



# Personnel Handbook

California Montessori Project  
Central Administration Offices  
5330A Gibbons Drive, #700,  
Carmichael, CA 95608  
(916) 971-2432  
[www.cacmp.org](http://www.cacmp.org)

Human Resources Department  
[cmphr@cacmp.org](mailto:cmphr@cacmp.org)



Dear Staff Member,

California Montessori Project (CMP) extends a warm welcome to you as you join our staff. At CMP we implement a curriculum that has proven itself for over 100 years in many countries – Montessori! We are committed to promoting excellence in our school – in our educational materials, our rigorous curriculum, and in particular with you as our highly trained faculty and staff.

We are delighted that you have joined us in providing the highest quality, student-centered developmental approach to the education of children. The Montessori classroom is a carefully prepared environment that is attractive, ordered, and filled with manipulative materials that stimulate and guide the children's learning. Our curriculum is aligned with the California State Common Core Standards and includes basic skills, as well as other areas, such as botany, zoology, practical life and sensorial skills. We are committed to building a solid foundation of academic understanding and social experiences for each child, to support the children to develop strong self-esteem and a well-developed internal referencing, and the desire to become “life-long learners.”

Grace, courtesy, appreciation for diverse cultures, and a respect for the environment are important components of a Montessori education. We expect all of our staff and parents to model an attitude of respect, dignity, self-discipline, and cooperation, serving as role models for our students to emulate. We recognize that our students are learning at every moment, as are we.

This handbook was developed to make your job easier by providing you with answers to questions that will arise. If you do not find an answer to your question, or it is unclear, contact Human Resources by email to have this rectified. Your feedback is invited and valuable. Once you have reviewed this handbook, please sign and return the Personnel Handbook Acknowledgement Form so we will know that you are familiar with this information.

**Welcome to the California Montessori Project! Together we can provide an excellent educational environment for children and parents.**

Sincerely,

*Brett Barley*

Brett Barley, Superintendent

# California Montessori Project Personnel Handbook

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## **Our Mission**

The Mission of the California Montessori Project is to offer a quality, tuition-free Montessori education that challenges our students to reach their full potential.

## **Our Vision**

The Vision of the California Montessori Project is to provide a Montessori education that supports the intellectual, social and emotional development of every child. This will be achieved by:

- Promoting independence
- Teaching respect for oneself and others
- Building confidence
- Creating a sense of social responsibility, and
- Empowering every student to be a global citizen

## **Notice of Non-Discrimination**

California Montessori Project (CMP) does not discriminate on the basis of race, color, national origin, sex, disability, age, or any other legally protected category in its programs and activities based on nondiscrimination laws (Title VI, IX, II, and Section 504).

Inquiries regarding the non-discrimination policy should be directed to the Human Resources Department at [cmphr@cacmp.org](mailto:cmphr@cacmp.org).

For further information, visit the U.S. Department of Education Office for Civil Rights at <https://ocrcas.ed.gov/contact-ocr> for the address and phone number of the office that serves our area, or call 1-800-421-3481.

# Introduction

## Purpose of this Handbook

This handbook is intended to assist employees in becoming acquainted with the California Montessori Project (CMP). It explains our employment policies and expectations. We hope that it serves as a useful reference document for employees throughout their employment at CMP. It is provided for your use as a ready reference and summary of CMP's relevant personnel policies. Employees are responsible for reading the entire handbook and asking any questions that may arise to ensure a complete understanding of the material contained therein.

Your electronic signature on our Google Form will signify your receipt and understanding of the handbook. Should you have any questions, concerns or suggestions regarding school policies, work conditions, compensation or procedures, please contact our Human Resources Department at [cmphr@cacmp.org](mailto:cmphr@cacmp.org). We value your input and encourage you to make suggestions and comments freely. Experience has shown that open communication results in better work environments, better communication, and more positive attitudes. CMP will make every effort to respond effectively to all staff concerns.

Please understand that this handbook only highlights our personnel policies, it is not exhaustive or all inclusive, and may be read in conjunction with:

- ~~1. The Policies and Procedures Handbook, which contains~~ 1. The Safety Operations Plan and
- ~~2. The Family Handbook~~
- ~~2. The Curriculum Planning and Classroom Operations Handbook~~
- ~~3. The Montessori Curriculum, Planning and Recording Handbook, which contains the alignment of Montessori competencies and the California Common Core State Standards~~
- ~~4.3.~~ 3. The CMP Charter document, which is available from each site principal, or on our website

Circumstances may require that some policies, benefits, and practices described in this handbook be changed from time to time. Consequently, CMP reserves the right to amend, supplement or rescind any provisions of this handbook as it deems necessary at its sole and absolute discretion. As the policies are revised, you will be notified of such changes.

When any question arises for you, refer to these reference documents. If you do not find what you are looking for, or if you find it is unclear, please contact our Human Resources Department at [cmphr@cacmp.org](mailto:cmphr@cacmp.org) for clarification. This handbook will be posted to our website, [www.cacmp.org](http://www.cacmp.org), under the Human Resources tab.

# **Section 1: Foundations and Definitions**

## **1.1 Mission**

The Mission of the California Montessori Project is to offer a quality, tuition-free Montessori education that challenges our students to reach their full potential.

## **1.2 Guiding Principles**

All staff members shall be familiar with and committed to the goals, educational approach and code of conduct of the California Montessori Project (CMP) as enumerated in this handbook and in the following foundational CMP documents:

1. Charter document – available online and through each school office
2. Family Handbook – available online
3. Policies and Procedures Handbook
4. Montessori Curriculum Guide
5. Safety Operations Plan

## **1.3 Primary Goals and Educational Philosophy**

The primary goals and educational philosophy of CMP include, but are not limited to the following:

1. California Montessori Project is a school of choice; any California resident may apply.
2. At CMP, teachers, principals, deans and parents are partners with students in the learning process. If students are not progressing, all partners shall accept full responsibility and take action to ensure success.
3. Each student is a unique individual.
4. Each student learns in their own way. Instruction shall incorporate all learning modalities and intelligences.
5. Students learn responsibly, and willingly, in situations they have helped create.
6. The ability to question, reason, problem-solve, communicate with clarity and function as effective, responsible, compassionate members of society are “basic skills” in our world.

## **1.4 Employee Code of Conduct**

Employees are expected to conduct themselves at all times in a manner consistent with the highest standards of personal character and professionalism with children, parents, prospective parents, co-workers, and the community.

Attitudes are the most important facet of each employee’s presentation of CMP to the public. We request that you be courteous, tactful, and pleasant at all times, treating the most unpleasant people

in the manner that we treat our most pleasant ones. However, no staff member is expected to take abuse from anyone. Abusive treatment should be referred immediately to the principal, supervisor or Human Resources Department

## **1.5 Definitions**

For the purposes of this handbook and to assist staff members in understanding CMP personnel policies, the following words and phrases are defined as follows:

**Employee of CMP:** All employees of CMP are strictly employees of CMP and not employees of the sponsoring school district

**Academic/School Year:** The 10-month period from August to May, with 180 instructional days and 8 in-service days as noted on the approved school calendar

**Fiscal Year:** The 12-month period from July 1 to June 30 of each year

**Workweek:** The workweek is defined as Sunday through Saturday for the purposes of calculating overtime.

**Payroll Periods:** Non-exempt employees are paid semi-monthly and are paid on the 15th and the last business day of the month. Salary-exempt employees are paid on the last business day of the month

**Central Administrative Office:** The office of the superintendent, human resources, operations, student services, data management, technology, and any other administrative staff not employed at a specific campus

**District Office:** The main business office of each of CMP's sponsoring school districts

**At-Will Employment:** Employment and compensation is of mutual consent between CMP and each employee. Thus, either party has the right to terminate the employment relationship at any time, with or without cause, and with or without notice.

**Staff Classifications:** Staff classifications are based on the duties being performed and/or the education level of the individual. The superintendent or their designee makes employee appointments.

1. **Salary-Exempt:** Exempt employees are those employees with job assignments that meet exemption tests under state and federal law making them exempt from overtime pay requirements. Exempt employees are compensated on a salary basis, not pursuant to overtime requirements.

- a. Salary-exempt school-year: 188, 192, and 212 days based upon school calendar and position
  - b. Salary-exempt year-round: 250 days based upon position
2. **Hourly Non-Exempt:** Hourly non-exempt employees are those employees with job assignments that do not meet exemption tests under state and federal law. Thus, these employees are paid for actual hours worked and overtime wages for overtime worked in accordance with the law.
  - a. Hourly-non exempt school-year: 188 days based upon school calendar
  - b. Hourly-non exempt year-round: 250 days based upon position
3. **Full-time Employee:** For the purpose of payroll, a full-time employee shall be defined as any CMP staff member with regularly scheduled hours of 30 or more hours per week (.75 FTE).
4. **Part-time Employee:** For the purpose of payroll, a part-time employee shall be defined as any CMP staff member with regularly scheduled hours of less than 30 hours per week ([less than .75-74 FTE or less](#)); shall be defined as the employee’s regular work schedule.
5. **Substitutes:** Employees who work on an hourly “on call” basis to fill a temporary staff need.
  - a. Short-term substitutes: Temporary employees working less than 10 days
  - b. Long-term Substitutes: Temporary employees working 10 days or more

**California Credentialed (Certificated) Employees:** Staff members who hold a current California certificate as recognized by the California Commission on Teacher Credentialing.

**Classified Employees:** All other staff members who do not hold a current California certificate as recognized by the California Commission on Teacher Credentialing.

**School Calendar:** The instructional calendar as approved by the CMP Governing Board encompassing 180 state mandated days of instruction, school holidays and intersession periods.

**Staff Calendar:** The instructional calendar as approved by the CMP Governing Board encompassing 180 state mandated days of instruction, school holidays, intersession periods, professional development, and additional preparation days up to 188~~9~~ days.

**Payroll Reporting Period for Non-Exempt 188- & 250-Day Employees: (non-exempt employees):** [Staff are paid from the seventh day of the last day in the pay period. Pay periods can vary to ensure as many consistent pay days in each period for our non-exempt staff. Please see the “Payroll Calendar” for each pay period. Employees are paid on the closest workday to the 15<sup>th</sup> and last business day of the month. ~~The period of time running from the 9<sup>th</sup> of the month through the 24<sup>th</sup> \(paid on the last day of the month\) and the 25<sup>th</sup>-8<sup>th</sup> \(paid on the 15<sup>th</sup> of the month\).~~](#)

**Payroll Reporting Period for Salary-Exempt 188 Day Employees:** Any salaried staff member paid equally over 10 months and paid once a month on the last business day of the month.

**Payroll Reporting Period for Salary-Exempt 192, 212- & 250-Day Employees:** Any salaried staff member paid equally over 12 months and paid once a month on the last business day of the month.

In the event an exempt employee resigns or is terminated prior to June 30<sup>th</sup> of a fiscal year, the exempt employee shall be required to repay any unearned salary. Unearned salary shall be calculated as follows: Amount Paid to Employee Year-to-Date – (# days worked x Employee's Daily Rate). The employee's daily rate is calculated by dividing the contracted salary amount by 188, 192, 212 or 250 days.

## Section 2: Requirements for Employment

### 2.1 Requirements Prior to the First Day of Employment

Prior to the first day of employment, an employee will submit the following legal requirements and employment documents to the Human Resources Department for processing. Employment with CMP is not official until all onboarding paperwork has been reviewed and considered complete by our Human Resources Department:

1. Credentialed Staff: most recent copy of a valid and current California State Credential applicable to the employee's assignment (may include valid Intern Permit, Temporary County Certificate, or other valid certificate recognized by the California Commission on Teacher Credentialing)
2. Montessori Teaching Staff: copy of Montessori certificate for the grade level assignment (or evidence of enrollment in an AMS accredited Montessori training center)
3. ~~Uno~~ Official copies of all college or university transcripts of units to be considered for pay scale placement, or evidence of passing the required classified test. (See section 2.1 for required testing). For certificated teaching staff, these are graduate units beyond a bachelor's degree
- ~~4.1. Verification of Previous Employment for pay scale placement (form provided by CMP)~~
- ~~5.4.~~ Proof of a clear TB Tine test dated within the last 60-days or a physician completed "TB Assessment Form"
- ~~6.5.~~ State and federal fingerprint clearance through the Department of Justice (DOJ) to work with children (livescan) [Ed. Code 44237]
- ~~7.6.~~ Three professional references with contact phone numbers and email addresses
- ~~8.7.~~ Completed CMP Employment Application through EDJOIN
- ~~9.8.~~ Completed and signed Form W-4: Federal Employee Withholding Allowance certificate
- ~~10.9.~~ Completed and signed Form DE-4: State Employee Withholding Allowance certificate
- ~~11.10.~~ Completed and signed Form I-9: Federal Employment Eligibility Verification with proof of ~~identificationtwo legal forms of identification (i.e. driver's license and social security card, or other documentation as outlined on the form)~~
- ~~12.11.~~ Notice and acknowledgement of all CMP employee policies

## **2.2 Requirements Following the First Day of Employment**

1. During the first days of employment, employee will complete all assigned compliance trainings including but not limited to:
  - a. Sexual Harassment: Policy and Prevention
  - b. Mandated Reporter: Child Abuse and Neglect
  - c. CPR, First Aid & Bloodborne Pathogen Exposure Prevention
  - d. Students Experiencing Homelessness: Awareness and Understanding
  - e. Youth Suicide: Awareness, Prevention and Postvention
2. Official copies of all college or university transcripts must be received by Human Resources to maintain pay scale placement within 30-days of first day of employment
3. Verification of Previous Employment for pay scale placement (form provided by CMP) must be received within 30-day of first day of employment

~~2.~~

- ~~3.4.~~ For Teaching Assistants & Club M Employees: CMP requires within 30 days of employment, official transcripts demonstrating the completion of two years of college (48 semester units/60 quarter units) or an A.A. degree (or higher) OR pass a paraeducator proficiency exam
- ~~4.5.~~ Familiarize yourself with the Safety Operations Plan, evacuation plan and procedures, and the location of first aid supplies.
- ~~5.6.~~ Completion of all required paperwork in a complete and timely manner: incident and accident reports must be turned in directly to the administrative assistant, dean, or principal on the same day as the incident or accident. Attendance records must be kept contemporaneously in the required format and submitted to the office in the pre-arranged time frame.

## **2.3 Additional Requirements**

1. Employees are required to adhere to the requirements for employment described in this handbook, in the Charter, Policies and Procedures Handbook, any applicable employment agreement or offer letter and any applicable state and federal laws.
2. Staff members are required to attend staff development training scheduled by the superintendent before the opening of each school year and at various times throughout the academic year. These training days are part of the paid calendar schedule and are compulsory work days for all designated employees.
3. Employees must attend all staff meetings during the year. Campuses have bi-weekly all-staff meetings, and on the other side of those bi-weekly groupings are individual curriculum-level meetings. Absences must be arranged in advance with the principal. In the event of an absence from a staff meeting, it is the employee's responsibility to obtain the information from the meeting.



## Section 3: Conditions of Employment

### **3.1 Equal Opportunity Employment**

California Montessori Project shall recruit, hire, train, and promote in all job titles without regard to race, color, creed, national origin, gender, pregnancy, sexual orientation, marital status, religion, age, military service or other basis protected by law. All other personnel actions, such as compensation, benefits, school sponsored training, transfer, demotion, termination, layoff and return from layoff, shall be administered without regard to race, color, creed, national origin, gender, pregnancy, sexual orientation, marital status, religion, age, military service or other basis protected by law.

When necessary, CMP will reasonably accommodate employees and applicants with disabilities if the person is otherwise qualified to safely perform all of the essential functions of the position.

Any staff member who feels that discrimination has occurred shall immediately contact the appropriate principal or the Human Resources Department at [cmphr@cacmp.org](mailto:cmphr@cacmp.org). CMP shall keep such matters confidential and shall disclose information only as is necessary under the circumstances. Retaliation against complainants or witnesses is strictly prohibited.

#### **3.1.1 Employment At-will:**

California Montessori Project is an at-will employer. Employment and compensation is of mutual consent between CMP and each employee. Thus, either party has the right to terminate the employment relationship at any time, with or without cause, and with or without notice. Nothing in this handbook or in any document or statement shall limit the right to terminate employment at-will. No supervisor or employee of CMP has any 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, except for the superintendent pursuant to authority from the CMP Governing Board, and only if such an agreement is in writing.

*\*Any required onboarding information of those hired will become part of the employee's permanent personnel file. \**

CMP hires on the basis of qualifications, promotes on the basis of merit, and, when an employee must be terminated, terminates on the basis of performance, re-organization, downsizing, behavior, conduct, and any lawful reason. CMP is one school with numerous campuses and therefore, when appropriate, staff may be transferred from one campus to another. Employees may also be demoted or disciplined and/or the terms of their employment may be altered at any time, with or without cause, at the discretion of CMP. Generally, employees also may be demoted or disciplined, and the terms of their employment may be altered at any time, with or without cause, at the discretion of the school.

### **3.1.2 Anti-nepotism Policy:**

#### **Overview**

The purpose of this policy is to maintain the highest level of integrity in all actions of CMP by avoiding favoritism, the appearance of impropriety, and conflicts of interest often associated with nepotism. Nepotism is inconsistent with CMP's policy of making decisions based solely on CMP's mission, business needs, and any individual's qualifications, skills, ability and performance.

#### **Definition of "Related Persons"**

The following relationships in employment create an inference of nepotism:

- Parent and child
- Siblings
- Grandparent and grandchild
- Aunt and/or uncle and niece and/or nephew
- First cousins
- Spouses and registered domestic partners
- Guardian and ward
- Any corresponding in-law, step, or adoptive relative, or anyone residing in a permanent basis in the home of a current School employee or student.
- Persons engaged in amorous relationships; an amorous relationship exists when two (2) persons voluntarily have a physical relationship or are engaged in a romantic courtship (e.g. dating or engaged) that may or may not have been consummated.

#### **Job Applicants**

As a family-friendly organization, CMP does not discriminate against job applicants who are relatives of CMP employees. Such applicants may apply for employment in any department that is not under the supervision or control of a relative. A job applicant who is a relative of a CMP employee shall be subject to the same application requirements as all other candidates. The hiring process may not include the CMP employee relative. Screening and interviewing will be conducted by an impartial interview and hiring committee consisting of multiple members. In the event the applicant is selected for employment, the applicant shall not be hired for a position where one relative would be under the supervision or control of the other relative.

#### **Employment Decisions**

No CMP employee or any volunteer may make, participate in, or attempt to influence the hiring, management, or other business decisions involving a relative, or pressure or cause others to do so. Therefore, there can be no direct reporting or supervisory relationship between relatives, and all employment decisions must be made by others.

If an employee is to be assigned to a position that is under the supervision or control of a relative who has or may have a direct effect on the individual's progress or performance, or an individual is to be assigned to a position with the same immediate supervisor as a relative, a management

plan must be devised and approved by the head of the department, with final approval by the Executive Director. A management plan is also required when an individual already assigned to a position becomes a relative of a supervisor, subordinate, or someone who works for the same immediate supervisor.

The purpose of the management plan is to outline supervision and evaluation procedures that will mitigate possible conflicts of interest. The management plan must address reporting relationships, supervision, and evaluation that will assure that there will be no decision-making based upon relationships between relatives in promotion, compensation, hours, or other conditions of employment.

Final approval of hiring recommendations and personnel actions is the exclusive right of the Executive Director or his or her appointed representative.

### **Policy Violations**

Policy violations will not be tolerated and can subject the involved parties to adverse action, up to and including discipline/termination.

(Governing Board Approved 1/18/2018)

#### **3.1.3 Compliance with Disability Law:**

California Montessori Project will comply with all state and federal disability laws.

