

# ENTHEOS ACADEMY

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EXCELLENCE • SERVICE • LEADERSHIP

# **EMPLOYEE HANDBOOK**

*Revised: June 2020*



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## IMPORTANT NOTICE

AT ENTHEOS ACADEMY, NEITHER THE EMPLOYEE NOR ENTHEOS ACADEMY IS COMMITTED TO AN EMPLOYMENT RELATIONSHIP FOR A FIXED PERIOD OF TIME. EMPLOYMENT WITH ENTHEOS ACADEMY IS AT-WILL. EITHER THE EMPLOYEE OR MANAGEMENT HAS THE RIGHT TO TERMINATE THE EMPLOYMENT RELATIONSHIP AT ANY TIME, FOR ANY REASON. THE LANGUAGE USED IN THIS HANDBOOK AND ANY VERBAL STATEMENTS BY MANAGEMENT ARE NOT INTENDED TO CONSTITUTE A CONTRACT OF EMPLOYMENT, EITHER EXPRESS OR IMPLIED, NOR IS THERE A GUARANTEE OF EMPLOYMENT FOR ANY SPECIFIC DURATION. NO REPRESENTATIVE OF ENTHEOS ACADEMY, OTHER THAN THE BOARD CHAIR OR EXECUTIVE DIRECTOR, HAS THE AUTHORITY TO ENTER INTO AN AGREEMENT OF EMPLOYMENT FOR ANY SPECIFIED PERIOD AND SUCH AGREEMENT MUST BE IN WRITING, SIGNED BY THE BOARD CHAIR OR EXECUTIVE DIRECTOR AND THE EMPLOYEE.

**The contents of this handbook are summary guidelines for employees and therefore are not all inclusive. This handbook supersedes all previously issued editions. Except for the at-will nature of the employment, Entheos Academy reserves the right to suspend, terminate, interpret, or change any or all of the guidelines mentioned, along with any other procedures, practices, benefits, or other programs of Entheos Academy. These changes may occur at any time, with or without notice.**



## **FROM THE BOARD OF DIRECTORS**

This handbook was developed to describe some of the guidelines, programs, and benefits for employees. All employees should familiarize themselves with the contents of the employee handbook as soon as possible, for it may answer many questions about employment with Entheos.

We believe that each employee contributes directly to Entheos Academy's success, and we hope you will take pride in being a member of our team.

We hope that your experience here will be challenging and enjoyable.

Entheos Academy Board of Directors



## EMPLOYMENT

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### EQUAL EMPLOYMENT OPPORTUNITY/UNLAWFUL HARASSMENT

Entheos Academy is dedicated to the principles of equal employment opportunity. We prohibit unlawful discrimination against applicants or employees on the basis of age 40 and over, race, sex, color, religion, national origin, disability, military status, genetic information, or any other status protected by applicable state or local law. This prohibition includes unlawful harassment based on any of these protected classes.

Unlawful harassment includes verbal or physical conduct which has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment. This policy applies to all employees, including directors, supervisors, co-workers, and non-employees such as customers, clients, vendors, consultants, etc.

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### ADA AND RELIGIOUS ACCOMMODATION

Entheos Academy will make reasonable accommodation for qualified individuals with known disabilities unless doing so would result in an undue hardship to Entheos Academy or cause a direct threat to health or safety. Entheos Academy will make reasonable accommodation for employees whose work requirements interfere with a religious belief, unless doing so poses undue hardship on Entheos Academy. Employees needing such accommodation are instructed to contact the HR Director immediately.

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### SEXUAL HARASSMENT

Entheos Academy strongly opposes sexual harassment and inappropriate sexual conduct. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

- Submission to such conduct is made explicitly or implicitly a term or condition of employment.
- Submission to or rejection of such conduct is used as the basis for decisions affecting an individual's employment.
- Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

All employees are expected to conduct themselves in a professional and businesslike manner at all times. Conduct which may violate this policy includes, but is not limited to, sexually implicit or explicit communications whether in:

- Written form, such as cartoons, posters, calendars, notes, letters, e-mails.
- Verbal form, such as comments, jokes, foul or obscene language of a sexual nature, gossiping or questions about another's sex life, or repeated unwanted requests for dates.
- Physical gestures and other nonverbal behavior, such as unwelcome touching, grabbing, fondling, kissing, massaging, and brushing up against another's body.

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### COMPLAINT PROCEDURE

If you believe there has been a violation of the EEO policy or harassment based on the protected classes listed above, including sexual harassment, please use the following complaint procedure. Entheos Academy expects employees to make a timely complaint to enable Entheos Academy to investigate and correct any behavior that may be in violation of this policy.

Report the incident to the HR Director or the Executive Director, who will investigate the matter and take corrective action. Your complaint will be kept as confidential as practicable. If you prefer not to go to either of these individuals with your complaint, you should report the incident to Entheos Academy Board Chair.

Entheos Academy prohibits retaliation against any employee for filing a complaint under this policy or for assisting in a complaint investigation. If you believe there has been a violation of our EEO or retaliation standard, please follow the complaint procedure outlined above.

If Entheos Academy determines that an employee's behavior is in violation of this policy, disciplinary action will be taken, up to and including termination of employment.

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## EMPLOYEE STATUS

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### FULL-TIME EMPLOYEE

An employee normally scheduled to work at least 40 hours per week. Full-time employees are currently eligible except as required by law for Entheos Academy benefits.

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### PART-TIME EMPLOYEE

An employee normally scheduled to work **up to 29 hours** or less than a 40- hour workweek. Part-time employees are currently ineligible except as required by law for Entheos Academy benefits. Part-time employees are not permitted to exceed 29 hours per week without prior permission from the School Director or HR Director. Part-time employees exceeding 29 hours per week without prior permission are subject to disciplinary action.

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### TEMPORARY EMPLOYEE

An employee who is hired in a job established for a temporary period or for a specific assignment. Temporary employees are currently ineligible except as required by law for Entheos Academy benefits.

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### EXEMPT EMPLOYEE

An employee who is not eligible for overtime pay.

FSLA rules require that exempt employees earning less than \$684.00 per week or \$35,568 annually will be required to clock all hours worked and will be paid overtime for time worked exceeding 40 hours per week.

The FLSA minimum wage and overtime exemptions does not apply to teaching professionals.

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## NONEXEMPT EMPLOYEE

Nonexempt employees are eligible for paid overtime at one and one-half times their regular rate of pay for all hours worked in excess of 40 hours per workweek.

### Work Eligibility

Entheos Academy will not hire or continue to employ anyone who cannot demonstrate eligibility to work according to federal law. Employees must provide qualifying document for the I-9 process.

## COMPENSATION ADMINISTRATION

We review individual salaries to pay according to the employee's overall job performance, contribution, and responsibilities. Our salary ranges are periodically assessed in order to try to remain competitive with our identified market. Salary increases are not automatic and are awarded only when merited.

## EMPLOYEE BENEFITS

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### INSURANCE BENEFIT PLANS

Entheos Academy offers a complete benefits package that includes options to enroll in medical, dental, employer paid life insurance, voluntary life insurance, and flexible spending accounts. The following is a brief summary of the plan options for qualified staff members:

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#### MEDICAL PLAN - PEHP SUMMIT EXCLUSIVE MEDICAL INSURANCE PLAN

Entheos offers coverage through PEHP (Public Employee Health Plan) that includes coverage to help pay for hospital stays, office visits for a low co-payment, prescription drug coverage, preventative care etc.

Premiums:

Employee only: No cost to employee

Employee + 1 additional family member: \$100 per month

Employee + 2 or more family members: \$200 per month

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#### DENTAL PLAN

Provides you and your eligible dependents dental coverage. Entheos Academy covers the cost of monthly premiums for eligible employees and eligible dependents.

PEHP Dental includes coverage for preventative services such as exams, cleanings, and x-rays at no cost (exclusions may apply). There is also limited coverage for fillings, root canals, gum treatments, and orthodontic care. There will be a cost share between you and PEHP Dental.

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#### LIFEMAP BASE LIFE INSURANCE PLAN

Entheos provides each eligible employee with 50,000 in life insurance and 2,000 in coverage for spouse and eligible children. Although there is no cost to the employee, you will need to enroll to receive coverage.

