



**ARKANSAS**  
**VIRTUAL ACADEMY<sup>SM</sup>**

*...where every student can achieve.*

# **2020/2021 Certified Personnel Policies**

## **Mission Statement**

Arkansas Virtual Academy exists to build relationships, instruct with relevance and prepare students for the rigor of career and college success.

## **Vision Statement**

ARVA will be the most well-known and respected virtual school of choice in Arkansas.

\s\Gary McHenry, Chairman of the Board  
Approved June 26, 2018

## Welcome to ARVA

We are happy to welcome you to school year 2020-21 at Arkansas Virtual Academy. It is our goal that ARVA staff and students are cultivated into a family of learning and success. As you move throughout the year, please know that you are surrounded by a team of fellow educators and administrators who value you and are willing to do whatever it takes in order to help you feel confident and be successful in this endeavor.

You have accepted the challenge of virtual education. While it is not an easy task, it is one of the most rewarding you will find in the education field. In the face of this challenge, be an advocate - not only for your students, but for yourself. Reach out with questions, push yourself to improve daily, and meet the challenges of each day with a positive attitude and a solutions mind-set.

We hope that you will find this year to be your best year yet, and we commit to working diligently to make this a reality for you and for your students.

Thank you for joining us on another adventurous year. We are excited about what is to come and look forward to your contributions.

Sincerely,  
ARVA Administration

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## Who We Are



### Arkansas Virtual Academy Brand Identity

#### *Belief*

All students  
can achieve

#### *Core Values*

Academic Excellence  
Relationship Focused  
Value of the Individual  
Applicable Learning Experiences

#### *Our Mission*

To build relationships, instruct with relevance and prepare students for the rigor of career and college success.

#### *Our Vision*

ARVA will be the most well-known and respected virtual school of choice in Arkansas.

#### **We are this...**

- Student-centered
- Resilient
- Adventurous
- Accountable
- Driven
- Team-Oriented
- Individualized
- Accommodating
- Diverse

#### **So We do this...**

- Focus all efforts on student success
- Accept challenges and work for solutions
- Throw away the box
- Accept responsibility and reflect for change
- Never give up
- Encourage, support, and work together for the good of the whole
- Recognize and meet a variety of student needs
- Build relationships with stakeholders to provide a positive experience
- Welcome and encourage all to grow

#### *Arkansas Virtual Academy Brand Codes:*

Student-Centered -- Relationship Focused -- Excellence -- Legacy

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## General Employment Information

### Equal Opportunity Employer

Arkansas Virtual Academy (ARVA) is an equal opportunity employer committed to a policy of equal employment opportunity for all applicants and employees.

It is the policy of the ARVA Board of Directors and ARVA administration to ensure that all employees comply with the spirit and intent of federal, state, and local law, government regulations, executive orders regulating affirmative action and equal opportunity in employment. Arkansas Virtual Academy will hire, train, promote, compensate, and administer all employment practices and benefits without regard to race, sex, pregnancy, childbirth, religion, marital status, age, national origin, disability, veteran status, or any other category protected by federal, state, or local laws.

Arkansas Virtual Academy fully supports the Americans with Disabilities Act and will reasonably accommodate disabled employees and applicants who can perform the essential functions of a job for which they are qualified, with or without accommodation, unless undue hardship to ARVA exists.

### Employment Agreement Renewal and Non-Renewal

Arkansas Virtual Academy is an open-enrollment charter school and was granted a waiver from teacher contracts and Teacher Fair Dismissal Act. The school utilizes at-will employment agreements. Employment agreements can be terminated at any time by either party.

Agreements are approved by the Board of Directors as needed based on student enrollment. All offers shall expire if not accepted in writing within two weeks from the date issued.

### Residency Requirements

Beginning with the 2020-21 school year, Arkansas Virtual Academy employees, who are hired while living within the state of Arkansas, are required to reside within the state of Arkansas. A current employee moving outside of the state should understand that the move may result in non-renewal.

Additionally, all employees will maintain a physical address from which to work each day.

## Personnel Assignment

All Arkansas Virtual Academy employees are subject to assignment at the direction of the Head of School. Assignments will be made with the consideration of student needs, area of expertise and the need for balance across employee caseloads. Reasonable efforts will be made to honor staff preferences in assignments.

## Reduction in Work Force

The Arkansas Virtual Academy acknowledges its authority to reduce the workforce (employees) whenever such a reduction is deemed as necessary or desirable. The reduction in force may also apply to the number of hours worked by an employee.

## Background Check Policy

Arkansas Virtual Academy complies with the [Rules Governing Background Checks](#) as set forth by the Arkansas Department of Education. The completion of the criminal background check and Child Maltreatment Central Registry check is a condition for initial employment or non-continuous reemployment of any applicant seeking a licensed, non-licensed, or recurring volunteer position. The background check must be completed and approved within 60 days of hire unless an extenuating circumstance is reported to the building-level principal, Support Administrator, Academic Administrator, Business Financial Analyst, or Head of School. Any applicant who is found to have a true report in the Child Maltreatment Central Registry and/or pled guilty, pled nolo contendere to, or has been found guilty of any offense that will or may result in license revocation will not be considered for employment unless the Arkansas State Board of Education has granted a waiver. In addition to the background check upon initial employment, Arkansas Virtual Academy will rely on periodic educator license renewal for an updated background check on certified employees and will maintain classified employees background checks for renewal every 5 years. For more information concerning background checks, please contact the Business Financial Analyst.

## Suspension, Termination, and/or Non-Renewal

All employees are engaged through an at-will employment agreement and can be terminated or non-renewed at-will. Following review with the appropriate administrative supervisor, the Head of School will provide the employee with a written notice of the suspension, termination, or non-renewal.

When employment is terminated with the Arkansas Virtual Academy, either by ARVA administration or by an employee, unused annual leave will be forfeited. Unused sick leave, in accordance with state law, can be rolled to the next employment position if it is with another Arkansas public school entity.



## Salary and Benefits

The Arkansas Virtual Academy has a waiver from teacher salary schedule. However, ARVA's compensation package includes a complete benefits package. Benefits include the Arkansas State Public School Employee Insurance with a \$165.49 district match. The district also provides a Long-Term disability insurance, Basic Life and Accidental Death, and Dismemberment insurance coverages. Employees also have the option to purchase additional life insurance policies (Voluntary term life & AD&D, Spouse Term Life, Child Term Life). ARVA employees receive a dental package with Delta Dental which pays the employee cost of the dental plan.

The Arkansas Virtual Academy is proud to be an equal opportunity employer.