#### **3.1.4 Use of CMP Email and Voicemail:**

California Montessori Project will permit employees to use its electronic mail and voicemail systems subject to the following:

1. Minimal personal use is permitted as long as it does not interfere with timely job performance and is consistent with law and appropriate protocols.
2. The email system is not to be used in any way that may be disruptive, offensive to others, or harmful to morale. For example, sexually explicit images, ethnic slurs, racial epithets, or anything else that may be construed as harassment or disparagement of others based on their race, national origin, sex, sexual orientation, age, religious beliefs or political beliefs, may not be displayed or transmitted.
3. Employees should not attempt to gain access to another employee's email files or voicemail messages without the latter's express permission. CMP cannot provide any guarantee that this will not happen. Confidentiality cannot be guaranteed.
4. System security features, including passwords and delete functions, do not neutralize CMP's ability to access any message at any time. Employees must be aware that the CMP server is not confidential and that the possibility of such access always exists.
5. In order to further aid against potential computer viruses, uploading or downloading of unapproved programs is strictly prohibited without prior approval of the employee principal or supervisor.

### **3.1.5 Drug, Alcohol and Tobacco Free Workplace:**

CMP complies with all Federal and State regulations regarding drug and alcohol use by employees while on the job. The unlawful manufacture, distribution, dispensing, possession, or use of any controlled substances, including alcohol while on the job are grounds for immediate dismissal. Over the counter and prescribed medication, when taken as directed, are permissible when they do not impair the employee's ability to safely perform all job duties, and it is the staff person's responsibility to ensure that they are kept in a location where students do not have access to them.

In accordance with California State law, CMP is a no smoking environment, including the areas outside of CMP buildings. This policy is for the health and safety of all and for healthy modeling for our students. We request that you observe this policy.

The drug and tobacco free workplace also apply to our students. Staff must immediately report any violation of the policy that involves students directly to the principal. Students who violate this policy may be expelled.

### **3.1.6 Weapons Policy:**

No weapons may be brought on any school premises at any time.

### **3.1.7 Right to Privacy:**

Employees should be aware that lockers, desks and other personal spaces provided by CMP are school property and are subject to search if necessary.

### **3.1.8 Confidential Information - Regarding Students:**

All information relating to students including but not limited to names, addresses, contact numbers, family status, health, and progress information is confidential and may not be shared with unauthorized parties at any time. Unauthorized parties include other school parents not related to the child and other CMP staff who do not interact with the child.

All records concerning special education students shall be kept strictly confidential and maintained in separate files.

Please note: The release of unauthorized confidential information may result in immediate dismissal and the filing of criminal charges. When in doubt about what is confidential and who is an authorized party, check with the appropriate principal.

### **3.1.9 Confidential Information – Regarding CMP Staff:**

As in any business, all CMP personnel information is to be handled as confidential information. Only CMP staff members who have confidential clearance shall have access to personnel information to include employment status and wage/salary information.

Employees who come into contact with confidential or privileged information in error should inform the appropriate parties as soon as possible. Employees who receive confidential or privileged information in error shall not copy, disseminate or take any action that relies on that information.

*Please note:* Any breach of confidentiality is grounds for immediate disciplinary action up to and including termination of employment and the filing of criminal charges. When in doubt about what is confidential and who is an authorized party, check with the appropriate principal.

### **3.1.10 Expectations for CMP Staff with Related Children:**

This section of the handbook is to assist employees with balancing and navigating their roles as relatives and employees of our school. This section applies to all CMP employees with related children.

#### **1. Accessing related children's records**

Staff with CMP often have access to student records that relatives who are not staff would not have the same ease and/or level of access. These student records could include but are not limited to CUME files, all records held in our student information systems, Aeries and SEIS.

CMP expects and requires staff with related children attending CMP to go through proper protocols and processes that are expected of all other parents when wanting to access their related children's records. At no time should staff be accessing records of their related children that they wouldn't otherwise have direct access to as a parent/guardian.

Staff should be limiting their access to records of students they are directly responsible for in their role as a staff member with CMP.

Violation of these expectation could result in disciplinary action up to and including dismissal.

#### **2. Contacting CMP staff for requests as a relative**

When making any inquiries or outreach to your related children's campus, please follow the same expectations as any other parent/guardian of CMP.

For general inquiries, please contact the front office staff at their desk phones. We should not be contacting staff on their personal cell phones. From any CMP phone, you can dial the extension of the staff member to reach their desk.

For inquiries about your related children's academic or social emotional needs in the classroom, please contact the child's teacher via ParentSquare, email, phone or in-person. Inquiries made in-person, should be completed before or after school.

If applicable, for inquiries about your related child's IEP or 504, please contact the child's case manager via ParentSquare, email, phone or in-person. Inquiries made in-person, should be completed before or after school.

For all other inquiries and/or concerns, please contact your principal by email or office phone.

### **3. Requesting services for related child(ren)**

If at any point, you believe your related child(ren) should be receiving services that they are not currently receiving, staff should follow the same protocol and process as any other parent/guardian to request services.

Often times, CMP staff are aware of their colleagues' work and the services they provide our CMP students. However, staff must not use their specialized knowledge or job positions to gain an advantage. At no time should CMP staff request or direct other staff to provide assessments and/or services for their related children nor should they circumvent any procedures.

For children not currently under an IEP or 504, staff should contact the classroom teacher to request assessments and/or services. For children with an IEP or 504, staff should contact the case manager to schedule a meeting to discuss additional assessments and/or services.

### **4. Your related child's classroom**

CMP attempts to avoid, to the extent possible, staff from being provided assignments in their related child's classroom. Special circumstances will be decided by the Supervisor and/or Principal.

### **5. Exercising appropriate boundaries and good judgement**

Being a relative and a staff member of CMP is a unique relationship that requires you to maintain appropriate boundaries and requires you to use good judgement in a variety of circumstances.

It's critical you respect the privacy and confidentiality of students, staff and colleagues. Do not share sensitive information about students or school matters with others, even if you are friends.

We ask that you avoid showing favoritism or bias towards your related child or their friends in your professional capacity.

We ask that you be aware of potential conflicts of interests. If you are in a position where your personal interests may conflict with your professional responsibilities, it's essential to disclose the conflict to your supervisor to discuss how to manage the conflict.

Maintain professional boundaries with colleagues, parents and students while at work, no matter how well you know these individuals outside of work.

If conflicts arise between your familial and professional roles, address them diplomatically and through appropriate channels. If you are unsure, please seek guidance from your supervisor.

### **3.1.110 Professional Boundaries: Staff & Student Interaction:**

#### **Acceptable and Unacceptable Staff/Student Behavior**

This section is intended to guide all CMP staff in conducting themselves in a way that reflects the high standards of behavior and professionalism required of school employees and to specify the boundaries between students and staff.

Although this policy gives specific, clear direction, it is each staff member's obligation to avoid situations that could prompt suspicion by parents, students, colleagues, or school leaders. One viable standard that can be quickly applied, when you are unsure if certain conduct is acceptable, is to ask yourself, "Would I be engaged in this conduct if my family or colleagues were standing next to me?"

For the purposes of this policy, the term "boundaries" is defined as acceptable professional behavior by staff members while interacting with a student. Trespassing the boundaries of a student/staff relationship is deemed an abuse of power and a betrayal of public trust and may lead to discipline up to and including dismissal.

Some activities may seem innocent from a staff member's perspective, but can be perceived as flirtation or sexual insinuation from a student or parent point of view. The objective of the following lists of acceptable and unacceptable 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, sexual misconduct.

Staff must understand their own responsibility for ensuring that they do not cross the boundaries as written in this section. Disagreeing with the wording or intent of the established boundaries will be considered irrelevant for disciplinary purposes. Thus, it is crucial that all employees learn this thoroughly and apply the lists of acceptable and unacceptable behaviors to their daily activities. Although sincere interactions with students certainly fosters learning, student/staff interactions must have boundaries surrounding potential activities, locations and intentions.

### **Duty to Report Suspected Misconduct**

When any employee reasonably suspects or believes that another staff member may have crossed the boundaries specified in this policy, he or she must immediately report the matter to the principal or the Human Resources Department. Child Protective Services (CPS) should also be immediately contacted if a staff member suspects or believes in their professional capacity or within the scope of their employment whom they know or reasonably suspect a student has been the victim of child abuse. Please see section 3.6 Mandated Reporting: Child Neglect and Abuse for more information. All reports shall be as confidential as possible under the circumstances. It is the duty of the principal to contact Human Resources to report the situation prior to investigating. Employees must also report to the principal any awareness or concern of student behavior that crosses boundaries or where a student appears to be at risk for sexual abuse.

The following are examples of acceptable, cautionary, and unacceptable staff/student behavior and these are not meant to be an exhaustive list.

### **Unacceptable Staff/Student Behaviors (Violations of this Policy)**

- (a) Giving gifts to an individual student that are of a personal and intimate nature.
- (b) Kissing of any kind.
- (c) Any type of unnecessary physical contact with a student in a private situation.
- (d) Intentionally being alone with a student away from the school.
- (e) Making or participating in sexually inappropriate comments.
- (f) Sexual jokes.
- (g) Seeking emotional involvement with a student for your benefit.
- (h) Listening to or telling stories that are sexually oriented. This is not inclusive of sexual abuse reported by a student to a staff member.
- (i) Discussing inappropriate personal troubles or intimate issues with a student in an attempt to gain their support and understanding.
- (j) Becoming involved with a student so that a reasonable person may suspect inappropriate behavior.
- (k) Texting, instant messaging, making phone calls and accepting or joining the social media pages of students.

### **Unacceptable Staff/Student Behaviors without Parent and Principal or Supervisor Permission**

(These behaviors should only be exercised when a staff member has parent and principal or supervisor permission.)

- (a) Giving students a ride to/from school or school activities.



- (b) Allowing students in your home.

### **Cautionary Staff/Student Behaviors**

(These behaviors should only be exercised when a reasonable and prudent person, acting as an educator, is prevented from using a better practice or behavior. Staff members should inform their principal or supervisor of the circumstance and occurrence prior to or immediately after the occurrence)

- (a) Being alone in a room with a student at school with the door closed. This is not inclusive of situations where confidentiality laws would apply such as a suicide assessments, investigations, or meetings with school Psychologists or Counselors, etc.

### **Acceptable and Recommended Staff/Student Behaviors**

- (a) Getting parents' written consent for any after-school activity.
- (b) Obtaining formal approval to take students off school property for activities such as field trips or competitions.
- (c) Emails to students must be very professional and pertaining to school activities or classes. Communication must be limited to school technology.
- (d) Keeping the door open when alone with a student.
- (e) Keeping reasonable space between you and your students.
- (f) Stopping and correcting students if they cross your own personal boundaries.
- (g) Keeping parents informed when a significant issue develops about a student.
- (h) Keeping after-class discussions with a student professional and brief.
- (i) Asking for advice from fellow staff, a principal or a supervisor if you find yourself in a difficult situation related to boundaries.
- (j) Involving your principal or supervisor if conflict arises with the student.
- (k) Informing your principal or supervisor about situations that have the potential to become more severe.
- (l) Making detailed notes about an incident that could evolve into a more serious situation later.
- (m) Recognizing the responsibility to stop unacceptable behavior of students or coworkers.
- (n) Asking another staff member to be present if you will be alone with any student with a 504 plan or an individualized education plan.
- (o) Asking another staff member to be present when you must be alone with a student after regular school hours.
- (p) Giving students praise and recognition without touching them.
- (q) Pats on the back, high fives and handshakes are acceptable.
- (r) Keeping your professional conduct a high priority.

- (s) Asking yourself if your actions are worth your job and career.

### **3.1.121 Conflict of Interest:**

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflict of interest. Such a conflict occurs when an employee is in a position to influence a decision that may result in a personal gain for the employee or for a relative as a result of CMP's business dealings. For purposes of this policy, a relative is any person who is related by blood or marriage.

No "presumption of guilt" is created by the mere existence of a relationship with outside firms; however, if such employees have any influence on transactions involving purchases, contracts, or leases, it is imperative that such information be disclosed so that safeguards can be established to protect all parties.

## **3.2 Dress Code**

CMP's staff dress code policy requires staff to use appropriate discretion and dress accordingly for a Montessori school environment. Staff should consult the student dress code for their campus and direct questions to their supervisor.

### **3.2.1 Fragrances:**

To be respectful of individuals with cases of severe allergies, asthma or other health concerns, scented personal products (such as fragrances, colognes, lotions and powders) should be used with caution. Other scented products (candles, potpourri, diffusers and similar items) should be used with the same care in the workplace and the classroom. If a staff member notices sensitivity to a scented product, and they don't feel comfortable discussing it directly with the other staff member, they should work with their principal or supervisor to address the issue appropriately. Failure to comply with the principal or supervisor request will result in disciplinary action.

### **3.3 Prohibition of Harassment and Workplace Violence**

CMP is committed to providing a workplace free of harassment, violence, intimidation, oppression and exploitation. Any and all forms of harassment or violence in the workplace shall not be tolerated. CMP considers harassment and workplace violence to be a major offense that may result in disciplinary action, from completion of required harassment/violence training up to and including dismissal, of the offending employee.

#### **3.3.1 Definition of Harassment:**

For purposes of this policy, harassment is any verbal or physical conduct designed to threaten, intimidate or coerce an employee, co-worker, or any person working for or on behalf of CMP.

The following examples of harassment are intended to be guidelines and are not exclusive when determining whether there has been a violation of this policy:

1. Verbal harassment includes comments that are offensive or unwelcome regarding a person's national origin, race, color, religion, gender, sexual orientation, age, body, disability or appearance, including epithets, slurs and negative stereotyping.
2. Nonverbal harassment includes distribution, display or discussion of any written or graphic material that ridicules, denigrates, insults, belittles or shows hostility, aversion or disrespect toward an individual or group because of national origin, race, color, religion, age, gender, sexual orientation, pregnancy, appearance, disability, sexual identity, marital status or other protected status.

#### **3.3.2 Definition of Sexual Harassment:**

Sexual harassment consists of un-welcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. Submission to that conduct is either made explicitly or implicitly as a term or condition of an individual's employment
2. An employment decision is based upon an individual's acceptance or rejection of that conduct
3. The conduct interferes with an individual's work performance or creates an intimidating, hostile or offensive working environment

It is also unlawful to retaliate or take reprisals in any way against an employee who has articulated a good faith concern about sexual harassment or discrimination against them or another individual.

Staff members shall annually receive trainings and/or instruction concerning sexual harassment in the workplace. Any employee who believes that they have been sexually harassed or has witnessed sexual harassment is encouraged to immediately report such harassment to the employee's

principal, supervisor, or the Human Resources Department.

Sexual harassment may include, but is not limited to:

1. Physical assaults of a sexual nature, such as:
  - a. Rape, sexual battery, molestation or attempts to commit these assaults
  - b. Intentional physical conduct that is sexual in nature, such as touching, pinching, patting, grabbing, brushing against another employee's body, or poking another employee's body
  - c. Unwanted sexual advances, propositions or other sexual comments, such as:

Sexually oriented gestures, noises, remarks, jokes, or comments about a person's sexuality or sexual experience directed at or made in the presence of any employee who indicates or who has indicated in any way that such conduct is unwelcome in his or her presence
  - d. Preferential treatment or promises of preferential treatment to an employee for submitting to sexual conduct, including soliciting or attempting to solicit any employee to engage in sexual activity for compensation or reward
  - e. Subjecting or threats of subjecting an employee to unwelcome sexual attention or conduct or intentionally making performance of the employee's job more difficult because of the employee's sex
2. Sexual or discriminatory displays or publications anywhere at the workplace by employees, such as:
  - a. Displaying pictures, cartoons, posters, calendars, graffiti, objects, promotional materials, reading materials, or other materials that are sexually suggestive, sexually demeaning or pornographic, or bringing to the work environment or possessing any such material to read, display, or view at work
  - b. Reading publicly or otherwise publicizing in the work environment materials that are in any way sexually revealing, sexually suggestive, sexually demeaning, or pornographic
  - c. Displaying signs or other materials purporting to segregate an employee by sex in any area of the workplace (other than restrooms and similar semi-private lockers and changing rooms)

The illustrations above are not to be construed as an all-inclusive list of prohibited acts under this policy.

Employees who wish to file a formal sexual harassment complaint may complete and submit a Harassment Complaint Form, Appendix 1, or may obtain one from any school office or the Human Resources Department. Complaints may also be made to the employee's principal, supervisor or the Human Resources Department.

Complainants and witnesses under this policy will be protected from further harassment and will not be retaliated against in any aspect of their employment due to their participation in the filing of a complaint or the reporting of sexual harassment.

CMP will investigate complaints promptly and provide a written report of the investigation and decision within thirty (30) days of receipt of the complaint unless an extension of time is needed for good cause.

All complaints of sexual harassment will be kept confidential and only those persons with a need to know the information or the identity of a complainant will receive such information. Individuals participating in a sexual harassment investigation will be advised that the matter is confidential and that retaliation in any form is prohibited.

### **3.3.3 Definition of Workplace Violence:**

Workplace violence is any act or threat of physical violence, harassment, intimidation, or other threatening disruptive behavior that occurs at the work site. It ranges from threats and verbal abuse to physical assaults and even homicide. It can affect and involve employees, clients, customers and visitors.

CMP provides a safe workplace for all employees. To ensure a safe workplace and to reduce the risk of violence, all employees should review and understand all provisions of this workplace violence policy.

### **3.3.4 Prohibited Violent Conduct:**

CMP does not tolerate any type of workplace violence committed by or against employees. Employees are prohibited from making threats or engaging in violent activities. This list of behaviors provides examples of conduct that is prohibited:

1. Causing physical injury to another person
2. Making threatening remarks
3. Displaying aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress
4. Intentionally damaging employer property or property of another employee
5. Possessing a weapon while on company property or while on company business
6. Committing acts motivated by, or related to, sexual harassment or domestic violence

### **3.3.5 Reporting Procedures:**

Any potentially harassing or dangerous situations must be immediately reported to a principal, supervisor, or the Human Resources Department. All reported incidents will be investigated. Reports or incidents warranting confidentiality will be handled appropriately, and information will be disclosed to others only on a need-to-know basis. All parties involved in a situation will be

counseled, and the results of investigations will be discussed with them. CMP will actively intervene at any indication of a possibly hostile or violent situation.

1. The grievant should contact their principal or supervisor to make an appointment to discuss the issue as soon as possible.
2. The principal or supervisor will review the problem and any related policies. If the problem cannot be resolved informally through discussion or meeting, the grievance shall be reduced to writing by the grievant and submitted to the principal or supervisor. The principal or supervisor shall notify Human Resources, and provide all written documentation submitted to the principals or supervisor. In the event the complaint is against the principal or supervisor, staff may directly contact the Human Resources Department at [cmphr@cacmp.org](mailto:cmphr@cacmp.org).
3. Following any necessary investigation, the principal or supervisor and/or Human Resources shall prepare a written response to the grievance no later than 24 to 48 business hours from the date of receipt of the grievance unless for good cause, additional time is required for the response.
4. If a satisfactory resolution cannot be reached, the grievant may request a meeting with CMP's superintendent. The request for this meeting will be written and will include any and all documentation related to the grievance along with any solutions that have been proposed by the grievant, the principal or supervisor, and any other related parties. The request for the meeting is to be delivered to the superintendent who, unless sick or out of town, will meet with the grievant within ten (10) working days of receiving the written request.
5. After the meeting, the superintendent, or administrative designee, will conduct an investigation of the matter prior to making a decision or recommendation. The superintendent will provide the grievant with a response and outcome within a reasonable amount of time, not to exceed thirty (30) days from the date of the meeting. This decision will serve as the final decision of CMP.

### **3.4 Campus Environment**

Our campus is our day home, as it is for the students. If you see garbage anywhere on campus, collect it up and deposit it in the appropriate place. If there is more than an accidentally dropped item, find the source and address the importance of keeping our environment clean and tidy at all times. The state of our campus reflects our commitment to a prepared, safe and enjoyable environment for all.

#### **3.4.1 Classrooms:**

Teachers are responsible for cleaning up after themselves at all times in the school building and particularly in the classroom. Classrooms must be kept orderly and be cleaned out at the end of the school year.

