



**HARKER®**

**PERSONNEL POLICIES  
HANDBOOK  
FOR FACULTY AND STAFF**

Human Resources  
4525 Union Ave., San Jose, CA 95124

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# MISSION STATEMENT

Our mission is to educate students for success at college and beyond, and to foster kindness, respect, and integrity within a safe and nurturing environment.

We achieve academic excellence through the development of intellectual curiosity, personal accountability, and love of learning.

Our comprehensive program and exceptional faculty and staff help students discover, develop, and enjoy their unique talents.

We honor individuality, embrace diversity, and promote leadership and service, preparing students to take their place as global citizens.



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# INTRODUCTION AND OVERVIEW OF HARKER

## **PURPOSE**

The purpose of this employee handbook is to establish and maintain a positive and stable relationship between faculty/staff and administration at The Harker School. To do so, we inform you of your responsibilities and benefits and strive to develop a comfortable relationship that will allow for open communication and growth. The result, we hope, will be a positive work environment that will enhance the School and our mission.

We urge you to become familiar with the information contained in this handbook as it provides answers to frequently asked questions and summarizes Harker policies for all employees. Nothing in this handbook creates, or is intended to create, a promise or representation of continued employment for any employee.

As an employer, the School retains the right to change, modify, suspend, interpret or cancel in whole or in part any of its published or unpublished personnel policies, practices or benefits, at its sole discretion. Employees will be notified of changes. Recognition of these rights and prerogatives of the employer is a term and condition of employment and continued employment.

We encourage all employees to pursue all questions or suggestions regarding this information with direct supervisors or the head of school.

## **HARKER PHILOSOPHY**

Harker is a coeducational, independent, college preparatory day school that educates students in transitional kindergarten- ten through grade 12. Our goal is to develop lifelong learners and well-rounded global citizens. Through comprehensive academic and extracurricular programs, Harker provides a challenging and balanced education. The Harker experience comprises the following cornerstones: students and families, teachers, curriculum, and a learning environment which includes inspiring facilities.

### **Students and Families**

Harker students and families value learning and are kind, well-rounded global citizens. The students have passions within and beyond the classroom as they prepare to shape the world of tomorrow. Harker students are intrinsically motivated to pursue deep learning and extracurricular activities, and they take pride in contributing to a supportive peer culture where it is "cool to be smart and kind."

### **Teachers**

Harker seeks to attract teachers who are experts in their fields, love working with children, and who, through their teaching, inspire students to reach their highest potential. The Harker teacher creates a rich learning environment within and beyond the classroom so that students can find their place in the world today. Harker teachers, like the students, also care about the community, fostering the values that contribute to a successful and happy life.

### **Curriculum**

The Harker School believes in a deep understanding of subject matter, broad thinking skills and a love of learning as the key ingredients for success in the future. Our program provides a robust academic experience at a pace that meets individual student needs. Beyond the classroom, we have rich extracurricular offerings for a well-rounded, complete experience, with opportunities for students to pursue their passions wherever they lead.

### **Learning Environment**

There is no substitute for the special place that is the Harker campus. Motivated students, talented teachers, inspiring facilities and engaging programs, both within and outside the classroom, all combine to create the unique environment of The Harker School. The Harker experience extends beyond the campus walls as students reach out and serve the broader community. The school and its families are partners in helping the students achieve their highest potential.

# GENERAL WORKPLACE POLICIES & EXPECTATIONS

## **ANTI-BULLYING**

Harker is committed to providing a workplace free from bullying and abusive conduct. Workplace bullying is unacceptable behavior that can significantly disrupt the organization and undermine employee morale and well-being. Harker will address any form of bullying seriously.

Harker defines workplace bullying/abusive conduct as malicious conduct that is hostile, offensive and unrelated to the School's business. It may include:

- verbal or physical conduct that is threatening, humiliating or intimidating; or
- work interference – sabotage – which undermines an employee's work performance; or
- repeated verbal abuse.

Bullying can come in many forms:

- repeated verbal abuse, insults, threats and yelling
- teasing or regularly making someone the brunt of pranks/practical jokes
- sarcasm and other demeaning language
- exclusion of a person from workplace activities
- work sabotage and/or tampering with someone's personal effects
- gossip and false malicious rumors
- coercion, intimidation and misuse of authority
- deliberately withholding necessary information.

Employees are responsible for behaving in a professional manner and treating one another with respect and dignity. Employees should treat others as they expect to be treated themselves.

Managers have a special responsibility to create a safe working environment free from bullying and abuse. Managers must take steps to prevent bullying and must take prompt action when they confront any behavior that may be construed as bullying.

Employees who have been subjected to, or witnessed, bullying should report the matter immediately to their manager, Human Resources or a member of the administration. Employees are not required to bring a complaint directly to their managers.

The School will investigate allegations of bullying, as appropriate. If bullying is confirmed, disciplinary measures will be taken, up to and including possible termination of employment.

Retaliating against someone for opposing bullying, or for participating in an investigation, is prohibited and will result in disciplinary action.

## **AT-WILL EMPLOYMENT**

Except for those employees who have written contracts with the School for employment for a specified period of time, employment at Harker is "at-will." This means that employment may be terminated at the will of either the School or the employee, with or without cause and with or without notice.

No representative of the School other than the head of school has any authority to enter into any agreement for employment for any specific period of time or to make any agreement contrary to the foregoing. No such agreement is valid or binding unless it is in writing and signed by the head of school.

## **CONFIDENTIAL INFORMATION**

As an employee of Harker you represent Harker to those with whom you come in contact on both a personal and business level. Therefore, your conduct should be such that it will reflect favorably on you and the organization.

Careful custody and handling of Harker documents or materials containing confidential information are of critical importance to the well-being of Harker. Each employee is responsible for safeguarding against the theft, loss, unauthorized use or disclosure of this information. Therefore, if in the course of your work you have access to such material, you must take whatever steps are necessary to assure that it is handled, stored, transmitted or destroyed in a manner which will preclude loss or misuse. Such material may not be copied without the express consent of the

originator. As more fully set forth in the Electronic Communications Usage policy, exceeding authorized access to School confidential information, computer systems and databases will be grounds for disciplinary action, up to and including termination, and may result in criminal prosecution under state and federal law, including the Computer Fraud and Abuse Act.

Some common confidential matters are:

- employee names, addresses and telephone numbers
- employee performance reviews and personnel files
- school expenses and financial data
- student and/or family information
- protected academic programs, curriculum, etc.
- anything marked "Confidential," "School Private," "Secret," "Personal," etc. Such private and confidential information should be given only to those persons at Harker who have a need and authority to know in order to function in their jobs. For everyone else, inside or outside Harker, confidential means confidential.

No information WHATSOEVER is to be given by any employee over the telephone to any person without prior approval. If a call is suspect, it should be routed or reported immediately to Human Resources. In addition, no information is to be given to a person soliciting information in person. Again, Human Resources should be notified immediately.

## **CODE OF CONDUCT**

It is the obligation of each employee to protect the image of The Harker School and the obligation of the School to educate employees about how to best protect themselves; it is expected that employees act in a manner that does not give the appearance of impropriety. Employee actions should never detract from the School's reputation or cause embarrassment to the School. Employees should see themselves as role models to the students and are therefore expected to act in a professional, responsible and courteous manner at all times. This handbook sets forth a clearly defined code of behavior and conduct for all employees to follow. We expect that employees will use common sense and good judgment in achieving this goal. However, the School's judgment, and not that of any individual employee, is the benchmark for what is acceptable and what is not. An employee's conduct is not deemed acceptable solely because the employee believes it to be. Nor may employees excuse their conduct because it is not specifically addressed or prohibited in this policy or the faculty handbook. Inappropriate behavior and/or conduct will be cause for discipline, up to and including immediate suspension or termination.

### **Attitude**

Employees are expected to establish a positive attitude toward their jobs and the School in general. This positive attitude is particularly important whenever an employee is working with or around the students. All employees are expected to be respectful and cooperative with supervisors, working associates, parents and students.

### **Safety**

In all cases where a question of personal safety arises for individual employees, co-workers, students or other persons on Harker premises, addressing the safety issue should take precedence. Employees should always be cognizant of the need to adhere to all safety policies and regulations.