## Teacher Roles and Responsibilities

### Teacher Job Description and Expectations

Arkansas Virtual Academy (ARVA) consists of highly qualified and motivated teachers who work in an innovative environment. Virtual academy teachers are part of a pioneering effort in public education.

Teachers are responsible for ensuring that students achieve mastery of learning objectives. Teachers provide guidance, instruction, and support to manage the learning process and focus on students' individual needs. Teachers monitor student progress through K<sup>12</sup> interactive lessons, daily assessments and work actively with students and parents to advance each child's learning.

Teaching in a virtual academy requires a strong educational background and a firm understanding of how best practices from a regular classroom can be applied to this innovative model. Though the primary focus is on academics, all ARVA teachers must be comfortable using technology and supporting new users of technology. Teachers work primarily from their homes.

As part of their regular teaching responsibilities, teachers will:

#### Planning and Preparation

- know the K<sup>12</sup> curriculum in its entirety for assigned grade levels.
- be knowledgeable of the Arkansas Standards and Frameworks and how they align with the K<sup>12</sup> curriculum.
- be knowledgeable of the ACT Aspire Interim and Summative assessment structure, DOK levels, and skills check lists

- participate in a weekly staff meeting with the school-level principal. Non-attendance will result in the loss of an annual or sick leave day, whichever is applicable.
- participate in scheduled professional development. Non-attendance will result in the loss of an annual or sick leave day, whichever is applicable. See the professional development leave policy for details and requirements.

#### Instruction and Student Achievement

- support parents with student placement, curriculum and instructional issues. support parents with school set-up and logistics questions.
- support parents and students with basic computer set-up, navigation and troubleshooting.
- respond within 24 hours to parent inquiries via phone and/or e-mail during the regular work week.
- proactively track student academic progress and attendance through data and use the non-compliant process when necessary.
- monitor student attendance and communicate attendance issues with family, administration, and truancy officer.
- balance flexibility of the K<sup>12</sup> curriculum with state compliancy requirements. individualize instruction to help each student achieve.
- conduct scheduled conferences with parents/responsible adults to assess each student's progress, learning style, and any other academic, social, or developmental issues.
- study student data and build a plan for each student's success.
- create and monitor progress for any student scoring below proficient on state exams while meeting state required plans and documents for said students.
- maintain student data to appropriately meet the needs of all students.
- Document all conferences and necessary information in TotalView School (TVS) by way of notes and template usage in a timely manner.
- use school email accounts, VOIP phone, or TVS to communicate with families.
- hold no fewer than two parent/teacher conferences yearly
- process student change in placement, as needed.
- comply with ARVA procedures to meet Arkansas History state frameworks.
- provide corrective feedback on student work samples in a timely fashion as deemed appropriate by the building level principal.
- participate in IEP/504 teams for students with special needs.
- work with the administration to prepare students for standardized tests, including the logistics of selecting and coordinating testing sites.
- serve as test site coordinators or proctor for site-based state required tests.
- utilize and test new technologies prior to being implemented by families and students, fully engage the growth model developed for goal setting, performance, and evaluations.
- track the delivery, return of materials and computer equipment.
- assist with various projects throughout the year with colleagues and administration, as needed.
- travel to and assist in state-wide school outings each semester.
- devote the hours of 8 am to 4 pm daily to provide the highest quality of service for families and students.

- refrain from personal social media use during the school day.
- travel to regularly scheduled meetings and participate in school activities, open houses, orientations, information sessions, etc.
- create class connect sessions for students at least one week in advance
- monitor and maintain instructional levels for every student
- follow all grading policies and late work procedures, while providing timely grading and feedback.

Additional expectations include:

- active participation in all school improvement efforts
- attend at least one parent information session before the fall term begins
- create, lead, or assist with student school activities and/or clubs
- share and promote ARVA's mission and vision
- continued growth in subject-matter knowledge
- continued growth of time-management skills
- continued growth toward proficiency in Microsoft Office applications
- ability and willingness to support the entire learning process, including relating to learning coaches and families

### Newrow Staff Expectations and Etiquette

- 100% Newrow instruction and meetings.
- Cameras on and face in screen.
- Dress as if you were in front of your students.
- Think about your background.
- Zoom chat will need to be downloaded to your desktop, open, and utilized throughout the day.

**\*Any deviations from the norms will need prior approval from your administrator.**

### Class Connect Attendance and Notification of Absence

Class Connect scheduling and teacher attendance to set class session times is mandatory. If a teacher must cancel a session due to sudden illness, they should immediately follow the steps below.

## Teacher Sub Plans

### Planned

1. Notify the school administrator of the upcoming date absent.
2. Submit Leave Form and Teaching Plan prior to absent date.
3. Update your calendar invite and send to your building level distribution list. Set an out-of-office reply on your email.
4. Notify your students with the plan for class, prior to the absence.

### Unplanned

1. Notify the school administrator via text or zoom as soon as possible.
2. Notify your students of the class cancellation.
3. Update your calendar invite and send to your building level distribution list. Set an out-of-office reply on your email.
4. Submit a Leave Request and Teaching Plan within 24 hours upon return.
5. Schedule your make-up session with your students in the time frame provided.

Additionally, Class Connect schedules should be created with at least a week's advanced notice so that students and learning coaches are aware of schedules. One on one sessions, or sessions requested by students may deem a less-timely notice, but every effort should be made to make students and learning coaches aware of the schedule well in advance.

## Teacher Licensure Expectations

Teachers are responsible for updating and maintaining a current Arkansas teaching license in their subject area and grade level. Failure to maintain current licensure is a breach of the employee agreement and could result in suspension or termination.

K12 also has a portal to track current licensure statuses. Teachers are responsible for updating and maintaining this portal with their most updated licensure information.

## Communication with Families

Ongoing and consistent communication is required between the student, parent, and teacher(s) for many reasons, including school compliancy. A teacher or other staff member may need to address non-attendance, insufficient progress or other compliancy issues with a learning coach. To establish a record detailing the action plan made with a family, the use of the school's email account and the designated ARVA office phone should be the primary method to communicate official school concerns. Employees should use text only as a last resort to make contact when addressing concerns regarding student or school compliancy. After successful contact has been made, communication should resume through email and phone as previously described.

Texting a learning coach during the school day should only be done when an immediate need arises, for example, the learning coach is to meet the teacher or staff member for a face-to-face meeting or testing and has not arrived, the learning coach sends a text for directions to an outing, a teacher is waiting on a student to begin a class connect session, etc. While texting does engage parents, it should not be involved in any compliance proceedings. Texting should be used for school business purposes only, not for casual exchange. In the event that texting is used, documentation of the exchange must be noted in the school's system. Providing timely reminders on a regular basis via the school's Facebook page, the learning management system and the ARVA website should help reduce the number of miscellaneous text messaging that may occur.