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#### LIFEMAP VOLUNTARY LIFE INSURANCE PLAN

You must be enrolled in the Policy holder's basic Life and AD&D Insurance plan to be eligible for Voluntary Life and AD&D Insurance. Enrolled employees will have the option to enroll in additional life insurance at an additional cost per month.

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#### FLEXIBLE SPENDING ACCOUNT – B2PA

Employee can elect to have money withheld from their pay on a pre-tax basis to pay for allowable medical, dental vision and RX expenses. A flex-spend debit card will be used to access those dollars at the provider or other vendor's place of business.

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#### HRA ACCOUNT – TASC

Entheos Academy offers a HRA benefit for eligible employees that do not participate in the Entheos sponsored health benefits plan. Employees must provide proof of health coverage to be eligible for HRA benefits. Eligible employee will receive 200.00 per month deposited to their HRA account. HRA accounts are employer-owned. Account balances are forfeited should the employee elect to participate in Entheos sponsored health coverage or if the employee leaves the employment of Entheos Academy for any reason.

For more information about these Plans, please refer to the Summary Plan Description or contact the Human Resources Department. In the event the above information conflicts with the actual terms and conditions of coverage, the latter governs.

## HOLIDAYS

Please refer to the Entheos Academy Staff Calendar for paid days off. Paid days off are offered to full-time, exempt employees. All exempt employees are expected to be at work on scheduled staff work days.

## SICK LEAVE PAY

Full-time employees are allotted 9 personal/sick days during the calendar school year. Employees are expected to be present for all scheduled staff work days (see Entheos Academy Staff Calendar). If an exempt or full-time employee is not present on a scheduled staff work day, the day will count against the 9 allotted personal/sick days. Personal/sick time may only be taken in half- or full-day increments. Personal/sick days exceeding the 9 allotted days will be charged to the employee at the employee's daily rate. Part-time employees are not eligible for paid sick leave or paid personal days.

When unable to report to work due to illness, employees must give their supervisor as much advance notice as possible before the start of the day.

Sick/personal leave is not allowed to accumulate from year to year. Unused sick/personal days will be paid at 80.00 per day on the June 20<sup>th</sup> paycheck. Upon separation of employment, employees do not receive pay for any unused sick/personal leave. Any sick/personal leave is forfeited

Neither sick leave/personal pay nor short-term disability may be used for absences covered by workers' compensation insurance.

If more time off is needed than provided above, other leave may be granted upon the approval of the Director/HR Director.

## LEAVES OF ABSENCE

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### FUNERAL LEAVE

In the event of a death of an immediate relative, full-time and exempt employee are currently granted up to one paid day to attend a funeral. Immediate family is defined as the employee's spouse, parents, children, sisters, brothers, mother-in-law and father-in-law.

If more time off is needed than provided above, other leave may be granted upon the approval of the Director/HR Director.

### JURY DUTY

Entheos Academy recognizes jury duty as a civic responsibility of everyone. When summoned for jury duty, an employee will be granted leave to perform his or her duty as a juror. If the employee is excused from jury duty during his or her regular work hours, he or she is expected to report to work promptly.

### FAMILY AND MEDICAL LEAVE (FMLA LEAVE)

Entheos Academy provides up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- Incapacity due to pregnancy, prenatal medical care, or child birth.
- To care for the employee's child after birth, or placement for adoption or foster care.
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition.
- Serious health condition that makes the employee unable to perform the employee's job.

### MILITARY FAMILY LEAVE ENTITLEMENTS

Eligible employees with a spouse, son, daughter, or parent on active duty or called to active duty status in the Armed Forces, National Guard, or Reserves may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is:

(1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness\*; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.\*

\*The FMLA definitions of “serious injury or illness” for current service members and veterans are distinct from the FMLA definition of “serious health condition.”

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## BENEFITS AND PROTECTIONS

During FMLA leave, Entheos Academy maintains the employee’s health coverage under any group health plan on the same terms as if the employee had continued to work.

Employees must continue to pay their portion of any insurance premium while on leave. If the employee is able but does not return to work after the expiration of the leave, the employee will be required to reimburse Entheos Academy for payment of insurance premiums during leave.

Upon return from FMLA leave, most employees are restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms. Certain highly compensated employees (key employees) may have limited reinstatement rights.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee’s leave. Holidays, funeral leave, or employer’s jury duty pay are not granted on unpaid leave.

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## ELIGIBILITY REQUIREMENTS

Employees are eligible if they have worked for Entheos Academy for at least 12 months, for 1,250 hours over the previous 12 months, and if they work at a work site with at least 50 employees within 75 miles.

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## 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 a 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 three consecutive full 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.

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## USE OF LEAVE

The maximum time allowed for FMLA leave is either 12 weeks in the 12-month period as defined by Entheos Academy, or 26 weeks as explained above. Entheos uses the 12-month period measured forward from the first day of an employee's leave.

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary.

Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt Entheos Academy's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Employees taking intermittent or reduced schedule leave based on planned medical treatment and those taking intermittent or reduced schedule family leave with Entheos Academy's agreement may be required to temporarily transfer to another job with equivalent pay and benefits that better accommodates that type of leave.

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## SUBSTITUTION OF PAID LEAVE FOR UNPAID LEAVE

Entheos Academy requires employees to use paid sick/personal if available, while taking FMLA leave. Paid leave used at the same time as FMLA leave must be taken in compliance with Entheos Academy's normal paid leave policies. FMLA leave is without pay when paid leave benefits are exhausted. Neither sick leave/personal pay nor short-term disability may be used for absences covered by workers' compensation insurance.

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## EMPLOYEE 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 Entheos Academy's normal call-in procedures.

Employees must provide sufficient information for Entheos Academy 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; the 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 Entheos Academy 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. Entheos Academy may require second and third medical opinions at Entheos Academy's expense.



Documentation confirming family relationship, adoption, or foster care may be required. If notification and appropriate certification are not provided in a timely manner, approval for leave may be denied. Continued absence after denial of leave may result in disciplinary action in accordance with Entheos Academy's attendance guideline. Employees on leave must contact the Human Resources Manager at least two days before their first day of return.

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## ENTHEOS ACADEMY'S RESPONSIBILITIES

Entheos Academy will inform employees requesting leave whether they are eligible under FMLA. If they are, the notice will specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, Entheos Academy will provide a reason for the ineligibility.

Entheos Academy will inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If Entheos Academy determines that the leave is not FMLA-protected, Entheos Academy will notify the employee.

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## UNLAWFUL ACTS

FMLA makes it unlawful for Entheos Academy 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.
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## ENFORCEMENT

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

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.

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## MEDICAL LEAVE (FOR EMPLOYEES PRE- AND POST-FMLA)

A medical leave of absence may be granted to full-time employees for absences arising from the employee's illness, injury, or pregnancy. This leave may be approved under the following circumstances:

- The employee is not eligible for FMLA leave, or
- Has exhausted all available FMLA leave.

The following conditions must be met for a medical leave to be granted:

- The employee has completed ninety (90) days of employment with Entheos Academy, unless leave is needed as a reasonable accommodation for a disability.
- The employee notifies the immediate supervisor as soon as possible of the need for medical leave.
- All available sick leave and earned vacation are used at the beginning of the leave of absence.
- The employee submits to the supervisor a written statement from the attending medical provider outlining the reason for leave and the estimated time needed. (Entheos Academy may require the employee to obtain an opinion from a medical provider selected by Entheos Academy.)
- The Human Resources Director approves the leave before the leave is taken.

Medical leaves, and any extension of leaves, generally will be limited to no longer than 4 weeks. An employee ready to return to work from leave must present a medical provider's statement indicating ability to return to work. If an employee is unable to return to work at the end of FMLA/extended leave, the employee may be

entitled to additional accommodation under the Americans with Disabilities Act (ADA) or other law. The employee must supply sufficient information from their medical provider indicating that they are unable to return due to a disability and the likely date the employee will be able to return to work with or without reasonable accommodation. The employee must qualify for coverage under the Act and any accommodation provided must be reasonable and not result in any undue hardship to the employer. The scope and duration of the potential accommodation will be determined after an interactive dialogue between the employee and Entheos Academy.

Entheos Academy may reinstate an employee ready to return from a medical leave of absence, when in the opinion of Entheos Academy, it is practical to do so or as a reasonable accommodation under the ADA.