### **Respect**

The School prohibits discrimination against or harassment of any individual or group based on such factors as age, gender, race, color, national origin, religion, sexual orientation or disability. Harker expects that all employees be treated fairly and courteously both in person and through written forms of communication.

### **Sexual Harassment**

Pursuant to the Unlawful Harassment Policy of this handbook, the School will not tolerate any form of sexual harassment. Harker is committed to maintaining a suitable environment for all employees, students and visitors that is free from sexual harassment. Managers and supervisors must be alert to possible violations of this policy and foster an environment in which such conduct is not tolerated. If a violation of the policy is established, effective remedial action will be taken in accordance with the circumstances involved. This can range from discipline up to and including termination of an employee. Any questions concerning issues of sexual harassment should be directed to Human Resources.

## **Employee and Student Interactions**

Employees will comply with the provisions of the employee and student interaction policy found in this handbook.

## **COUNSELING PROTOCOLS FOR IDENTIFYING CONCERNING BEHAVIORS/RECEIVING REPORTS OF ABUSIVE BEHAVIOR**

Any time a teacher notices a student behavior that is concerning (the student writes a distressing poem or journal entry, draws a picture containing violence, exhibits a drastic change in appearance, social interactions or moods, etc.) we ask that the teacher notify the appropriate division head and/or counselor right away. The division head and assigned counselor will investigate the matter and, with the assistant head of school for academic affairs as well as necessary outside resources, determine whether the student is a threat to themselves or others, and what, if any, further steps need to be taken to ensure the safety of our students. In general, teachers should always be watchful for signs that might be indicative of concerning behaviors. Submitting work that is of poor quality or incomplete, conducting oneself in a manner that is disruptive, inappropriate or unusual, and exhibiting academic patterns that may indicate a special need are just a few of the behaviors that teachers must analyze, review and then handle appropriately. Teachers should notify counselors or the division head should there be any such concerns.

Teachers are mandated reporters. If a child reports that they are being abused or if you have reasonable suspicion that a Harker student is being abused, as a mandated reporter, you must report your concerns or suspicions to Child Protective Services (CPS). If you have heard an allegation of abuse or neglect from a student, it is your responsibility to make the CPS report. If you would like a counselor's assistance when making a report, please contact the counselor and the counselor can provide the needed support. All CPS reports are required to be made within 36 hours of hearing the concerning information. If a counselor or administrator is not available for consultation (summer, late evening, weekend, etc.), you must call Child Protective Services for Santa Clara at 408.299.2071 or at the phone number of the CPS agency where the incident occurred, to file the report. Please know that it is not the faculty member's responsible to investigate the matter; rather, it is the responsibility of the faculty member to report reasonable suspicions of child abuse to CPS. The responsibility of the mandated reporter is to report, in their professional capacity, or within the scope of their employment, when they have reasonable suspicion of child abuse or neglect. Their responsibility is not to prove that the child abuse or neglect occurred. It is the responsibility of CPS or another governing agency to investigate the matter and decide whether the child abuse or neglect occurred. All faculty at The Harker School must annually complete the online mandated reporter training that outlines legal expectations as it relates to reporting abuse. If you have further questions, we also encourage you to review the information on the Child Abuse Mandated Reporter Training website given to you at the beginning of the year: <https://www.mandatedreporterca.com/training/general-training>

## **CONFLICT OF INTEREST**

As an employee of The Harker School, you have the obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. These guidelines are intended to provide a general direction so that you can get further clarification on areas that affect you.

An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of business dealings with the School. For the purposes of this policy, we define a relative as any person who is related by blood, marriage or adoption including the following relationships: spouse, registered domestic partner, parent, child, sibling, in-laws, aunt, uncle, cousin, niece, nephew, grandparent and grandchild.

There is no "presumption of guilt" created by the mere existence of a relationship with outside firms. However, if you have any influence on transactions involving purchases, contracts or leases, it is imperative that you disclose this fact to the head of school as soon as possible. By alerting the School to the existence of any actual or even a potential conflict of interest, we can establish safeguards to protect all parties.

The potential for personal gain is not limited to situations where an employee or relative has a significant ownership in a firm with which the School does business. Personal gains can also result from situations where an employee or relative receives a kickback, bribe, substantial gift or special consideration as a result of a transaction or business dealings involving the School.

## **DAMAGE TO SCHOOL PROPERTY**

Any damage to School property should be reported to the campus front office without delay, and responsibility should be determined if possible.

## **DISCIPLINE AND GRIEVANCE**

### **Discipline**

Employees who fail to meet the standards outlined in this handbook, in their job description or in oral communications from a supervisor or the School administration, will be subject to disciplinary action. Such action could be a reprimand, suspension from the job with or without pay, or termination.

Except in cases of misconduct or when an individual's continued employment is deemed to be detrimental to the students, fellow employees or the School in general, an employee normally will be given a warning and an opportunity to improve performance prior to termination. However, the School maintains discretion to decide the appropriate disciplinary action in each case, depending upon all the circumstances involved. Immediate termination may be the appropriate action. The at-will policy applies at all times.

### **Grievance**

An employee who has been subjected to disciplinary actions shall have the opportunity to discuss grievances with the head of school. It is the employee's responsibility to initiate this discussion. The purpose of this grievance procedure is to ensure that the employee is fully aware and understands the nature and extent of the situation. It is also intended to ensure that the employee has an opportunity, where the administration in its discretion deems it appropriate, to correct the problem.

## **DOCUMENT RETENTION AND DESTRUCTION**

In accordance with the Sarbanes-Oxley Act, which makes it a crime to alter, cover up, falsify or destroy any document with the intent of impeding or obstructing any official proceeding, this policy provides for the systematic review, retention and destruction of documents received or created by The Harker School in connection with the transaction of the organization's business. This policy covers all records and documents, regardless of physical form, contains guidelines for how long certain documents should be kept and how records should be destroyed. The policy is designed to ensure compliance with federal and state laws and regulations, to eliminate accidental or innocent destruction of records and to facilitate the School's operations by promoting efficiency and freeing up valuable storage space. The full text of the School's Document Retention and Destruction Policy can be found on the faculty & staff portal.

## **EMPLOYEE AND STUDENT INTERACTIONS**

Harker is committed to providing a safe and nurturing learning environment for our students. As such, we will not tolerate misbehavior or inappropriate conduct or interactions with children, whether they are overt or covert, physical or verbal in nature. This includes, but is not limited to:

- any corporal punishment or physical handling of a student
- verbal cruelty, humiliation, inappropriate language, yelling or screaming at students, or name-calling
- any conduct that would amount to sexual abuse of a minor person under state criminal codes
- any sexual relationship by an educator with a student, regardless of the student's age
- any romantic/sexual relationship with a former Harker student under the age of 21
- any activity directed toward establishing a sexual relationship with a student such as sending intimate letters; engaging in sexualized dialogue in person, via the Internet, in writing or by phone; making suggestive comments; dating a student.

Employees must report any uncomfortable or seemingly inappropriate situation or interaction between students and adult employees to Human Resources or to a superior such as a division head, assistant head or the head of school. Should a Harker employee be accused of violating the employee and student interaction policy, the employee may be subject to immediate suspension during which an investigation will ensue, and appropriate law enforcement or child protective services will be notified. If a violation of the policy is established, effective remedial action will be taken in accordance with the circumstances involved. This can range from discipline up to and including immediate termination of an employee.

### **Appropriate Interactions with Children**

As school employees, we are viewed as positive role models for our students by maintaining an attitude of loyalty, patience, courtesy and maturity. The School expects that all employees will act in a caring, honest, respectful and responsible manner that is consistent with Harker's mission and that shows proper boundaries between employees and the children in our care. To that effect, the following guidelines should be adhered to:

#### **Alone with a Child**

Employees need to be aware of the risk they are incurring to themselves and to the school when they are alone with a single student. At all times you must meet in a place that is observable or visible by others. You must leave doors open at all times when alone with an individual student in any room.

#### **Use of Employee Homes**

Employees are not to invite students to their homes unless it is for a school-sponsored function that has been approved in advance by administration. Employees should never, under any circumstance, be alone with a student in their homes.