No employee of ARVA should communicate with students via text messaging. Should any wrongdoing occur, or accidents happen while texting is in use, the school will be held harmless.

### Teacher Evaluation and Growth

Arkansas Virtual Academy follows the guidelines laid out in Ark. Code Ann. § 6-17-2801 et seq., as it relates to teacher and leader evaluations under the Teacher Excellence and Support System (TESS). All new employees incoming to the district from another district/state will be placed on a one-year probationary status as outlined under TESS.

A first-year teacher is both a novice and probationary teacher. ARVA may, by a majority vote of its directors, provide for one (1) additional year of probationary status.

In addition to Ark. Code Ann. § 6-17-2801 et seq., ARVA administration reserve the right to use data from internal metrics for further evaluation of teacher performance.

Arkansas Virtual Academy additionally promotes the ARVA Opportunity Growth Model. This model allows and encourages growth of all employees with a focus on goal setting and continual improvement. The model, additionally, allows teachers to work toward and improve to the level they desire through collaborative meetings and conversations with their administrator.

### Teacher Mentoring

First year ARVA teachers will be assigned an ARVA Mentor. This mentor will conduct weekly meetings during the first semester and as needed in semester two. New teachers will also be required to attend a biweekly new teacher meeting. Mentor teachers will submit a monthly contact log to their building level administrator.

Mentor teachers must have at least one year of experience at ARVA and be considered a Level 1 teacher. Teachers interested in becoming a mentor must apply. The administrative team will notify teachers of their selection status.

Mentor Teacher Application -

<https://forms.office.com/Pages/ResponsePage.aspx?id=LUmWRm1kPE2UZWxaNvMaFgTkRLX3KTRInhsYRYF7URRUNTFUN1IMMUNBNEw4NzBVUDEwVVQ1NEJUW4u>

### Teacher Advisory Council

The advisory council exists to provide an important voice for educators in the district's decision-making process, and to provide the HOS with teachers' insights, suggestions and perspectives on critical educational issues. The TAC will enable better educational and administrative decisions, and, ultimately, lead to greater student learning and success. The council is made up of 2 general education teachers and 1 special education teacher from each building level.

Applications will be collected and reviewed. Teachers will be notified if selected and will be assigned a three-year rolling term.

TAC Application

<https://forms.office.com/Pages/ResponsePage.aspx?id=LUmWRm1kPE2UZWxaNvMaFgTkRLX3KTRInhsYRYF7URRUMkFRUjBTQjM2RUZRS0tXWVlJkVJTT1MxMy4u>

**ARVA Staff Suggestion Box link:** <https://tinyurl.com/ARVAStaffSuggestionBox-SY1920>

### Application of Social-Networking Technology

Arkansas Virtual Academy teachers, administrators and staff will follow the policies set forth by the Arkansas Professional Licensure Standards Board (PLSB) described below.

#### **Recommendations and Guidelines Regarding the Educational Applications of Social-Networking Technology Issued by the Arkansas Professional Licensure Standards Board**

Increasingly, educators are utilizing social-networking technology tools for professional educational purposes. The Professional Licensure Standards Board, in concert with the Arkansas Education Association, the Arkansas Association of Educational Administrators, and the Arkansas Association for Supervision and Curriculum Development, offers the following cautionary guidelines to assist educators in assuring that their usage of these tools is consistent with the spirit and intent of the Code of Ethics for Arkansas Educators.

- 1) Prior to establishing professional social media accounts, a written explanation of the purpose of the account should be provided to district level administrators for approval. Professional use of social media should be approved by a district-level administrator, or his or her designee.

- 2) If Districts approve the use of professional social media accounts, parents/guardians should be notified of the purpose and provided an opportunity to “opt out.”
- 3) E-mail and/or social media tools and accounts should be kept separate. Professional accounts should be created and maintained separately for student and/or parent interaction and communications. An authorized administrator or his or her designee should regularly monitor professional accounts and have full rights to modify the accounts.
- 4) Personal accounts should be for personal use only and should not be used during the school day. School personnel should not add students and/or parents as “friends” or “associates” to personal accounts.
- 5) Use of social media during business/school hours should be on professional accounts and for professional or educational use only.
- 6) Digital correspondence between school personnel, students, or parents should be limited to professional and educational purposes only and be conducted at appropriate times.
- 7) Images, audio, or videos of any school activities or students should not be digitally transmitted or streamed without prior written parental consent and/or must adhere to local district policies.
- 8) District policies should encourage personnel to report inappropriate use of digital and/or social media to appropriate district administrators. Possible ethics violations may be reported to the Professional Licensure Standards Board utilizing the “Code of Ethics for Arkansas Educators Allegation of Violation” form.
- 9) Districts should orient, educate, and/or provide guidance to students, parents, and staff regarding legal, safe, and ethical use of social media.

## Employee Leave Policy

In an effort to achieve a cohesive working environment between ARVA employees, central office staff, ARVA Board of Directors and K<sup>12</sup> Inc., the following policy regarding leave has been established.

### Annual Leave

Arkansas Virtual Academy full-time employees receive four (4) paid annual leave days per school year. Part-time employees receive two (2) paid annual leave days per school year. Annual leave time must be taken in half or full day increments. Annual leave will generally not be granted during periods of standardized testing or face-to-face professional development. Annual leave time does not include approved holidays such as:

- Labor Day
- Thanksgiving
- Winter Break
- New Year's Day
- Martin Luther King Day
- President's Day
- Spring Break
- Memorial Day

If an employee does not participate in scheduled weekly meetings with administrators as expected, one half (1/2) day of leave must be taken. For leave related to professional development, please see the professional development leave policy.

If annual leave time is requested for more than two consecutive days, prior planning and approval must be obtained two weeks in advance in order to ensure that an extended gap in services to ARVA families does not occur. A "Request for Time Off" form must be submitted to the Academic Administrator or school-level principal, or Parent and Family Engagement Administrator, whichever is appropriate. All other annual leave requests must be received and approved in advance. Extenuating circumstances may not allow for prior notice, however, as much notice as possible should be given for each request. The Academic Administrator or school-level principal will work with each ARVA employee in order to approve annual leave requests; however, adjustments may be necessary if multiple employees submit leave requests for the same time frame.

During the month of May, no consecutive annual leave days will be approved due to the



importance of finishing the year in the strongest way possible.