Entheos Academy currently continues medical and life insurance benefits for an eligible employee on leave for a maximum of 4 weeks as long as the employee continues to pay the employee's portion of the premium. Sick/personal leave will not accrue during a

medical leave of absence. Holidays, funeral pay, or employer's jury duty pay will not be granted during the leave. Part-time employees are not eligible for a leave of absence under these guidelines except as may be required by the ADA. Also see guidelines for Family and Medical Leave (FMLA Leave.)

#### FMLA LEAVE EXPANSION AND EMERGENCY PAID SICK LEAVE

Purpose To comply with the Families First Coronavirus Response Act and to assist employees affected by the COVID-19 outbreak with expanded FMLA leave and emergency paid sick leave. This policy will be in effect from April 2, 2020, until December 31, 2020. Entheos Academy reserves the right to modify or terminate this policy at any time, with or without notice. Please refer to our PTO, FMLA, and other leave policies for reasons for leave outside of this policy.

##### Expanded FMLA Leave

All employees who have been employed with Entheos Academy for at least 30 days are eligible for expanded FMLA leave. Leave may be taken in the event that an employee must care for his or her child whose school or place of care is closed, or child care provider is unavailable, due to COVID-19 related reasons, and as a

result, the employee is unable to work or telework. If Entheos Academy is able to provide telework and/or flexibility with an employee's schedule, thereby enabling them to work, an employee will not be eligible for such leave.

"Child" means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is- (A) under 18 years of age; or (B) 18 years of age or older and incapable of self-care because of a mental or physical disability.

Eligible employees may take up to 12 weeks of leave between April 1, 2020, and December 31, 2020, for the purposes stated above. This time is included in and not in addition to the total FMLA leave entitlement of 12 weeks in a 12-month period. For example, if an employee has already taken 6 weeks of FMLA leave, that employee would be eligible for another 6 weeks of expanded FMLA leave under this policy. Please see our FMLA policy for more information.

**Paid Leave Options** Expanded FMLA leave will be unpaid for the first 10 days of leave; however, employees may use any accrued paid vacation, sick or personal leave during this time. The employee may also elect to use emergency paid sick leave, as further explained below. After the first 10 days of leave, additional leave will be paid at two-thirds of an employee's regular rate of pay for the number of hours the employee would otherwise be scheduled to work. Pay will not exceed \$200 per day, and \$10,000 in total. By mutual agreement, an employee may supplement this additional paid leave with their available vacation, sick or personal leave to "top off" their pay and keep them at their normal rate of pay.

Any unused portion of this pay will not carry over to the next calendar year.

**Benefits during Expanded FMLA Leave** While an employee is on expanded FMLA leave, Entheos Academy will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work. While on paid leave, the employer will continue to make payroll deductions to collect the employee's share of the premium. During any unpaid portions of leave, the employee must continue to make this payment per instructions from the HR department.

If the employee contributes to a life insurance or disability plan, the employer will continue making payroll deductions while the employee is on paid leave. During any portion of unpaid leave, the employee may request continuation of such benefits and pay his or her portion of the premiums, or the employer may elect to maintain such benefits during the leave and pay the employee's share of the premium payments. If the employee does not continue these payments, the employer may discontinue coverage during the leave. If the employer maintains coverage, the employer may recover the costs incurred for paying the employee's share of any premiums, whether or not the employee returns to work. **Procedure for Requesting Leave** All employees requesting expanded FMLA leave must provide written notice, where possible, of the need for leave to the HR Director as soon as practicable. Verbal notice will otherwise be accepted until written notice can be provided.

Entheos Academy may require an employee on expanded FMLA leave to report periodically on the employee's status and intent to return to work.

Employee Status after Leave Generally, an employee who takes expanded FMLA leave will be able to return to the same position or a position with equivalent status, pay, benefits and other employment terms. If the position the employee held before leave started no longer exists due to economic conditions or operational changes that are made because of the public health emergency, and no equivalent position is available, the employee will not be returned to employment. This may also affect an employee's eligibility for continuing leave. However, for the period of one year after qualifying leave under this policy ends, Entheos Academy will make reasonable efforts to contact the employee if an equivalent position becomes available.

Please contact the HR department with any questions.

#### Emergency Paid Sick Leave

All full- and part-time employees unable to work (or telework) due to one of the following reasons may be eligible for emergency paid sick leave:

1. The employee is subject to a federal, state or local quarantine or isolation order related to COVID-19.
2. The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19.
3. The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis.
4. The employee is caring for an individual who is subject to either number 1 or 2 above.
5. The employee is caring for his or her child if the school or place of care of the child has been closed, or the childcare or place of care provider of such child is unavailable, due to COVID-19 precautions.
6. The employee is experiencing any other substantially similar condition specified by the Secretary of Health and Human Services in consultation with the Secretary of the Treasury and the Secretary of Labor.

All eligible full-time employees will have up to 80 hours of paid sick leave available to use for the qualifying reasons above. Eligible part-time employees are entitled to the number of hours worked, on average, over a two-week period.

For employees with varying hours, one of two methods for computing the number of hours paid will be used:

- The average number of hours that the employee was scheduled per day over the 6-month period ending on the date on which the employee takes leave, including hours for which the employee took leave of any type. Or,
- If the employee has worked less than 6 months, the expected number of hours to be scheduled per day at the time of hire.

Emergency paid sick leave under this policy will not be provided beyond December 31, 2020. Any unused paid sick leave will not carry over to the next year or be paid out to employees, including upon termination of employment

Paid Leave Paid emergency sick leave will be paid at the employee's regular rate of pay, or minimum wage, whichever is greater, for leave taken for reasons 1-3 above. Employees taking leave for reasons 4-6 will be compensated at two-thirds their regular rate of pay, or minimum wage, whichever is greater. Pay will not exceed:

- \$511 per day and \$5,110 in total for leave taken for reasons 1-3 above;
- \$200 per day and \$2,000 in total for leave taken for reasons 4-6 above.

An employee may choose to use emergency paid sick leave under this policy before using any other accrued paid time off for the qualifying reasons stated above. If an employee is taking emergency paid sick leave for reasons 4-6 above, by mutual agreement, an employee may supplement emergency paid sick leave with their available vacation, sick or personal leave to “top off” their pay and keep them at their normal rate of pay.

Procedure for Requesting Emergency Paid Sick Leave Employees must notify their manager or the HR manager of the need and specific reason for leave under this policy. A form will be provided to all employees on Entheos Academy intranet and/or in a manner accessible to all. Verbal notification will be accepted until practicable to provide written notice.

Once emergency paid sick leave has begun, the employee and his or her manager must determine reasonable procedures for the employee to report periodically on the employee’s status and intent to continue to receive paid sick time.

Job Protections No employee who appropriately utilizes leave under this policy will be discharged, disciplined or discriminated against for work time missed due to this leave.

Please contact the HR department with any questions.

## MILITARY LEAVE

Employees granted a military leave of absence are re-instated and paid in accordance with the laws governing veterans’ re-employment rights.

## PERSONAL LEAVE

Normally, personal leaves of absence are not granted. If, on rare occasions, management deems the circumstances warrant approval, an unpaid leave for non-medical reasons would be granted for not more than 30 days.

## VOTING

Voting is an important responsibility we all assume as citizens. We encourage employees to exercise their voting rights in all municipal, state, and federal elections.

Under most circumstances, it is possible for employees to vote either before or after work. If it is necessary for employees to arrive late or leave work early to vote in any election, employees should arrange with their **supervisor/manager** no later than the day prior to Election Day.

## PAY

## OVERTIME

From time to time, employees may be required to work overtime. In these instances, employees are given as much advance notice as practical. Nonexempt employees are paid at the rate of one and one-half times their regular hourly rate for hours worked in excess of 40 during the established workweek. The established workweek begins at 12:00 a.m. midnight on Sunday and ends at 11:59 p.m. on Saturday.

Exempt (salaried) employees are not eligible for overtime pay.

For purposes of calculating overtime payments, only hours actually worked are counted.

## PAYDAYS

Employees are paid on the 5<sup>th</sup> and the 20<sup>th</sup> of every month. If the regular payday occurs on a holiday, the payday is the last working day prior to the holiday.

On each payday, employees receive a statement showing gross pay, deductions, and net pay.

Automatic deductions such as additional tax withholding, contributions to voluntary benefit plans, and individual savings plans may be arranged through the HR department.

For the employees' convenience, we offer the option of having their paycheck automatically deposited to their bank account.

