value of the fraud, whichever is greater, or both. Additional civil penalties may also apply.

## 7.7 State Teachers Retirement System ("STRS")

Vaughn participates in STRS. All Employees who hold certificated positions are required to participate in STRS. For more information about STRS, please visit their website at [www.STRS.com](http://www.STRS.com) or contact the Human Resources department for more information.

## 8. SAFETY AND SECURITY

### 8.1 Safety Procedures

In our ongoing attempt to provide and maintain safe working conditions for all employees, we strive to comply with all applicable health and safety laws and regulations. All employees are responsible for practicing safe work habits to assure the safety of themselves and their fellow employees, to report immediately any health or safety hazards to their School Director or Operations Manager and to keep their work area free of dirt, paper or other material which could create a health or safety hazard.

Employees are expected to uphold accident prevention by following these safety guidelines:

- Observe known or posted safety rules.
- Report an injury immediately to their School Director or Office Manager. Every work area has access to a first aid kit and professional treatment is available when needed.
- Avoid activities which may present a hazard to the safety or welfare of yourself or others.

### 8.2 Security

The security of the premises, as well as the welfare of employees and students, requires that you be constantly aware of potential security risks. Therefore, please comply with the following security procedures to ensure a secure workplace. Be aware of persons loitering for no apparent reason (e.g., in parking areas, walkways, entrances/exits, and service areas). If you notice such a person, report it your School Director, the CEO, or your supervisor. Secure your work area when called away from it for any length of time, and do not leave valuable and/or personal articles in or around your work area.

### 8.3 Workplace Anti-Violence Policy

Vaughn recognizes that violence in the workplace is a growing nationwide problem necessitating a firm, considered response. The costs of such violence are great, both in human and financial terms. We believe that the safety and security of employees and students is paramount. Therefore, Vaughn has adopted this policy regarding workplace violence to help maintain a secure workplace.

Acts or threats of physical violence, including intimidation, harassment, and/or coercion, that involve or affect Vaughn, occur on School property, or occur in the conduct of School business off property will not be tolerated. This prohibition against threats and acts of violence applies to all persons involved in School operations, including, but not limited to, School students, parents, employees, independent contractors, temporary employees, vendors, and anyone else on School property or conducting School business off property. Violations of this policy, by any individual, may result in disciplinary action, up to and including termination and/or legal action as appropriate.

Always ensure that all visitors have signed in the visitor log and are wearing appropriate visitor tags/badges. Suspicious persons or activities should be reported to the School Director or the CEO. Secure your desk or office at the end of the day. When called away from your work area for an extended length of time, do not leave valuables and/or personal articles in or around your workstation that may be accessible. Faculty Lounges, where applicable, have been established as a place where employees can go to relax, eat, or meet in a relaxed atmosphere.

Access to this area should be restricted to employees only so that security concerns can be minimized. The security of facilities and the welfare of our students and employees depend on the alertness and sensitivity of every individual to

potential security risks. You should immediately notify the school director or the CEO when any person(s) are acting in a suspicious manner in or around the facilities or when keys, security passes, or identification badges are missing.

### *8.3.1 Workplace Violence Defined*

Workplace violence includes, but is not limited to, threats of any kind; threatening, physically aggressive, or violent behavior, such as intimidation or attempts to instill fear in others; other behavior that suggests a propensity toward violence, including belligerent speech, excessive arguing or swearing, sabotage, threats of sabotage of School property; defacing School property or causing physical damage to the facilities; and bringing weapons or firearms of any kind on School premises or while conducting School business.

### *8.3.2 Enforcement/Complaint Procedure*

Any person who violates this policy on School property may be removed from the premises as quickly and safely as possible, at Vaughn's discretion, and may be required to remain off School premises pending the outcome of an investigation of the incident.

If any employee observes or becomes aware of any of the above-listed actions or behavior by an employee, student, parent, visitor, or anyone else, he or she must immediately notify his or her supervisor, Human Resources, or the CEO. Furthermore, employees should notify Human Resources or the CEO if any restraining order is in effect or if a potentially violent non-work-related situation exists that could result in violence in the workplace.

All reports of workplace violence will be taken seriously and will be investigated promptly and thoroughly. In appropriate circumstances, Vaughn will inform the reporting individual of the results of the investigation. To the extent feasible, Vaughn will maintain the confidentiality of the reporting employee. However, Vaughn may need to disclose information in appropriate circumstances (for example, in order to protect individual safety).

Vaughn will not tolerate retaliation against any employee who reports workplace violence. If Vaughn determines that workplace violence has occurred, Vaughn will take appropriate corrective action and may impose disciplinary action, up to and including termination.