#### **Personal Vehicles**

Unless an employee is on the Harker approved driving list or has a signed parental consent form on file with the main office, no employee shall transport students in their personal vehicle. Employees should never under any circumstance be alone with a single student in their cars.

#### **Communications with Students**

Employees are expected to act in a manner that is consistent with their role or position with the School. As such, educators are discouraged from sharing any private or intimate information with students.

#### **Electronic Communication**

Faculty and/or staff may only communicate electronically with students for school-related business and strictly through school email accounts and/or school phones. Communication with students should not be made through personal email accounts, text messaging, personal cellular phones, instant messaging, social networking or other electronic channels.

#### **Touching**

When making physical contact with a student, an employee must use good judgment. Appropriate touching such as a pat on the back may be allowed only when it is in the presence of others or it is conducted in response to a student's needs, such as during an emotionally difficult time. Touching should not be done against a child's will and employees should be aware of each child's comfort level, whether expressed verbally or non-verbally.

### **EQUAL OPPORTUNITY EMPLOYMENT**

Harker is an equal opportunity employer and makes employment decisions on the basis of merit, qualifications, potential and competency. We want to have the best available persons in every job. Harker policy prohibits unlawful discrimination based on race, religion, color, national origin, ancestry, sex, gender, gender identity, gender expression, sexual orientation, marital status, age, physical or mental disability, genetic information, or medical condition, except where physical fitness is a valid occupational qualification, military and veteran status, or any other consideration made unlawful by federal, state or local laws. All such discrimination is unlawful.

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

To comply with applicable laws ensuring equal employment opportunities to qualified individuals with a disability, the School will make reasonable accommodations for the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or an employee unless undue hardship would result. (See Nondiscrimination on Basis of Disability.)

If you believe you have been subjected to any form of unlawful discrimination, provide a complaint to the Human Resources department as soon as possible. It would be best to communicate your complaint in writing, but this is not

mandatory. If the complaint relates to the Human Resources department, provide your complaint to the business manager. Your complaint should be specific and should include the names of the individuals involved and the names of any witnesses. The School will immediately undertake an effective, thorough and objective investigation and attempt to resolve the situation.

If the School determines that unlawful discrimination has occurred, effective remedial action will be taken, commensurate with the severity of the offense. Appropriate action will also be taken to deter any future discrimination. Whatever action is taken will be made known to you and the School will take appropriate action to remedy any loss to you as a result of the discrimination. The School will not retaliate against you for filing a complaint and will not willingly permit retaliation by management employees or your co-workers.

## **ETHICS**

The Harker School's core values require its officers and employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. As employees and representatives of the organization, we must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws and regulations.

In keeping with a commitment to open communications, this policy provides an avenue for School employees to raise any concerns they may have about the subjects covered by the policy and to be assured that in making complaints, they will be protected from reprisal or victimization for raising their concerns in good faith.

All School employees are bound by the requirements and standards set forth in this policy. Any violation of the policy may subject the violator to disciplinary action which may include, in appropriate circumstances, termination of employment.

The policy applies to all officers, directors, employees, consultants and contractors of the School.

Employees should report any evidence of reportable activity by any officer, director, employee, consultant or contractor including external auditors that to their knowledge constitutes:

- accounting, auditing or other financial reporting fraud or misrepresentation
- violations of federal, state or local law that could result in fines, penalties or civil damages payable by the School, or that could otherwise significantly harm the School's reputation or public image
- unethical business conduct in violation of any Harker policy
- danger to the health, safety and well-being of employees, students or the general public
- any other matters of similar concern.

Employees may submit a complaint about any reportable activity to the head of school, business manager, human resource manager or department head.

This policy is intended to encourage employees to raise serious concerns within the School to appropriate members of the School staff. The School will not permit any employees to harass, retaliate or discriminate against those who in good faith advise of potential reportable activity. Retaliation in any form will not be tolerated.

Likewise, employees are obligated under this policy to act in good faith when reporting any related activity. Any allegations that prove to be unsubstantiated and that are made with malicious intent will be viewed as a serious disciplinary offense.

## **FRAUD**

This policy applies to any fraud or suspected fraud involving employees, officers or trustees, as well as members, vendors, consultants, contractors, funding sources and/or any other parties with a business relationship with The Harker School. Any investigative activity required will be conducted without regard to the suspected wrongdoer's length of service, position/title or relationship with the School.

### **Policy**

Management is responsible for the detection and prevention of fraud, misappropriations and other irregularities. Fraud is defined as the intentional, false representation or concealment of a material fact. Each member of the management team will be familiar with the types of improprieties that might occur within their areas of responsibility and be alert for any indication of irregularity.

Any fraud that is detected or suspected must be reported immediately to the head of school, business manager or, alternatively, to the chair of the Board Audit Committee, who coordinates all investigations.

## **Actions Constituting Fraud**

The terms fraud, defalcation, misappropriation and other fiscal irregularities refer to, but are not limited to:

- any dishonest or fraudulent act
- forgery or alteration of any document or account belonging to the School
- destruction, alteration, mutilation, concealment, covering up, falsification or making of a false entry in any record, document or tangible object with the intent to impede, obstruct or influence any investigation by the School or any state, federal or administrative agency
- the destruction, alteration or concealment of any records used in the conduct of an audit
- forgery or alteration of a check, bank draft or any other financial document misappropriation of funds, securities, supplies, equipment or other assets of the School
- impropriety in the handling or reporting of money or financial transactions
- disclosing confidential and proprietary information to outside or inappropriate parties
- accepting or seeking anything of material value from contractors, vendors or persons providing goods or services to the School. Exception: gifts less than a nominal amount of \$50 in value
- destruction, removal or inappropriate use of records, furniture, fixtures and equipment
- improperly influencing or attempting to improperly influence the conduct of any audit of School finances or accounts
- any similar or related irregularity.

If there is a question as to whether an action constitutes fraud, School employees should contact the head of school, business manager or the chair of the Board Audit Committee for guidance. Irregularities concerning an employee's moral, ethical or behavioral conduct should be resolved by the departmental management and the Human Resources department.

## **Investigation Responsibilities**

The head of school and business manager, in consultation with the chair of the Board Audit Committee, have the primary responsibility for the investigation of all suspected fraudulent acts as defined in the policy. The investigation may utilize whatever internal and/or external resources considered necessary. If an investigation substantiates that fraudulent activities have occurred, the head of school, business manager or the audit committee chair will issue reports to appropriate personnel and, if appropriate, to the Board of Trustees as deemed necessary.

Employees who suspect dishonest or fraudulent activity should immediately inform their department manager, the head of school, business manager or the chair of the Board Audit Committee and should not attempt to personally conduct investigations or interviews/interrogations related to any suspected fraudulent act (see Reporting Procedures section below).

Decisions to prosecute or refer the examination results to the appropriate law enforcement and/or regulatory agencies for independent investigation will be made in conjunction with legal counsel. Decisions regarding demotion, suspension or termination will also be made in conjunction with legal counsel.

Investigation results will not be disclosed or discussed with anyone other than those who have a legitimate need to know. This is important in order to avoid damaging the reputations of persons suspected but subsequently found innocent of wrongful conduct and to protect The Harker School from potential civil liability.

## **Confidentiality**

The head of school, business manager and the chair of the Board Audit Committee will treat all information received confidentially. The audit committee has the authority to conduct executive (closed session) meetings at which matters reported to the committee may be discussed confidentially.

Employees or other persons who lawfully report suspected fraud or other activity to the School, the audit committee or any federal or state authority or agency shall not suffer discharge, demotion, suspension, threats or harassment or be discriminated against in any other way because of such employee's lawful actions in providing information or assistance to an investigation into fraudulent or other activity.

No information concerning the status of an investigation will be given out to those without a qualified need to know. The proper response to any inquiry is "I am not at liberty to discuss this matter." Under no circumstances should any reference be made to "the allegation," "the crime," "the fraud," "the forgery," "the misappropriation," or any other specific reference.



All inquiries concerning the activity under investigation from the suspected individual(s), the attorney or representative(s), or any other inquirer should be directed to the head of school or legal counsel. No information concerning the status of an investigation will be given out.