Classrooms must be prepared for the resumption of school in August as well as after spring and winter recesses. Animal environments must be cleaned and maintained during vacations or taken home.

### **3.5 Personal Letters, Articles and Public Affairs**

When writing articles for publication or when participating in public affairs, staff members are cautioned to avoid placing CMP in situations which could have legal and embarrassing ramifications. General rules regarding participation in outside personal activities include, but are not limited to, the following guidelines:

1. Personal letters are not to be written on organization letterhead, including personal letters of recommendation.
2. Individuals who are involved in endorsements, testimonials, publications, and participation in public forums or affairs shall make it known that the employee is acting and speaking in a personal capacity and is not acting as a representative of the CMP organization.
3. Reporters seeking information about CMP must be referred to the superintendent, and any articles about CMP must be submitted to the superintendent for review prior to publication.

### **3.6 Mandated Reporting: Child Neglect and Abuse**

California Penal Code section 11166 requires any child care custodian who has knowledge of, or observes, a child in his or her professional capacity or within the scope of his or her employment whom he or she knows or reasonably suspects has been the victim of child abuse to report the known or suspected instance of child abuse to a child protective agency immediately, or as soon as practically possible, by telephone and to prepare and send a written report thereof within thirty-six (36) hours of receiving the information concerning the incident. Employees must notify the principal or supervisor that a report has been made.

CMP will provide annual training on the mandated reporting requirements, using the online training module that complies with the State Department of Social Services training requirements, to employees who are mandated reporters. Mandated reporter training will also be provided to employees hired during the course of the school year. This training will include information that failure to report an incident of known or reasonably suspected child abuse or neglect, as required by Penal Code section 11166, is a misdemeanor punishable by up to six (6) months confinement in a county jail, or by a fine of one-thousand dollars (\$1,000), or by both that imprisonment and fine.

All employees required to receive mandated reporter training will complete the training through CMP's training system, Vector Solutions, within the first six (6) weeks of each school year or within the first six (6) weeks of that employee's employment.

By acknowledging receipt of this Handbook, employees acknowledge they are child care custodians and are certifying that they have knowledge of California Penal Code section 11166 and will comply with its provisions.



## **Section 4: Personnel Evaluation and Record Keeping**

### **4.1 Employee Reviews and Evaluations**

#### **4.1.1 Certificated Salary-Exempt Staff:**

All employees shall complete a self-evaluation as well as a review by the employee's principal or supervisor on an annual basis. The purpose of these reviews is to identify strengths, setting goals for areas of improvement and skill development, to encourage growth, and develop strategies within a supportive team.

The superintendent and other staff members shall be permitted to conduct formal observations of teaching staff and other non-teaching staff at a mutually agreed upon time.

Parents and visitors may conduct informal observations of teaching staff by appointment. Teachers have a right to know that they are being observed for evaluation.

#### **4.1.2 Classified Non-Exempt and Salary-Exempt Staff:**

All employees shall complete a self-evaluation as well as a review by the principal or supervisor on an annual basis.

#### **4.1.3 Response to Formal Observation and Review Findings:**

All employees shall have the right to make their own written comments in response to the observations or review findings within two weeks of receipt. This response will be attached to the observation and/or evaluation and kept in the employee's confidential personnel file.

### **4.2 Personnel Files and Record Keeping Protocols**

The superintendent or their designee shall maintain a confidential personnel file for each employee. All information in personnel files is strictly confidential, as is all payroll information. Any employee who violates this confidentiality is subject to discipline, including discharge.

The confidential personnel file will contain the evaluation documents discussed in this section, as well as any other employment-related documents or correspondence. The superintendent or their designee and the employee will initial all evaluation documents placed in the confidential personnel file. An employee will be provided a copy of all evaluation documents placed in their confidential personnel file.

Employees must be given notice and opportunity (10 days) to review and comment on information of a negative nature before it is entered or filed in the confidential personnel file with limited exceptions as provided by law.

Confidential personnel files are protected from unauthorized disclosure to third parties unless in compliance with lawful subpoenas, court orders, or written employee authorization. In the case where an employee will not initial the document (to be placed in his or her confidential personnel file), the principal or supervisor shall make a notation on the document indicating that the employee has been given a copy of the document and has refused to initial the document. Employees have the right to inspect their confidential personnel files, with 24-72 business day notice, and not at a time when the employee is required to render services to the school.

It is the policy of CMP to check the employment references of all prospective employees. The Human Resources Department will respond to all reference check inquiries from other employers. Responses to such inquiries will be limited to factual information that can be substantiated by CMP's written records. No other employment data, including wage information, will be released without written authorization and a release signed by the individual who is the subject of the inquiry.

Each employee is responsible to promptly notify CMP of any changes in personnel data such as mailing addresses, e-mail address, telephone numbers, number and names of dependents, individuals to be contacted in case of an emergency, educational accomplishments, and credential information. Any other such status reports should be accurate and current at all times.

### **4.3 Continuing Education**

CMP instructional staff are required to keep their California and Montessori credentials current and to keep their professional training and knowledge current through ongoing educational experiences, which may include travel, retreat, university courses, workshops, and other means that will further their personal growth and enhance their teaching skills. If the staff member is requesting employer assistance, either financially or through time off work, a written request must be submitted to the principal for pre-approval.

Additionally, the superintendent in conjunction with the leadership team (principals and directors) will develop and provide annual professional development training for all staff.

#### **4.3.1 Travel and Conference Expense Policy:**

See Appendix 2 for CMP's Travel and Conference Expense Policy.

#### **4.4 Financial Assistance for Professional Growth Activities**

Contingent upon annual budgetary resources, CMP will make available tuition assistance funding for costs associated with pre-authorized professional growth activities directly related to an employee's job duties. Examples of such activities include Montessori training, administrative credential, conferences, certifications and workshops. The amount of available funding will be decided upon each year, based on budget, on a campus-by-campus basis.

Employees are directed to speak with their principal or supervisor to obtain additional information on available funding for a particular professional development activity. Campus office staff can assist the employee in obtaining the correct application forms. Employees are encouraged to start the application process well in advance of the requested activity. The application is submitted to the principal or supervisor for review and approval.

See Appendix 3 for the Financial Assistance/Training Request Form.

## **Section 5: Staff Classifications**

### **5.1 Certificated Salary-Exempt**

#### **5.1.1 Salary-Exempt Full-Time:**

California credentialed teachers are required to be at their school campuses from 8 am to 4 pm on all scheduled school and professional development days, except where alternative scheduling has been previously agreed upon by the principal. Time before and after actual student hours may be used for classroom and material preparation, parent communications, school meetings, and in some campuses, car line(s). Certificated Salary-Exempt employees are professional employees who are exempt from break time and meal period requirements. Exempt employees working more than six hours per day are still encouraged to take a meal break. By virtue of the professional nature of this position, certificated salary-exempt employees are paid to get the job done and are not eligible for overtime or compensatory time.

### **5.2 Certificated Hourly Non-Exempt**

#### **5.2.1 Hourly Part-Time:**

In-school hours for part-time teachers will be set as described in each teacher's employment agreement or as designated by the superintendent or the principal.

In addition to the required classroom instructional hours, staff members (*both full-time and part-time*) shall also attend staff meetings as follows: One (1) general staff meeting bi-weekly lasting one to one and half (1 1/2) hours and bi-weekly, one (1) individual/grouping classroom meeting lasting one (1) hour.

All teaching staff members are required to attend all professional development as arranged by the superintendent, principal and/or director. If a teacher misses any training, or preparation/cleanup, (s)he may use sick days. If all available sick days have been used up, the missed day/s will be deducted from payroll. Sick days taken must align with the sick leave policy in Section 8.2 of this handbook.

### **5.3 Certificated/Non-Certificated Salary-Exempt Administrator**

Principals must be on campus at least half an hour prior to students arriving and two hours after their departure. They must be present for IEP meetings, parent conferences, governing board meetings, staff meetings, and any events of the school. They must ensure there is administrative coverage for any hours that they are not on campus while school is in session.

### **5.3.1 Staff Meetings:**

Principals are required to hold and attend one (1) general staff meeting bi-weekly lasting one to one and half hours, to attend the administrative operations and curriculum meetings, and the monthly Governing Board meeting, and to provide an update report for each of these meetings.

## **5.4 Classified Hourly Non-Exempt**

Work schedules shall be arranged to ensure continuous coverage at each school site between 7:00 a.m. and 6:00 p.m. whenever school and/or Club Montessori are in session, as well as continuous admin coverage at the Central Administrative Office of CMP during regular business hours from 8:00 a.m. to 5:00 p.m. All staff members are required to attend all professional development, meetings, and trainings as arranged by the superintendent, principal or supervisor.

### **5.4.1 Hourly Part-Time/Full-Time Employees:**

Part-time and full-time employee schedules will be set ~~as described in each employee's offer letter~~ as designated by the superintendent, principal or supervisor.

## **5.5 Classified Salary-Exempt**

Classified Salary-Exempt employees are professional employees who are exempt from break time and meal period requirements. Exempt employees working more than six hours per day are still encouraged to take a meal break. By virtue of the professional nature of this position, classified salary-exempt employees are paid to get the job done and are not eligible for overtime or compensatory time. All salary-exempt employees are required to attend all professional development, meetings, and training as arranged by the superintendent, principal or director.

## **5.6 Yard Duty**

All school site employees, including teachers, may need to perform yard duty before, after and during the CMP day. At no time may students be left unattended without staff supervision. It is the responsibility of the lead teacher to ensure this coverage. Even in cases where parent volunteers are providing coverage, there must be at least one CMP staff person on duty as well. Yard duty staff must be physically present with the children at all times. Visual supervision from another indoor location does not constitute physical supervision. Parents may NOT be left alone with students for any length of time.

## **5.7 Overtime and Extra Time/Unbudgeted Time**

### **5.7.1 Overtime**

Non-Exempt employees are those employees that are covered by the overtime provisions of the Fair Labor Standards Act and they are entitled to receive overtime pay. Overtime is defined as hours worked in excess of 8 hours per day or 40 hours per week (Sunday - Saturday). Overtime hours are paid at time and one half. All overtime should be approved in advance by the employee's

principal or supervisor.

### **5.7.2 Extra Time/Unbudgeted Time**

Extra Time or unbudgeted time is time worked outside of the employee's assigned work hours. Like overtime, unbudgeted time must be approved by the principal or supervisor. All time worked by a CMP non-exempt employee must be logged in the time tracking system.

An example of time not approved by the Supervisor and constitutes unbudgeted time is a Lead Teacher coordinating with a Teaching Assistant outside of the Teaching Assistant's assigned work hours or vice versa. All coordination should take place during the work schedule of the Teaching Assistant.

If non-exempt staff are having difficulties completing their tasks within the employee's scheduled work hours, principals or supervisors should work with staff to evaluate how best to complete assigned work.

If an employee works overtime or unbudgeted time without approval, employees may be subject to discipline.

### **5.8 Volunteer Time**

Many of CMP's non-exempt staff have related children at our schools. It is important to keep clear distinction between your work as an employee at CMP and any volunteer opportunities you may want to engage in as a relative at CMP. This is crucial to ensure accurate compensation and compliance with labor laws.

Volunteer time is voluntary. Volunteer time is considered volunteer as long as you are signing-up to offer your time outside of your work schedule, you are deciding how you volunteer your time, you are not volunteering in your assigned classroom and/or workspace and you are not being asked to volunteer in a specific capacity.

Volunteer time should not be your assigned job duties in your assigned classroom and/or workspace at CMP. For example, if you are a Teaching Assistant in a classroom, you should not be performing Teaching Assistant job duties in your volunteer capacity for your assigned classroom. If you would like to offer Teaching Assistant type duties for volunteer time for your related child's classroom, this is permitted as long as you are not assigned to this classroom, the volunteer time is not conducted during your normal scheduled working hours and you are willingly providing volunteer time.

To maintain a distinction between your job duties and your volunteer time, all hours worked should be logged in the time tracking system and any volunteer shifts should be identified via sign-ups in ParentSquare and/or through the school site's system for tracking volunteer time.

## **5.98 Telecommuting**

CMP is a site-based school program and employees are expected to perform their duties on site. In the event a specific campus or campuses are closed for an extended amount of time, designated staff will be assigned to work off site. The Telecommuting Agreement, Appendix 4, between CMP and the individual employee will be reviewed and signed by all relevant parties.

Telecommuting allows employees to work at home, on the road, or in a satellite location for all or part of their workweek. CMP considers telecommuting to be a viable, flexible work option when both the employee and the job are suited to such an arrangement. Telecommuting may be appropriate for some employees and jobs, but not for others. Telecommuting is not an entitlement, it is not a CMP benefit, and it in no way changes the terms and conditions of employment with CMP.

Telecommuting can be informal, such as working from home for a short-term project, or on the road during business travel, or a formal, set schedule of working away from the office as described below. Either an employee or a supervisor can suggest telecommuting as a possible work arrangement.

### **5.98.1 Telecommuting Procedure:**

Any telecommuting arrangement made will be on a 30-day trial basis and may be discontinued at will and at any time at the request of either the telecommuter or CMP. Every effort will be made to provide 30 days' notice of such change to accommodate commuting, child care, and other issues that may arise from the termination of a telecommuting arrangement. There may be instances, however, when no notice is possible.

Telecommuting is not designed to be a replacement for appropriate child care. Although an individual employee's schedule may be modified to accommodate child care needs, the focus of the arrangement must remain on job performance and meeting business demands. Prospective telecommuters are encouraged to discuss expectations of telecommuting with family members prior to entering a trial period.

Before entering into any telecommuting agreement, the employee, principal, ~~supervisor~~ or superintendent, with the assistance of the human resources department, will evaluate the suitability of such an arrangement, reviewing the following areas:

1. Employee suitability: The employee and supervisor will assess the needs and work habits of the employee, in addition to ensuring there is appropriate coverage at the campus or central administration.



2. Job responsibilities: The employee and supervisor will discuss the job responsibilities and determine if the job is appropriate for a telecommuting arrangement.
3. Equipment needs, workspace design considerations and scheduling issues: The employee and supervisor will review the physical workspace needs and the appropriate location for the telework.
4. Tax and other legal implications: The employee must determine any tax or legal implications under IRS, state and local government laws, and/or restrictions of working out of a home-based office. Responsibility for fulfilling all obligations in this area rests solely with the employee.

If the employee and supervisor agree, and the human resources department concurs, a draft telecommuting agreement will be prepared and signed by all parties, and a 30-day trial period will commence.

Evaluation of telecommuter performance during the trial period will include regular interaction by phone and e-mail between the employee and the supervisor, and weekly face-to-face meetings to discuss work progress and problems. At the end of the trial period, the employee and supervisor will each complete an evaluation of the arrangement and make recommendations for continuance or modifications. Evaluation of telecommuter performance beyond the trial period will be consistent with that received by employees working at the office in both content and frequency but will focus on work output and completion of objectives rather than on time-based performance.

An appropriate level of communication between the telecommuter and supervisor will be agreed to as part of the discussion process and will be more formal during the trial period. After conclusion of the trial period, the supervisor and telecommuter will communicate at a level consistent with employees working at the office or in a manner and frequency that is appropriate for the job and the individuals involved.

#### **5.98.2 Equipment:**

On a case-by-case basis, CMP will determine, with information supplied by the employee and the supervisor, the appropriate equipment needs (including hardware, software, modems, phone and data lines, and other office equipment) for each telecommuting arrangement. The Human Resources and Technology Departments will serve as resources in this matter. Equipment supplied by CMP will be maintained by CMP. Equipment supplied by the employee, if deemed appropriate by CMP, will be maintained by the employee. CMP accepts no responsibility for damage or repairs to employee-owned equipment. CMP reserves the right to make determinations as to appropriate equipment, subject to change at any time. Equipment supplied by CMP is to be used for business purposes only. The telecommuter must sign an inventory of all CMP property received and agree to take appropriate action to protect the items from damage or theft. Upon termination of employment, all CMP property will be returned to CMP.

Employees must follow CMP's existing pre-approval process for making purchases. The

employee will establish an appropriate work environment within their home for work purposes. CMP will not be responsible for costs associated with the setup of the employee's home office, such as remodeling, furniture or lighting, nor for repairs or modifications to the home office space.

### **5.98.3 Security:**

Consistent with the CMP's expectations of information security for employees working at the office, telecommuting employees will be expected to ensure the protection of proprietary school and student information accessible from their home office. Steps include the use of locked file cabinets and desks, regular password maintenance, and any other measures appropriate for the job and the environment.

### **5.98.4 Safety:**

Employees are expected to maintain their home workspace in a safe manner, free from safety hazards. Injuries sustained by the employee in a home office location and in conjunction with their regular work duties are normally covered by the company's workers' compensation policy. Telecommuting employees are responsible for notifying human resources of such injuries as soon as practical. The employee is liable for any injuries sustained by visitors to their home worksite.

~~Telecommuting is not designed to be a replacement for appropriate child care. Although an individual employee's schedule may be modified to accommodate child care needs, the focus of the arrangement must remain on job performance and meeting business demands. Prospective telecommuters are encouraged to discuss expectations of telecommuting with family members prior to entering a trial period.~~

### **5.98.5 Time Worked:**

Telecommuting employees who are not exempt from the overtime requirements of the Fair Labor Standards Act will be required to accurately record all hours worked using CMP's time-keeping system. Hours worked in excess of those scheduled per day and per workweek require the advance approval of the telecommuter's principal or supervisor. Failure to comply with this requirement may result in the immediate termination of the telecommuting agreement. See section 6.1 for rest and meal break requirements.

### **5.98.6 Ad Hoc Arrangements:**

Temporary telecommuting arrangements may be approved for circumstances such as inclement weather, special projects or business travel. These arrangements are approved on an as-needed basis only, with no expectation of ongoing continuance.

Other informal, short-term arrangements may be made for employees on family or medical leave to the extent practical for the employee and CMP and with the consent of the employee's health care provider, if appropriate.

All informal telecommuting arrangements are made on a case-by-case basis, focusing first on the business needs of CMP.

## Section 6: Rest and Meal Periods

### **6.1 Non-Exempt Meal Periods**

All non-exempt employees *who work more than 5 hours in a day* are entitled to a [duty-free](#) meal period of 30 minutes per day. Lead teachers and principals are required to coordinate meal periods for non-exempt employees on a daily basis to ensure that they occur and all children are supervised at all times.

Employees who work over 5 hours must have a [duty-free](#) meal period at a reasonable time during their shift. The [duty-free](#) meal break must begin no later than 4 hours and 59 minutes into the non-exempt employee's shift. [A second duty-free meal period is granted when an employee works over 10-hours.](#)

[Duty-free meal and rest breaks are defined as no work responsibilities are being completed while on break and/or no work conversations by staff, students and/or parents/guardians are taking place during duty-free meal and rest breaks. For example, if a non-exempt staff member is due to take their duty-free meal or rest break and they have their walkie talkie with them during this time and are listening to the chatter on the walkie talkie, this is not a duty-free meal or rest period.](#)

[If a duty-free meal or rest break is interrupted, the meal or rest period must be started again. If this is not feasible with the school schedule, an additional hour of pay will be given to the employee. This time is not calculated as time worked for purposes of overtime calculations as stated in Labor Code Section 226.7. If an employee is failing to honor their rest or meal breaks and is choosing to work during this time, the employee may be subject to disciplinary action.](#)

#### **6.1.1 Rest breaks:**

A 10-minute [duty-free](#) rest break is to be taken at the midpoint of each 4-hour shift worked.

#### **6.1.2 Limited Waiver:**

CMP does not allow non-exempt employees to waive their rest or meal breaks.

#### **6.1.3 Phone Calls:**

CMP phones, computers, internet access and e-mail accounts are provided for business use. Employees making personal calls outside the local calling area should use personal phones. Employees should reserve personal business for employee break times, before or after work. When personal calls are necessary, they should be kept as short as possible.