## PAY FOR EXEMPT EMPLOYEES

Exempt employees must be paid on a salary basis. This means exempt employees will regularly receive a predetermined amount of compensation each pay period on a weekly basis. Entheos Academy is committed to complying with salary basis requirements which allows properly authorized deductions.

FSLA rules require that exempt employees earning less than \$684.00 per week or \$35,568 annually will be required to clock all hours worked and will be paid overtime for time worked exceeding 40 hours per week.

The FLSA minimum wage and overtime exemptions does not apply to teaching professionals.

If you believe an improper deduction has been made to your salary, you should immediately report this information to Human Resources. Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, you will be promptly reimbursed.

## TIME REPORTING

Nonexempt employees are required to clock in and out daily. At the conclusion of each pay period (the 15th and the last day of the month), employees must review their time card for accuracy.

Exempt employees are required to report to their department manager monthly only time off from their regular work schedule.

FSLA rules require that exempt employees earning less than \$684.00 per week or \$35,568 annually will be required to clock all hours worked and will be paid overtime for time worked exceeding 40 hours per week.

The FLSA minimum wage and overtime exemptions does not apply to teaching professionals.

These records are the only ones used by Entheos Academy to calculate employee pay and paid time off balances. It is very important that they are accurate and complete. Nonexempt employees and exempt employees earning less than the FLSA Minimum wage are expected to submit accurate and complete time records reflecting all hours worked. Employees who also chose to keep their own personal time records must provide them to Entheos Academy if they find a discrepancy between Entheos Academy's records and their records. Employees should contact their supervisors or the HR department with any questions about how their pay is calculated. Employees must promptly notify their supervisors or the HR department of any mistakes in their time records or pay. Employees also must notify one of these individuals if they perceive that anyone is interfering with their ability to record their time accurately and completely. All reports will be investigated and appropriate corrective action will be taken. Entheos Academy will not tolerate retaliation against employees for making a report or participating in an investigation.

## GARNISHMENTS

By law or court action, a creditor can require Entheos Academy to withhold a certain percentage of your pay. If garnishments or other withholding orders are instituted against an employee, Entheos Academy will deduct the required amount from the employee's paycheck. Garnishment actions are conducted in compliance with appropriate federal and state laws.

## WORK ENVIRONMENT

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## ALCOHOL AND DRUGS

Alert and rational behavior is required for the safe and adequate performance of job duties. Therefore, working after the apparent use of alcohol, a controlled substance or abuse of any other substance is prohibited. Furthermore, the possession, purchase, or consumption (use), or sale of a controlled substance or alcohol on Entheos Academy premises or while conducting Entheos Academy business is prohibited.

## ANTI-VIOLENCE

Any action, which in management's opinion is inappropriate to the workplace, will not be tolerated. Such behaviors may include, but are not limited to, physical and/or verbal intimidating, threatening, or violent conduct, vandalism, sabotage, arson, use of weapons, and bullying.

Employees should immediately report any such occurrences to their supervisor or to the Human Resources Department. We will investigate complaints. When employees are found to have engaged in the above conduct, management will take action that it believes is appropriate.

Employees should directly contact law enforcement, security, and/or emergency services if they believe there is an imminent threat to the safety and health of themselves or co-workers.

*Workplace bullying is repeated mistreatment through verbal abuse, offensive conduct/behaviors and work interference. If you feel are subjected to workplace bullying please contact human resources. Please refer to the Entheos Bullying and Hazing Policy for detailed information.*

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## ENTHEOS BULLYING AND HAZING POLICY

The purpose of this policy is to prohibit bullying, cyber-bullying, hazing, and intimidation of Entheos Academy (the "School") students and employees, as well as abusive conduct directed toward School employees. The School's Board of Directors (the "Board") has determined that a safe, civil environment in School is necessary for students to learn and achieve high academic standards and that conduct constituting bullying, cyber-bullying, hazing, abusive conduct, and intimidation disrupts both a student's ability to learn and the School's ability to educate its students in a safe environment. Bullying, cyber-bullying, and hazing of students and employees are against federal, state and local policy and are not tolerated by the school. The School is committed to providing all students with a safe and civil environment in which all members of the School community are treated with dignity and respect. To that end, the School has in place policies, procedures, and practices that are designed to reduce and eliminate bullying, cyber-bullying, abusive conduct, and hazing including but not limited to civil rights violations as well as processes and procedures to deal with such incidents. Bullying, cyber-bullying, hazing, and intimidation of students and/or employees by students and/or employees will not be tolerated in the School. Likewise, abusive conduct by students or parents against School employees is prohibited by the School and will not be tolerated in the school.

In order to promote a safe, civil learning environment, the School prohibits all forms of bullying of students and School employees (a) on School property, (b) at a School-related or sponsored event, or (c) while the student or School employee is traveling to or from School property or a School-related or sponsored event.

The School prohibits all forms of hazing, bullying, or cyber-bullying of or retaliation against students and School employees at any time and any location.

Students and School employees are prohibited from retaliating against any student, School employee or an investigator for, or witness of, an alleged incident of bullying, cyber-bullying, hazing, abusive conduct, or retaliation.

Students and School employees are prohibited from making false allegations of bullying, cyber-bullying, hazing, abusive conduct, or retaliation against a student or School employees. If a false allegation is made, the Director or designee will follow procedure for investigation and disciplinary action.

In addition, School employees, coaches, sponsors and volunteers shall not permit, condone or tolerate any form of hazing, bullying or abusive conduct and shall not plan, direct, encourage, assist, engage, or participate in any activity that involves hazing, bullying, cyber-bullying, or



abusive conduct.

Any bullying, cyber-bullying, hazing, abusive conduct, or retaliation that is found to be targeted at a federally protected class is further prohibited under federal anti-discrimination laws and is subject to OCR compliance regulations

## DEFINITIONS

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**Abusive Conduct** – For purposes of this policy, “abusive conduct” means verbal, nonverbal, or physical conduct of a parent or student directed toward a School employee that, based on its severity, nature, and frequency of occurrence, a reasonable person would determine is intended to cause intimidation, humiliation, or unwarranted distress. A single act does not constitute abusive conduct.

**Bullying** – For purposes of this policy “bullying” means a School employee or student intentionally committing a written, verbal, physical act against a School employee or student that a reasonable person under the circumstances should know or reasonable foresee will have the effect of:

1. Causing physical or emotional harm to the School employee or student;
2. Causing damage to the School employee’s or student’s property;
3. Placing the School employee or student in reasonable of:
  - a. Harm to the School employee’s or student’s physical or emotional well-being; or
  - b. Damage to the School employee’s or student’s property
4. Creating a hostile, threatening humiliating, or abusive educational environment due to:
  - a. The pervasiveness, persistence or severity of the actions; or
5. A power differential between the bully and the target; or
6. Substantially interfering with a student having a safe school environment that is necessary to facilitate educational performance, opportunities, or benefits.

This conduct constitutes bullying, regardless of whether the person against whom the conduct is committed directed, consented to, or acquiesced in, the conduct. In addition, bullying is commonly understood as aggressive behavior that is intended to cause distress and harm; exists in a relation in which there is an imbalance of power and strength; and is repeated over time.

**Civil Rights Violations** – For purposes of this policy, “Civil Rights Violations” means bullying, including cyber-bullying, abusive conduct, or hazing that is targeted at a federally protected class.

**Cyber-Bullying** – For purposes of this policy, “cyber-bullying” means using the Internet, a cell phone, or another device to send or post text, video, or an image with the intent or knowledge, or with reckless disregard, that the text, video, or image will hurt, embarrass, or threaten an

individual, regardless of whether the individual directed, consented to, or acquiesced in the conduct, or voluntarily accessed the electronic communication.

**Federally Protected Class** – For the purposes of this policy, “Federally Protected Class” means any group protected from discrimination under federal law.

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or nation of origin.

Title IX of the Education Amendments of 1972 prohibits discrimination on the basis of sex.

Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990 prohibits discrimination on the basis of disability.

Others areas included under these acts include religion, gender, and sexual orientation.