## **8.4 Health and Safety**

Every employee is responsible for the safety of himself or herself as well as others in the workplace. To achieve our goal of maintaining a safe workplace, everyone must be always safety conscious. In compliance with California law and to promote the concept of a safe workplace, Vaughn maintains an Injury and Illness Prevention Program. The Injury and Illness Prevention Program is available for review by employees and/or employee representatives.

## **8.5 Drug and Alcohol Abuse Policy**

Our employees are our most valuable resource, and their own health and safety are therefore serious concerns. We will not tolerate any drug or alcohol related conduct that imperils the health and well-being of our employees. Further, the use of illegal drugs and abuse of controlled substances is inconsistent with law abiding behavior expected of all citizens. Employees who use illegal drugs or abuse other controlled substances or alcohol tend to be less productive, less reliable, and prone to greater absenteeism resulting in the potential for increased cost and risk.

We believe our employees have the right to work in an alcohol and drug-free environment and to work with persons free from the effects of alcohol and drugs. Employees who abuse alcohol or drugs are a danger to themselves and to other employees. We are therefore committed to maintaining a safe and healthy workplace free from the influence of alcohol and drugs. We hope all employees will join with us in achieving our goal of a safe and productive drug-free workplace.

For purposes of this policy, “illegal drugs” includes, but is not limited to, substances that are prohibited by law (such as cocaine, heroin, etc.), controlled substances, marijuana (including medicinal and recreational marijuana, both of which remain controlled substances under federal law), and prescription drugs (if they are not prescribed for the person using them and/or not being used as prescribed). “Drug paraphernalia” means any accessory for the use, possession, manufacture, distribution, dispensation, purchase, or sale of illegal drugs. “Under the influence” means that the employee is affected by alcohol and/or illegal drugs in any detectable manner.

Vaughn prohibits the following:

- Use, possession, manufacture, distribution, dispensation, purchase, or sale of alcohol (if unauthorized), illegal drugs or drug paraphernalia on Vaughn’s premises, while on School business or during working hours;
- Storing alcohol (if unauthorized), illegal drugs, or drug paraphernalia in a locker, desk, automobile, or other repository on Vaughn’s premises;
- Being under the influence of alcohol (if unauthorized) or illegal drugs on Vaughn’s premises, while on School business or during working hours;
- Refusing to submit to an inspection or testing when requested by management;
- Failing to adhere to the requirements of any drug or alcohol treatment or counseling program in which the employee is enrolled pursuant to a performance improvement plan;
- Conviction under any criminal drug statute for a violation occurring in the workplace;
- Failure to keep all prescribed medicine in its original container, which identifies the drug, date of prescription, and the prescribing doctor.

In addition, if you are required to take any kind of prescription or nonprescription medication that will affect your job performance, you are required to report this to your supervisor. Your supervisor will determine if it is necessary to temporarily place you on another assignment or take other action as appropriate to protect the safety of you, other employees, and members. This policy will not be construed to prohibit the use of alcohol at social or business functions sponsored by Vaughn where alcohol is served or while entertaining clients or vendors and prospective clients or vendors of Vaughn. However, employees must remember their obligation to conduct themselves appropriately at all times while at School-sponsored functions or while representing Vaughn.

Vaughn may at times conduct unannounced searches of School property for alcohol, illegal drugs, drug paraphernalia, and/or unauthorized controlled substances or to ensure compliance with any other School-related policy. Additionally, whenever Vaughn suspects that an employee has sold, purchased, used, or possessed alcohol, illegal drugs, drug paraphernalia, and/or unauthorized controlled substances on Vaughn’s premises, Vaughn may inspect the employee’s personal effects (including parcels, purses, bags, and briefcases) or automobile on Vaughn’s property. As a result, employees do not have an expectation of privacy in this regard.

Violation of this Drug and Alcohol Abuse Policy may result in disciplinary action, up to and including termination, at Vaughn’s sole discretion.

Employees should be aware that participation in a rehabilitation program will not necessarily prevent the imposition of disciplinary action, including termination, for violation of this policy. Employees who undergo voluntary counseling or treatment and who continue to work, if any, must meet all established standards of conduct and job performance.

Compliance with this Drug and Alcohol Abuse Policy is a condition of employment at Vaughn. Failure or refusal of an employee to cooperate fully, sign any required document, submit to any inspection, or follow any prescribed course of substance abuse treatment will result in discipline, up to and including termination.

Because the use, sale, purchase, possession, or furnishing of an illegally obtained substance is a violation of the law, Vaughn may report such illegal drug activities to an appropriate law enforcement agency.