## **6.2 Salary Exempt Meal Periods**

Salary exempt employees can take a meal break when they find a convenient time and if applicable to the exempt employee's job, all children are supervised at all times. A meal break is encouraged but is not required by law for exempt staff.

## **6.3 Lactation Accommodation Policy**

CMP recognizes lactating employees' rights to request lactation accommodations and provides a reasonable amount of break time and a suitable lactation location to any employee who desires to express breast milk for their child, subject to any exemption allowed under applicable law.

For non-exempt staff, if possible, the break time should run concurrently with the normally scheduled break time. When not possible, please coordinate with the principal or supervisor.

The lactation location will be private (shielded from view and free from intrusion from co-workers and the public) and located close to their work area. The location will be safe, clean and free of toxic or hazardous materials; have a surface to place a breast pump and other personal items; have a place to sit; and have access to electricity or alternative devices (such as extension cords or charging stations) allowing the employee to operate an electric or battery-powered breast pump. CMP will also provide access to a sink with running water and a refrigerator suitable for storing milk in close proximity to the workspace. If a refrigerator cannot be provided, CMP will provide another cooling device suitable for storing milk, such as an employer-provided cooler.

The lactation location will not be a bathroom or restroom. The room or location may include an employee's private office if it otherwise meets the requirements of the lactation space. Multi-purpose rooms may be used as lactation space if they satisfy the requirements for space; however, use of the room for lactation takes priority over other uses for the time it is in use for lactation purposes.

Employees who desire lactation accommodations should contact their principal or supervisor to request accommodations. An employee's request may be provided orally, by email, or in writing, and need not be submitted on a specific form. The supervisor will engage in an interactive process with the employee to determine when and where lactation breaks will occur.

CMP will not tolerate discrimination or retaliation against employees who exercise their rights to lactation accommodation, including those who request time to express milk at work and/or who lodge a complaint related to the right to lactation accommodation. If you believe you have been denied reasonable break time or adequate space to express milk, or have otherwise been denied your rights related to lactation accommodation, you have the right to file a complaint with the

Labor Commissioner.

## Section 7: Employees Wages and Salaries

### 7.1 Employee Status

California Montessori Project reserves the right to decrease or eliminate an employee's salary, hours or work year based upon, among other things, program demand, change in program direction, restructuring, down-sizing, or for any other reason which is deemed to be in the best interest of the program.

CMP is a public school governed by Article XVI, section 6 of the California Constitution with respect to prohibition of gifts of public funds. Accordingly, in the event an employee resigns, is terminated, or otherwise fails to complete the full number of designated days of service as outlined in the agreement prior to the end of the school year, or in the event that employee receives an overpayment of wages in error, as a public school, CMP is legally obligated to collect the full amount of unearned and/or overpaid compensation made to the employee, and the employee shall be required to repay any unearned wages in the year in which the overpayment occurred.

### 7.2 Pay Periods

CMP's fiscal year, accounting, and payables period runs from July 1<sup>st</sup> to June 30<sup>th</sup> of each year. The annual payroll calendar coincides with this cycle.

### 7.3 Pay Dates

#### **7.3.1 Salary-Exempt:**

Paychecks (wages and/or salary) are issued on the last business day of the month for the month in which the work occurred.

#### **7.3.2 Hourly Non-Exempt:**

[Staff are paid from the seventh day of the last day in the pay period. Pay periods can vary to ensure as many consistent pay days in each period for our non-exempt staff. Please see the "Payroll Calendar" for each pay period. Employees are paid on the closest workday to the 15<sup>th</sup> and last business day of the month. Work service periods for hourly employees run from the 9<sup>th</sup> through the 24<sup>th</sup> of the month, paid on the last business day of the month, and 25<sup>th</sup> through the 8<sup>th</sup> of the month, paid on the 15<sup>th</sup> of each month or the last business day prior to if the 15<sup>th</sup> falls on a weekend or holiday.](#)

It is the responsibility of all hourly employees to log in and out of the time keeping system on a DAILY basis. [All time must be logged including time worked and meal and rest breaks.](#) Time entered into the timekeeping system must be approved by the last day of the pay period in order for payroll to be processed. In the event an employee forgets to log time in the time tracking system, the employee

must submit to the payroll administrative assistant the actual times worked in writing so the system may be updated appropriately.

In all cases, a payroll report for all employees recording vacation days, sick days, training and prep days, and unpaid time off work must be submitted by the administrative assistant at each campus according to the payroll calendar each month for payroll processing. CMP Human Resources and Payroll Departments shall ensure all federal, state, and social security taxes are automatically deducted from paychecks. Federal and state withholding tax deductions are determined by the employee's W-4 & DE-4 forms respectively. The federal and state withholding tax forms should be completed at the time of initial employment. It is the employee's responsibility to report any changes in filing status to the payroll technician and to fill out and submit new W-4 & DE-4 forms to payroll in a timely manner.

Federal and state law requires CMP to withhold the following taxes from the employee's wages:

1. Federal Income Tax Withholding: The amount varies with the number of exemptions the employee claims and, of course, the gross pay amount (W-4).
2. State Income Tax Withholding: The same factors that apply to federal withholdings apply to state withholdings (DE-4).
3. STRS and/ or Social Security: The Federal Insurance Contribution Act (listed on the paycheck as FICA) requires that a certain percentage of employee earnings be deducted and forwarded to the federal government, together with an equal amount contributed by CMP.
4. Medicare Taxes: These taxes are withheld every month and, as with all other taxes, the cumulative amount paid will be listed on the employee's Pay Statement.
5. State Disability Insurance (SDI): This state fund is used to provide benefits to those out of work because of illness or disability.

Prior to January 31 of the following calendar year, a Withholding Statement (W-2) will be prepared and forwarded to each employee for use in connection with preparation of income tax returns. The W-2 shows total contributions to Social Security and state disability, taxes withheld and total wages paid.

All paychecks/wage statements will include the required elements as defined in Labor Code Section 226(a) including:

- Gross wages earned
- Total hours worked (not required for salaried exempt employees)
- The number of piece-rate units earned and any applicable piece rate if the employee is paid on a piece rate basis (CMP employees are not paid on a piece rate basis)
- All deductions (all deductions made on written orders of the employee may be aggregated and shown as one item)
- Net wages earned
- The inclusive dates of the period for which the employee is paid



- The name of the employee and the last four digits of his or her social security number or an employee identification number other than a social security number
- The name and address of the legal entity that is the employer
- All applicable hourly rates in effect during the pay period, and the corresponding number of hours worked at each hourly rate by the employee

### **7.3.3 Pay Corrections:**

While all reasonable precautions are taken to ensure that each employee receives the correct amount of pay, errors can and do occur. In this event, the discrepancy should be brought to the attention of the human resource payroll department as soon as possible so that the situation can be reviewed, and corrections can be made in a timely manner. ~~Corrections will be made in the next payroll cycle.~~

An underpayment occurs when an employee receives less compensation than they are entitled to receive. Underpayments will either be corrected with an in-house check or on the next payroll cycle.

An overpayment occurs when an employee receives more compensation than they are entitled to receive and was paid in error. An overpayment represents a debt owed to CMP in which CMP has a financial obligation to attempt to recover; otherwise, the overpayment is considered a gift of public funds and violates article XVI public finance section 6 of the California Constitution. If an overpayment occurs, regardless of who made the error, the payroll department will provide the employee with a “Repayment Agreement” to complete and return. Overpayment amounts can be collected via payroll deductions or via personal check issued to CMP. Repayment schedules are subject to approval by the human resources or payroll departments.

#### Supervisor Responsibilities Include:

- Review employee’s timecard entries for accuracy and work with employees to correct timecard entries if needed.
- Approve your employee’s timecard entries at the end of each pay period.

#### Employee Responsibilities Include:

- Review your paycheck earning statements for accuracy. Your earning statements have the gross amount, deductions, and year-to-date totals. If you believe the gross amount is not as expected, please notify the payroll department.
- Review and approve your timecard for accuracy. If there is an error, notify your supervisor right away.
- Promptly repay all overpayments to CMP regardless of the cause for the error.
- Respond to overpayment notification and agreement in a timely manner.

All payroll information is confidential and only the Human Resources and Payroll Departments, supervisors, and principals have access to this information. Only the Human Resource Department

may verify dates of employment, position, salary and wage information regarding employees for the purposes of credit checks, purchase of homes, automobile loans, etc. Employees should reach out to the Human Resources Department at [cmphr@cacmp.org](mailto:cmphr@cacmp.org) for support with these items.

#### **7.3.4 Training:**

All staff members shall be required to attend all training sessions as arranged by the superintendent, principal, or supervisor. For hourly non-exempt employees, these hours shall be included in the paid employment hours minus the lunch period. If a staff member misses any professional development and/or preparation/cleanup they shall contact the principal or supervisor to arrange a time to make up the professional development and/or preparation/cleanup.

### **7.4 Salary Exempt Compensation**

A full-time workweek is based on 30-40 hours per week, 6-8 hours per day, and 5 days per week. Salary-exempt employees are expected to be readily available at their assigned work location during normal operating hours. The specific daily schedule shall be set by the principal or supervisor.

#### **7.4.1 Salary-Exempt School-Year (188 workdays):**

Salary-exempt school year employees do not accrue additional paid vacation. CMP recognizes the importance of vacation time as a period of rest and rejuvenation away from the job and encourages all salary-exempt school year employees to utilize non-instructional periods for this purpose. With this in mind, the compulsory daily work schedule is established to provide paid time for regularly assigned work duties, accessibility for communication with parents, staff meetings, and other duties as may be required to provide optimum administrative oversight.

Salary-exempt school year employees are 10-month employees who work August through May, but not June and July. For those who would like to receive pay in June and July, a Summer Holdback Plan (SHB) is offered to all salary exempt school year 10-month employees. SHB is approximately 16.67% of net pay withheld (after all taxes and deductions have been taken out) of every check (Aug – May). Employees who elect to participate in SHB will receive approximately the same deferred net paychecks for June and July. Eligible staff can elect for SHB in August. The Human Resources Department will send notification and an electronic form.

#### **7.4.2 Salary Exempt Year-Round (192 & 212 workdays):**

Salary exempt 192- and 212-day employees do not accrue additional paid vacation. CMP recognizes the importance of vacation time as a period of rest and rejuvenation away from the job and encourages all salary exempt 192- and 212-day employees to utilize non-instructional periods for this purpose. Salary exempt 192- and 212-day employees are 12-month employees who work July through June.

### **7.4.3 Salary Exempt Year-Round ([245 & 250](#) workdays):**

Salary exempt [245-day and](#) 250-day employees do accrue paid vacation. See “Section 8.8 Vacation Time” for more information. Salary exempt 250-day employees are 12-month employees who work July through June.

## **7.5 Hourly Non-Exempt Compensation**

A full-time workweek is based on 30-40 hours per week, 6-8 hours per day, and 5 days per week. Hourly non-exempt employees are expected to be readily available at their assigned work location during their assigned hours. The specific daily schedule shall be set by the principal or supervisor.

### **7.5.1 Hourly Non-Exempt School Year:**

Hourly non-exempt employees working on a school year basis are eligible to receive sick leave and paid holidays that take place during the school year. Hourly non-exempt employees do not accrue additional paid vacation. CMP recognizes the importance of vacation time as a period of rest and rejuvenation away from the job and encourages all non-exempt school-year staff to utilize non-instructional periods for this purpose.

### **7.5.2 Hourly Non-Exempt Year-Round:**

Hourly non-exempt employees working on a year-round basis are eligible to receive sick leave and paid holidays. Full-time, hourly non-exempt year-round employees accrue paid vacation, however, part-time (less than 30-hours per week) hourly non-exempt year round employees do not accrue additional paid vacation.

## **7.6 Stipends**

**Exempt** employees may be eligible for stipends dependent on additional duties performed, longevity with CMP, education, etc. If employees are eligible for a stipend, the stipend is included on the employee pay scale or stipend agreement. Stipends are paid monthly, in addition to the employees’ regular salary.

Classified hourly non-exempt staff are **not eligible** for stipends and must be paid for time worked when the work is performed. [Hourly rates for non-exempt staff are adjusted to include additional duties such as substitute coordination and serving on CMP’s Crisis Prevention Intervention \(CPI\) Teams. For example, a Teaching Assistant may fall on the pay scale at \\$17.00 per hour for credited work experience and education. If this Teaching Assistant also serves on the campus CPI team, the Teaching Assistant’s hourly rate is adjusted to \\$18.00 per hour and all hours worked are paid at \\$18.00 per hour.](#)

## Section 8: Leaves and Vacations

### 8.1 Requesting Time Off

#### **8.1.1 Punctuality and Attendance:**

The students and families of CMP count on the attendance and punctuality of CMP employees. Excessive absenteeism and tardiness will not be tolerated and will lead to disciplinary action, up to and including termination. An absence or tardiness without notification to the principal or supervisor will lead to disciplinary action, up to and including termination. If you find it necessary to be absent or late, you are expected to arrange it in advance with the principal or supervisor. If it is not possible to arrange your absence or tardiness in advance, you must notify the principal or supervisor no later than one-half hour before the start of your workday. If you are absent from work longer than one day, you are expected to keep the principal or supervisor sufficiently informed of your situation.

If an employee fails to report to work for three or more days without notification to the supervisor, on the fourth day, CMP may consider the employee has abandoned their position and has voluntarily terminated employment with CMP. In such cases, CMP will give notice to the employee of the decision and provide 72 hours for the employee to respond. CMP shall also begin immediate action to fill this position with another qualified candidate.

If an employee is absent for more than three working days due to medical reasons, the employee must, upon return, email the Human Resources Department [at cmphr@cacmp.org](mailto:cmphr@cacmp.org) ~~with a physician's statement certifying they are cleared to return to work.~~ doctor's note indicating the absence was due to medical reasons.

#### **8.1.2 Tardiness:**

Being late without advance permission for two (2) or more days in a two (2) month period is considered excessive. If this occurs, the principal or supervisor will discuss the matter with the staff member and will also provide written documentation to the employee's permanent personnel file. It is the employee's responsibility to notify the principal or supervisor if they will be late, even if it is only a few minutes. In the event of lateness, supervision of students and course material is directly affected and alternate coverage needs to be arranged. Frequent absence or tardiness decreases the employee's effectiveness on the job, affects morale and decreases co-workers job efficiency, since they must cover for an absent or tardy employee, and it directly affects each and every student in the class.

### **8.1.3 Absence Request Policy:**

Employees shall submit a request for time off in CMP's time tracking system as early as possible, but not later than two weeks prior to the requested time off dates. In the event that a two-week notice is not feasible, requests for time off will be reviewed at the discretion of the principal or supervisor. Vacation days may be requested in hourly increments, up to a maximum of five consecutive days off at one time, unless otherwise approved in writing by the employee's principal or supervisor.

Requests for time off will be reviewed with due consideration for peak work periods during the year. Time off requests must be coordinated and approved by the employee's principal or supervisor, subject to scheduling, site needs, and available site coverage. Time off for principals or supervisors shall be coordinated and approved by the superintendent, subject to the same considerations. If the time off request is approved, the employee should immediately communicate vacation dates to the appropriate administrator and applicable co-workers using standard site protocol to ensure organizational needs are met and coverage is coordinated during the employee's absence.

### **8.1.4 Blackout Periods:**

CMP reserves the right to identify "blackout periods" where VACATION requests shall require the written approval of the employee's principal or supervisor. Standard blackout periods include: mandatory staff training, network-wide professional development days, CAASPP testing weeks, the week before school starts, and the first day of school. Such blackout periods shall be communicated to staff in writing by the employee's principal or supervisor. In the event that a "black out period" must be added to the calendar, at least 30 calendar days written notice shall be given prior to the implementation of said black out period.

## **8.2 Paid Sick Leave Benefit**

CMP's paid sick leave plan is a part of the benefits package extended to employees. This benefit is designed to provide employees with a degree of income protection in the event of unforeseen absences which falls under the sick leave benefit guidance. Sick leave may be taken to receive preventative care (including annual physicals or flu shots) or to diagnose, treat, or care for an existing physical or mental health condition. Employees may also use sick leave to assist a family member (i.e., children, parents, spouses/domestic partners, grandparents, grandchildren, or siblings) who must receive preventative care or a diagnosis, treatment, or care for an existing health condition. Finally, an employee may take paid sick time to receive medical care or other assistance to address instances of domestic violence, sexual assault, or stalking.

As indicated by this policy, CMP maintains a bona-fide sick leave plan, which is not to be construed as Vacation or PTO benefits. Upon separation of employment, accrued sick days are not

paid out, but instead expire at the end of employee's employment term. At a certificated employee's request, a report of any accrued and unused days shall be forwarded to the employee's next public employer or to STRS as appropriate.

Eligible days shall only be accrued during continuous, active employment periods. ~~Eligible employees who work only a portion of the creditable work period shall accrue a pro-rated percentage of leave in direct proportion to the total number of days of full time active service completed during the fiscal year.~~ All new employees are eligible to use accrued sick leave after 90 initial days of active service.

CMP will not tolerate abuse or misuse of sick leave privileges. If CMP suspects abuse of sick leave, CMP may require a medical certification from an employee verifying the employee's absence. Sick days are available for employee's use based on the following schedule:

#### ~~8.2.1 Full-Time School Year & Year-Round Employees:~~

~~Within~~In the first 200 days of year of full time date of hire for new employees or July 1 for current employees employment with CMP, all employees ~~shall~~will be eligible to accrue ~~up to~~ 40 hours of sick leave. Employees ~~will~~shall be eligible to accrue one additional sick day per year for each additional **full year of full-time employment**, up to a maximum of ten sick days per year. ~~(See Appendix 5 for Sick Hours Accrual Calculation)~~ Absences from work for non-exempt employees will be charged to accrued leave in half-hour or full day increments. Absences from work for exempt employees will be charged to accrued leave in half day or full day increments.

~~For purposes of sick leave allowance calculation and accrual, only full years of full time service shall be included in service credits for this section.~~ Unused sick days at the end of the year may be carried over and available for use the following year. All non-certificated staff sick leave will cap at 10-days or 80 hours. All certificated staff sick leave will not cap as these hours can be rolled over to CalSTRS at retirement for service credit.

As of September 12, 2022, and going forward, CMP will accept transfer of unused, accrued "basic paid" sick leave from previous districts for CalSTRS eligible employees. CMP does not accept "excess paid sick leave" or amounts that are in excess of 12 days per year for each year of the employee's public-school service. At an employee's separation of employment, and upon written request, CMP shall provide a written report of any unused sick time for potential consideration by the employee's next public employer and/or CalSTRS. This rollover provision does not apply to any retired or previously employed CMP staff member. This strictly applies to current, regular certificated staff as of 9/12/22 and on.

### ~~8.2.2 Full-Time Employees working less than 40 hours per week but at least 30 hours per week:~~

~~Shall receive a prorated benefit to coincide with the employee's designated work schedule.~~

### ~~8.2.3 Part-Time Employees working Less Than 30 hours per week:~~

~~Beginning July 1, 2015, in accordance with California's Healthy Workplace, Healthy Families Act, classified part time staff (working <30 hours per week, and/or less than 250 days per year, year round, shall be eligible to receive three days (24 hours) of paid sick leave at the beginning of each fiscal year of employment. Unused sick time does not carry over from year to year, but rather the employee's sick leave bank is replenished at the beginning of each employment year. Sick Leave benefits are eligible for use after 90 initial days of active service for new employees, and in years where the employee worked more than 30 days in that employment year.~~

~~In the event that an employee's illness or injury lasts more than five days, the employee shall utilize sick leave for the first five days of absence, which is the waiting period for state disability benefits. In the event that an employee's illness or injury lasts more than five days, the employee may apply for state disability benefits immediately with no waiting period and will not be charged sick leave time out of the employee's accrued sick leave bank. If no sick leave is available, leave without pay (LWOP) will be noted in the time tracking system. (See also [www.EDD.ca.gov](http://www.EDD.ca.gov))~~

~~In the event that an employee's illness or injury is deemed to be work related, the employee shall utilize sick leave for up to the first three days of absence, which is the waiting period for worker's compensation benefits. If no sick leave is available, leave without pay (LWOP) will be noted in the time tracking system. Thereafter, if found eligible for worker's compensation benefits, the employee shall receive temporary disability benefits through the school's worker's compensation carrier at a percentage of the employees' wages. (See also CMP's policies and procedures on worker's compensation.)~~

### **8.2.14 Personal Necessity:**

As noted above, CMP maintains a bona-fide sick leave policy, which is not to be construed as Vacation or PTO time. In the event an employee is absent from work for an unforeseen non-health-related emergency, or for personal business that cannot be scheduled outside of the employee's regular work schedule (to include evenings, weekends, and intersession periods), the employee may apply for the use of accrued sick leave under this Personal Necessity provision.