Hazing – For purposes of this policy, “Hazing” means a School employee or student intentionally, knowingly, or recklessly committing an act or causing another individual to commit an act toward a school employee or student that:

1. Endangers the mental or physical health or safety of a School employee or student;
  - a. Involves any brutality of a physical nature, including whipping, beating, branding, calisthenics, bruising, electric shocking, placing of a harmful substance on the body, or exposure to the elements;
  - b. Involve consumption of any food, alcoholic product, drug, or other substance or other physical activity that endangers the mental or physical health and safety of a School employee or student; or
  - c. Involves any activity that would subject a School employee or student to extreme mental stress, such as sleep deprivation, extended isolation from social contact, or conduct that subjects a School employee or student to extreme embarrassment, shame, or humiliation; and
2. Is committed for the purpose of initiation into admission into affiliation with, holding office in, or as a condition for membership in a School or School sponsored team, organization, program, club, or event; or
  - a. Is directed toward a School employee or student whom the individual who commits the act knows, at the time the act is committed, is a member of, or candidate for membership in, a School or School sponsored team, organization, program, club, or event in which the individual who commits the act also participates.
3. The conduct described above constitutes hazing, regardless of whether the School employee or student against whom the conduct is committed directed, consented to, or acquiesced in, the conduct.

Retaliate or Retaliation- for purposes of this policy, “retaliate or retaliation” means an act or communication intended:

1. As retribution against a person for reporting bullying or hazing; or
2. To improperly influence the investigation of, or the response to, a report of bullying or hazing

School Employee – for purposes of this policy, “School employee” means an individual working in the individual’s official capacity as:

1. a School teacher;
2. a School staff member;
3. a School administrator; or
4. an individual:
  - a. who is employed, directly or indirectly, by the School; and
  - b. who works on the school’s campus(es).
  - c.

## REPORTING AND INVESTIGATION

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Students who have been subjected to or witnessed bullying, cyber-bullying, hazing, retaliation, or abusive conduct, must promptly report such incidents to any School employee orally or in writing.

School employees who have been subjected to or witnessed bullying, cyber-bullying, hazing, retaliation, or abusive conduct must report such incidents to the School’s Director orally or in writing promptly.

Each report of prohibited conduct shall include:

1. Name of complaining party
2. Name of victim of prohibited conduct (if different from complaining party)
3. Name of offender (if known)
4. Date of incident

## 5. Location of incident

### 6. A statement describing incident as details as possible (including names of witnesses if available)

In connection with a report of prohibited conduct, students and School employees may request that their identity be kept anonymous, and reasonable steps shall be taken by the Director and others involved in the reporting and investigation to maintain the anonymity of such individuals, if possible. School employees will take strong responsive action to prevent retaliation, including assisting student who are victims of prohibited conduct and his or her parents and/or guardians in reporting subsequent problems and new incidents.

The Director or designee shall promptly make a reasonably thorough investigation of all

complaints of prohibited conduct, including, to the extent possible, anonymous reports, and shall, in accordance with Consequences of Prohibited Behavior section below, administer appropriate discipline to all individuals who violate this policy. Formal disciplinary action is prohibited based solely on an anonymous report.

The Director, or designee, may refer the perpetrator to a council of School employees as an intervention as a step in the process of disciplinary action and the council will help determine the best steps for the student before suspension and/or expulsion.

The Director, or designee, may report to law enforcement all acts of bullying, cyber-bullying, hazing, abusive conduct, or retaliation that constitute suspected criminal activity.

The Director, or designee, may report to OCR all acts of bullying, cyber-bullying, hazing, abusive conduct, or retaliation that may be violations of student(s)' or employee(s)' civil rights.

It is the School's policy, in compliance with state and federal law, that students have a limited expectation of privacy on the School's computer equipment and network system, and routine monitoring or maintenance may lead to discovery that a user has violated School policy or law. Also, individual targeted searches will be conducted if there is reasonable suspicion that user has violated policy or law. Personal electronic devices of any student suspected of violation of this policy will be confiscated for investigation and may be turned over to law enforcement.

## PARENT NOTIFICATION

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The Director or designee will timely notify a student's parent or guardian (a) if the student threatens to commit suicide or (b) of any incidence of bully, cyber-bullying, hazing, abusive conduct or retaliation involving the student. The Director or designee will attempt to contact the parent or guardian by telephone or schedule and in person meeting with them to discuss these matters. In the event the Director or designee is not able to meet in person or discuss via telephone, the Director or designee will send a letter to the parent or guardian providing the required notification.

The Director or designee will produce and maintain a record that verifies that the parent or guardian was notified in the student's online or physical file. If an in-person meeting takes place, the Director or designee will ask the parent or guardian to sign a form acknowledging that the notification was provided. If a telephone conversation takes place, the Director or designee will document the date and time of the telephone call, who was spoken to, and brief notes regarding the notification that was provided and the content of the conversation. If a letter is sent, the Director or designee will retain a copy of the letter along with a note regarding when it was mailed. The School will retain the record as long as the student is enrolled at the School and destroy the record after that time. The school will maintain the confidentiality of the record in accordance with the Utah Code 53A-11a-203(3).

## STUDENT ASSESSMENT

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The Director or designee will solicit student assessment of the prevalence of bullying, cyber-bullying, and hazing in the School, specifically in locations where students are unsafe and additional adult supervision may be required; such as playgrounds, hallways, and lunch areas.

## CONSEQUENCES OF PROHIBITED BEHAVIOR

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School officials have the authority to discipline student for off campus speech that causes or threatens a substantial disruption on campus, including School activities, violent altercations, or a significant interference with a student's education performance and involvement in School activities.

If, after an investigation a student is found to be in violation of this policy by participating or encouraging conduct prohibited by this policy, the student shall be disciplined by appropriate measure up to, and including, suspension and expulsion, pursuant to Utah Code Ann 53A-11-904, removal from participation in School activities, and/or discipline in accordance with regulations of the U.S. Department of education Office of Civil Rights (OCR).

If, after an investigation, a School employee is found to be in violation of this policy, the employee shall be disciplined by appropriate measures, which may include terminations, reassignment or other appropriate action.

## GRIEVANCE PROCESS FOR SCHOOL EMPLOYEES

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As explained above, a School employee who has experienced abusive conduct must report the incident to the school Director orally or in writing. If the School employee is not satisfied with the Director or designee's investigation of the abusive conduct and/or the resulting disciplinary action (or recommended disciplinary action) against the perpetrator, the School employee may address/ raise the issue in accordance with the School's Staff Grievance Policy.

## ADDITIONAL PROVISIONS

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The Director will ensure compliance with OCR regulations when civil rights violations; or hazing did occur as a result of the are reported as follows:

1. Once the School knows or reasonably should know of possible student on student bullying, cyber-bullying, or hazing, the School must take immediate and appropriate action to investigate.
2. If it is determined that the bullying, cyber-bullying, or hazing did occur as a result of the student victim's membership in a protected class, the School shall take prompt the effective steps reasonably calculated to:
  - a. End the bullying, cyber-bullying, or hazing
  - b. Eliminate any hostile environment, and
  - c. Prevent its recurrence
3. These duties are the School's responsibilities even if the misconduct is also covered by separate anti-bullying policy and regardless of whether the student makes a complaint, asks the School to take action, or identifies the bullying, cyber-bullying, or hazing as form of discrimination.

The Director will take reasonable steps to ensure that any victim of prohibited conduct will be protected from further bullying, cyber-bullying, hazing, abusive conduct, or retaliation and that any student or School employee who reports such incidents will be protected from retaliation.

If the Director believes that any victim or perpetrator of conduct prohibited by this policy would benefit from counseling, the Director may refer such individuals for counseling.

To the extent allowable under the applicable privacy laws, the Director may inform the parents or guardians of a student who is a victim of conduct prohibited by this policy of the actions taken against the perpetrator of such conduct.

If the Director believes that it would be in the best interest of the individuals involved, the Director may involve the parents or guardians of the perpetrator or victim of bullying, cyber- bullying, hazing, abusive conduct, or retaliation in the process of responding to and resolving conduct prohibited by this policy.

## DISTRIBUTION OF POLICY AND SIGNING OF POLICY

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The School will inform students, parents and guardians, School employees and volunteers that bullying, cyber-bullying, hazing, abusive conduct, and retaliation are prohibited and will distribute a copy of this policy to such individuals. A copy of this policy will also be included in any student conduct or employee handbooks issued by the School. On an annual basis, School employees, students in middle school, and parents and guardians of middle school student shall sign a statement indicating that they have received a copy of this policy.