### **Authority for Investigation of Suspected Fraud**

Those individuals assigned to investigate suspected fraud will have:

1. free or unrestricted access to all School records and premises, whether owned or rented; and
2. the authority to examine, copy and/or remove all or any portion of the contents of files, desks, cabinets and other storage facilities on the premises without prior knowledge or consent of any individual who may use or have custody of any such items or facilities when it is within the scope of their investigations.

### **Reporting Procedures**

Great care must be taken in the investigation of suspected improprieties or irregularities so as to avoid mistaken accusations or alerting suspected individuals that an investigation is underway.

An employee who discovers or suspects fraudulent activity will contact the head of school, business manager or the chair of the audit committee immediately. The employee or other complainant may remain anonymous to those with- out investigative authority.

The reporting individual should be informed of the following:

1. Do not contact the suspected individual in an effort to determine facts or demand restitution.
2. Do not discuss the case, facts, suspicions or allegations with anyone unless specifically asked to do so by the head of school, legal counsel or the business manager.

### **LACTATION ACCOMMODATION**

Harker accommodates lactating employees by providing a reasonable amount of break time to any employee who desires to express breast milk for an infant child. The break shall, if possible, run concurrently with any break time already provided to the employee.

We will provide employees who need lactation accommodation with the use of a room or other private location that is located close to the employee's work area. Employees with private offices will be required to use their office to express breast milk.

Employees who desire lactation accommodations should contact Human Resources to request accommodations.

### **MEDIA RELATIONS**

Harker's Office of Communication (O of C) oversees the school's media relations. The goal of the school's media relations is to maintain a professional working relationship with the press; seek opportunities to share timely news of the school, its people and its programs; ensure the accuracy and appropriateness of any information being disseminated about the school; and protect the school's reputation.

Faculty, staff, students or parents who are contacted by the media for a Harker-related story should refer the reporter to [news@harker.org](mailto:news@harker.org) or call 408.345.9675. You can also contact the O of C with the information and they can approve or dis- cuss any concerns and/or suggestions with you. Members of the media wishing to visit any of our campuses must contact the O of C who will clear and supervise the visit.

Note: Harker's student journalists are members of the community, as well as developing journalists, and we encourage the Harker community to participate in their learning process and to respond to their inquiries. Given that the stories covered by our students can be obtained by external media and could be considered in any legal matter, it is important that all staff exercise good judgment when discussing any matter. If a staff member has questions about a given topic or information requested, he or she should inquire with the head of school or Office of Communication.

While we do our best to monitor Harker media coverage, please be aware that from time to time media companies and individuals over whom we have no control may take photos of the school, students, faculty and parents, both on and off campus. Also, social media has created a proliferation of information about the school, students and faculty over which we have little control, but that we monitor regularly. If you have any questions, contact [communications@harker.org](mailto:communications@harker.org) or Pam Dickinson, Office of Communication director, at [pam.dickinson@harker.org](mailto:pam.dickinson@harker.org).

## **NONDISCRIMINATION ON BASIS OF DISABILITY**

It is Harker's policy that no program or activity administered by the School shall unlawfully exclude from participation, deny benefits to or subject to discrimination any individual solely by reason of physical or mental disability. Equal employment opportunity will be extended to qualified disabled persons in all aspects of the employer-employee relationship, including recruitment, hiring, upgrading, training, promotion, transfer, discipline, layoff, recall and termination. We further affirm that we will attempt to provide reasonable accommodation to the known physical or mental disabilities of an otherwise qualified employee or applicant unless undue hardship to Harker would result. Any applicant or employee who requires an accommodation in order to perform essential functions of the job should contact Human Resources and request such an accommodation in writing. The individual should specify what accommodation is needed. Harker will then request medical certification of the need for accommodation and engage in a good faith interactive process with the employee or applicant to determine what, if any, effective accommodations can be made for the employee or applicant that will not impose an undue hardship or pose a significant risk of substantial harm to the employee or others.

## **UNLAWFUL HARASSMENT**

Harker is committed to providing and maintaining a suitable environment for all employees, students and visitors that is free from unlawful harassment. The School prohibits sexual harassment and harassment based on pregnancy, childbirth or related medical conditions, race, religion, color, gender, gender identity, gender expression, national origin or ancestry, physical or mental disability, medical condition, genetic information, marital status, military and veteran status, registered domestic partner status, age, sexual orientation or any other basis protected by federal, state or local laws. All such harassment is unlawful. The School's anti-harassment policy applies to all persons involved in the operation of the School and prohibits unlawful harassment by any employee, including supervisors and managers, as well as students, vendors, customers, independent contractors and any other persons. It also prohibits unlawful harassment based on the perception that anyone has any of these characteristics or is associated with a person who has or is perceived as having any of these characteristics.

Harker recognizes that unlawful harassment may take a number of forms and may include, but not be limited to, the following behavior:

- verbal conduct such as epithets, derogatory jokes or comments, slurs or unwanted sexual advances, repeated unwelcome flirting, invitations or comments
- visual displays such as inappropriate/derogatory and/or sexually suggestive posters, photography, cartoons, drawings, gestures, faxes, memos or emails
- physical conduct including assault, unwanted touching, intentionally blocking normal movement or interfering with work because of sex, race or any other protected basis
- threats and demands to submit to sexual requests as a condition of continued employment, or to avoid some other loss and offers of employment benefits in return for sexual favors
- threats and intimidation that include physical acts or verbal threats of assault that threaten another co-worker's sense of safety in the work environment
- retaliation for reporting or threatening to report harassment.

The School prohibits use of the computers, email system, voicemail system, cell and video phones and any other electronic media in ways which are offensive to others, or are otherwise discriminatory, harassing or obscene, or for any other purpose which is illegal, against School policy or not in the best interest of the mission of the School. For example, the display or transmission of sexually explicit images, jokes, messages and cartoons is prohibited. Other such misuse of electronic media includes, but is not limited to, ethnic slurs, racial comments, off-color jokes, or anything that may be construed as harassment, discrimination or showing disrespect for others. Any such use of the computers, email system, voicemail system or other electronic media will be considered a violation of this policy.

Sexual harassment, a form of sex discrimination, is illegal. Sexual harassment is defined as any unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature which (1) has been made either explicitly or implicitly a term or condition of an individual's employment; (2) is used as a basis for employment decisions such as promotions and benefits affecting such individual; or (3) substantially interferes with an individual's work performance or creates an intimidating, hostile or offensive working environment. Sexual harassment includes inappropriate conduct irrespective of whether the harasser and the person being harassed are of different sexes or are of the same sex.

Sexually harassing conduct by anyone, including supervisors, staff, faculty, students and visitors is strictly prohibited. This policy is in accordance with Title VII of the Civil Rights Act, Title IX of the Educational Amendments of 1972, and

the California Fair Employment and Housing Act.

If you believe that you are being unlawfully harassed, please immediately inform your own supervisor or Human Resources so that the matter can be investigated promptly and appropriate corrective action taken. You will be asked to provide details of the incident or incidents, names of individuals and names of any witnesses. Supervisors will refer all harassment complaints to the head of school as well as Human Resources. The School will immediately undertake an effective, thorough and objective investigation of the harassment allegations. If a violation of this policy is established, effective remedial action will be taken in accordance with the circumstances involved. Remedial action can range from discipline up to and including discharge of an employee, or expulsion of a student, or loss of the business, service or professional relationship if an independent contractor. An offending visitor will be treated in a similar manner according to the individual circumstances. Your cooperation with this internal investigative process is crucial. You should not discourage others from using this internal procedure.

Harker clearly does not tolerate harassment on the basis of any of the categories discussed in this policy and will take appropriate disciplinary action whenever such harassment is demonstrated. Any individuals including co-workers and supervisors engaging in such conduct contrary to School policy may be personally liable in any legal action brought against them.

Harker does not consider conduct in violation of this policy to be within the course and scope of employment or the direct consequence of the discharge of one's duties. Accordingly, to the extent permitted by law, the School reserves the right not to provide a defense or pay damages assessed against an employee for conduct in violation of this policy.

Harker will not retaliate against you for making a complaint and will not tolerate or permit retaliation by students, supervisors or coworkers directed at anyone. We encourage you to report any incidents of perceived harassment forbidden by this policy immediately so that complaints can be quickly and fairly resolved.