Vaughn may require a test by intoxicilator, blood test, urinalysis, medical examination, or other drug/alcohol screening of those persons whom Vaughn reasonably suspects of using, possessing, or being under the influence of a drug or alcohol or is acting in such manner that they may harm themselves or another employee.

Any refusal to submit to such testing will be considered a positive screen. An employee's consent to submit to such a test is required as a condition of employment, and an employee's refusal to consent may result in disciplinary action, including termination for a first refusal or any subsequent refusal. Vaughn shall determine the manner in which such testing is conducted with the goal being to ensure that the test results are accurate.

Such a test may be required of employees involved in any work-related accident or unsafe practice where the safety of the employee or other employees was jeopardized. Periodic retesting may also be required following positive test results or after any violation of this policy or rehabilitation.

## **8.6 Solicitations, Distributions, and Access**

In order to maintain and promote efficient operations, discipline, and security, Vaughn maintains rules applicable to all employees that govern solicitation, distribution of written material, and entry onto the premises and work areas. All employees are expected to comply with these rules, which will be strictly enforced. Any employee who is in doubt concerning the application of these rules should immediately consult with his or her supervisor.

These rules are:

- No employee shall sell merchandise or solicit or promote support for any cause or organization during his or her working time or during the working time of the employee(s) at whom such activity is directed. As used in these rules, working time excludes meal and break periods.
- No employee shall distribute or circulate any written or printed material, other than those approved by management for business purposes, in work areas at any time or during his or her working time or during the working time of the employee(s) at whom such activity is directed. As used in this section, working areas excludes designated meal and break rooms.
- No employee shall enter or remain in School work areas for any purpose except to report for, be present during, and conclude a work period. Non-exempt employees must not begin work and clock in at his or her working area more than 2 minutes before they are scheduled to begin and must stop work and clock out from his or her work area no later than 2 minutes after their work scheduled for the day is completed. Work area does not include School parking lots, gates, or other similar outside areas unless an employee is assigned to work in such areas.
- Under no circumstances will non-employees be permitted to solicit or distribute written material for any purpose on School property.
- Non-employees must sign in at the front office before entering School property.

Violations of this policy may result in disciplinary action, up to and including termination.



## **9. OPERATIONAL CONSIDERATIONS**

### **9.1 Employer Property**

Desks, files, copiers, lockers, and supplies, both office and household, are School property and must be maintained according to School rules and regulations. They must be kept clean and are to be used only for work-related purposes. Employees do not have any expectation of personal privacy in any School property. Vaughn reserves the right to inspect all School property to ensure compliance with its rules and regulations, without notice to the employee and/or in the employee's absence.

Prior authorization must be obtained before any School property may be removed from the premises.

For security reasons, employees should not leave personal belongings of value in the workplace. Personal items are subject to inspection and search, with or without notice, with or without the employee's prior consent. As a result, employees do not have an expectation of privacy in this regard.

All School property must be immediately returned upon termination of the employment relationship.

### **9.2 Employee Property**

An employee's personal property, including, but not limited to, briefcases, packages, purses, bags, and backpacks, may be inspected when, at Vaughn's discretion, Vaughn has reason to believe that the personal property may contain evidence that there has been a violation of a School-related policy. In addition, it should be noted that all offices, desks, files, lockers, and so forth are the property of Vaughn and are issued for the use of employees only during their employment with Vaughn. Persons entering the premises who refuse to cooperate in an inspection conducted pursuant to this policy will not be permitted to enter the premises. Employees working on or entering or leaving the premises who refuse to cooperate in an inspection will be subject to disciplinary action, up to and including immediate termination.

For security reasons, employees should not leave personal belongings of value in the workplace. Employees are responsible for the security of their personal belongings. Vaughn is not responsible for any lost or stolen personal items at work.

Terminated employees should remove any personal items at the time they leave Vaughn. Personal items left in the workplace by previous employees are subject to disposal if not claimed at the time of the employee's termination, unless the parties have arranged otherwise.

### **9.3 Housekeeping**

All employees are expected to keep their work areas clean and organized. Common areas such as lunchrooms and restrooms should be kept clean by those using them. Please clean up after meals. Dispose of trash properly.

### **9.4 Parking**

Employees may use parking facilities as directed by their supervisors. Vaughn is not responsible for any loss or damage to employee vehicles or contents while parked on School property.

### **9.5 Conducting Personal Business**

Employees are to conduct only School business while at work. Employees may not conduct personal business or business for another employer during their scheduled working hours. Any employee who violates this policy will be subject to appropriate disciplinary action, up to and including termination.