Annual leave cannot be carried over from one year to the next. Employees will work with the Academic Administrator or school-level principal in scheduling annual leave to ensure that all ARVA students receive the best possible service during absence.

Once a leave request has been approved by the employee's supervisor and submitted to Business/Operations Analyst that leave request will be entered and cannot be recalled by the employee or supervisor.

Please note that annual days may be used for bereavement.

## Professional Development

Professional Development is one of the most important and integral parts of the ARVA environment. These opportunities to meet face to face, grow, and problem solve together are vital and should be considered mandatory. Professional Development days are released long in advance and should be prioritized in scheduling.

If annual leave must be taken, a two-week notice must be provided, or the leave will not be approved, and the day will be taken without pay. Only one annual leave day will be approved yearly for professional development.

If a sick day is requested, a doctor's note is required. If a doctor's note cannot be provided the day will be taken without pay. In the event of a sick day during professional development, a teacher may request to work with their building-level administrator to make up the professional development time through the IDEAS website on non-contract time. If this option is elected, the professional development day will be considered regained and the sick day will not be processed. Make-up professional development should be completed prior to the following month's professional development and the certificate of completion presented to the appropriate building level principal in order for the sick leave day to be regained.

## Summer Vacation

Arkansas Virtual Academy full-time and part-time employees hired on or before the start date of the second semester will receive the following paid vacation during the summer:

- 1) Four days of vacation during the week celebrating the July 4<sup>th</sup> holiday. This is equivalent to thirty-two (32) hours for full-time employees and sixteen (16) hours for part-time employees.
- 2) Three weeks (15 days) either preceding or following the week celebrating the July 4<sup>th</sup> holiday. This is equivalent to one hundred twenty (120) hours for full-time employees and sixty (60) hours for part-time employees.

The Academic Administrator, school-level principal, or Parent and Family Engagement Administrator will place each qualifying ARVA employee in one of the vacation periods.

ARVA staff will work with qualifying employees to the extent possible to meet the request of the employee. However, adjustments may be necessary in order to ensure that appropriate coverage is available to cover summer school sessions. ARVA employees will be required to complete all required tasks prior to taking summer vacation. If an employee has to work during their vacation period to complete required tasks those days will not be carried over.

Considering the above consecutive days/weeks of granted summer vacation, every effort should be made by ARVA employees to schedule vacations during the summer vacation time period. Requests for extended vacations throughout the year will be reviewed closely and rarely granted.

### Sick Leave

Arkansas Virtual Academy full-time employees receive one (1) paid sick day for each month of the employment period. Part-time employees receive one half (1/2) paid sick day for each month of the employment period. In accordance with §6-17-1205 employees can accrue up to ninety (90) days of unused sick leave. Sick leave will be taken in half or full day increments. Sick leave will be prorated based on start dates. Upon departure or dismissal from ARVA, an employee's sick leave can be transferred to another public-school entity upon the employee's written request. If daily expectations cannot be completed due to the illness of an ARVA employee, their child or immediate family member(s), sick leave should be taken.

A "Request for Time Off" form should be submitted within one business day of the illness or use of sick leave. Prior approval, when possible, should be obtained for use of sick leave for extended illness, surgery, etc., to allow for arrangements to be made ensuring coverage of services to ARVA families. Documentation, including doctor's notes, may be required. Once a leave request has been approved by the employee's supervisor and submitted to Business/Operations Analyst that leave request will be entered and cannot be recalled by the employee or supervisor.

Please note that sick days may be used for bereavement.

ARVA employees have an opportunity to contribute and access a sick leave bank. Please see the attached policy in the appendix.

### Maternity/Paternity/Adoption Leave

Arkansas Virtual Academy employees must utilize any unused sick leave when a leave of absence is for the purpose of maternity/paternity or adoption, prior to applying for unpaid leave under Family Medical Leave Act (if the employee qualifies for coverage). During such leave, the employee shall have the option to continue any/all benefits at the group rate, provided appropriate payment is made by the employee as indicated by selected insurance coverage.

Annual leave can be utilized for maternity/paternity or adoption leave, however, it is not required. Arkansas Virtual Academy employees should provide a sixty (60) day notice, if possible, when a leave of absence is for the purpose of maternity/paternity or

adoption to allow for arrangements to be made ensuring coverage of services to ARVA families.

### ARVA Adventure/Academic/Assist Days

ARVA Days provide our employees and families the opportunity to interface and build relationships. Because of the isolated and rare nature of these opportunities, attendance is mandatory. Prior approval must be granted from your building-level administrator or Academic Administrator if sick leave must be taken. Annual leave requests for ARVA Days will be closely reviewed and rarely granted.

### K8 Celebration/Prom/Graduation

#### **K-8 Teachers**

K8 Celebration attendance is required for all K-8 teachers. Annual leave may not be taken, and sick leave requests will be closely reviewed, and further documentation may be requested.

#### **HS Teachers**

Attendance is required for graduation and all high school activities, unless otherwise noted by your administrator. Annual leave may not be taken, and sick leave requests will be closely reviewed, and further documentation may be requested.

### Leave Without Pay

Guidelines provided under the federal Family Medical Leave Act (FMLA) will be adhered to by the Arkansas Virtual Academy regarding leave without pay (LWOP) for specific reasons. Contact the Business/Operations Analyst for additional information on FMLA. Request for leave without pay outside of FMLA guidelines will be considered on an individual basis with the decision made jointly by the Academic Administrator and the Head of School. All LWOP requests should be submitted four weeks prior to the requested leave period, when possible. The Head of School will provide in writing a decision regarding the request within ten (10) days of the request. Arkansas Virtual Academy employees on LWOP will not be reimbursed for home office expenses such as internet connection, monthly phone bills, etc.

### Family and Medical Leave Act (FMLA)

#### Employees Responsibilities

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days' notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, a family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

The employee must return a completed Certification of Healthcare Provider form within fifteen (15) calendar days of the request. Failure to provide the required Certification of Healthcare Provider form within the 15 calendar days' notice may result in FMLA coverage being denied until the required certification is provided.

Specific dates (start date and estimated return date) MUST be provided in the Certification of Healthcare Provider form. Statements such as "until further notice", "undetermined," or "until next appointment", etc. will NOT be accepted.

Once FMLA has been exhausted, employee must appeal to the administrator for unpaid continuance and follow ADA accommodation processes.