## TRAINING

The Director or designee will ensure that School employees receive bi-annual trainings from qualified individuals on bullying, cyber-bullying, hazing, abusive conduct, and retaliation; including trainings on civil rights violation and compliance when civil rights violations are reported. The trainings shall meet the standards established by the State Board of Education's rules.

To the extent possible, programs and initiatives designed to provide training and education regarding the prevention of bullying, cyber-bullying, hazing, abusive conduct, and retaliation will be implemented.

Trainings provided under this policy will include:

1. Overt aggression that may include physical fighting such as punching, shoving, kicking, and verbal threatening behavior, such as name calling, or both physical and verbal aggression or threatening behavior;
2. Relational aggression or indirect, cover, or social aggression, including rumor spreading, intimidation, enlisting a friend to assault a child, and social isolation
3. Sexual aggression or acts of sexual nature or with sexual overtones;
4. Cyber-bullying, including use of email, web pages, text message, instant message, three way calling or messaging or any other electronic means of aggression inside or outside of school; and
5. Civil rights violations, appropriate reporting and investigative procedures. This includes bullying, cyber-bullying, hazing, abusive conduct, and retaliation based upon the student's actual or perceived identities and conformance or failure to conform with stereotypes.

Trainings provided under this policy should also include awareness and intervention skills such as social skills training for student and staff, including paraprofessionals, custodians, kitchen, secretaries, service-learning coordinators, and anyone working directly with students.

Trainings provided under this policy should complement the suicide prevention program required for students under R277-620 and the suicide prevention training required for licensed educators consistent with Section 53A-1-603(10).

In addition to training for all students and School employees, students, employees, and volunteer coaches involved in any athletic or other extra-curricular activity shall:

1. Participate in bullying, cyber-bullying, hazing, prevention training prior to participation;
2. Repeat bullying, cyber-bullying, hazing prevention training at least every three years; and
3. Be informed annually of the prohibited activities list provided previously in this policy and the potential consequences for violation of this policy.

The Director, or designee, will ensure that the training curriculum, schedules, and participant lists or signatures are maintained by the School and provided to the Utah State Board of Education upon Request.

## APPEARANCE, ATTIRE, AND HYGIENE

Entheos believes an employee's dress and grooming should be appropriate to the work situation. Radical departures from what Entheos considers conventional dress or personal grooming are not permitted regardless of the nature of the job performed.

General guidelines are as follows:

- Employees are expected to dress in a manner normally acceptable in professional business establishments. The wearing of jeans, leggings as pants, jeggings, t-shirts, hoodies and similar items of casual attire is not permitted. Employees must generally be dressed as well as or better than the students.
- Hair should be clean, combed, and neatly trimmed. Unnatural colors are not tolerated.
- Sideburns, moustaches, and beards should be neatly trimmed. Eccentric styles of facial hair are not permitted.
- Jewelry, piercings, and tattoos shall not be excessive or extreme in nature. Reasonable effort should be made to keep tattoos covered while working. Visible tattoos shall be non-distracting in nature and may not contain any images or words which are controversial or offensive.
- Clothing must cover cleavage, stomach, back and undergarments.
- Skirts, dresses and shorts must be knee-length. This includes skirts and dresses worn over leggings.
- If an employee reports for work improperly dresses or groomed, they may be asked to return home to change at the director's discretion.

#### ATTENDANCE AND PUNCTUALITY

All employees are expected to be on time and punctual for showing up to work. In addition, regular attendance is considered an essential function and is necessary for the efficient operation of the business.

Employees who are going to be absent or late must contact their director or HR as soon as possible prior to the start of their shift. Leaving messages with other employees or on voice mail is not acceptable.

Failure to call in when absent for two consecutive days will result in termination.

#### COMMUNICATION SYSTEMS

Entheos Academy's computer network, access to Internet, e-mail and voice mail systems are business tools intended for employees to use in performing their job duties. Therefore, all documents and files are the property of Entheos Academy. All information regarding access to Entheos Academy's computer resources, such as user identifications, access codes, and passwords are confidential Entheos Academy information and may not be disclosed to non-Entheos Academy personnel.

All computer files, documents, and software created or stored on Entheos Academy's computer systems are subject to review and inspection at any time. This includes web-based email employees may access through Entheos Academy systems, whether password protected or not. Employees should not assume that any such information is confidential, including e-mail either sent or received.

Computer equipment should not be removed from Entheos Academy premises without approval from a department head. Upon separation of employment, all communication tools should be returned to Entheos Academy.

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## PERSONAL USE OF THE INTERNET

Some employees need to access information through the Internet in order to do their job. Use of the Internet is for business purposes during the time employees are working.

Personal use of the Internet should not be on business time, but rather before or after work or during breaks or lunch period. Regardless, Entheos Academy prohibits the display, transmittal, or downloading of material that is in violation of Entheos Academy guidelines or otherwise is offensive, pornographic, obscene, profane, discriminatory, harassing, insulting, derogatory, or otherwise unlawful at any time.

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## SOFTWARE AND COPYRIGHT

Entheos Academy fully supports copyright laws. Employees may not copy or use any software, images, music, or other intellectual property (such as books or videos) unless the employee has the legal right to do so. Employees must comply with all licenses regulating the use of any software and may not disseminate or copy any such software without authorization. Employees may not use unauthorized copies of software on personal computers housed in Entheos Academy facilities.

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## UNAUTHORIZED USE

Employees may not attempt to gain access to another employee's personal file of e-mail messages or send a message under someone else's name without the latter's express permission. Employees are strictly prohibited from using Entheos Academy communication systems in ways that management deems to be inappropriate. If you have any question whether your behavior would constitute unauthorized use, contact your immediate supervisor before engaging in such conduct.

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## E-MAIL

E-mail is to be used for business purposes only, during working times. While personal e-mail is permitted, it is to be kept to a minimum. Personal e-mail should be brief and sent or received as seldom as possible. Entheos Academy prohibits the display, transmittal, or downloading of material that is offensive, pornographic, obscene, profane, discriminatory, harassing, insulting, derogatory, or otherwise unlawful at any time. No one may solicit, promote, or advertise any outside organization, product, or service through the use of e-mail or anywhere else on Entheos Academy premises during working times. Working time does not include breaks or meal periods. Management may monitor e-mail from time to time.

Employees are prohibited from unauthorized use of encryption keys or the passwords of other employees to gain access to another employee's e-mail messages.

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#### VOICE MAIL

Entheos Academy voice mail system is intended for transmitting business-related information. Although Entheos Academy does not monitor voice messages as a routine matter, Entheos Academy reserves the right to access and disclose all messages sent over the voice mail system for any purpose. Employees must use judgment and discretion in their personal use of voice mail and must keep such use to a minimum.

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#### TELEPHONES/CELL PHONES/MOBILE DEVICES

School work hours are valuable and should be used for school business. Excessive personal phone calls can significantly disrupt school operations. Employees should use their break or lunch period for personal phone calls.

Phones and mobile devices with cameras should not be used in a way that violates other Entheos Academy guidelines such as, but not limited to, EEO/Sexual Harassment and Confidential Information. Employees accessing Entheos Academy systems and information using a personal device must immediately inform Entheos Academy if the device is lost or stolen.

For safety reasons, employees should avoid the use of cell phones and mobile devices to make calls while driving for school purposes. Employees must park whenever they need to use a cell phone. Generally, stopping on the shoulder of the road is not acceptable. Employees are prohibited from using a cell phone or other device to text while operating a motor vehicle. Texting is permitted only where the vehicle is at rest and lawfully parked.

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#### PERSONAL USE OF SOCIAL MEDIA GUIDELINES

Whenever you use social media, use good judgment. We request that you be respectful of Entheos Academy, our employees, our students, our partners and affiliates, and others. Personal use of social media is never permitted on working time by means of Entheos Academy's computers, Entheos Academy-issued mobile devices, networks, and other IT resources and communications systems. Use of personal mobile devices during work time should be kept to a minimum. Entheos Academy has developed Use of Social Media Guidelines for employees who use social media like blogs, wikis, and social networking sites that may contain postings related to Entheos Academy, employees of Entheos Academy, and any other affiliates of Entheos Academy. Nothing in this guideline is meant to interfere with employees' right under federal law to engage in protected and concerted activity, including employees' ability to discuss terms and conditions of their employment.