All employees shall inform the principal or supervisor in advance, and as soon as possible, of any anticipated absence.

As applicable, an employee may request and the employee's principal or supervisor may grant use of accrued sick leave under all defined areas of personal necessity except for "Other Personal Necessity". Requests must be submitted in writing in advance of the requested leave

date.

Personal Necessity requests are to be reserved for extreme and/or unique circumstances. Guidelines for Personal Necessity requests are as follows:

1. Requests do not qualify based on recreation, vacation, or other social circumstances, or to otherwise extend an already established break period.
2. Except for unforeseen emergencies, employees must submit a request at least 48 hours in advance of absence. In the event of an emergency request, the employee shall submit the request as soon as the need for time off is known.
3. Examples of Personal Necessity include, but are not limited to:
  - a. Unforeseen home or auto issues that prevent employees from reporting to work, and/or require employee's immediate presence at home to include flooding, electrical fires, utility appointment to trouble-shoot or restart critical home services, or inability to report to work due to extreme weather or other natural disasters
  - b. Funeral attendance or participation in religious activities that are not otherwise covered under applicable CMP policy
  - c. Court appearances or other personal business/appointments of a time sensitive nature that cannot be scheduled during the employee's non-work hours
  - d. Business or appointments related to the employee's own academic activities, or that of the employee's child, including conferences or meetings with the employee's or child's school, that cannot be scheduled during the employee's non-work hours
  - e. Other Personal Necessity circumstances will be reviewed on an individual basis and are subject to approval by the Human Resources Department.
  - f. In the event that the superintendent has reason to request Personal Necessity leave, such request shall be submitted to the Chair of the Governing Board for consideration and approval utilizing the same standards and guidelines as other CMP employees.

Employees submitting a request for Personal Necessity under "Other" are to send an email to [cmphr@cacmp.org](mailto:cmphr@cacmp.org) and to their principal or supervisor and indicate the specific reason for such request. The Human Resources Department will review the request -for approval or denial. A response -will be given to the employee and the principal or supervisor. The Human Resources Department will also keep a copy on file of the email communications.

Personal Necessity requests which are not approved by the principal, supervisor or Human Resources will be designated as leave without pay (LWOP) and documented in the time tracking system as such.

Employees may request a maximum of one-half of the employee's annual sick leave benefit to



be applied under the Personal Necessity provision, not to exceed five days per year. Note: Application for and approval of the use of accrued sick leave benefits for personal necessity purposes does not change or affect this policy and the terms of CMP's bona-fide sick leave plan.

### **8.2.5 Bereavement Leave:**

In the event of the death of an immediate family member, defined as a spouse, child, parent, legal guardian, ~~sibling, brother, sister,~~ grandparent, grandchild, mother-, father-, sister-, brother-, son-, or daughter- in-law, foster parent, foster child/grandchild, aunt, uncle, first cousin, or any relative living in the household of the employee, or for reproductive loss (including failed adoption, failed surrogacy, unsuccessful assisted reproduction, miscarriage, or stillbirth) employees may be granted up to five (5)~~three (3)~~ days of bereavement leave. The first three (3) days will be paid and the additional two (2) days will be unpaid. necessary leave of absence, with pay.

A maximum of 20-days of bereavement or four (4) reproductive loss events in a 12-month period will be granted. Bereavement leave in excess of three (3) days, but not to exceed five (5) days, may be granted to employees when traveling beyond a 300-mile radius in connection with bereavement.

Additional days of leave without pay may be requested by the eligible employee and approved by the principal or supervisor on a case by case basis.

Appropriate paperwork to document absence and request for leave must be filed with the Human Resources Department ~~employee's principal or supervisor~~ within a reasonable timeframe, but no later than 48 hours after the employee returns to work.

### **8.2.6 Workers' Compensation - Industrial Injury Leave:**

In accordance with state law, California Montessori Project provides workers' compensation insurance coverage for all employees in the case of work-related injury. This benefit is provided at no cost to CMP employees. The workers' compensation benefit provided to injured employees may include:

1. Payments for medical care costs
2. Tax free cash benefits to replace lost wages
3. Financial assistance for vocational rehabilitation to help qualified injured employees return to suitable employment

To ensure that the injured employee receives any workers' compensation benefits to which they may be entitled, the injured employee will need to:

1. Immediately report any work-related injury to his or her supervisor
2. Seek medical treatment and follow-up care if required
3. Complete a written Employee's Claim Form (DWC Form) and return it to the principal who will submit it to Workers' Compensation
4. Provide CMP with medical certification from the employee's healthcare provider regarding the need for workers' compensation disability leave and employee's ability to return to work from the leave

Under most circumstances, upon submission of a medical certification that an employee is able to return to work from workers' compensation leave; the employee will be reinstated to their same position held at the time the leave began, or to an equivalent position if available. If the same position is not available, the employee's return to work will depend on job openings existing at the time of their scheduled return and upon their qualifications for any existing openings. 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.

If, after returning from workers' compensation disability leave, an employee is unable to perform the essential functions of their job because of a physical or mental disability, CMP's obligations to the employee may include reasonable accommodation, as governed by the Americans with Disabilities Act, and any other applicable disability law.

Employees who are injured in a work-related incident will be referred to a physician designated by CMP for medical treatment, unless CMP has received written notice from the employee prior to a work-related injury that the employee wishes to be treated by their own physician with their physician's approving signature.

The CMP designated physician for work-related injuries will treat employees who do not designate their own physician for at least thirty (30) days. After thirty (30) days, employees may seek treatment from their own physician.

The law requires that CMP 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 (1) to five (5) 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 be incurred.

Workers' compensation insurance does not cover employees for accidents or injuries during the employee's commute or other non-work times.

### **8.2.7 Unpaid Leave of Absence:**

In certain circumstances, CMP may grant unpaid leaves of absence to employees. It is important to request such leave in writing as far in advance as possible. If you fail to return to work on the day agreed upon, CMP has the right to terminate your employment.

Upon returning from an unpaid leave of absence, the employee will be credited with the full employment status prior to the start of the leave. However, employees should be aware that CMP does not continue to pay the employee's premium benefit for health, dental or vision insurance coverage for employees on unpaid leaves of absence. Under the provisions of COBRA, the employee may elect to continue coverage by self-paying the total insurance premium directly to CMP for the duration of the employee's approved leave of absence.

### **8.2.8 Requesting Leave without Pay (LWOP):**

Leave without Pay (LWOP) is a time off that is requested due to an employee exhausting all available sick leave and/or vacation time. LWOP may be approved, if requested in advance, by the [Supervisor/principal or administrator](#). Employees must work 90% of their work schedule to be eligible to request LWOP. LWOP exceeding 10% of employees' monthly work schedule will be considered excessive absenteeism, and may lead to disciplinary action, up to and including termination.

### **8.2.9 Family Care and Medical Leave:**

This policy explains how the School complies with the federal Family and Medical Leave Act ("FMLA") and the California Family Rights Act ("CFRA"), both of which require the School to permit each eligible employee to take up to twelve (12) workweeks (or twenty-six (26) workweeks where indicated) of FMLA leave in any twelve (12)-month period for the purposes enumerated below. For purposes of this policy, all leave taken under FMLA or CFRA will be referred to as "FMLA leave."

#### Employee Eligibility Criteria

To be eligible for FMLA leave, the employee must have been employed by the School for a total of at least twelve (12) months, worked at least 1,250 hours during the twelve (12)-month period immediately preceding commencement of the FMLA leave.

#### Events That May Entitle an Employee to FMLA Leave

The twelve (12)-week (or twenty-six (26)-week where indicated) FMLA allowance includes any time taken (with or without pay) for any of the following reasons:

1. To care for the employee’s newborn child or a child placed with the employee for adoption or foster care. Leaves for this purpose must conclude twelve (12) months after the birth, adoption, or placement. If both parents are employed by the School, they will also be entitled to (12) weeks of leave each for this purpose.
2. Because of the employee’s own serious health condition (including a serious health condition resulting from an on-the-job illness or injury) that makes the employee unable to perform any one or more of the essential functions of his or her job (other than a disability caused by pregnancy, childbirth, or related medical conditions, which is covered by the School’s separate pregnancy disability policy).
  - a. A “serious health condition” is an illness, injury (including, but not limited to, on-the-job injuries), impairment, or physical or mental condition of the employee or a child, spouse, domestic partner, parent, grandparent, grandchild, or sibling of the employee that involves either inpatient care or continuing treatment, including, but not limited to, treatment for substance abuse.
  - b. “Inpatient care” means a stay in a hospital, hospice, or residential health care facility, any subsequent treatment in connection with such inpatient care, or any period of incapacity. A person is considered an “inpatient” when a health care facility formally admits him/her to the facility with the expectation that he/she will remain at least overnight and occupy a bed, even if it later develops that such person can be discharged or transferred to another facility and does not actually remain overnight.
  - c. “Incapacity” means the inability to work, attend school, or perform other regular daily activities due to a serious health condition, its treatment, or the recovery that it requires.
  - d. “Continuing treatment” means ongoing medical treatment or supervision by a health care provider.
3. To care for a child, spouse, domestic partner, parent, grandparent, grandchild, or sibling with a serious health condition or military service-related injury. When an employee is providing care to the above named, or next of kin who is a covered Armed Forces service member with a serious injury or illness, the employee may take a maximum of twenty-six (26) weeks of FMLA leave in a single, twelve (12) month period to provide said care.
4. For any “qualifying exigency” because the employee is the spouse, son, daughter, or parent of an individual on active military duty, or an individual notified of an impending call or order to active duty, in the Armed Forces.

#### Amount of FMLA Leave Which May Be Taken

1. FMLA leave can be taken in one (1) or more periods, but may not exceed twelve (12) workweeks total for any purpose in any twelve (12)-month period, as described below, for any one, or combination of the above-described situations. “Twelve workweeks” means

the equivalent of twelve of the employee's normally scheduled workweeks. For a full-time employee who works five (5) eight-hour days per week, "twelve workweeks" means sixty (60) working and/or paid eight (8) hour days.

2. In addition to the twelve (12) workweeks of FMLA leave that may be taken, an employee who is the spouse, son, daughter, parent, or next of kin of a covered Armed Forces service member shall also be entitled to a total of twenty-six (26) workweeks of FMLA leave during a twelve (12) month period to care for the Armed Forces service member.
3. The "twelve (12) month period" in which twelve (12) weeks of FMLA leave may be taken is the twelve (12) month period immediately preceding the commencement of any FMLA leave.
4. If a holiday falls within a week taken as FMLA leave, the week is nevertheless counted as a week of FMLA leave. If, however, the School's business activity has temporarily ceased for some reason and employees are generally not expected to report for work for one or more weeks, such as the Winter Break, Spring Break, or Summer Vacation, the days the School's activities have ceased do not count against the employee's FMLA leave entitlement. Similarly, if an employee uses FMLA leave in increments of less than one (1) week, the fact that a holiday may occur within a week in which an employee partially takes leave does not count against the employee's leave entitlement unless the employee was otherwise scheduled and expected to work during the holiday.

#### Pay during FMLA Leave

1. An employee on FMLA leave for an employee's own serious health condition or to care for a child, spouse, domestic partner, parent, grandparent, grandchild, or sibling with a serious health condition may use any or all sick time at the beginning of any otherwise unpaid FMLA leave.
2. If an employee has exhausted their sick time, leave taken under FMLA shall be unpaid.
3. The receipt of sick leave pay or State Disability Insurance benefits will not extend the length of the FMLA leave. Sick pay accrues during any period of unpaid FMLA leave only until the end of the month in which unpaid leave began.

#### Health Benefits

The provisions of CMP's various employee benefit plans govern continuing eligibility during FMLA leave, and these provisions may change from time to time. The health benefits of employees on FMLA leave will be paid by CMP during the leave at the same level and under the same conditions as coverage would have been provided if the employee had been continuously employed during the leave period. When a request for FMLA leave is granted, the Human Resources Department will give the employee written confirmation of the arrangements made for the payment of insurance premiums during the leave period.

If an employee is required to pay premiums for any part of their group health coverage, the Human Resources Department will provide the employee with advance written notice of the terms and conditions under which premium payments must be made.

CMP may recover the health benefit costs paid on behalf of an employee during his/her FMLA leave if:

1. The employee fails to return from leave after the period of leave to which the employee is entitled has expired. An employee is deemed to have “failed to return from leave” if he/she works less than thirty (30) days after returning from FMLA leave; and
2. The employee’s failure to return from leave is for a reason other than the continuation, recurrence, or onset of a serious health condition that entitles the employee to FMLA leave, or other circumstances beyond the control of the employee.

### Seniority

An employee on FMLA leave remains an employee and the leave will not constitute a break in service. An employee who returns from FMLA leave will return with the same seniority he/she had when the leave commenced.

### Medical Certifications

1. An employee requesting FMLA leave because of his/her own or a relative’s serious health condition must provide medical certification from the appropriate health care provider. Absent extenuating circumstances, failure to provide the required certification in a timely manner (within fifteen (15) days of the Human Resources Department’s request for certification) may result in denial of the leave request until such certification is provided.
2. The Human Resources Department will notify the employee in writing if the certification is incomplete or insufficient, and will advise the employee what additional information is necessary in order to make the certification complete and sufficient. The Human Resources Department may contact the employee’s health care provider to authenticate a certification as needed.
3. If the Human Resources Department has reason to doubt the medical certification supporting a leave because of the employee’s own serious health condition, the Human Resources Department may request a second opinion by a health care provider of its choice (paid for by CMP). If the second opinion differs from the first one, CMP will pay for a third, mutually agreeable, health care provider to provide a final and binding opinion.
4. Re-certifications are required if leave is sought after expiration of the time estimated by the health care provider. Failure to submit required re-certifications can result in termination of the leave.

## Procedures for Requesting and Scheduling FMLA Leave

1. An employee should request FMLA leave by submitting a Request for Leave via email to the Human Resources Department at [cmphr@cacmp.org](mailto:cmphr@cacmp.org). An employee asking for a Request for Leave will be given a copy of CMP's then-current FMLA leave policy.
2. Employees should provide not less than thirty (30) days' notice for foreseeable childbirth, placement, or any planned medical treatment for the employee or his/her child, spouse, domestic partner, parent, grandparent, grandchild, or sibling. Failure to provide such notice is grounds for denial of a leave request, except if the need for FMLA leave was an emergency or was otherwise unforeseeable.
3. Where possible, employees must make a reasonable effort to schedule foreseeable planned medical treatments so as not to unduly disrupt CMP's operations.
4. If FMLA leave is taken because of the employee's own serious health condition or the serious health condition of the employee's child, spouse, domestic partner, parent, grandparent, grandchild, or sibling, the leave may be taken intermittently or on a reduced leave schedule when medically necessary, as determined by the health care provider of the person with the serious health condition.
5. If FMLA leave is taken because of the birth of the employee's child or the placement of a child with the employee for adoption or foster care, the minimum duration of leave is two (2) weeks, except that CMP will grant a request for FMLA leave for this purpose of at least one day but less than two (2) weeks' duration on any two (2) occasions.
6. If an employee needs intermittent leave or leave on a reduced leave schedule that is foreseeable based on planned medical treatment for the employee or a family member, the employee may be transferred temporarily to an available alternative position for which he or she is qualified that has equivalent pay and benefits and that better accommodates recurring periods of leave than the employee's regular position.
7. The Human Resources Department will respond to an FMLA leave request no later than five (5) business days of receiving the request. If an FMLA leave request is granted, the Human Resources Department will notify the employee in writing that the leave will be counted against the employee's FMLA leave entitlement. This notice will explain the employee's obligations and the consequences of failing to satisfy them.

## Return to Work

1. Upon timely return at the expiration of the FMLA leave period, an employee (other than a "key" employee whose reinstatement would cause serious and grievous injury to CMP's operations) is entitled to the same or a comparable position with the same or similar duties and virtually identical pay, benefits, and other terms and conditions of employment unless the same position and any comparable position(s) have ceased to exist because of legitimate business reasons unrelated to the employee's FMLA leave.

2. When a request for FMLA leave is granted to an employee (other than a “key” employee), the Human Resources Department will give the employee a written guarantee of reinstatement at the termination of the leave (with the limitations explained above).
3. Before an employee will be permitted to return from FMLA leave taken because of his/her own serious health condition, the employee must obtain a certification from his/her health care provider that he/she is able to resume work.
4. If an employee can return to work with limitations, the Human Resources Department will evaluate those limitations and, if possible, will accommodate the employee as required by law. If accommodation cannot be made, the employee will be medically separated from CMP.

#### Limitations on Reinstatement

1. CMP may refuse to reinstate a “key” employee if the refusal is necessary to prevent substantial and grievous injury to the School’s operations. A “key” employee is an exempt salaried employee who is among the highest paid 10% of CMP’s employees.
2. A “key” employee will be advised in writing at the time of a request for, or if earlier, at the time of commencement of, FMLA leave, that he/she qualifies as a “key” employee and the potential consequences with respect to reinstatement and maintenance of health benefits if CMP determines that substantial and grievous injury to the School’s operations will result if the employee is reinstated from FMLA leave. At the time it determines that refusal is necessary, the Human Resources Department will notify the “key” employee in writing (by certified mail) of its intent to refuse reinstatement and will explain the basis for finding that the employee’s reinstatement would cause CMP to suffer substantial and grievous injury. If CMP realizes after the leave has commenced that refusal of reinstatement is necessary, it will give the employee at least ten (10) days to return to work following the notice of its intent to refuse reinstatement.

#### Employment during Leave

No employee, including employees on FMLA leave, may accept employment with any other employer without CMP’s written permission. An employee who accepts such employment without CMP’s written permission will be deemed to have resigned from employment.



### **8.2.10 Military Leave:**

The Human Resources Department shall grant a military leave of absence to any employee who must be absent from work due to service in the uniformed services in accordance with the Uniformed Services Employment and Re-Employment Rights Act of 1994 (“USERRA”). All employees requesting military leave must provide advance written notice of the need for such leave, unless prevented from doing so by military necessity or if providing notice would be impossible or unreasonable.

If military leave is for thirty (30) or fewer days, CMP shall continue the employee’s health benefits. For service of more than thirty (30) days, employee shall be permitted to continue their health benefits at their option through COBRA. Employees are entitled to use available sick time as wage replacement during time served.

Except for employees serving in the National Guard, CMP will reinstate those employees returning from military leave to their same position or one of comparable seniority, status, and pay if they have a certificate of satisfactory completion of service and apply within ninety (90) days after release from active duty or within such extended period, if any, as required by law. For those employees serving in the National Guard, if he or she left a full-time position, the employee must apply for reemployment within forty (40) days of being released from active duty, and if he or she left part-time employment, the employee must apply for reemployment within five (5) days of being released from active duty.

An employee who was absent from work while fulfilling his/her covered service obligation under the Uniformed Services Employment and Reemployment Rights Act (USERRA) or California law shall be credited, upon his/her return to the School, with the hours of service that would have been performed but for the period of absence from work due to or necessitated by USERRA covered service. Exceptions to this policy will occur whenever necessary to comply with applicable law.