<https://www.ada.gov/>

Definition of Serious Health Condition:

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Any time you miss work due to your own serious medical condition or the care of an immediate family member with a serious medical condition or for the birth and care of a newborn child of the employee or for placement with the employee of a son or daughter for adoption or foster care, please take the following steps:

- Contact your supervisor and Human Resources Representative
- Employee Rights and Responsibilities Under the Family and Medical Leave Act  
<http://www.dol.gov/whd/regs/compliance/posters/fmlaen.pdf>
- Your information will be reviewed by an FMLA specialist, Donna Todd contact at [fmla@consolidatedadmin.com](mailto:fmla@consolidatedadmin.com) or 501-941-5956 ext.109. She can answer any questions you may have and notify the status of your FMLA claim once it has been processed.

Eligibility Requirements:

Employees are eligible if they have worked for a covered employer for at least one year, for 1,250 hours over the previous 12 months, and if at least 50 employees are employed by the employer within 75 miles.

Benefits and Protections:

During FMLA leave, the employer must maintain the employee's health coverage and other benefits. While on FMLA employee will be responsible to pay ALL premiums in full. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

#### Unlawful Acts by Employers:

FMLA makes it unlawful for any employer to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

#### Enforcement:

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any Federal or State law prohibiting discrimination or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

FMLA section 109 (29 U.S.C. § 2619) requires FMLA covered employers to post the text of this notice.

Regulations 29 C.F.R. § 825.300(a) may require additional disclosures.

#### PERSONAL NON-FMLA LEAVE OF ABSENCE

Before employees become eligible for Family Medical Leave Act (FMLA), Arkansas Virtual Academy observes the following practices in regard to personal time off and job protection. Each situation will be evaluated on a case-by-case basis and a final decision regarding the personal leave of absence will be made between Head of School, the manager, and the employee. This must be approved before submitting a FMLA claim.

1. For the birth or adoption of a child, ARVA allows up to 6 weeks of personal leave for new parents. In the case that a mother has a C-section, ARVA allows up to 8 weeks of personal leave.
2. For other employee medically-related leaves of absence, ARVA allows up to 8 weeks of personal time off.

These decisions will also be based on the days of annual and sick leave that is available to the employee. Pay will be granted only for those dates accrued. (Ex: 6 weeks may be taken after childbirth, but if there are only 5 days of leave available, those are the only days where payment will be granted.)

## Reimbursement Policy

Reimbursable expenses should be filed within 30 days of incurred expense. Expenses provided 60 days after incurred expense shall not be reimbursed. Finance will review all expenses to determine they are reasonable and necessary. ARVA employees are eligible for the following reimbursable expenses:

## In-State Travel

### *Meals and Incidentals Associated with Overnight Travel*

Employees traveling overnight may be paid an amount designed to cover the cost of meals and incidentals (i.e. taxi fare, subway, parking), based on the number of meals per day for which the employee is eligible. For overnight trips, travelers will receive up to \$39 per day for meals and incidentals.

### *Meals and Incidentals Associated with Non-Overnight Travel*

During times when employees are required to work outside of their home office at events such as outings, test administration, parent trainings and professional development, the employee will be reimbursed for meals and incidentals (i.e. taxi fare, subway, parking). Meals and incidentals will be reimbursed up to \$20 per day. Alcoholic beverages and personal entertainment are not allowable expenses.

**Itemized receipts are required for all reimbursements.**

## Lodging

**In-state lodging:** The employee will be fully reimbursed up to \$95, plus tax, per night if travel is over 100 miles from the ARVA employee's home office, unless the responsibilities can be fully accomplished during the normal business day and no overnight stay is required by administration. Otherwise, overnight stay must be pre-approved by the Academic Administrator or Head of School. ARVA employees are required to share lodging, unless approved by the building level principal.

Please make every effort possible to find the most economical lodging when traveling on ARVA business. **Receipts are required for all lodging reimbursements. The receipt must show a zero balance.**

**An employee must first try to book a room with ARVA's contracted lodging when attending ARVA events, meetings, or conferences within the Little Rock/North Little Rock area. If a room is not available an employee must have approval from their Administrator before booking a room at another location to be reimbursed the rate stated above.**

## Out-of-State Travel

### *Meals and Incidentals Associated with Overnight Travel*

Employees traveling overnight may be paid an amount designed to cover the cost of meals and incidentals (i.e. taxi fare, subway, parking), based on the number of meals per day for which the employee is eligible. For overnight trips, travelers will receive up to \$50 per day for meals and incidentals.

### **Expense Reports**

Tips, alcoholic beverages, and personal entertainment are not allowable expenses. Meal delivery fees may not be reimbursable with the exception or prior approval during the state testing period.

**Itemized receipts are required for all reimbursements.**

### *Lodging*

Lodging will be fully reimbursed at the rate incurred plus tax. ARVA employees are required to share lodging, unless approved by the building level principal. Out-of-state travel and lodging must be pre-approved by the Academic Administrator or Head of School.

Please make every effort possible to find the most economical lodging when traveling on ARVA business. **Receipts are required for all lodging reimbursements. The receipt must show a zero balance.**

### *Airfare*

Airfare will be reimbursed for travel to a destination outside of Arkansas and with approval from the Academic Administrator or Head of School. Reservations should be made as far in advance as possible to take advantage of the best possible rates. Administration reserves the right to review flight information to determine if it falls outside the reasonable times and dates for the requested event.

### Mileage

Mileage to attend professional development training, field trips, or other ARVA related events or business are eligible for reimbursement. Mileage will be reimbursed at the rate of \$.55/mile. A map showing the distance from beginning location to end location is required. When traveling please note that any travel under 10 miles will not be reimbursed.

### Home Office Expenses

#### High-Speed Internet Access

Monthly internet connection will be reimbursed at the rate charged, up to \$50. New employees will be reimbursed for the installation of high-speed internet for ARVA business. This fee will only be reimbursed once, therefore, if for some reason an employee wishes to have the line moved, service provider switched, etc., the cost will be incurred at the employee's expense, unless pre-approved by the Business/Operations Analyst. Part-time employees will be reimbursed \$25 per month towards their Internet service plan. The monthly bill must be submitted in order to receive reimbursement.

#### Office Supplies/Expenses

Receipts for purchases must be submitted along with the reimbursement form. Reimbursable expenses may include: ink cartridges, paper, folders, pens, binders, copying, etc. Student gifts are not a reimbursable expense unless approved through the use of Booster Club funds. Each employee should buy what is needed. If an item is \$50 or greater, the employee must get approval from the building level principal, Academic Administrator, or Head of School.

### ARVA Outing Expenses

Room rental, parking fees and employee admission fees are covered expenses for ARVA-sponsored outings. Room rental fees that are over \$25 and other miscellaneous expenses should be pre-approved, when possible, by the Parent and Family Engagement Administrator, Academic Administrator or Head of School, as applicable. Expenses for non-ARVA sponsored outings are not reimbursable.