Specific Guidelines: Public communications concerning Entheos Academy, employees of Entheos Academy, and any other affiliates of Entheos Academy must not violate any guidelines set forth in this handbook, especially as it relates to discrimination, unlawful harassment, and illegal activities. Your personal or anyone else's blog, wiki, or social networking site is not the ideal place to make a complaint regarding alleged discrimination, unlawful harassment, or safety issues. Complaints to Entheos Academy



regarding these issues shall be made consistent with the complaint procedures in this handbook so that Entheos Academy can address them. Blogs, wikis, chat rooms, and other forms of social media communications are individual interactions, not corporate communications. All postings on a blog, wiki, chat room, or social networking site on behalf of Entheos Academy must be preapproved and sent by authorized employees

**Employee Use of Social Media:** If you post any comment that promotes or endorses Entheos Academy products or services in any way, the law requires that you disclose that you are employed by Entheos Academy. You must comply with all applicable laws including copyright and fair use laws. You may not disclose any sensitive, proprietary, confidential, or financial information about Entheos Academy. Confidential information includes trade secrets or anything related to Entheos Academy's inventions, strategy, financials, or products that have not been made public, internal reports, procedures or other internal business-related confidential communications. Further detail is provided in the "Confidentiality" section of your employee handbook. When you use social media, use good judgment. We request that you be respectful of Entheos Academy, our employees, our students, our families, and others. Avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene or threatening, that defames or libels our employees, students, and families, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment. Please consult with your director if you have any questions about the appropriateness of publishing information relating to Entheos Academy, its employee's or any of its students or families.

## CONFIDENTIAL INFORMATION

Employees of Entheos Academy may have access to confidential information of the students, employees and their families. Confidential information includes, but is not limited to, information concerning a student's enrollment, discipline, special education records, attendance, PII (personally identifiable information) including SSID's, birthdates, names, and student ID numbers. Confidential employee information may include, but is not limited to, names, social security numbers, employment information, employee discipline records, wages, and background check information.

Disclosure of confidential information will not be tolerated. This non-disclosure prohibition applies both during and after an employee's employment. Any copying, reproducing, or distributing of confidential information in any manner must be authorized by management. Confidential information remains the property of the employer and must be returned to Entheos Academy upon separation or at any time upon demand.

## CHILD ABUSE AND NEGLECT REPORTING BY EDUCATION PERSONNEL

Entheos employees, full-time, part-time, and temporary, are required to report instances of child abuse or neglect when the employee has a reasonable suspicion that child neglect, dependency, physical or sexual abuse has occurred.

Reasonable suspicion arises when the facts surrounding the incident or suspicion could cause another person in the same situation to suspect child abuse.

All school employees are mandated reporters of child abuse or neglect and are obligated to take immediate action.

If a school employee reasonably suspects child abuse or neglect, it is not the responsibility of the school employee to prove that the child has been abused or neglected, or determine whether the child is in need of protection.

Investigation by education personnel prior to submitting a report should not go beyond that necessary to support a reason to believe that a reportable problem exists.

Any employee who knows or reasonably suspects a child has been the victim of child abuse, neglect or dependency shall immediately report the instance to the School Director, or the school counselor, **and** local law enforcement or the Division of Child and Family Services.

**Note that although an employee must notify the School Director, or counselor, doing so does not satisfy the employee's personal duty to report to law enforcement or DCFS.**

According to Utah Administrative Rule R227-401-3, "Persons making reports or participating in an investigation of alleged child abuse or neglect in good faith are immune from any civil or criminal liability that otherwise might arise from those actions, as provided by law."

## CHILD SEXUAL ABUSE PREVENTION

In accordance with Utah Code 53G-2078 Entheos Academy will provide, at least every other year, training and instruction on child sexual abuse and human trafficking prevention and awareness to school personnel on responding to a disclosure of sexual abuse in a supportive, appropriate manner; identifying children who are victims or may be at risk of becoming victims of human trafficking or commercial sexual exploitation; and the mandatory reporting requirements described in Sections 53E+6-701 and 62A-4a-403.

Entheos Academy will also provide, at least every other year, training to parents of elementary school students on recognizing warning signs of a child who is being sexually abused or who is a victim or may be at risk of becoming a victim of human trafficking or commercial sexual exploitation; and effective, age-appropriate methods for discussing the topic of child sexual abuse with a child.

## MEDICAL RECOMMENDATIONS BY SCHOOL PERSONNEL TO PARENTS

In accordance with Utah Code 53G-9-203:

**(2) School personnel may:**

- (a) provide information and observations to a student's parent about that student, including observations and concerns in the following areas:
  - (i) progress;

- (ii) health and wellness;
  - (iii) social interactions;
  - (iv) behavior; or
  - (v) topics consistent with Subsection [53E-9-203\(6\)](#);
- (b) communicate information and observations between school personnel regarding a child;
  - (c) refer students to other appropriate school personnel and agents, consistent with local school board or charter school policy, including referrals and communication with a school counselor or other mental health professionals working within the school system;
  - (d) consult or use appropriate health care professionals in the event of an emergency while the student is at school, consistent with the student emergency information provided at student enrollment;
  - (e) exercise their authority relating to the placement within the school or readmission of a child who may be or has been suspended or expelled for a violation of Section [53G-8-205](#); and
  - (f) complete a behavioral health evaluation form if requested by a student's parent to provide information to a licensed physician or physician assistant.
- (3) School personnel shall:
- (a) report suspected child abuse consistent with Section [62A-4a-403](#);
  - (b) comply with applicable state and local health department laws, rules, and policies; and
  - (c) conduct evaluations and assessments consistent with the Individuals with Disabilities Education Act, 20 U.S.C. Sec. 1400 et seq., and its subsequent amendments.
- (4) **Except as provided in Subsection (2), Subsection (6), and Section [53G-9-604](#), school personnel may not:**
- (a) recommend to a parent that a child take or continue to take a psychotropic medication;
  - (b) require that a student take or continue to take a psychotropic medication as a condition for attending school;
  - (c) recommend that a parent seek or use a type of psychiatric or psychological treatment for a child;
  - (d) conduct a psychiatric or behavioral health evaluation or mental health screening, test, evaluation, or assessment of a child, except where this Subsection [\(4\)\(d\)](#) conflicts with the Individuals with Disabilities Education Act, 20 U.S.C. Sec. 1400 et seq., and its subsequent amendments; or
  - (e) make a child abuse or neglect report to authorities, including the Division of Child and Family Services, solely or primarily on the basis that a parent refuses to consent to:
    - (i) a psychiatric, psychological, or behavioral treatment for a child, including the administration of a psychotropic medication to a child; or
    - (ii) a psychiatric or behavioral health evaluation of a child.
- (5) Notwithstanding Subsection [\(4\)\(e\)](#), school personnel may make a report that would otherwise be prohibited under Subsection [\(4\)\(e\)](#) if failure to take the action described under Subsection [\(4\)\(e\)](#) would present a serious, imminent risk to the child's safety or the safety of others.
- (6) Notwithstanding Subsection [\(4\)](#), a school counselor or other mental health professional acting in accordance with [Title 58, Chapter 60, Mental Health Professional Practice Act](#), or licensed through the state board, working within the school system may:
- (a) recommend, but not require, a psychiatric or behavioral health evaluation of a child;
  - (b) recommend, but not require, psychiatric, psychological, or behavioral treatment for a child;

- (c) conduct a psychiatric or behavioral health evaluation or mental health screening, test, evaluation, or assessment of a child in accordance with Section [53E-9-203](#); and
- (d) provide to a parent, upon the specific request of the parent, a list of three or more health care professionals or providers, including licensed physicians, physician assistants, psychologists, or other health specialists.

## SUMMARY OF LEGAL LIABILITY COVERAGE FOR SCHOOL EMPLOYEES

### SUMMARY OF COVERAGE FOR EDUCATORS

#### HANOVER INSURANCE GROUP

Dear Valued Educator,

The purpose of this document is to summarize some of the legal liability coverage purchased by the school through Hanover Insurance Group. Hanover has an A.M. Best rating of “A” (Excellent) with a Financial Size Category of 15 on a scale of 1 to 15, which means they have more than \$2 Billion in policyholder surplus. Size category 15 is the largest.

This liability coverage extends to you as an employee of the school. Three coverages are summarized, General Liability, Educator’s Legal Liability and Sexual Misconduct & Molestation Liability. This summary is for informational purposes and policy language will dictate coverage in the event of a claim.