## 9.6 Employees Who Are Required to Drive

Employees who are required to drive their own vehicle on approved School business will be required to show proof of a current, valid license and proof of current, effective insurance coverage. To the extent permitted by law, Vaughn retains the right to transfer to an alternative position, suspend, or terminate such employees whose license is revoked or who fails to maintain personal automobile insurance coverage. Employees who drive their own vehicles on approved School business will be reimbursed at the per mile rate established by the Internal Revenue Service. As a condition of employment, employees who drive their own vehicle on approved School business are required to use good judgment.

Pursuant to applicable law and safety standards, employees whose job responsibilities include regular or occasional driving must refrain from using their cell phone while driving unless they are using a hands-free device. Safety must come before all other concerns. Thus, unless an employee is using a hands-free device in a safe manner, he or she must safely pull off to the side of the road and safely stop the vehicle before placing, accepting, or continuing a call. Sending or reviewing text messages while driving is also prohibited.

Employees whose job responsibilities do not specifically include driving as an essential function, but who use a cell phone for business purposes, whether issued by Vaughn or not, are also expected to abide by the provisions above. Under no circumstances are employees allowed to place themselves, students, or others at risk to fulfill business needs.

Any employee who fails to comply with this policy will be deemed to have engaged in grossly negligent conduct beyond the course and scope of his or her employment. As a result, any employee who is charged with a traffic violation or incurs any other form of liability resulting from a violation of this policy will, to the extent allowed by applicable law, be solely responsible for any such liability.

Violations of this policy will be subject to disciplinary action, up to and including termination.

## 9.7 Reimbursements

Vaughn's policy is to reimburse its employees for all approved necessary expenditures or losses incurred in direct consequence of the discharge of their duties. Work related expenses must be pre-approved, reasonable, and allowable. Pre-approvals must be in writing and issued by the CEO or the Director of Finance. Vaughn requests that employees submit their reimbursements within 30 days of incurring the cost.

### 9.7.1 Mileage

Reimbursement to employees who drive for authorized travel in the course and scope of their employment shall be made at the per mile rate established by the Internal Revenue Service. Mileage reimbursement is only available to an employee who actually incurs mileage on a personal vehicle, not to others who may have ridden in the same vehicle. Normal mileage to and from an employee's home is not a reimbursable expense. (Therefore, if the employee does not report to the normal worksite on a given day due to approved travel to an alternate location, the reimbursed mileage will not include the mileage the employee would normally have incurred in traveling to the normal worksite.)

Employees may obtain the reimbursement form from the Finance Department and attach all pertinent documents and receipts required, if applicable.

# EMPLOYEE HANDBOOK RECEIPT ACKNOWLEDGMENT

ALL EMPLOYEES MUST READ THIS EMPLOYEE HANDBOOK AND FILL OUT AND RETURN THIS PORTION TO HUMAN RESOURCES WITHIN ONE WEEK OF RECEIPT.

I have received a copy of Vaughn's Employee Handbook. I understand that it is my responsibility to carefully read and understand its contents and I agree to follow the policies stated therein. I agree that Vaughn and I both have the right to terminate my employment at any time, with or without notice, and with or without cause. I further understand that transfers, demotions, suspensions, employee discipline, and changes in the terms and conditions of employment may be administered at the sole and absolute discretion of Vaughn. I understand that I am an at-will employee. I understand that these conditions of my employment may not be modified orally and may only be modified in a writing approved and signed by Chief Executive Officer of Vaughn and me.

I understand that nothing in the Handbook is intended, nor should be construed, as a limitation of my right and Vaughn's right to terminate the employment relationship at any time, with or without notice, and with or without cause, or Vaughn's absolute right to transfer, demote, suspend, administer discipline, and change the terms and conditions of employment at its sole discretion. I understand that nothing in the Handbook is intended, nor should be construed, to create an implied or express contract of employment contrary to this express at-will agreement or to Vaughn's absolute right to transfer, demote, suspend, administer discipline, and change the terms and conditions of employment at its sole discretion. I understand that Vaughn's reserves the right to depart from and modify the policies stated in the Handbook at its sole discretion, with the exception of my at-will status and Vaughn's absolute right to transfer, demote, suspend, administer discipline, and change the terms and conditions of employment. The foregoing constitutes the entire terms of the agreement between me and Vaughn regarding the duration and at-will nature of my employment and Vaughn's absolute right to transfer, demote, suspend, administer discipline, and change the terms and conditions of employment at its sole discretion.

Employee Name: \_\_\_\_\_

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

Date Signed: \_\_\_\_\_