## ARVA Testing Expenses

Expenses incurred that are associated with travel for testing administration are reimbursable expenses. Due to the length of testing, hotel expenses can be direct billed to ARVA for employees who live further than 100 miles from their assigned testing site.

Please follow the outlines steps below for ARVA direct billing.

1. Please keep in mind that our hotel policy allows us to cover \$95 plus tax. If no arrangements can be found for this amount, please let the Business Financial Analyst know the rate you have found and notify the building level administrator.
2. Three to four days prior you will need to request a Credit Card Authorization form and reservation confirmation. Once you have received that, please send it to me via fax (501-664-4226) or email [regarcia@k12.com](mailto:regarcia@k12.com) and it will be filled out and sent back to the hotel.
3. Please reach out to the hotel to confirm that they have received the authorization form.
4. Once you check out, you MUST send a copy of the receipt to the Business Financial Analyst. Hotels do not send those, and they are needed for attachment to our credit card statement.

Please contact the Business Financial Analyst for further information on how to complete the hotel reservation.

Grocery receipts are not acceptable for meal reimbursement unless prior approval is received from the building level principal, Support Administrator, Academic Administrator, or Head of School. The above policies concerning meals and travel apply to testing expenses.

## Grievance Procedure

The grievance procedure is a process in which employees can bring workplace problems to supervisors. Before the grievance process begins, the employee needs to address the problem with their immediate supervisor. If the problem has not been resolved to the satisfaction of the complainant through informal discussion with their immediate supervisor, she/he has the right to file a grievance in accordance with the following procedure. A grievance should be filed within ninety days (90) of the incident(s) in the following manner:

1. Submit a letter to the Business/Operations Analyst to include the following:
  - a. A summary of the complaint, including nature of the complaint, relevant dates and incidents, and information on any informal discussion that may have occurred with the person(s) directly
  - b. Identify the person alleged to be responsible
  - c. Resolution sought
2. If the Business/Operations Analyst is the person the complaint is against, submit the letter to the Head of School.



Within two weeks (10 working days) the Academic Administrator or Head of School (when appropriate) will attempt to resolve the situation by discussion, investigation, or formal meeting(s) between the parties. The Academic Administrator or Head of School (when appropriate) will meet with both parties and offer a resolution. Within ten working days the Academic Administrator, or Head of School (when appropriate) will submit findings and proposed resolution to both parties, with a copy going to the Head of School and the Chair of the ARVA Board. The grievant has five (5) working days to respond to the proposed resolution in writing, either accepting the resolution or rejecting and requesting to move forward with the process. The written response from the grievant should be directed to the Business/Operations Analyst.

If the grievant rejects the proposed resolution and desires to appeal the decision, he/she must submit a written appeal to the Business/Operations Analyst or Head of School to be provided to the ARVA Board for a hearing at the next regularly scheduled school board meeting unless both parties have agreed to a different date. The hearing will be open or closed at the discretion of the employee. The employee will have no more than ninety (90) minutes to present his/her concerns and testimony. The ARVA Board will provide a written response within ten (10) working days from the date of the hearing.

## Harassment Policy

### Policy and Definition

It is the policy of the Arkansas Virtual Academy that all decisions shall be made on the basis of merit and without unlawful discrimination because of race, sex, color, creed, age, national origin, sexual orientation, or disability status.

Sexual harassment is sex discrimination under Title IX and will not be tolerated. It is the policy of ARVA to maintain a learning and working environment that is free from sex discrimination, including sexual harassment.

#### Sexual Harassment – could include:

- Any behavior which patronizes, intimidates or offends
- Any behavior which causes an individual to feel viewed as a sexual object and/or which causes offence
- Provocative suggestions, propositioning an individual
- The display of pornographic, semi-pornographic or suggestive material, electronic or paper
- Deliberate, potentially objectionable physical contact to which the individual has not consented or had the opportunity to reject

- Threats of negative evaluation, demotion, or promises of success or other rewards in exchange for sexual favors
- Submission to such conduct is made, either explicitly or implicitly, a term or condition of the individual's job
- Submission to or rejection of such conduct by an individual is used as the basis for employment evaluation
- Such conduct which has the purpose or effect of substantially interfering with an individual's professional performance or creating an intimidating, hostile, or offensive work environment

Racial Harassment – could include:

- Any behavior which causes discomfort, intimidates or offends or which incites others to do so
- The display or circulation of offensive material, including through electronic mail
- Verbal abuse and threats of physical attack

Personal Harassment – could include:

- Behavior which makes direct or indirect reference to disability or impairment -and thus causes discomfort, patronizes, insults or offends people with a physical, sensory or mental disability
- Behavior which makes direct or indirect reference to religion or culture thereby causing discomfort or offence
- Repeated gibes in reference to personal traits, appearance or sexual orientation
- Pressure to become involved in anti-social or criminal behavior
- Messages to or about a person, including electronic mail, that are offensive, insulting or cause discomfort

## Resolution by Informal Discussion

Violations of this policy should be reported to the Business/Operations Analyst immediately and appropriate action will be taken. If after a fact-finding process it is determined that behavior occurred that violates this policy, the employee in violation may be recommended to the ARVA Board for immediate termination.

The above referenced types of harassment are not intended to be a complete listing of all types/forms of harassment but to provide employees some general guidelines.

## Whistleblower Protection Policy

### Definition:

“Protected Disclosure” means an allegation, made in good faith, that the Arkansas Virtual Academy or one or more of its employees, contractors (acting in the course of its work for the Arkansas Virtual Academy) or members of the Board of Directors, has in the course of his, her or its duties to the Arkansas Virtual Academy acted unlawfully or in violation of published Board of Directors’ policies.

### Preamble:

The Arkansas Virtual Academy has moral, ethical and legal responsibilities for the stewardship of its resources and the public and private support that enables it to pursue its mission. Although the Arkansas Virtual Academy internal controls and operating procedures are intended to deter, detect and prevent improper activities, as at any institution, intentional and unintentional violations of laws, regulations, and policies may occur. This policy is intended to result in the internal identification and remediation of such violations.

### Policy:

#### Reporting Protected Disclosures:

Any person may make a Protected Disclosure. It is the responsibility of all employees and board members to report Protected Disclosures. Protected Disclosures should be made in writing so as to assure a clear understanding of the issues, but may be made orally. Reports should be factual and contain as much specific information as possible. Protected Disclosures shall be made

1) by employees to their immediate supervisor or other person upwards in the supervisory chain, and 2) by other persons to the Head of School. However, when there is a potential conflict of interest, such reports may be made to another person in management who you may reasonably expect to have either responsibility over the affected area or the authority to review the alleged improper activity on behalf of the Arkansas Virtual Academy.