Employees or job applicants who believe they have been harassed in violation of the law may file a complaint of discrimination with the Federal Equal Employment Opportunity Commission and the California Department of Fair Employment and Housing. The nearest office is listed in the telephone book or can be found online at [www.eeoc.gov](http://www.eeoc.gov) and at [www.dfeh.ca.gov](http://www.dfeh.ca.gov).

## **VIDEO SURVEILLANCE**

Harker may conduct workplace monitoring to help ensure employee and student safety, security and quality control.

We may perform video surveillance of non-private workplace areas. We use video monitoring to identify safety concerns, maintain quality control, detect theft and misconduct, and discourage and prevent harassment and workplace violence.

Because we are sensitive to employees' legitimate privacy rights, we will make every effort to ensure that workplace monitoring is always done ethically and with respect.

## **WHISTLEBLOWER AND RETALIATION**

A whistleblower, as defined by this policy, is an employee of The Harker School who reports an activity by a School administrator, employee, board member or contractor that he or she considers to be illegal or dishonest. The whistleblower is not responsible for investigating the activity or for determining fault or corrective measures; appropriate management officials are charged with these responsibilities.

Examples of illegal or dishonest activities are violations of federal, state or local laws; billing for services not performed; and other fraudulent financial reporting.

Employees who have knowledge of or a concern of illegal or dishonest fraudulent activity should immediately inform their department manager, the business manager, the head of school, or the chair of the Board Audit Committee to report the activity. In all cases, the head of school will be informed and will determine the responsible party for investigation. The reporting employee must exercise sound judgment to avoid baseless allegations as any employee who intentionally files a false report of wrongdoing will be subject to corrective action up to and including termination of employment.

Whistleblower protections are provided in two important areas: confidentiality and prevention of retaliation. Insofar as possible, the confidentiality of the whistleblower will be maintained. However, the whistleblower's identity may have to be disclosed to investigative employees to comply with the law and to provide accused individuals their legal rights of defense. The School will not retaliate against a whistleblower. This includes, but is not limited to, protection from retaliation in the form of an adverse employment action such as discharge, compensation

decreases, or poor work assignments and threats of physical harm. Any whistleblower who believes he or she is being retaliated against must contact Human Resources or the head of school immediately. The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.

Reporting procedures are the same as those found in the policy on fraud.

Employees with any questions regarding this policy should contact Human Resources.

### **WORKPLACE VIOLENCE AND HOSTILITY**

The School strictly prohibits all forms of violence on its premises, or at School events by its employees, faculty, staff, vendors, visitors, etc. Additionally, there will be zero tolerance for workplace hostility that includes (but is not limited to) any and all violent acts, threats of violent acts, inappropriate use of foul language and inappropriate comments. The School has adopted the following guidelines to deal with intimidation, harassment or any other threats of violence that may occur on the School's premises or at School events.

Pursuant to the School's Code of Conduct Policy of this handbook, all employees should treat all other employees and any visitors or other non-employees with courtesy and respect at all times. This includes refraining from physical and verbal attacks, "horseplay," or any other conduct that may be dangerous to others.

You should not engage in any conduct that threatens, intimidates or coerces an employee, faculty member, staff member, student, vendor or other visitor, at any time. This prohibition includes all acts of harassment.

Employees are encouraged to bring their disputes or differences with other employees to the attention of their supervisor, before the situation escalates into potential violence.

Weapons of any kind, that serve no obvious purpose relative to an employee's job duties, are prohibited on campus. These include guns, air rifles, knives, explosives, fireworks or other hazardous devices or substances. While the carrying of 2.5 ounces of pepper spray is legal in the state of California, it is a dangerous and harmful substance. Faculty and staff who choose to carry pepper spray should exercise extreme care and caution to ensure there is no exposure to the students.

Employees who overhear a co-worker, student or anyone on School property making a threat of violence, or otherwise learn of any threat of harm to themselves, to other employees, to students or to School guests, have an obligation to immediately report the matter to their supervisors or Human Resources. Employees should report all threats, even those that appear to have been in jest.

The School will promptly and thoroughly investigate all reports of hostility, threats of violence and of suspicious individuals or activities. If an investigation determines that an employee is responsible for threats of violence or any other conduct that is in violation of these guidelines, the School will take prompt disciplinary action, up to and including termination, against the responsible individual.

## **EMPLOYMENT**

### **DRUG & ALCOHOL TESTING**

All applicants for positions involving operation of a motor vehicle on the job must submit to drug and alcohol testing post offer of employment and before beginning work. All Harker bus drivers may be randomly drug and/or alcohol tested.

If a reasonable suspicion exists that any Harker employee is under the influence of drugs and/or alcohol during the employee's scheduled work hours, Harker reserves the right to order such testing and/or send the employee home pending investigation.

Any employee/applicant who tests positive or who refuses to consent to such testing may be subject to discipline up to and including termination or disqualification from hire.

Employees may also be suspended pending investigation of their conduct. Violation of the drugs and alcohol policy will result in discipline up to and including termination.

## **EMPLOYMENT APPLICATIONS**

Harker relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications or material omissions in this information or data may result in Harker's exclusion of the individual from further consideration for employment or, if the person has been hired, termination from employment.

## **EMPLOYMENT CHECKS**

Harker performs criminal history and fingerprinting checks as required by law, and checks applicant employment references. A conviction of a violent or serious felony or any offense involving lewd and lascivious conduct shall render an individual ineligible for employment.

## **FACULTY & STAFF GIFTING**

In a school, tradition is such that occasionally students, parents or vendors give gifts to employees, generally in recognition of appreciated efforts. While Harker does not prohibit employees' acceptance of gifts, all employees should make sure that doing so does not influence or give the appearance of influencing business or academic decisions, transactions or service.

As a guideline and to protect employees from the appearance of influence, if any gift appears to have a value above \$200, staff members should discuss options with their supervisor.

## **HEALTH REQUIREMENTS**

All employees, as a condition of employment, must provide a certificate showing that within the last 60 days the person has submitted to a tuberculosis risk assessment and, if tuberculosis risk factors are identified, has been examined and has been found to be free of infectious tuberculosis. The certificate and/or results are valid for four years. Human Resources will notify current employees when an updated certificate is needed.

## **HOURS OF OPERATION: WORK SCHEDULES**

The Harker workday (a consecutive 24-hour period) begins at 12:01 a.m. and ends at midnight. The Harker workweek begins on Sunday at 12:01 a.m. and ends on Saturday at midnight.

Regular office hours are from 8 a.m. until 5 p.m., Monday through Friday except for designated holidays. Unless previously authorized, faculty and non-essential staff should not arrive on campus before 7 a.m. Access to classrooms or employee workspaces on Saturday should be limited to 8 a.m. to 5 p.m. There is no campus access on Sunday unless approved in advance. All campus locations are typically disarmed at 6 a.m. and armed at 11 p.m. Security presence occurs between 6:30 a.m. and 11 p.m.; the Boynton campus has security presence from 6:30 a.m. until 7 p.m. All employees are expected to work during their scheduled work hours unless their supervisor has approved an alternate work schedule. Supervisors must submit any changes to employee work schedules to Human Resources.

From time to time, employees are approved or scheduled to work outside of regular office hours (or during off-hours including weekends and holidays). Should Harker students be present with their parent employee, it is the parent employee's responsibility to ensure age-appropriate supervision in these circumstances. Younger children may not play unsupervised while you are working in your office or classroom; they may, however, be present in your work area to study or play quietly.

During regular office hours, children of faculty and staff should remain in student-designated areas until the end of their parent employee's scheduled workday. Parent employees should not pick up their student child prior to the end of their scheduled workday; their student child should remain with appropriate supervision. During lunch hours, it is not appropriate for Harker students to be in employee-designated lunch rooms. Parent employees wishing to eat lunch with their student child should eat in the office or work area or normal student dining area. While it is appropriate for Harker student children to stop by and say hello to their parent employee, they should not linger in work areas or bring friends with them. There may be times during office hours that a department manager may determine that an exception should be allowed in order to serve critical needs of the school. In those instances, managers should use their discretion in allowing children to remain on-site with their parent employee.