CMP shall grant up to ten (10) days of unpaid leave to employees who work more than twenty (20) hours per week and who are spouses of deployed military servicemen and servicewomen. The leave may be taken when the military spouse is on leave from deployment during a time of military conflict. To be eligible for leave, an employee must provide the Human Resources Department with (1) notice of intention to take military spousal leave within two (2) business days of receiving official notice that the employee’s military spouse will be on leave from deployment, and (2) documentation certifying that the employee’s military spouse will be on leave from deployment during the time that the employee requests leave.

### **8.2.11 Pregnancy Disability Leave:**

This policy explains how CMP complies with the California Pregnancy Disability Act, which requires CMP to give each female employee an unpaid leave of absence of up to four (4) months per pregnancy, as needed, for the period(s) of time a woman is actually disabled by pregnancy, childbirth, or related medical conditions.

#### Employee Eligibility Criteria

To be eligible for pregnancy disability leave, the employee must be disabled by pregnancy, childbirth, or a related medical condition and must provide appropriate medical certification concerning the disability.

#### Events That May Entitle an Employee to Pregnancy Disability Leave

The up to four (4)-month pregnancy disability leave allowance includes any time taken (with or without pay) for any of the following reasons:

1. The employee is unable to work at all or is unable to perform any one or more of the essential functions of her job without undue risk to herself, the successful completion of her pregnancy, or to other persons because of pregnancy or childbirth, or because of any medically recognized physical or mental condition that is related to pregnancy or childbirth (including severe morning sickness); or
2. The employee needs to take time off for prenatal care.

#### Duration of Pregnancy Disability Leave

Pregnancy disability leave may be taken in one or more periods, but not to exceed four months total. “Four months” means the number of days the employee would normally work within four months. For a full-time employee who works five (5) eight (8) hour days per week, four (4) months means 693 hours of leave (40 hours per week times 17 1/3 weeks).

For employees who work more or less than forty (40) hours per week, or who work on variable work schedules, the number of working days that constitutes four (4) months is calculated on a pro rata or proportional basis. For example, for an employee who works twenty (20) hours per week, “four months” means 346.5 hours of leave entitlement (20 hours per week times 17 1/3 weeks). For an employee who normally works forty-eight (48) hours per week, “four months” means 832 hours of leave entitlement (48 hours per week times 17 1/3 weeks).

At the end or depletion of an employee’s pregnancy disability leave, an employee who has a physical or mental disability (which may or may not be due to pregnancy, childbirth, or related medical conditions) may be entitled to reasonable accommodation. Entitlement to additional leave must be determined on a case-by-case basis, taking into account a number of considerations such as whether an extended leave is likely to be effective in allowing the employee to return to work at the end of the leave, with or without further reasonable accommodation, and whether or not additional leave would create an undue hardship for the School. The School is not required to provide and indefinite leave of absence as a reasonable accommodation.

### Pay during Pregnancy Disability Leave

1. An employee on pregnancy disability may use sick time and may use any or all accrued vacation time at the beginning of any otherwise unpaid leave period.
2. The receipt of vacation pay, sick leave pay, or state disability insurance benefits, will not extend the length of pregnancy disability leave;
3. Vacation and sick pay accrues during any period of unpaid pregnancy disability leave only until the end of the month in which the unpaid leave began.

### Health Benefits

CMP shall provide continued health insurance coverage while an employee is on a PDL leave consistent with applicable law. The continuation of health benefits is for a maximum of four (4) months in a 12-month period. CMP can recover premiums that it already paid on behalf of an employee if both of the following conditions are met:

1. The employee fails to return from leave after the designated leave period expires.
2. The employee's failure to return from leave is for a reason other than the following:
  - The employee is taking CFRA leave.
  - There is a continuation, recurrence or onset of a health condition that entitles the employee to pregnancy disability leave, CFRA leave or other circumstance beyond the employee's control.
  - There is a non-pregnancy related medical condition requiring further leave.
  - Any other circumstance beyond the control of the employee.

### Seniority

An employee on pregnancy disability leave remains an employee of CMP and a leave will not constitute a break in service. When an employee returns from pregnancy disability leave, he or she will return with the same seniority she had when the leave commenced.

### Medical Certifications

1. An employee requesting a pregnancy disability leave must provide medical certification from her healthcare provider. Failure to provide the required certification in a timely manner (within fifteen (15) days of the leave request) may result in a denial of the leave request until such certification is provided.
2. Re-certifications are required if leave is sought after expiration of the time estimated by the healthcare provider. Failure to submit required re-certifications can result in termination of the leave.

### Requesting and Scheduling Pregnancy Disability Leave

1. An employee should request pregnancy disability leave by emailing a Request for Leave of Absence to the Human Resources Department at [cmphr@cacmp.org](mailto:cmphr@cacmp.org). An employee asking for a Request for Leave will be referred to CMP's current pregnancy disability leave policy.
2. Employee should provide not less than thirty (30) days' notice or as soon as is practicable, if the need for the leave is foreseeable. Failure to provide such notice is grounds for denial of the leave request, except if the need for pregnancy disability leave was an emergency and was otherwise unforeseeable.
3. Where possible, employees must make a reasonable effort to schedule foreseeable planned medical treatments so as not to unduly disrupt CMP's operations.
4. Pregnancy disability leave may be taken intermittently or on a reduced leave schedule when medically advisable, as determined by the employee's healthcare provider.
5. If an employee needs intermittent leave or leave on a reduced leave schedule that is foreseeable based on planned medical treatment, the employee may be transferred temporarily to an available alternative position for which he or she is qualified that has equivalent pay and benefits that better accommodates recurring periods of leave than the employee's regular position.
6. The Human Resources Department will respond to a pregnancy disability leave request within ten (10) days of receiving the request. If a pregnancy disability leave request is granted, the Human Resources Department will notify the employee in writing and leave will be counted against the employee's pregnancy disability leave entitlement. This notice will explain the employee's obligations and the consequences of failing to satisfy them.

### Return to Work

1. Upon timely return at the expiration of the pregnancy disability leave period, an employee is entitled to the same position unless the employee would not otherwise have been employed in the same position (at the time reinstatement is requested). If the employee is not reinstated to the same position, she must be reinstated to a comparable position unless one of the following is applicable:
  - a. The employer would not have offered a comparable position to the employee if she would have been continuously at work during the pregnancy disability leave.
  - b. There is no comparable position available, to which the employee is either qualified or entitled, on the employee's scheduled date of reinstatement or within sixty (60) calendar days thereafter. The School will take reasonable steps to provide notice to the employee if and when comparable positions become available during the sixty (60) day period.

A "comparable" position is a position that involves the same or similar duties and responsibilities and is virtually identical to the employee's original position in terms of pay, benefits, and working conditions.

2. When a request for pregnancy disability leave is granted to an employee, the Human Resources Department will give the employee a written guarantee of reinstatement at the end of the leave (with the limitations explained above).
3. In accordance with the School's policy, before an employee will be permitted to return from a pregnancy disability leave of three (3) days or more, the employee must obtain a certification from her healthcare provider that she is able to resume work.
4. If the employee can return to work with limitations, the School will evaluate those limitations and, if possible, will accommodate the employee as required by law. If accommodation cannot be made, the employee will be medically separated from CMP.

#### Employment during Leave

No employee, including employees on pregnancy disability leave, may accept employment with any other employer without CMP's written permission. An employee who accepts such employment without written permission will be deemed to have resigned from employment.

### **8.3 Make-Up Time Hourly Non-Exempt**

#### **8.3.1 Using Makeup Time:**

Makeup time for hourly non-exempt employees is an alternative to overtime pay. Makeup time allows an employee to request time off for a personal obligation and make up the time by working more than eight hours on another day without receiving overtime pay.

#### **8.3.2 Makeup Time Guidelines:**

- An employee can work no more than 11 hours on another workday, and no more than 40 hours in a workweek, to make up the time off.
- The time must be made up within the same workweek.
- The employee must provide a signed, written request for each occasion that they desire makeup time, in advance, for consideration of approval by the principal or supervisor.

(See Appendix 6: Makeup Time Guidelines and Request Form)

## **8.4 Holidays & Holiday Pay Days**

The following ten holidays and five holiday pay days (which are also a part of the annual school calendar) are observed as paid holidays for employees regularly scheduled to work during the month of the holiday or holiday pay days.

New Year's Day - January 1

Martin Luther King Junior's Birthday

Presidents' Day

Memorial Day

Juneteenth – June 19

Independence Day - July 4, plus 1 holiday pay day before and after July 4

Labor Day

Veterans Day – November 11

Thanksgiving Day, plus 1 holiday pay day for the day after Thanksgiving

Christmas Day - December 25, plus 1 holiday pay day before and after December 25.

These holidays may not be accrued by an employee. No other days are designated as paid holidays or holiday pay days, unless indicated by the superintendent in conjunction with the annual school calendar as approved by the CMP Governing Board. All other employee absences shall be categorized as vacation days, sick days, or unpaid time off work (LWOP), as may be available to the employee.

To be eligible for holiday pay, eligible employees must be regularly scheduled to work on the day on which the holiday falls, and the employee must work their regularly scheduled work days immediately preceding and following the holiday unless other arrangements have been made with the principal or supervisor.

## **8.5 Emergency School Closures (snow days, smoke days, etc.)**

All staff who would be regularly required to work will be paid when school is closed due to emergency circumstances, as deemed necessary by the superintendent. When advance notice is given of possible closures, employees are expected to take work home with them and work from home. When possible, classroom teachers should supply work packets to their students. The packets must be collected, graded and filed in the appropriate CMP files.

## **8.6 Jury Duty or Witness Leave**

California Montessori Project encourages all employees to fulfill their civic responsibilities by serving on jury duty when required. As a public charter school, CMP also acknowledges the importance of having staff in attendance for all work days. As such, upon receiving a notice or summons for jury duty, the staff member is directed to immediately contact the jury commissioner's office and request a postponement of service until the next regularly scheduled intersession period or network closure. The staff member shall also provide a copy of the summons/notice to the staff member's principal and the Human Resources Department. A letter reconfirming the request for postponement will be provided by the employer for submission to the jury commissioner's office.

An employee who is called to make a court appearance as a litigant, expert witness, or because they are involved due to their own participation and misdoings, may take sick leave under the Personal Necessity clause.

In the event that the employee's postponement is denied, the employee must provide proof of the original request for postponement and the denial decision of the jury commissioner's office. The employee must also complete a request for leave form provided by Human Resources and submit these items to the Human Resources Department.

In the event that the employee is required to serve after requesting a postponement, or in the event that jury duty service which originated during the intersession or network closure period runs into the regular work schedule, CMP shall approve up to ten (10) days of jury/witness leave during any 12-month period without affecting the employee's wages or benefits if applicable. The employee may notify the court that all jury/witness leave lasting more than ten days will be on a non-paid basis. Employees will have the option of using any accrued leave allowance if non-paid leave is in effect.

### **8.6.1 Receipt of payments from the court:**

Paid jury/witness leave shall be offset by any amounts that the employee receives from the court for service. Employees shall provide the employer with a statement from the court as to the amount of these fees. Employees will seek the collection of jury duty fees and will not waive such fees. Court payments for travel expenses will be retained by employees. If employees elect to retain the jury duty fees, such jury duty time off is not compensable.

### **8.6.2 Work Attendance:**

If jury duty is canceled or ends before the end of the workday, it is the employee's responsibility to report for work for the remainder of the employee's regularly scheduled work day. Evidence of jury duty attendance must be attached to the employee's time record and presented to the Human

Resources Department to authorize any pay during the initial jury/witness leave benefit period. Failure to produce such records will result in unexcused leave. In those circumstances, an employee may be required to take leave without pay or use accrued leave allowance. The employee should continue to report for work on those days or parts of days when excused from jury duty or when jury duty does not conflict with their work schedule.

### **8.6.3 Reinstatement of Duties:**

Employees serving on long-term jury duty will be reinstated to the same position held when the leave began, unless the position has been eliminated due to business necessity, or the employee is otherwise unable to perform the essential functions of the job. Long-term jury duty will be defined on a case by case basis contingent upon the information provided by the employee at the time of jury selection.

### **8.6.4 Status of Employee Benefits While on Jury Duty Leave:**

All employee benefits in which the employee is enrolled will continue while the employee is on any paid or unpaid jury duty leave. Employees continue to be responsible for payment of any additional premiums incurred, just as if the employee was not on leave status.

### **8.6.5 Employee Guidance and Assistance:**

Employees are encouraged to contact the Human Resources Department in the event of any court summons. The Human Resources Department is available to answer your questions and provide information on process, limitations, and eligibility for benefits under the provisions of this policy. Additional questions may be directed to the Human Resource Department.

### **8.6.6 Pay During Jury Duty:**

Pursuant to recent legislation, California jurors are not paid mileage or per diem for the first day of service; however, jurors are paid \$15.00 per day plus mileage at the rate of .34 cents per mile round trip from your residence to the courthouse for the second and each succeeding days of service.

## **8.7 Voting Time Off**

Pursuant to California state law, employees are eligible for paid time off for the purpose of voting only if they do not have sufficient time outside of work hours to vote. Generally, polling times have been set so there is ample time for voting before or after work. In the event that an employee needs to request time off work to vote, only a maximum of two hours will be paid time off. Voting time off must be scheduled at the beginning or end of the employee's shift. Additionally, employees must submit their written request for time off work at least two working days prior to the election. Alternatively, employees may also submit a request for an absentee ballot to the county registrar.



## **8.8 Vacation Time**

### **8.8.1 Full Time Salary-Exempt (188, 192, & 212 Workdays) & Part Time Hourly Non-Exempt:**

Official school vacation days are vacation days for full time salary-exempt employees working 188, 192 and 212 workdays and for part time hourly non-exempt staff. All vacations for these employees must be taken during these times.

### **8.8.2 Principals & Directors [\(245 & 250 Workdays\)](#):**

Vacations are to be pre-approved by the superintendent, along with a plan to coordinate campus or Central Office coverage during the principal's or director's absence. Vacation time is to be taken during intersession times throughout the year. Up to twenty days of paid vacation may be accrued each year. (See Appendix 7 for accrual method calculations) Principals and directors working less than 40 hours per week but at least 30 hours per week, year-round shall receive a prorated benefit to coincide with the employee's designated work schedule. (See Appendix 7 for accrual method calculations)

### **8.8.3 Classified Salary Exempt/Non-Exempt (250 Day Employees):**

Vacations are to be pre-approved by the principal or supervisor, along with a plan to coordinate coverage with all coworkers affected. Vacations should not be planned during busy times for the school. Up to ten days of paid vacation may be accrued each fiscal year. (See Appendix 7 for accrual method calculations)

## **8.9 Paid Vacation Benefit**

CMP's paid vacation plan is a part of the benefits package extended to full-time, year-round staff members, and is designed to provide employees with the opportunity to balance their work and home lives. The purpose of offering vacation time is to provide eligible employees with flexibility from work that can be used for such needs as vacation, personal or family business, appointments, volunteerism, and other activities of the employee's choice. CMP's goal is to provide time for personal rejuvenation and to reduce unscheduled absences while providing reasonable accommodation to full-time staff members without impacting the employee's compensation.

Staff members eligible for this benefit include staff scheduled and working 30 hours or more per week (.75 FTE) and 250 or more days per year. Vacation days shall be earned on an accrual basis during active employment in each fiscal year at the following rates:

- Classified employees regularly scheduled and working 30 hours or more per week (.75 FTE) and 250 or more days per year are able to accrue up to ten days of paid vacation per fiscal year. (See Appendix 7 for accrual method calculations)
- Classified employees working less than 40 hours per week but at least 30 hours per week, year- round, shall receive a prorated benefit to coincide with the employee's designated

work schedule.

- Directors and Principals working 30 hours or more per week (.75 FTE) and 250 or more days per year: up to twenty days of paid vacation accrued per fiscal year. (See Appendix 7 for accrual method calculations)
- Directors and Principals working less than 40 hours per week but at least 30 hours per week, year-round, shall receive a prorated benefit to coincide with the employee's designated work schedule.

Eligible employees begin to accrue vacation time from the first day of regular employment and may begin to use accrued time as soon as it is available.

Paid vacation time is accrued during periods of active employment and may not be used before it is earned. Paid vacation time does not accrue during an employee's personal leave of absence, unpaid time off, or periods of administrative leave. Employees needing to take time off prior to earning paid vacation time may submit a request for non-paid time off. Once earned, vacation days shall be paid as used, at the employee's then-current rate of pay and based on the employee's regular work schedule.

Vacation days will not be considered as time worked for purposes of calculating overtime. If a holiday occurs during an employee's vacation period, holiday pay will be earned at the employee's regular rate of pay and no vacation time will be used for that day.

### **8.9.1 Accrual Carry-Over and Cap:**

CMP recognizes the importance of vacation time as a period of rest and rejuvenation away from the job and encourages staff to use their vacation time as fully as possible during the year in which it is earned. In the event that accrued vacation time is not used by the end of the benefit year, employees may carry unused time forward to the next benefit year. If the total amount of unused vacation time reaches a "cap" equal to the employee's annual vacation amount plus ten days, further vacation accrual will stop. When the employee uses sufficient paid vacation time to bring the accrued amount below the cap, vacation accrual will begin again up to the cap limit.

### **8.9.2 Vested Benefit:**

Pursuant to the laws of the State of California, accrued vacation time is a vested benefit. Upon separation of employment, employees will be paid for any unused vacation days that have accrued through the last day worked, based on the employee's regular rate of pay at the time of separation. Employees changing status or employment classification to a classification that does not offer paid vacation time will receive a pay out of any accrued, unused time to coincide with the effective date of employee's change of status. Example: Full-time, year-round Teaching Assistant/Club M staff member becomes a certificated teacher. Any accrued, unused vacation time will be paid out at employee's then-current rate of pay upon termination of employee's TA/CM employment status.

## **8.10 Recording of Sick Days, Training Days, Minimum Days and Days Off**

On professional development (training) days, minimum days and other staff service days, a sign-in form will be provided. Staff must sign these attendance sheets to document attendance for these days.

Staff must document all days off as they occur, to the greatest extent possible, in the time tracking system. Human Resources maintains a record of this information for final payroll and for any other purposes referenced in the personnel policies and procedures. If deductions must be made from payroll for absences taken, they will be made in the first payroll possible after notification is received in the Human Resources Department.

## **8.11 Participation in Non-scheduled Programs**

Teachers are required to participate in certain CMP programs which may be held outside of normal school hours. Examples of such programs include staff meetings, parent-teacher-student conferences, parent meetings, community meetings, certain school board meetings, training, open house nights, and student graduation ceremonies each year. This time commitment is factored in as a part of the salary set forth in the employment agreement. In support of the achievements of CMP students, all employees are encouraged to attend all school functions and events.

## **8.12 Arranging for Substitutes**

As soon as possible, employees should notify the site principal and substitute coordinator of any absences. Substitute coordinators will utilize CMP's full-time network substitutes, substitute list managed by the Human Resources Department and outside agencies to fill absences.

## Section 9: Health and Welfare Benefits

### 9.1 Health Benefits

CMP will make available a group medical, dental, and vision benefit plan for all full-time, benefits-eligible CMP employees.

For purposes of this policy provision, benefits eligibility will be extended to the following employees:

- Certificated employees who are regularly scheduled and working 30 hours or more per week (.75 FTE), 185 days or more per year,
- Classified employees who are regularly scheduled and working 30 hours or more per week (.75 FTE), 250 days or more per year, year-round.

\*Eligible employees on a reduced FTE receive a prorated CMP contribution accordingly.

Eligible employees will be able to participate in designated employee benefit programs and plans established by CMP for the benefit of its employees (subject to program and eligibility requirements). [CMP provides 95% of the employee premium and 60% of the family premium of identified plans in the annual benefit guide. Employees can choose to buy up or buy down from the identified plans. CMP provides a \\$500 maximum health insurance premium contribution per month to eligible employees \(\\$600 per month when covering the employee and at least one eligible family member\) for medical, vision, and dental insurance.](#) Premium costs above the maximum employer contribution will be deducted from employee's monthly paycheck.