#### Protection from Retaliation:

The Arkansas Virtual Academy and its employees and board members are prohibited from 1) retaliating or attempting to retaliate against any person who has made a Protected Disclosure or who has refused to obey an order that is illegal or in violation of published Board of Directors policies, and from 2) directly or indirectly using or attempting to use the authority or influence of his or her position for the purpose of interfering with the right of the person to make a Protected Disclosure. Anyone who retaliates against or interferes with someone who has made a Protected Disclosure is subject to discipline which, for employees, could be up to and including termination.

### Investigations:

Supervisors to whom a Protected Disclosure is made are required to report them to the Head of School. The Head of School will undertake or cause to be undertaken an investigation and resolution of the alleged violations. The Head of School will advise the board chair and/or board vice chair, of all Protected Disclosures regarding accounting practices, internal fiscal controls or auditing. All internal complaints will be investigated promptly and with discretion, and all information obtained will be handled on a “need to know” basis. At the conclusion of an investigation, as appropriate, remedial and/or disciplinary action will be taken where the allegations are verified and/or otherwise substantiated.

## Certified Personnel Education Scholarships

The Arkansas Virtual Academy will make available to certified personnel a cash scholarship to be used for advanced studies. The following criteria apply:

1. Full-time certified personnel of the Arkansas Virtual Academy are eligible. Part-time employees may be eligible if they have created a record of service consisting of 3 years with ARVA.
2. Scholarships may be used for graduate studies, college courses taken to gain additional certification, cost of taking Praxis for additional certification or vocational courses that have a practical classroom application.
3. Interested certified personnel must complete and submit a scholarship application form which includes educational plans, application of studies, projected cost, and location of the school or program.
4. Certified personnel that are awarded a scholarship must use it within six months from the date that it is awarded.
5. Scholarship funds will not be distributed until the end of the academic semester/term.
6. Failure to complete the approved course work or scoring below a 2.0 GPA in the approved course work will result in rescension of the scholarship.
7. An official transcript must be submitted within three months of the completion date of the course work in order to receive the scholarship.
8. Failure to submit an official transcript or a completion certificate or note any change in the educational plan could result in a rescension of the scholarship.
9. Accepting certified personnel must agree to remain an employee of ARVA for one academic year after the course is completed. If one full academic year has not been fulfilled, a portion of the total repayment may be deducted from the employee’s final paycheck.
10. Applicants will be considered in order of application.

Decisions regarding the scholarship and its recipients rest solely with the Scholarship Committee. The Committee Chair should be notified of any changes in educational plans

outside of those outlined to the Committee on the application form. The Scholarship Committee consists of four members selected as follows in the event it does not cause a conflict of interest:

1. Academic Administrator – Committee Chair
2. Head of School
3. Business/Operations Analyst
4. School-Level Principal

The number of scholarships awarded each year will depend on funds allocated in the current year budgeted for that purpose. Scholarships may not exceed \$5,000 per fiscal year (\$2500 for part-time employees). No funds will be available or provided for reimbursement when this fund has been spent in full. The amount awarded up to the maximum of \$5000 (\$1250 for part-time employees) per fiscal year is at the discretion of the Scholarship Committee.

See Appendix A for the Scholarship Application Form.

## Prohibiting the Aiding and Abetting of Sexual Abuse

### **Background/Purpose**

Under section 8546 of the ESSA(20 U. S. C. § 7926), every state, state educational agency (SEA), and/or local educational agency (LEA) that receives ESSA funds must have in place laws, regulations, or policies that prohibit school, as well as any school employee, contractor, or agent, from providing a recommendation of employment for an employee, contractor, or agent that the school, or the individual acting on behalf of the school knows, or has probable cause to believe, has engaged in sexual misconduct with a student or minor in violation of the law. The school or individual acting on behalf of one of those entities would not be prohibited from following routine procedures regarding the transmission of administrative or personnel files but would be prohibited from doing more than that to help the employee obtain new employment.

### **Purpose**

*To inform all employees of the Arkansas Virtual Academy of the requirement to Prohibiting the Aiding and Abetting of Sexual Abuse through the provision of recommendations for a new job for an individual who engaged in sexual misconduct with a student or minor in violation of the law.*

### **Policy Statement**

An ARVA employee, contractor, or agent of the school is prohibited from assisting another school employee, contractor or agent in obtaining a new job if the individual knows or has probable cause to believe, that such other employee, contractor, or agent engaged in sexual misconduct with a minor or student in violation of the law. Such assistance would include, but not be limited to the provision of references.

"Assisting" does not include the routine transmission of administrative and personnel files.

Exceptions to giving such assistance may only be made where the exception is authorized by the Every Student Succeeds Act Sec. 8038 (20 U. S. C. 7926).

These exceptions are:

(1)(A) the matter has been properly reported to a law enforcement agency with jurisdiction over the alleged misconduct;

(B) the matter has been properly reported to any other authorities as required by Federal, State, or local law, including Title IX of the Education Amendments of 1972 (20 U. S. C. 1681 et seq.) and the regulations implementing such title under part 106 of title 34, Code of Federal Regulations, or any succeeding regulations; and

(2)(A) the matter has been officially closed or the prosecutor or police with jurisdiction over the alleged misconduct has investigated the allegations and notified school officials that there is insufficient information to establish probable cause that the school employee, contractor, or agent engaged in sexual misconduct regarding a minor or student in violation of the law;

(B) the school employee, contractor, or agent has been charged with, and acquitted or otherwise exonerated of the alleged misconduct; or (C) the case or investigation remains open and there have been no charges filed against, or indictment of, the school employee, contractor, or agent within 4 years of the date on which the information was reported to a law enforcement agency.

If you have questions regarding this policy or your responsibilities under it please reach out to the HOS.

## Appendix A

### Certified Personnel Scholarship Application

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

Educational Plans: \_\_\_\_\_

Courses to be taken: \_\_\_\_\_

Professional goal for taking the courses: \_\_\_\_\_

Start and end date of course: \_\_\_\_\_

Praxis exam to be taken and date of exam: \_\_\_\_\_

Purpose: \_\_\_\_\_

Location of the school or program: \_\_\_\_\_

Projected Cost: \_\_\_\_\_

*Note: The amount of the award cannot exceed \$2,500 per term. The number of scholarships awarded is based on available funds and merit of the request. Applicants will be considered in order of application. Recipient agrees to remain an ARVA teacher one year after completion of scholarship funded educational opportunity. See policy guidelines for full details.*

I understand that I must use the scholarship within thirteen months from the date it is awarded, and that failure to complete the course work or professional exam with satisfactory performance (C average in course or higher and/or passing score on exam) will result in the entire amount of the award being revoked. If the scholarship is revoked, I agree to repay the entire amount within thirty days of the end of the course or receipt of scores.