During regularly scheduled teacher meetings and on some other special days when school is not in session, childcare services may be provided for Harker students of faculty and staff. Parent employees will be notified of these services.

## **JOB RESPONSIBILITIES**

Employees are expected to become familiar with their own areas of responsibility. Your supervisor should clearly outline your job description at the time of hiring. If such is not the case, then you should seek this information from your supervisor. Be aware that your job responsibilities may change at any time during your employment, with or without prior notice. From time to time, you may be expected to work on special projects or to assist with other work necessary or important to the operation of your department or the School. Your cooperation and assistance are expected.

## **LICENSES, CERTIFICATIONS & TRAINING REQUIREMENTS**

To ensure compliance with federal, state or local regulatory requirements as well as Harker policy and procedures, faculty and staff may be required to complete specific training requirements as a condition of employment. This includes, but is not limited to, mandated reporter training, employee and student boundaries training and harassment prevention training. Failure to complete mandated training by a required deadline may result in disciplinary action up to and including termination. Employees must be allowed to complete mandated training during work hours, and nonexempt employees must be paid for those hours. Employees whose job requires particular licenses and/or certifications (CPR, first aid, etc.) are required to provide documentation of such licenses and/or certifications at the time of hire or when obtained and when updated. It is the employee's obligation to maintain all such licenses and certifications as current and to take whatever actions are necessary in this regard. Failure to obtain or maintain required licenses or certifications will be cause for discipline, up to and including termination.

## **OUTSIDE EMPLOYMENT**

Employees may not engage in any other employment or consulting work related to education, without the written authorization of the head of school, nor may they engage in any other activities that conflict with obligations to Harker or that could adversely affect Harker's reputation.

Harker will hold all employees to the same standards of performance and schedule demands; we cannot make exceptions for employees who hold outside jobs. The School asks that employees think seriously about the effects that extra work may have on the limits of endurance and on their overall ability to cope with the demands of the job.

## **NEPOTISM**

It is the policy of the School not to discriminate in its employment and personnel actions with respect to its employees and applicants on the basis of marital or family status. Notwithstanding this policy, the School retains the right to refuse a hiring supervisor from appointing a person to a position in the same department, division or facility, wherein their relationship creates a supervisor/subordinate relationship or has the potential for creating adverse impact on safety, security or morale, work performance, or involves a potential conflict of interest. This policy will also be considered when assigning, transferring or promoting an employee. Certain exceptions may be approved for such employment which would be for the benefit of the School or serve a useful purpose consistent with the mission of the School. Only the head of school has the authority for approving such exceptions.

This policy applies to individuals who are related by blood, marriage or adoption including the following relationships: spouse, registered domestic partner, parent, child, sibling, in-law, aunt, uncle, cousin, niece, nephew, grandparent and grandchild.

## **PERFORMANCE REVIEWS**

Employees are expected to perform their jobs in a satisfactory manner in accordance with their job description outlined at time of hiring. Employees shall meet with their supervisors on a periodic basis as needed to review their job performance. New employees are usually reviewed after 90 days. After the first year, there is usually an annual (every 12 months) meeting between the employee and supervisor to review job performance. Either the supervisor or the employee may request additional meetings if either party deems it necessary.

Teachers shall meet with their supervisors on an as-needed basis to review their job performance.

Each teacher will be evaluated by one or more of the following: the head of school, assistant head of school for student affairs, division head or department chair according to the number of visits outlined in the schedule below.

- first-year teachers – three visits per year
- second-year teachers – two visits per year
- third-year+ teachers – one visit per year

Additional observations may be scheduled as deemed necessary by the administration. The purpose of these evaluations is to assist the teacher to continually improve the quality of teaching.

Either the supervisor or the teacher may request additional meetings if either party deems it necessary.

Administrators typically spend 30 to 45 minutes per observation. Evaluation sheets are usually presented to teachers in a follow-up conference held after a classroom visit. Teachers are given an opportunity to respond formally and informally to all observations.

A variety of problems, which are not easily viewed during a class observation, may render a teacher unfit to continue employment at The Harker School. Examples include immoral behavior, inappropriate language, poor rapport with parents, inability to get along with students, excessive absence or tardiness or failure to carry out paperwork tasks. Harker distinguishes between teaching and proselytizing. Teachers should present all sides of an issue and allow the students and families to make their own choices. These problems are discussed with teachers as soon as it becomes apparent that there is such a problem. For example, even the best teacher might not get along with an occasional student but when the problem involves many students over a period of time in unrelated situations then it becomes clear that the teacher is not functioning in a way that will develop optimal growth in the students. In these instances, the teacher is made aware of the problem and is helped to overcome the problem where possible.

## **PERSONAL APPEARANCE**

All employees' dress should present a professional image, be consistent with their responsibilities and be appropriate for a school setting. All employees are in the position of being role models for our students and, since many people draw conclusions about individuals from their first impressions, employee appearance is critical for setting the standards expected at Harker. While there are additional details below, note that all employees must wear their Harker-issued ID badges in a visible location when on campus.

- Clothing and footwear must be well-maintained, in good repair and fit appropriately. Skirt length and fit of all clothing should be appropriate for the school setting. No logos or designs related to sex, drugs or violence are acceptable.
- Tennis/sneaker-style shoes are acceptable footwear.
- Collared shirts and blouses are preferred.
- T-shirts, shorts, and beach-type sandals are not acceptable.
- Blue denim pants/jeans are acceptable attire only when worn with a tie, sweater, or blazer-style jacket and when worn with dress shoes.
- Tattoos, if visible, must have content that is appropriate for students.
- Visible facial and body piercing (e.g., tongue, lip, eyebrows, septum, etc.) may not be worn during work hours except for small ear and nostril piercings.
- Free dress does not apply to employees unless it is a designated spirit or theme dress day.
- Leggings as outerwear are not appropriate in a school setting; however, they may be worn as a garment under a skirt or dress.
- Reasonable accommodation will be made for religious practices.

Additional guidelines for specific departments follow. For example, physical education teachers are allowed to wear athletic wear such as T-shirts and shorts, as needed to accommodate the nature of the position, as long as clothes are of proper length and fit. If faculty have questions, they should be addressed to your department/division head and/or the assistant head of school for student affairs.

### Administrative Assistants, Advancement, Communications, Finance, Human Resources, Library Assistants:

During the school year, employees of these departments should follow the general standards above. During summer months and school vacations, tailored shorts, blue denim pants/jeans are acceptable without a jacket.

### Enrichment and Supervision, Facilities, Kitchen, Nurses, Physical Education, Interscholastic Athletics, Security, Shipping and Receiving, Summer, Transportation, Technology:

Given the nature of the responsibilities of these departments, the heads of the departments may set specific dress standards which are most appropriate for their employees.

## **PUNCTUALITY AND ATTENDANCE**

Harker expects and requires regular and consistent attendance of all employees, which includes punctuality. You are required to be at work and ready to begin working at the start of your scheduled work time. You must also be ready to resume work on time after authorized meals and rest breaks.

For absences that can be predicted, you should schedule your absence **at least** one (1) week in advance with your immediate supervisor. For absences that cannot be predicted, such as absences due to illness, you should report your absence to your immediate supervisor at the earliest possible time, but no less than one (1) hour before you are scheduled to work. When you report your absence, you should state the specific date when you expect to return to work. If you cannot provide a specific date, you must call in **each day** you will not be reporting to work. Please make every effort to personally contact your immediate supervisor. Only under extreme circumstances should someone call in on your behalf.

If you expect to be tardy on a workday, you must notify your immediate supervisor as soon as possible that you will be late and state when you will report for work. You are expected to plan for traffic and weather problems and allow for extra time to commute to work, if necessary. Full-time teaching faculty are expected to be present during all days that school is in session, plus the additional workdays, open houses, special events and student programs which are designated at the opening teacher meetings each fall. Teaching faculty unable to report to work on any particular day must call the substitute teacher line at 408.345.0102 at the earliest possible time.

If you are absent due to an illness, Harker reserves the right to require you to provide an acceptable medical verification and/or release from a physician or other health care provider to certify that you can safely perform all of the essential functions of your job, with or without reasonable accommodation. In addition, employees who are absent from work longer than five (5) consecutive days due to illness, may be required to provide a statement or certificate from a physician or other health care provider verifying that the employee is/was unable to work due to illness or injury. Please see the Sick Leave Policy for further instruction and information.