Eligible employees must submit an application for benefits within 30 days of employment or upon experiencing a qualifying event that would trigger employee's/dependent's eligibility for application. [This 30-day window is considered the election period.](#) Coverage will become effective on the first day of the month following application submission. [If an employee does not make benefit elections within the election period, the employee will have to wait until the next open enrollment period to elect coverage.](#)

Employees with existing health insurance may waive this benefit and, in-lieu of participation in the CMP-sponsored group health insurance plan. Upon providing proof of active, comparable insurance coverage to CMP's Human Resource Department, the employee will be eligible to receive a \$350 per month stipend added to the employee's monthly paycheck for each month the employee would otherwise be eligible for said health insurance benefits. To receive this monthly stipend, proof of comparable insurance coverage is required annually, and at any other time CMP deems necessary. Employees may elect dental and/or vision coverage while waiving medical

benefits and receive \$50 towards the premium costs. In this case, the health waiver stipend is reduced to \$300 per month.

\*Eligible employees on a reduced FTE receive a prorated health waiver stipend accordingly.

Beginning December 2020, all health benefits contributions will be prorated to reflect an employee's FTE (.75 FTE or more). Beginning July 1, 2020, all stipends (including the health waiver stipend), will be prorated to reflect an employee's FTE (.75 FTE or more). See below examples:

- A .8 FTE colleague waives CMP's health benefits. The maximum health waiver stipend available is \$350/month. The stipend in this example will be provided to the staff member at 80% of the maximum total. ( $\$350/\text{month} \times .8 = \$280/\text{month}$ )
- A .75 FTE colleague accepts CMP's health benefits. They are on a family plan and CMP's maximum contribution is \$600/month for full time staff members covering one or more family members. The health benefits contribution by CMP in this example would be 75% of the maximum. ( $\$600/\text{month} \times .75 = \$450/\text{month}$ )

The open enrollment period for the CMP group health plan shall be November 1 to November 15 of each calendar year, with a January 1 effective date. Employees, who previously chose to waive coverage, may reconsider their decision and submit their application for coverage during this open enrollment period, and at no other time.

Employees who experience a change in their personal status (known as a qualifying event) may be eligible to submit an application for group benefits outside of the open enrollment period. Such events may include and are not limited to: the birth or adoption of a child, marriage, divorce, or loss of other health coverage. In the event that the employee elects to apply for coverage or add a new family member, the application must be completed within thirty (30) days of the date of the qualifying event. Employees may remove dependents at any time by submitting an email request to the Human Resources Department at [cmpshr@cacmp.org](mailto:cmpshr@cacmp.org). Proof of comparable coverage for dependents is required before they can be removed.

It is the employee's responsibility to contact the Human Resources Department immediately in the event of any change of circumstance or personal status which may affect the employee's group benefit coverage, the employee's right to apply for such coverage, or one that impacts the employee's eligibility for group benefits. Employees shall submit benefits election forms within 30 days of the original hire date or within 30 days of any qualifying event. Thereafter, employees may elect benefits participation during the annual open enrollment period as designated by the employer. Coverage will become effective on the first day of the month following submission of valid eligible application.

## **9.2 Continued Health Coverage Under Federal COBRA Provisions**

In the event an employee is no longer eligible for benefits as outlined above, either due to the termination of active employment, reduction of hours, or change of status, eligibility for all such health and welfare benefits (and in-lieu stipends) ends on the last day of the month following the last eligible day worked. In such cases, an employee may be eligible for continued coverage at the employee's expense, subject to plan guidelines and requirements (COBRA). Information regarding continuation coverage will be provided to the employee within 14 days of the employee's last day of eligible employment and is available from CMP's Plan Administrators.

## **9.3 Life Insurance**

CMP provides a \$25,000 term life insurance policy to employees who are otherwise eligible for health insurance benefits during the course of active employment. Coverage begins on the first of the month following submission of valid, eligible application. Coverage ends at the termination of employee's employment or change of benefits-eligible employment status. At age 65, coverage is automatically reduced according to published insurance company guidelines. Coverage is neither portable nor transferable and terminates at the end of full-time eligible employment. CMP provides this benefit at no cost to the employee.

## **9.4 Aflac 125 Benefits**

CMP offers full-time, benefits-eligible staff the opportunity to participate in an optional 125 Cafeteria Plan to allow for pre-tax payroll deductions of dependent family care expenses and unreimbursed medical expenses as allowable under IRS regulations.

Employees may also choose to participate in optional premium products offered by the AFLAC Company, to include long-term disability coverage, supplemental life insurance and other health related insurance products. Open enrollment for AFLAC plans is November 1 to November 30 of each calendar year for a January 1 effective date. Employees, who previously chose to waive coverage, may reconsider their decision and submit their application for coverage during this open enrollment period, and at no other time. New employees may submit their applications for coverage within the first 30 days of employment. Coverage will be effective on the first day of the month following submission of their application to the AFLAC specialist prior to the end of the preceding month.

## **9.5 Retirement/Pension Benefit**

### **9.5.1 California State Teachers Retirement System (CalSTRS):**

CMP provides for participation in the STRS Retirement Plan. California State Credentialed teachers and other credentialed staff members who are performing creditable service are automatically enrolled to participate in the STRS Plan.

### **9.5.2 Pension 2 (403B/457):**

Upon the first day of employment, all classified and certificated employees are eligible to enroll in the 403B/457 plan offered through Pension2, without a CMP match. However, **only** classified employees shall be eligible to receive the CMP match, dollar for dollar, up to a maximum of \$200 per month, *after* 12 months of active employment, from hire date, and a minimum of 1000 hours of service. Or, 1000+ hours of service during any subsequent calendar year to be eligible for the employer match. Additionally, if service hours drop below 1000+ hours an employee is no longer eligible for the employer match. Employer contributions shall follow a vesting schedule which allows for 100% vesting after 5 years of employment at CMP.

### **9.5.3 Social Security Benefits:**

CMP participates in Social Security contributions for all non-credentialed employees.

## **Section 10: The Workplace**

### **10.1 Safety and Health**

Each employee is expected to obey safety rules and to exercise caution in all work activities. Any employee who notices a dangerous, or potentially dangerous, situation must report it to one of the principals immediately. We must view our environment with an eye for safety at all times for all individuals and, in particular, for our small, very curious little people, the children.

### **10.2 Accident/Injury Reporting**

If an accident or injury occurs on school property or while conducting school business off campus, it should be reported immediately to the principal and the Human Resources Department. An Incident Report form should be completed within 24 hours, or as soon as reasonably possible. As much information about the exact circumstances of the accident or injury should be gathered immediately, as well as the names, addresses, and phone numbers of all individuals involved, including any potential witnesses. It is important that this process be completed, no matter how insignificant the accident or injury may seem.

### **10.3 Visitors on Campus**

The principal must be notified when visitors, other than parents, are coming onto campus grounds. All visitors must sign in at the school office upon arrival. Visitor identification badges shall be issued for the time the visitor remains on campus and should be returned before the visitor's departure. Staff should make every effort to greet visitors, and to observe if an adult is on site without a badge and accompany them to the office to sign in.

### **10.4 Recycling**

CMP supports environmental awareness by encouraging recycling and waste management in its business practices and operating procedures. This includes a commitment to purchase, use, and dispose of products and materials in a manner that best uses natural resources, minimizing any negative impacts on the environment. All staff are encouraged to consider ways in which they may participate in a program of "reduce, reuse, recycle" which best benefits the school, its students and our environment. Questions and ideas on recycling should be submitted to the principal or supervisor. Students should be encouraged to practice recycling and conservation.



## **10.5 Resale or Disposal of Assets**

As a non-profit organization, CMP adheres to all applicable laws and regulations relative to the resale and/or disposal of school assets. Further, employees are directed to apply the following written Code of Ethics to avoid any conflict of interest.

Code of Ethics Relative to the Resale or Disposal of School Assets:

- An employee shall recommend resale or purchase price, according to accurate asset value.
- The superintendent shall be made aware of the proposed sale or purchase, condition of asset, and make an assessment as to the value of asset.
- No employee shall personally receive any monetary or other inducements of kickbacks as a result of asset resale or disposal.

The employee must complete a “Request to Sell/Dispose of CMP Asset Form”.

See Appendix 8. This policy and Code of Ethics applies to all school property.

## **10.6 Expense Reimbursements**

Employees will be reimbursed for required expenses incurred while performing their essential job duties. Expenses that may be reimbursed, only after approval by the employee Supervisor, include:

- Travel expenses which should follow the “Travel & Conference Expense Policy”,
- mileage reimbursement for distance traveled and tolls paid in a personal vehicle when you report to more than one CMP campus in a day or are required to travel from a CMP campus to run CMP related errands such as the post office, bank, etc.,
- pre-approved, out-of-pocket expenditures,
- personal use of a cell-phone for work purposes.

All claimed expenses must be either recorded on a “Reimbursement Form” to include all receipts attached or on the “Mileage Reimbursement Form” and submitted to the employee Supervisor for signature. Receipts may not include personal items on the same receipt for reimbursement. Mileage is reimbursed at the current rate as published under IRS guidelines. Mileage may not be claimed for travel to and from your place of work, i.e. commute between home and the employee’s assigned campus for the day. Employees may obtain the most current reimbursement request forms and mileage forms upon request from the designated school office staff person.

Most staff do not need to utilize their personal cell phone devices for work related purposes. Communication to staff and/or parents/guardians can be made using CMP provided technology such as desk phones for phone calls; a CMP laptop, desktop, or Chromebook and/or ParentSquare for email.

If using your personal device for work related purposes such as substitute coordination that is conducted offsite and before and/or after work, CMP will reimburse a percentage of the cost of your cell phone to utilize your personal device. Please reference the “Cell Phone Policy” for more information. You Supervisor must approve use of your personal device for work purposes.

CMP does not require you to download the ParentSquare app, the time tracking app, and/or email services to your personal devices. Please do not use your personal cell phone devices to check ParentSquare messages and/or posts, to track your time and/or to check and respond to email communications. Please only use CMP provided equipment. Using personal equipment when not approved to do so, may result in disciplinary action.

~~Employees shall be reimbursed for pre-approved out-of-pocket expenditures for copies and supplies up to but not exceeding \$25 total per month. Employees shall first submit a Reimbursement Pre-approval form to the principal. Thereafter, all claimed expenses must be recorded on a “Reimbursement Form” with all the accompanying original receipts attached. Receipts may not include personal items on the same receipt for reimbursement.~~

~~Mileage for pre-approved travel for school business out of the area must be submitted on the “Mileage Form” and attached to the “Expense Reimbursement Form.” Mileage is reimbursed at the current rate as published under IRS guidelines. Mileage may not be claimed for travel to and from your place of work, i.e. commute between home and the employee’s assigned school campus.~~

~~With pre-approval by the principal or superintendent, CMP will reimburse employees for reasonable business travel expenses incurred while on assignments away from the normal work location.~~

~~Employees may obtain the most current reimbursement request forms and mileage forms upon request from the designated school office staff person.~~

## **Section 11: Discipline and Termination of Employment**

Employment at CMP (unless otherwise expressly specified in writing) is on an “at-will” basis, with both the employee and CMP having the right to terminate employment at will, with or without cause, at any time.

Our school’s rules of conduct are based on mutual respect, common courtesy, sound judgment, responsibility, professionalism and business accountability. Personal and professional integrity is, of course, expected of all employees. CMP may terminate or suspend the employment of any employee or engage in any other disciplinary actions (e.g. suspension with or without pay, demotion, etc.), if the principal or supervisor determines that the employee has failed to fulfill their duties and responsibilities; and/or has failed to demonstrate the responsibilities outlined in these personnel policies; and/or in their employment agreement, job description or for any lawful reason.

### **11.1 Misconduct Subject to Discipline, Up to And Including Dismissal**

The following violations are considered misconduct and will result in disciplinary action up to and including termination of employment. Since it is impossible to specify every act or omission that may justify disciplinary action, this list is not intended to be all-inclusive and may be modified at any time as may be deemed necessary by the superintendent or their duly appointed representative.

1. Unexcused absence and/or lack of punctuality
2. Release of confidential information without authorization, or any breach of confidentiality
3. Possession of or reporting to work while under the influence of alcohol, narcotics, and/or other controlled substances
4. Theft
5. Willful destruction of property
6. Conviction of a felony or conviction of a misdemeanor that makes the employee unfit for the position
7. Falsification, fraud, or omission of pertinent information when applying for a position
8. Any willful act that endangers the safety, health or well-being of another individual
9. Any act of sufficient magnitude to cause disruption of work or gross discredit to the school
10. Misuse of school property or funds
11. Possession of firearms, or any other weapon, on school grounds or while acting within the course of your employment with the school
12. Acts of discrimination or illegal harassment based on gender, ethnicity, or any other basis protected by state or federal law
13. Failure to comply with the school’s safety procedures
14. Insubordination
15. Failure to follow any known policy or procedure of CMP, or gross negligence that results in a loss to CMP

16. Violations of federal, state, or local laws affecting the organization or your employment with the organization
17. Unacceptable job performance
18. Dishonesty

## **11.2 Non-disclosure of Personnel Information**

Reasons for involuntary terminations are privileged information and are treated confidentially. Anyone disclosing such information inappropriately is subject to disciplinary action, up to and including termination of employment.

No one without a confidentiality clearance (managerial “need to know”) is to discuss personnel information. Inquiries regarding any terminated employee should be referred to the Human Resources Department.

## **11.3 Resignation**

Employees are free to resign without repercussion or retaliation. Although CMP does not require two (2) weeks’ notice from a resigning employee, CMP would appreciate such notice. However, CMP may ask an employee to leave immediately, or an employee may decide that they must leave immediately. Any accrued and unpaid compensation, excluding personal/wellness benefits, shall be paid on the last day of employment if notice has been given or within 72 hours if no notice of resignation was provided by the employee.

[For salaried staff, if resignation occurs before the completion of anticipated total days worked in the year, an overpayment of salary may have occurred. All overpayments will be calculated and subtracted from the employee’s final check and will be communicated to the employee by payroll.](#)

## **11.4 Retirement**

Retirement at age 65 is not compulsory. An employee may retire at their own wishes, or take semi-retirement: The employee may work part time up to the maximum amount allowed by Social Security. All other taxes including Social Security will be deducted from salary according to federal and state tax laws.

All CalSTRS member employees in preparation of retirement should contact CalSTRS to plan their retirement and to better understand all requirements by CalSTRS.

## **11.5 Reduction in Workforce**

While CMP will endeavor to avoid reductions, it must reserve the right to initiate reductions if it is determined that such action is warranted based on economic circumstances or other factors deemed necessary. It is the policy of CMP to reduce staff on a non-discriminatory basis. Earned but unused vacation time (prorated to the last day of employment) will be paid at the time of release. Unused sick/wellness days will not be paid in the event of a release.

## **11.6 Salary and Benefits in the Event of Termination**

In the event of termination of employment prior to the end of the term of an employment agreement, the employee shall be entitled only to the prorated salary and benefits earned through the last date of actual service. In the event the employee resigns or is terminated prior to June 30<sup>th</sup> of the applicable fiscal year, the employee shall be required to repay any unearned salary. Unearned salary shall be calculated as follows: Amount paid to Employee Year-To-Date (# days worked x Employee's Daily Rate).

Employees participating in CMP's group health benefits plan may continue their coverage under the provisions of COBRA, at the employee's own expense. Information on group coverage continuation is available from the group plan administrator and/or CMP's Human Resource Director.

## Section 12: Employee Dispute Resolution Policy

These dispute resolution procedures serve to provide employees who have a grievance concerning conditions of employment with a process to have the grievance heard by the superintendent.

Misunderstandings and problems arise from time to time in any situation. Work situations can be stressful. To provide the best possible working conditions for employees, an honest and open atmosphere in which any problem, complaint, suggestion, or question receives a timely, respectful response is required. Employees and management should have, and display, mutual respect for each other at all times.

A grievance is defined as any feeling of dissatisfaction or injustice in connection with one's employment situation that is brought to the attention of the site supervisor. If an employee disagrees with the established rules on conduct, policies, procedures, or practice, they can express this concern through the problem resolution procedure outlined herein. No employee will be penalized, formally or informally, for voicing a grievance or complaint with CMP in a reasonable, business-like manner, or for using these grievance procedures.

The superintendent is the official representative between the staff and the CMP Governing Board. They, or any principal, supervisor or the Human Resources Department, are accessible and ready to hear suggestions, concerns, and complaints. The superintendent, principals and supervisors cannot act on any problem unless they are made aware of it, so grievances must be brought to the appropriate parties as soon as possible.

While not every problem may be resolved to the complete satisfaction of all parties, only through a willingness to listen, an attempt toward understanding, and the exploration of all aspects of the issue at hand can employees and management develop confidence in each other. This confidence is important to the smooth, effective operation of CMP. CMP will strive to provide such an atmosphere at all times. Employees are encouraged to offer positive and constructive criticism, and to take the following steps if they believe that a condition of employment or a decision affecting them is unjust or inequitable:

1. When a problem first arises, the grievant should discuss the matter with the respective party as soon as possible.
2. If they are unable to resolve the issue at this level, the grievant should then contact the principal or supervisor (rather than fellow employees) to make an appointment to discuss the issue as soon as possible.
3. The principal or supervisor will review the problem. If the problem cannot be resolved informally through discussion or meeting, the grievance shall be submitted using the Employee Dispute Resolution Form, Appendix 9, and submitted to the principal or

supervisor. The grievant should specify the problem to the fullest extent possible and any remedies sought.

4. Following any necessary investigation, the principal or supervisor shall prepare a written response to the grievant no later than ten (10) working days from the date of receipt of the grievance. Additional time may be required for the response for good cause.
5. If a satisfactory resolution cannot be reached, the grievant may request a meeting with the superintendent. The request for this meeting will be written and will include any and all documentation related to the grievance along with any solutions that have been proposed by the grievant, the principal or supervisor, and any other related parties. The request for the meeting is to be delivered to the superintendent who, unless sick or out of town, will meet with the grievant within ten (10) working days of receiving the written request.
6. After the meeting, the superintendent, or administrative designee, will conduct an investigation of the matter prior to making a decision or recommendation. The superintendent will provide the grievant with a response and outcome within a reasonable amount of time, not to exceed thirty (30) days from the date of the meeting. This decision will serve as the final decision of CMP.

## **Section 13: Complaint Procedures**

### **13.1 Complaints from Parents, Students or Community Members**

While parents and students are encouraged to take their concerns or complaints to staff persons most directly involved, they will, at times, feel too uncomfortable to do so. Often parents and students might feel more comfortable sharing their concerns with another staff person. In such cases the staff member receiving the complaint should take the following steps:

1. Determine, if appropriate under the circumstances, whether the complaint may be resolved informally through discussion. Staff members receiving complaints initially should listen objectively, attentively and actively to the parent or student. The staff member may wish to ask supportive questions to help clarify the nature of the concern. Neither agreement nor disagreement with the complainant should be expressed, but rather those staff members receiving complaints should remain neutral. Avoid taking things personally and making any assumptions.
2. Once the complainant has been able to express his or her concern, if appropriate under the circumstances, ask if the complainant would like to speak directly to the staff person or if they would like the assistance of the principal or supervisor. If the complainant desires assistance, help the person schedule time with that individual.
3. Alert the principal and the other involved staff of the concern and of your action with regard to seeking resolution.
4. Follow up to make sure action was taken to resolve the problem.
5. If the problem cannot be informally resolved, direct the complainant to file a written complaint with the principal or superintendent.

### **13.2 Conflict with Other Staff: Communication and Interpersonal Skills**

To be successful in the world of information and communication we live in today, it is essential that we all develop highly competent communication and interpersonal skill sets. Our communications skills determine the quality of our relationships, which in turn determine the quality of our life, and here at CMP, the quality of the education and our school culture.