I will submit an official transcript or grade/score report within three months of the completion date to account for the use of the scholarship. Failure to do so could result in revocation/repayment of the entire scholarship amount.

Teacher/Administrator Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Scholarship Committee Action: \_\_\_\_\_ Date: \_\_\_\_\_

## Appendix B

### Arkansas Virtual Academy

#### SICK LEAVE BANK

The purpose of the Sick Leave Bank is to provide a means of obtaining additional sick leave days to avoid loss of compensation due to a catastrophic illness or injury of the employee sick leave bank member that requires intermittent or continuous absence from work. Catastrophic injury or illness is defined as a life-threatening condition or combination of conditions affecting the mental or physical health of the employee, and includes, but is not limited to, the following: lengthy hospitalizations, necessary surgery requiring a lengthy recovery, an ongoing treatment regimen requiring frequent time off work, or complicated pregnancy requiring bed rest or hospitalization. The catastrophic illness or injury must require the services of a health provider. This benefit is available to eligible, voluntarily participating faculty and staff who have legitimately exhausted all their accumulated sick and vacation leave.

#### 1. Responsibility

The Office of Human Resources shall be responsible for managing and administering the Sick Leave Bank to include the procedural establishment, solicitation of contributions from faculty and staff, processing of applications and records management.

#### 2. Membership

- a. Members should elect membership to the Sick Leave Bank by September 15<sup>th</sup> each year.
- b. All regular full-time and regular part-time employees who have a sick leave balance of eight or more days at the time of the initial contribution shall be eligible to participate in the Sick Leave Bank.
- c. Newly hired employees shall be eligible to participate in the Bank upon completion of their 6<sup>th</sup> month of employment.
- d. Upon joining, an eligible employee must immediately contribute 1 day of accumulated sick leave.
- e. Once employees elect to participate in the Sick Leave Bank, membership is established for the duration of their employment by Arkansas Virtual Academy, unless they submit a statement to discontinue membership or decline to make the required annual contribution to the Sick Leave Bank.
- e. A participant granted leave of absence shall retain his/her status upon returning to regular duties.

#### 3. The general operating procedures are as follows:

- a. Enrolled employees will be automatically re-enrolled each year will contribute 1 day annually from their sick leave accumulation to the Bank. Employees continue as members until they submit a statement to discontinue membership or decline to make a required annual contribution, or employment ends.
- b. The Sick Leave Bank may be opened for re-enrollment of participating members in any month following a decline to a balance of less than one day per member.



- c. Participation is restricted to eligible employees who have contributed to the Bank.
- d. Sick Leave Bank usage is available to an employee with a documented medical catastrophe of a family member requiring the employee to provide care. Catastrophic events will be reviewed and approved by the Sick Leave Bank committee.
- f. Sick Leave Bank usage is not available to employees who:
  - (1) Are currently holding available sick or personal leave days.
  - (2) Are currently receiving long-term disability payments.
  - (3) Are currently receiving retirement system payments.
  - (4) Are currently receiving Social Security disability payments.
  - (5) Are currently receiving workers' compensation disability payments.

#### **4. Contributions**

- a. Each employee who is a member shall contribute 1 day of his/her annual sick days to the Bank each year.
- b. A sick day contributed to the Bank will be deducted from the sick leave days available to the contributing employee.
- c. The day, once contributed to the Bank, becomes the property of the Bank and may not be reclaimed by the employee except as specified in this policy. Only employees who are active members of the Sick Leave Bank in any given year shall be eligible to draw on the Bank.

#### **5. The criteria for Sick Leave Bank usage shall be as follows:**

- a. Catastrophic accident by the employee requiring absences from work.
- b. Catastrophic illness of the employee.
- c. Extended hospitalization of the employee.
- d. Legitimacy of previously used employee earned sick leave may be considered.
- e. Any of the above experienced by an immediate family member, requiring the employee to care for said family member extensively and exclusively, as approved by the Sick Leave Bank committee.

#### **6. Application and Withdrawal**

- a. An employee may submit an application to withdraw Sick Leave Bank days only after exhausting all accumulated paid leave days. These days would include all earned vacation days and sick days. The employee could then withdraw Sick Leave Bank days only after: (1) application approval as outlined in the application and approval process

- b. Each grant of sick leave days shall be limited to the following:

1. 1-5 years of membership - 5 days
2. 6-10 years of membership - 10 days
3. 11 plus years of membership - 15 days

c. Employees who have already exhausted all of their accumulated sick leave in accordance with criteria for Sick Leave Bank usage will be exempt for the remainder of the current calendar year from the eligibility requirement of contributing sick days to the Bank.

d. Requests for Sick Leave Bank assistance must be in writing and be accompanied by a written statement from a licensed medical practitioner stating the beginning date of the condition, a description of the catastrophic illness or injury, and date the employee may be able to return to work. Progress reports may be required to continue sick leave payments to the employee.

#### **7. Sick Leave Bank Application and Approval Process**

a. The employee's application for Sick Leave Bank withdrawal shall be initially reviewed by the business office. The initial approval or rejection of the employee's application will be the responsibility of the Academic Administrator and Head of School.

b. Should the employee disagree with the initial decision made, the employee may submit an appeal and application to the Head of School within 10 business days of receiving notice of the denial. Any Sick Leave Bank member may enter into an appeals process by submitting a signed statement to the Sick

#### **8. Sick Leave Bank Committee**

a. The Sick Leave Bank Committee shall be composed of one 1 faculty member from each building level.

b. Committee members shall initially serve staggered terms of one (1), two (2) and three (3) years. Thereafter, each committee member shall be appointed for a three (3) year term.

c. Committee members shall not rule on any usage application of their own or that of a relative.

d. The Appeals Committee shall be responsible for:

(1) Hearing and recommending action upon any Sick Leave Bank appeal to the Head of School or Academic Administrator.

(2) Recommending revisions to this policy to Head of School or Academic Administrator.

#### **9. Discontinuation**

In the event that the Bank is discontinued, all employees who are members of the Bank at the time of discontinuation shall remain members without additional contributions until all days in the Bank are exhausted or the remaining pool of days is pro-rated back to the contributing employees.