#### General Liability –

As a charter school employee, you are covered for a civil lawsuit or civil claim alleging bodily injury or property damage resulting from accident that occurs, subject to coverage terms and exclusions. The insurer has the right and duty to defend an insured against any suit seeking damages for which there is coverage.

Noteworthy exclusions are:

- (a) Expected or intended injury
- (b) Pollution

#### Educator’s Legal Liability –

As a charter school employee, you are covered for a civil lawsuit or civil claim alleging a negligent act, error or omission, misstatement or misleading statement committed by you in your duties as an employee of the school. The insurer has the right and duty to defend the insured against any “claim” to which this insurance applies.

Noteworthy exclusions are:

- (a) Intentional or criminal act
- (b) Illegal financial gain

#### Sexual Misconduct and Molestation Liability –

As a charter school employee, you are covered for a civil lawsuit or civil claim alleging “bodily injury” arising out of a “sexual misconduct or sexual molestation incident.” The insurer has the right and duty to defend an insured against any “suit” seeking damages, but only if the coverage applies.

Noteworthy exclusions are:

- (a) Any insured who participated in, knowingly allowed or directed any “sexual misconduct or sexual molestation”. However, the policy provides \$300,000 of defense reimbursement for an

exonerated insured who was accused to have participated in, knowingly allowed or directed any misconduct or molestation.

(b) Dishonesty, fraudulent or criminal act. However, the policy also provides \$25,000 of defense reimbursement for an exonerated insured who was criminally accused and charged.

(c) Sex discrimination

(d) Punitive or exemplary damages

(e) Any person who knew of a "sexual misconduct or sexual molestation incident" and failed to comply with applicable laws or regulations which require the reporting of such act.

If you have any questions about other coverages provided to or by the school, then please contact your director who can work with us on answering those questions.

Sincerely,

Jeffrey M. Hirst, CIC  
Account Executive  
American Insurance & Investment Corp.  
448 South 400 East  
Salt Lake City, UT 84111  
(801) 364-3434

#### AHERA – ASBESTOS HAZARD DECLARATION

Dear parents, teachers, and employees:

In 1986, Congress passed the Asbestos Hazard Emergency Response Act (AHERA). AHERA is a provision of the Toxic Substances Control Act. It requires that local education agencies (LEA) such as Entheos Academy inspect for asbestos - containing building materials, prepare and maintain up-to-date AHERA Management Plans, and notify occupants of the plan on a yearly basis. All of this in an effort to prevent the exposure of asbestos to the occupants of our school buildings. Our architects and builders have certified that no asbestos containing materials were used in the construction of Entheos Academy's buildings; therefore, no asbestos containing materials were identified. We will continue to be alert to ensure that asbestos-containing materials do not pose a hazard to our students and staff. Entheos Academy's AHERA Management Plan is available for review in the main office and has been submitted to the Utah Department of Environmental Quality/Division of Air Quality.

#### CONFLICTS OF INTEREST

Entheos Academy requires that employees protect Entheos Academy information and avoid outside activities or relationships, which do or could improperly influence their decisions or actions on the job.

Conflict of interest situations, which could arise while moonlighting for a competitor of ours, should also be avoided.

Other examples of conflict of interest could be: Serving as a board member or director of a competing school or being self-employed in an occupation which competes with Entheos Academy, or ownership, partnership, or personal involvement in supplier companies or distribution outlets related to Entheos Academy business.

If employees have any question whether a situation is a conflict of interest, employees should discuss the matter with their supervisor. If it remains unresolved, refer the matter to the Executive Director for final determination.

## DISCIPLINE

Occasionally performance or other behavior falls short of our standards and/or expectations. When this occurs, administration takes action, which in its opinion, seems appropriate.

Disciplinary actions can range from a formal discussion with the employee about the matter to immediate discharge. Action taken by administration in an individual case does not establish a precedent in other circumstances.

## JOB RELATED PROBLEMS

Employees who disagree or are dissatisfied with an Entheos Academy practice should promptly discuss the matter with the Director, where appropriate. Normally, this discussion should be held within three to five days of the incident, or in a timely manner. Discussions held in a timely manner will enhance our ability to resolve concerns while they are fresh in everyone's mind. The majority of misunderstandings can be resolved at this level.

If the solution offered is not satisfactory, or if it is inappropriate to go to the Director, then employees are encouraged to take the problem to the Executive Director or Human Resources. If the problem still cannot be resolved, employees may submit a written complaint to the Entheos Board Chair for review and final decision about the situation. Also see the EEO/Harassment Complaint Procedure on page 10.

## REFERENCES

If employees receive a call inquiring about a former employee, please refer the caller to Human Resources. Only the Human Resources Director has the authority to respond to such inquiries. This restriction includes recommendations on social media sites.

## SAFETY/REPORTING OF INJURY

Entheos Academy is committed to a safe work environment for employees. Employees should report any unsafe practices or conditions to their supervisor.

If employees are injured on the job, no matter how minor, they must immediately report this fact in writing to the Human Resources Director.

## SMOKING

Smoking, including the use of e-cigarettes and vaping, is prohibited on Entheos property. This restriction applies to all employees and visitors, at all times, including non-business hours.

## SEPARATION OF EMPLOYMENT

We request that employees who wish to resign their positions notify Entheos Academy of their anticipated departure date and go over the “check out” procedures at separation (conversion of insurance, return of property, delivery of final paycheck, etc.) with the Human Resources Department.

Employees may be considered for re-employment provided they qualify for the position of interest and while they were employed with Entheos Academy maintained satisfactory performance and attendance.

## PURCHASING

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### REIMBURSEMENT REQUESTS

Teachers and departments will be given a budget at the beginning of the school year. It is the teacher/department head’s responsibility to ensure that the annual budget is not exceeded. Reimbursement requests must be submitted on the Entheos reimbursement request form available in the front office. **All completed reimbursement requests must be submitted with the original receipt within 2 weeks of the purchase.** All reimbursement requests must be signed by the school director. Reimbursement requests will be denied for purchases that exceed the allotted budget.

## ACKNOWLEDGMENT OF RECEIPT

I HAVE RECEIVED A COPY OF THE EMPLOYEE HANDBOOK DATED \_\_\_\_\_, I UNDERSTAND THAT I AM TO BECOME FAMILIAR WITH ITS CONTENTS. FURTHER, I UNDERSTAND:

- **EMPLOYMENT WITH ENTHEOS ACADEMY IS AT-WILL. I HAVE THE RIGHT TO END MY WORK RELATIONSHIP WITH ENTHEOS ACADEMY, WITH OR WITHOUT ADVANCE NOTICE FOR ANY REASON. ENTHEOS ACADEMY HAS THE SAME RIGHT.**
- **THE LANGUAGE USED IN THIS HANDBOOK AND ANY VERBAL STATEMENTS OF MANAGEMENT ARE NOT INTENDED TO CONSTITUTE A CONTRACT OF EMPLOYMENT, EITHER EXPRESS OR IMPLIED, NOR ARE THEY A GUARANTEE OF EMPLOYMENT FOR A SPECIFIC DURATION.**
- **THE HANDBOOK IS NOT ALL INCLUSIVE, BUT IS INTENDED TO PROVIDE ME WITH A SUMMARY OF SOME OF ENTHEOS ACADEMY'S GUIDELINES.**
- **THIS EDITION REPLACES ALL PREVIOUSLY ISSUED HANDBOOKS. THE NEED MAY ARISE TO CHANGE THE GUIDELINES DESCRIBED IN THE HANDBOOK, EXCEPT FOR THE AT-WILL NATURE OF EMPLOYMENT. ENTHEOS ACADEMY THEREFORE RESERVES THE RIGHT TO INTERPRET THEM OR TO CHANGE THEM WITHOUT PRIOR NOTICE.**
- **NO REPRESENTATIVE OF ENTHEOS ACADEMY, OTHER THAN THE BOARD CHAIR OR EXECUTIVE DIRECTOR OF ENTHEOS ACADEMY, HAS THE AUTHORITY TO ENTER INTO AN AGREEMENT OF EMPLOYMENT FOR ANY SPECIFIED PERIOD AND SUCH AGREEMENT MUST BE IN WRITING, SIGNED BY THE EXECUTIVE DIRECTOR AND MYSELF. WE HAVE NOT ENTERED INTO SUCH AN AGREEMENT.**

\_\_\_\_\_  
Employee Name – Printed

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

\_\_\_\_\_  
Date