The CMP Code of Conduct and Dispute Resolution process has been created to encourage optimal communication within our community. All staff at CMP commit to following these.

CMP is committed to providing a high-quality school, so your concerns are very much our concern. It is CMP's intention to respond promptly to any concerns, and to do so they must be presented to the appropriate parties.



When an employee has a conflict or concern regarding another employee, the grievance procedures specified in Section 12 shall be followed unless the complaint relates to a problem that is covered by separate procedures (i.e. complaints of sexual harassment are resolved through specific sexual harassment complaint procedures). It is important for staff to recognize that one of CMP's goals is to teach students conflict resolution and communication skills. If staff are unwilling, or unable to exhibit these skills, this needs to be remedied through training so staff can provide these skills to the students and to enable staff to work as a team. While many teachers wish to have the opportunity to work as team teachers, there are challenges inherent in doing this. High level communication and interpersonal skills are required. CMP provides training in this regard, and if any staff members desire assistance in communication challenges, they should contact the principal or the Human Resource Department.

### **13.3 Whistleblower Policy**

California Montessori Project (CMP), as a non-profit, tax-exempt school, complies with all relevant laws, rules and regulations concerning accounting and auditing practices. CMP ensures there are no fraudulent practices by any board members, employees, or school Volunteers.

Should any employee believe these laws have been violated, the employee is to immediately report to the superintendent. In the event the employee wishes not to report to the superintendent, the employee is to report to the campus principal or direct supervisor. This policy does not relate to any possible private misdeeds by a CMP employee, board member, or volunteer.

Following the report, a prompt investigation is to be conducted. The identity of the reporting employee is to be kept confidential as much as possible while the investigation is being conducted.

CMP will not retaliate against the employee regarding their employment when a report has been made in good faith to either the CMP superintendent, the board of directors, or to federal, state or local agencies. Nor shall CMP retaliate against any employee who provides law enforcement or the court truthful information regarding the possible violation of the law.

CMP may take disciplinary action, including termination, against an employee who has engaged in retaliation against the reporting employee. CMP supervisors are to be trained on this policy and the prohibition of retaliation according to this policy.

(Governing Board Approved 4/20/20)

## Section 14: Arbitration Process

CMP strongly encourages its employees to communicate any concerns regarding their employment directly to management. While CMP is committed to working with employees to resolve all concerns, if a concern regarding a legal matter is not resolved to your satisfaction, you may request that your concern be heard in an outside process called arbitration. To that end, CMP is requesting all staff to enter into the enclosed Arbitration Agreement for dispute resolution.

Arbitration Agreements are a common practice between employees and employers to help solve employee relationship issues that cannot be resolved internally. CMP believes that arbitration is an efficient way to impartially resolve employment claims. Further, for the benefit of employees, arbitration is conducted at no cost to the employee. Please be advised that this Arbitration Agreement is voluntary and signing the Arbitration Agreement is not a condition of employment. If you agree to enter into an Arbitration Agreement with CMP, the Human Resources Department will have you electronically sign and return our Arbitration Process & Agreement Memorandum. All staff who elect to sign the Arbitration Agreement will receive one floating paid holiday.

Below are answers to some frequently asked questions about arbitration.

### What is arbitration?

Arbitration is a private forum where parties can resolve disputes over legal claims regarding the employment relationship. A neutral party called an arbitrator presides over the arbitration. There is no jury. This is different from court where the forum is public, a judge presides over the proceeding, and a jury determines a verdict.

### What is an arbitrator?

An arbitrator is normally a retired judge or practicing attorney who has many years of experience in resolving issues between employers and their employees. The arbitrator will be selected and agreed upon by both you and the School in accordance with arbitration rules/procedures. The decision made by the arbitrator will be final and binding on both you and the School.

### Will arbitration cost me anything?

In accordance with applicable law and arbitration rules/procedures, other than the administrative fee (if any) that may be charged, *the School is solely responsible for the expense of the arbitrator* and any associated fees other than court reporter's fees (if any). Just like in court, you will be responsible for your own legal fees (including expert costs), as well as court reporter's fees. However, if you prevail on a statutory claim that affords the prevailing party's attorneys'

fees, the arbitrator may award reasonable fees to you.

**What types of claims are permitted in the arbitration process?**

By agreeing to arbitration, you can pursue all individual claims under California, federal, or otherwise applicable laws that you could assert in court. However, you will be barred from participating in or pursuing any collective, class or representative actions related to your employment with the School. You may still pursue workers' compensation claims and unemployment insurance benefits in the same manner as those claims are not impacted by the Arbitration Agreement.

**What if I have more questions?**

If you have any questions about the arbitration process or agreement, you should contact the Human Resources Department. CMP is more than willing to answer any questions or provide information to you.

## Section 154: Amendment to Personnel Policies

The Personnel Handbook contains the employment policies and practices of CMP in effect at the time of publication and upon approval by the Governing Board. All previously issued handbooks or any inconsistent policy statements or memoranda are superseded.

CMP reserves the right to amend, delete or otherwise modify this handbook at any time provided that such modifications are in writing and approved by the superintendent and the Governing Board.

Any written changes to the handbook will be distributed electronically to all employees. No oral statements can in any way change or alter the provisions of this handbook.

# Appendices

## Appendix 1: Harassment/Workplace Violence Reporting Form

A reportable violent incident should be defined as any threatening remark or overt act of physical violence against a person or property whether reported or observed.

Date of Incident: \_\_\_\_\_ Time of Incident: \_\_\_\_\_

Specific location of Incident: \_\_\_\_\_

\_\_\_\_\_

Act Directed Toward: \_\_\_\_\_

\_\_\_\_\_

Assailants Name: \_\_\_\_\_

Armed? Yes/No: \_\_\_\_\_ Weapon used: \_\_\_\_\_

Description of Incident: \_\_\_\_\_

\_\_\_\_\_

Injuries? Yes/No: \_\_\_\_\_ Extent of Injuries: \_\_\_\_\_

\_\_\_\_\_

Witnesses of the Incident: \_\_\_\_\_

Was Law Enforcement Contacted? Yes/No: \_\_\_\_\_

Name of Department/Officer: \_\_\_\_\_

Report Completed by: \_\_\_\_\_

Date of Report: \_\_\_\_\_

## **Appendix 2: Travel and Conference Expense Policy**

Governing Board Approved 10.10.16

### **A. Purpose**

This policy sets forth the guidelines to be followed regarding travel and conference expenses incurred within the scope of employment, and reimbursements for said expenses. Travel for the purpose of this policy includes assigned employee attendance at workshops, seminars, conventions, conferences, or other meetings of interest to CMP.

### **B. Procedure**

If travel involves costs to CMP other than mileage or the employee salary while absent from the work location, a Travel and Conference Reimbursement Form shall be prepared by the staff member, to include a detailed cost estimate, and submitted to the Executive Director for pre-approval. All costs in conjunction with travel shall have been provided for in the school district budget.

### **C. Approved Reimbursement Rates and Limits**

#### **1. Mileage**

Employees performing authorized travel involving the use of their own vehicle shall be reimbursed for mileage at the rate calculated by the Internal Revenue Service for allowable business mileage expenses. Mileage is charged from the employee's usually assigned site location to destination and back to the site location (i.e. school campus). The staff member's home may be used in-lieu of a work site if they begin or end the journey at home and the total mileage is less. If the travel occurs on a non-business day, mileage may be charged from the staff member's home to destination and back to the staff member's home.

#### **2. Meals**

Reimbursements shall be based upon actual cost, up to the following approved limits per meal:

Breakfast	\$10.00
Lunch	\$15.00
Dinner	\$25.00

At the discretion of the Executive Director, based on location and other cost factors, meal claims which exceed the previous limit but do not exceed the maximum per day limit of \$50.00 may be authorized. Pre-approval by the Executive Director is specifically required for meal claims exceeding limits previously specified.

Participants may not combine or carryover meal limits. Pursuant to state auditing guidelines, CMP cannot process a receipt which includes alcohol.

**Exceptions: Banquets:** A pre-approved banquet breakfast, luncheon or dinner, which is an official part of a conference and for which there is a prescribed fee, may exceed a meal limitation amount as previously designated. Said banquet should be included in the pre-approved itinerary to be considered for reimbursement at actual cost.

**Exceptions: Other:** Meals provided to participants through lodging venue, conference venue, or site location will be considered a ‘completed meal’ and will not be eligible for additional reimbursement.

3. **Out-of-State Travel:** Notwithstanding any other provision of this policy, all out-of-state or out-of-country travel shall be presented to the Executive Director for pre-approval with a complete explanation of the school business purpose to be served and estimated costs to the school.
4. **Lodging:** Lodging shall be reimbursed for authorized stay-over. If a non-employee traveling partner is in attendance, reimbursement shall not exceed the rate for single-living occupancy lodging.
5. **Transportation:** Economy, standard, tourist, or similar airfare rates are allowed. First class fare will be allowed only in emergency situations with prior approval of the Executive Director. The option for use of a private vehicle or air transportation or other mode may be allowed except that CMP shall make reimbursement for transportation resulting in the least cost to the school, considering all other costs.
6. **Conference Fees:** Conference fees, including registration for specific events, shall be reimbursed. Conference-sponsored activities which are essentially entertainment or non-business shall not be reimbursed.

#### **D. Claims**

1. **Travel:** Whenever travel is properly authorized and costs are incurred, the employee shall prepare a claim form which shows in detail all expenditures incurred. Original invoices and/or receipts shall also be provided and attached to the claim form for the following:

*Air/Train/Bus Fare	*Conference Fees	*Necessary Business Services
*Lodging	*Registration	*Gas receipts if claiming in-lieu
*Car Rentals	*Approved Meals	of mileage
*Parking	*Toll Bridges	

The claimant shall certify all amounts claimed were actual and necessary.

Documentation must show the inclusive dates of each trip for which allowances are



claimed and the times of departure and return. Time of departure and return means the time the staff member starts the trip, from office or home, and ends the trip, at office or home.

Claims shall be filed within 30 days after return from travel. The Executive Director or designee shall be required to review and approve each travel claim by signature. In the event that any travel expense is not covered by or exceeds this policy, the claim and item in question shall be referred to the Executive Director, or designee, for appropriate processing.

2. **Incidentals:** Generally, incidentals, personal expenses and non-business expenses shall be the responsibility of the participant. Other incidental costs, with business purpose, may be approved by the Executive Director, or designee, provided such other costs are explained in detail and do not include personal expenses.

**E. Auditing Guidelines**

Pursuant to state auditing guidelines, CMP cannot process a receipt which includes alcohol, personal incidentals or non-business-related expenses. Please be sure to purchase these items on a separate personal tab at the team member's own expense. Incidentals, personal expenses and non-business expenses shall be the responsibility of the participant.

**F. Delegation of Authority**

The authority to authorize employee travel is hereby delegated to the Executive Director. All restrictions and limitations within this policy shall apply.

### Appendix 3: Financial Assistance/Training Request Form

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

Social Security #: \_\_\_\_\_ Full Time:  Part Time:

Job Title: \_\_\_\_\_

Course/Seminar Title: \_\_\_\_\_

Course/Seminar Location: \_\_\_\_\_

Dates of Course/Seminar (*Include date of completion*):

\_\_\_\_\_

Cost of Course/Seminar: \_\_\_\_\_

Request for Tuition Assistance: Yes  No

Relevance to Current Job:

\_\_\_\_\_  
\_\_\_\_\_

Skills to be developed/improved from course:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

Disposition: Approved  Denied  *reason:*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Principal Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Course Grade Received: \_\_\_\_\_ Date of Disbursement: \_\_\_\_\_

## Appendix 4: Telecommuting Agreement

This Teleworking Agreement is entered into between CMP and \_\_\_\_\_.  
This Agreement is effective immediately and will be terminated upon the reopening of the campus, or upon five days' notice from CMP to the employee.

### 1. Employee Expectations:

- The employee will telecommute from home at \_\_\_\_\_.
- The employee's hours of work will be from \_\_\_\_ to \_\_\_\_\_. The employee shall be available during the hours of work for communication through dedicated phone, voice mail, cellular phone, email, video conference, etc.
- The employee agrees to respond to the appropriate supervisor within \_\_\_ minutes/hours. Any changes to the employee's hours of work shall be agreed upon in advance by the supervisor.
- The duties, obligations, responsibilities and conditions of employment remain the same, and the employee remains bound by the terms and conditions outlined in the CMP Personnel Handbook, including, but not limited to, all standards of conduct, confidentiality, and privacy concerns.
- Work hours, overtime compensation, use of sick leave, use of vacation leave, are to be approved by the employee's supervisor.
- The employee is to take meal and rest breaks as indicated in the Personnel Handbook.
- The employee is required to keep a time record of all hours worked and meal/rest periods taken. The time record shall be submitted to the supervisor at the end of each week for payroll processing.
- No third party is to assist in performing the employee's job while teleworking.

### 2. Work Space Safety:

- While working from home, a clearly defined workspace is to be maintained that is free from hazardous conditions.
- All exits from the worksite shall be free from obstructions for safe evacuation in the event of an emergency.
- All equipment used by the employee shall be kept in good working condition. Damage to any CMP equipment will be the responsibility of the employee.
- If the employee is injured in the course of their scheduled work at home, the supervisor and HR are to be contacted immediately. The employee is covered by Worker's Compensation during work hours and while performing work functions in the designated work area of the home.

### 3. Equipment, Tools and Materials:

- The employee acknowledges that all CMP-provided equipment and tools required to perform the designated job remain the property of CMP. The employee is financially responsible for CMP-owned equipment and tools if any are lost, stolen or damaged because of that employee’s negligence, misuse or abuse.
- No one other than the employee is to use any CMP-provided equipment or tools for any purpose and then only for school business.

4. Expenses:

- Employees are required to follow CMP’s regular reimbursement policy for any related expenses during teleworking. Pre-approval from the employee’s supervisor is required prior to making any purchases for school business.
- CMP will supply the employee with necessary office supplies to perform the employee’s job. The employee is to contact the supervisor to request any needed supplies.

5. Confidentiality:

- All employees are expected to ensure the protection of student and personnel privacy, including, but not limited to ensuring that no private student information requiring protection by FERPA is disclosed to third parties without the parent’s/guardian’s consent.
- The employee is to protect CMP computers from access by third persons, and to keep confidential information in locked storage.

6. Miscellaneous:

- This Agreement may be terminated in the sole discretion of CMP by providing the employee with five days’ notice.
- Unless otherwise required by law, teleworking is voluntary.
- Employee agrees to return CMP-owned equipment, records and materials within 5 days of termination of this Agreement. Within 3 days of written notice, the employee must return any CMP-owned equipment for inspection, repair, replacement or repossession.

I hereby affirm by my signature that I have read this Teleworking Agreement and understand and agree to all of its provisions.

\_\_\_\_\_

Employee

\_\_\_\_\_

Date

\_\_\_\_\_

Principal or Direct Supervisor

\_\_\_\_\_

Date

\_\_\_\_\_

CMP Superintendent

\_\_\_\_\_

Date

## Appendix 5: Sick Hours Accrual Calculation

### Full Time Teachers

Service Year	Total Allotment for Fiscal Year (In Hours)	Number of Hours Accrued Per Work Day (188 Day Calendar)
Year 1	40	0.212765957
Year 2	48	0.255319149
Year 3	56	0.29787234
Year 4	64	0.340425532
Year 5	72	0.382978723
Year 6+	80	0.425531915

### Full-Time Year-Round Staff

Service Year	Total Allotment for Fiscal Year (In Hours)	Number of Hours Accrued Per Work Day (250 Day Calendar)
Year 1	40	0.16
Year 2	48	0.192
Year 3	56	0.224
Year 4	64	0.256
Year 5	72	0.288
Year 6+	80	0.32

**Appendix 6: Makeup Time**  
**Makeup Time Request Form**

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

I am requesting time off as a result of a personal obligation on:

Day of the week \_\_\_\_\_ Date \_\_\_\_\_

From the hours of \_\_\_\_\_ a.m./p.m. (circle one) to \_\_\_\_\_ a.m./p.m. (circle one).

I will make up the time within the same workweek as follows: *(Fill in the dates and hours you plan to work to make up the missed time.)* **Employees may not work more than 11 hours in a day or 40 hours in a workweek as a result of making up time that was or will be lost due to a personal obligation.** \_\_\_\_\_

**I understand that:**

1. Any makeup time I work will not be paid at an overtime rate.
2. A separate written request is required for each occasion that I request makeup time.
3. My makeup time request must be approved in writing before I take the requested time off or work makeup time, whichever is first.
4. If I take time off and am unable to work the scheduled makeup time for any reason, the hours missed will be unpaid.
5. If I work makeup time before the time I plan to take off, I must take that time off, even if I no longer need the time off for any reason.
6. CMP does not encourage, discourage, or solicit the use of makeup time.

Employee Signature \_\_\_\_\_ Date Submitted \_\_\_\_\_

---

*For Employer Use Only:*

Check One:

\_\_\_\_\_ Your makeup time request has been approved and submitted.

\_\_\_\_\_ You may take the time off requested, but must work the following makeup time hours rather than those submitted in your request: \_\_\_\_\_

\_\_\_\_\_ Your makeup time request has been denied.

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

Title: \_\_\_\_\_

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

Date \_\_\_\_\_

## Appendix 7: Vacation Hours Accrual Calculation

### Full-Time Year-Round Staff:

	Total Allotment for Year (In Hours)	Number of Hours Accrued Per Work Day (250 Day Calendar)
Service Year 1+	80	.32

### Full-Time Year-Round Principal and Directors:

	Total Allotment for Year (In Hours)	Number of Hours Accrued Per Work Day (250 Day Calendar)
Service Year 1+	160	.64

## Appendix 8: Code of Ethics for Sale of Asset

“California Montessori Project, a California corporation, hereinafter designated “CMP”, hereby agrees to sell, and \_\_\_\_\_ hereinafter designated “buyer”, hereby agrees to buy, according to the terms of this agreement, the personal property described as follows:

\_\_\_\_\_  
\_\_\_\_\_.

CMP agrees to transfer said property to the buyer for the total purchase price of \_\_\_\_\_ Dollars (\$\_\_\_\_) including applicable sales tax, receipt of which is hereby acknowledged.

In further consideration for CMP transferring the said property to buyer, buyer agrees to release, discharge, and promise not to sue CMP, its agents, employees and directors from and for any loss, liability, damage or cost whatsoever, which buyer may incur related to buyer’s use or ownership of the said property. Buyer further agrees to indemnify CMP for any cost it may incur as a result of any claim of liability brought against it related to buyer’s use or ownership of said property.

Buyer has made an independent investigation into the condition of the above property, and is satisfied therewith. Buyer is not relying upon any representations of CMP as to the condition of said property. Buyer and CMP agree that said property is being transferred to the buyer on an “as is” basis, and buyer shall have no recourse against CMP based upon the condition of said property. The parties further agree that this sale is final, and buyer shall not be entitled to return said property to CMP, and receive a refund of any amounts paid to CMP, for any reason. Should a lawsuit, in either law or equity, be commenced related to this agreement or the subject matter thereof, the prevailing party therein shall be entitled to recover their costs of suit, including reasonable attorneys’ fees.

California Montessori Project

Buyer Name: \_\_\_\_\_

Address, City, State, Zip Code: \_\_\_\_\_

\_\_\_\_\_  
Signature of Buyer

\_\_\_\_\_  
Date



**Appendix 9: Employee Dispute Resolution Form**

**Employee Dispute Resolution Form**

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

Title: \_\_\_\_\_ Location: \_\_\_\_\_

Date of Grievance: \_\_\_\_\_

Please describe the grievance in detail: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please list any witnesses (if applicable): \_\_\_\_\_

\_\_\_\_\_

Action requested: \_\_\_\_\_

\_\_\_\_\_

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

Supervisor Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Human Resources Signature: \_\_\_\_\_ Date: \_\_\_\_\_