When you are absent from work without the prior permission of your immediate supervisor, you are considered to be absent without an authorized leave. Employees who fail to report to work and fail to notify their supervisor of the reason for the absence from work for three (3) or more consecutive scheduled work shifts will be considered to have abandoned their position. In such situations, Harker considers this a voluntary resignation, and you will be considered a terminated employee effective immediately.

Excessive absences or tardiness is a serious performance problem. Repeated and excessive tardiness or absences and failures to report absences on a timely basis may result in discipline, up to and including termination. You may also be subject to discipline whenever your tardiness shows a suspicious pattern or severity in frequency or when your attendance shows a suspicious pattern of absences. For example, absences adjacent to holidays and weekends are suspect, as are repeated absences on the same day of the week, and frequent absences for relatively minor complaints. In considering whether an employee's absences or tardiness are suspicious or excessive, Harker will consider the pattern of absences, the reason(s) offered for the absences, and all surrounding facts and circumstances.

## **REFERENCE REQUESTS**

We are extremely concerned about the accuracy of any information provided to individuals regarding current or former employees. Consequently, no employee may provide any information regarding current or former employees to any non-employee without the approval of an administrator or manager. Human Resources should be advised of any such requests for information.

We prefer that all references remain in writing and be reviewed by an administrator or manager. Should a verbal reference be provided on a current or former employee, the reference must follow the content of the written reference that has been provided to the employee. Only reference letters that have gone through the review process can be printed on School letterhead. All such copies must be provided to Human Resources.

## **SOCIAL MEDIA USE**

Interacting online with colleagues, students, alumni and other community members is no different than interacting with these individuals or groups face to face. Harker employees should be mindful of Harker's Code of Conduct and maintain boundaries, respect and professionalism at all times. Employees must understand that they are personally accountable for their postings and other electronic communications where their Harker affiliation is known, especially online activities conducted with a School email address, or while using School property, networks or resources. It is important that employees exercise appropriate discretion when using social media (even for personal communications), be



mindful of their privacy settings, monitor their sites to keep them safe and/or clear of spam and hijacking by inappropriate sites, and keep in mind that social media activities may be visible to current, past and prospective students, parents, colleagues and community members.

When posting photos of your own children's activities (which may include fellow Harker students in the photo) or of your students' activities, you should not identify those students by name. Enrolled families have granted permission to The Harker School to post their child's images or student's work through official school channels, such as Facebook, YouTube or Instagram, so "sharing" posts from those official channels to your personal account is acceptable. Posting photos of Harker students on personal Facebook channels is not authorized so discretion and prudence is advised.

To ensure clear boundaries, faculty and staff can only "friend" or "follow" a Harker student in social media, such as Facebook, Instagram, Tik Tok and Snapchat, after the student has become an alumnus of the school and is 18 years of age or older (exceptions are of course made for faculty/staff parents following their own children). Using social media as part of a classroom, club or off-campus trip must be cleared by the division head and Office of Communication.

### **TELECOMMUTING**

Harker employees can work from home, on occasion, subject to manager approval, only if their job duties permit it. For example, employees in positions who are obliged to come in direct physical contact with students, parents or vendors, or whose job duties provide services to or for students, are not eligible to telecommute under this policy. Employees who carry out most of their work on a computer can occasionally work off-site.

Work from home arrangements will be occasional and are for reasons that could demand telecommuting, which include, but are not limited to:

- parenting (unforeseen day care situation)
- emergencies
- medical reasons
- illness
- temporary difficult commute due to bad weather or road emergency

Employees requesting to telecommute should file an email request with their manager seeking approval. Managers will consider an employee's request and eligibility to telecommute.

### **TRANSFER AND PROMOTION**

An employee may be transferred to another department at the discretion of management. Pay rate following transfer or promotion will remain the same or vary either upward or downward depending upon the average rate of pay in the new category.

### **USE OF DRUGS & ALCOHOL**

The use, possession, distribution or sale of alcohol or drugs at the workplace or elsewhere while conducting School business, except for alcohol at approved School functions, is prohibited and considered a willful violation of School policy.

Intoxication or impairment on the job or at School functions due to alcohol or drugs, whether ingested on or off School premises, is also such a violation. All employees must report to work in a fit condition to perform their jobs safely and well. Violation of this policy will result in discipline up to and including termination.

Bus drivers MUST adhere to the DOT regulated drug and alcohol standards as explained in Harker's DOT drug and alcohol policy.

### **USE OF ELECTRONIC INFORMATION RESOURCES**

Electronic information resources (including, but not limited to, computers, printers and other hardware, media, software, email, internet access, copiers, fax machines, telephones and library services) are provided to employees to conduct business related to the mission of the School. Harker permits limited personal use of these resources as long as this use does not interfere with the employee's job performance or the operation of the School.

All work products (including academic content and materials) developed while one is an employee of Harker is the property of the School. Unless specifically notified by the School, teachers are permitted to make copies and to use such academic content and material in their teaching for Harker, but may not otherwise sell, market or give away

these materials. All other work products are presumed to belong to the School and should not be copied without the consent of the School.

While the use of electronic information resources is subject to the general personnel policies listed in this handbook, certain topics require special mention.

### **Security**

Viruses, Trojan horses and spyware are all examples of malicious software which can compromise the security of the electronic information resources at Harker. While Harker has installed and maintains security software which protects its computers against the vast majority of malicious software, the possibility always exists for such malicious software to be undetected by the security software. Employees should use the greatest of care in opening email attachments (for either Harker or personal email) or installing any software. A list of approved software is maintained on the technology department's website. Employees should contact the technology department if they have any question about whether an attachment is safe to open or if software is safe to install.

### **Copyright/Licensing**

Harker does not condone the violation of copyright in any form. Employees are expected to adhere to all federal and state laws concerning copyright. In addition, employees are not permitted to install any software that is not properly licensed. Any software owned or licensed by Harker and installed by an employee must be immediately reported to the technology department so that it may be tracked and properly maintained. Employees should contact the technology department if they have any questions about whether software is properly licensed or if they would like assistance in the installation of any software.

### **Privacy**

Electronic communications are, by their nature, inherently insecure. As such, employees should have no expectation of privacy with regard to their use of electronic information resources. Harker routinely logs all use of electronic information resources and monitors such use as necessary for the normal operation of the School. While, in general, Harker's practice is to treat electronic data with as much privacy as possible, situations may arise where employees with legitimate business purposes may have the need to view specific information, email or usage logs stored on the network. Any material on the network (including, but not limited to, email messages, phone records, files stored on servers and resource usage logs) may be accessed by the School. Approval for such viewing of information will be required from the head of school.

### **Harassment**

Employees are reminded that unlawful harassment of any type (see Unlawful Harassment Policy), including harassment via the internet or email, is strictly prohibited.

### **Confidentiality**

Publicly accessible documents should not contain any confidential information (see Confidential Information Policy). Specifically, it is not permitted to post any student pictures, full student names or family details on a publicly accessible website without permission from the Office of Communication.

### **Care of Resources**

As with any Harker property, employees are expected to take care with the School's electronic information resources. Employees should be especially aware of the possibility of damage to computers and other hardware from food and drinks. An employee may be subject to disciplinary action for negligent handling or misuse of Harker's electronic information resources.

### **Professionalism**

Employees are reminded that they are representatives of Harker at all times. As such, public or private communications using the Internet or email should be conducted in a professional manner in accordance with the guidelines of this section.

### **Reimbursement of Costs for Personal Use**

Any direct costs to the School (such as long-distance telephone charges) arising out of personal use of electronic information resources by an employee shall be reimbursed to the School by the employee.

### **Hardware Guidelines**

Harker is not responsible for any losses incurred by employees of personal items brought to the School.

Additionally, some technology-related items are not permitted for use at School. Some examples are listed below, though this is not an all-inclusive list. If you have questions about a specific item that is not listed, please email the director of information technology.

Examples:

- printers
- wireless routers/bridges
- laptops or desktops (must have approval from the director of information technology or the director of instructional technology)
- switches and hubs (USB/Ethernet/Firewire, etc.)
- monitors

### **VOICEMAIL/EMAIL/MAILBOXES**

To ensure timely responses to parents, vendors, or other employee requests or needs, voice mail, email and mailboxes should be checked at least twice per day, and employees must respond in a timely and appropriate manner. A 24-hour response rate (one working day) is reasonable for parent/colleague responses, even if it is just to say, "I'll get back to you!"

Employees should also be sure to check such communications for an appropriate tone to maintain and promote a positive community.

### **WORKSPACE GUIDELINES**

Offices, cubicles, classrooms, workspaces and public spaces should be kept neat and clean. While employees are primarily responsible for the maintenance of their own individual workspaces, all employees should work together to ensure an overall clean and professional working environment. Faculty and staff children who attend Harker should not store their belongings in their parent employee's office, classroom or work area. All belongings must be placed in assigned cubbies, lockers, etc.

Employees may display pictures and personal items in their offices, cubicles, workspaces and classrooms as long as such items do not violate health and safety standards and do not interfere with job performance. Items that detract from the efficient operation or professional image of the School, including but not limited to words or images that are offensive or discriminatory, are strictly prohibited. Questions about whether a personal decoration is appropriate should be addressed to the employee's supervisor or to the head of school. No personal items may be placed in common areas.

Because of the safety issues involved, all holiday decorations must be approved by a supervisor in conjunction with the facilities department.

Harker is not responsible for any losses incurred by employees of personal items brought to the School.

## **CLASSIFICATION, COMPENSATION & BENEFITS**

### **EMPLOYMENT CLASSIFICATIONS**

It is the intent of the School to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility. Newly hired employees will have an introductory period that can be from 30 days to one year. The introductory period is designed to allow the employee and supervisor an appropriate orientation, training and evaluation period to determine the employee's suitability for the position, and if a satisfactory working relationship can be established between the employee and the school. Upon completion of the introductory period, the employee's performance will be reviewed. Employees who have completed their introductory period of

employment are deemed "regular" employees. Completion of the introductory period does not entitle you to remain employed by Harker for a definite period of time. (See at-will-employment policy.) Employees and the school may end the employment relationship at any time, with or without cause or notice. All employees are designated as either non-exempt or exempt under state and federal wage and hour laws.

### **Non-Exempt Employees**

Employees whose work is covered by the Fair Labor Standards Act (FLSA) and state law and are NOT exempt from the requirements concerning minimum wage and overtime.

### **Exempt Employees**

Exempt employees are employees who, because of their positional duties and responsibilities and level of decision-making authority, are exempt from the overtime provisions of the Fair Labor Standards Act (FLSA) and state law.

The School has established the following category and employment status types for both non-exempt and exempt employees:

### **Faculty**

Faculty at Harker comprises those employees who are engaged in teaching or otherwise direct administrative, educational or service-oriented programs of the School. These employees hold one of the following positions: administrator, teacher, athletic director, college counselor, academic counselor, director of instructional technology, director of community service, director of global education, dean of students or librarian.

### **Staff**

Staff at Harker comprises those employees who are not members of the faculty. They are employees in non-teaching activities of various types in support of the administrative, educational and service-oriented programs of the School.

### **Full-Time**

Staff employees are deemed full-time if they are regularly scheduled to work:

- a minimum of 30 hours per week for 12 consecutive months in a calendar year; or
- 40 hours per week for 10 months (44 weeks) in a calendar year; or
- a minimum of 35 hours per week during the academic school year only.

Faculty employees are deemed full-time as per the written Employment Agreement that is signed between the employee and the head of school.

A full-time employee can be exempt or non-exempt and is assigned to a position that is currently expected to be filled for an indefinite period of time. Full-time employees are entitled to School-sponsored benefits as long as they meet the eligibility requirements in each benefit area.

### **Part-Time**

A part-time employee is one who works less than 30 hours per week and does so on a continuing basis. Part-time faculty employees are deemed part-time as per the written Employment Agreement that is signed between the employee and the head of school. Part-time employees may be assigned a work schedule in advance or work on an as-needed basis. Part-time employees are eligible for some, but not all School-sponsored benefits described in this handbook.

### **Temporary/Seasonal**

A temporary or seasonal employee is one who has been hired for a designated period of time of six months or less and whose employment is not expected to continue beyond that period. These employees can be full-time or part-time, exempt or non-exempt. They are not entitled to School-sponsored benefits.

## **MAKE-UP TIME**

Work schedules are set by department supervisors. Any adjustments to schedule must be approved by an employee's supervisor in advance.

A non-exempt employee may voluntarily request to be allowed to make up time that otherwise would be lost

by taking work time off for personal obligations. However, there are some positions within Harker where a particular work schedule does not allow for flexibility and make-up time is not available.

Pursuant to this policy, non-exempt employees may voluntarily agree to make up the time missed at straight time, so long as time worked (including regular and make-up time) occurs in the same workweek and does not exceed 11 hours per day or 40 hours per week. Employees may take advantage of this policy by making a written request, detailing the time off needed and the proposed make-up time. The request should be submitted to the employee’s supervisor up to one week in advance of the time off requested. Make-up time sheets must be submitted to Human Resources for filing in the employee’s personnel file.

**MEAL & REST PERIODS**

The Harker School complies with federal and state legal requirements concerning meal and rest periods. The School recognizes that employees perform at their best when they have the rest and nourishment they need. This policy explains when the School expects employees to take meals and rest periods.

**Meal Periods**

Harker provides at least a 30-minute meal period to employees who work more than five hours, unless they work six or fewer hours total and elect in writing to waive the first meal period. The School provides a second 30-minute meal period to employees who work more than 10 hours in a workday, unless they work 12 or fewer hours total, did not waive the first meal period, and elect in writing to waive the second meal period. Employees should take their first meal period before the end of the fifth hour of work and should take their second meal period before the end of the 10th hour of work. Meal periods cannot be taken at the beginning or end of shifts. Employees will be relieved of all of their duties during meal periods and are allowed to leave their work site.

The School provides meal periods according to the following schedule:

Duration of Shift In Hours	# Meal Periods	Comments
0 – < 5.0	0	Employees who work less than five hours in a workday are not provided with a meal period.
> 5.0 – < 10.0	1	Employees who work more than five hours in a workday, but who work less than 10 hours in a workday are provided with a meal period of at least 30 minutes available before the end of the fifth hour of work, unless the employees are working six or fewer hours and elect in writing to waive the first meal period.
> 10.0	2	Employees who work 10 or more hours in a workday are provided with a second meal period of at least 30 minutes available before the end of the 10th hour of work, unless the employees are working 12 or fewer hours, and did not waive the first meal period, and elect in writing to waive the second meal period.

The Harker School does not pay non-exempt employees for meal periods, and consequently, non-exempt employees must record the start and stop times of their meal periods.

Non-exempt employees who are required to work through some or all of a 30-minute meal period should complete a meal period premium form and submit it to their manager to ensure proper compensation.

**Otherwise, the School will assume that any non-exempt employee who fails to record a timely meal period, or who records a less-than 30-minute meal period, did so voluntarily.**

**Rest Periods**

Non-exempt employees are authorized and permitted to take a paid rest period of a minimum of 10 minutes for every four (4) hours worked, or major fraction thereof. The School authorizes and permits rest periods according to the following schedule:

Duration of Shift In Hours	# of 10 Minute Rest Periods	Comments
0 – < 3.5	0	Non-exempt employees who work less than 3.5 hours in a workday are not authorized and permitted to take a rest period.
> 3.5 – < 6	1	Non-exempt employees who work 3.5 hours or more in a workday, but who do not work more than 6 hours in a workday are authorized and permitted to take one paid rest period of a minimum of 10 minutes.
> 6.0 – < 10.0	2	Non-exempt employees who work more than 6 hours in a workday, but who do not work more than 10 hours in a workday are authorized and permitted to take two paid rest periods of a minimum of 10 minutes.
> 10.0 – < 14.0	3	Non-exempt employees who work more than 10 hours in a workday, but who do not work more than 14 hours in a workday are authorized and permitted to take three paid rest periods of a minimum of 10 minutes.

Whenever practicable, non-exempt employees should take their rest periods near the middle of each four-hour work period. Non-exempt employees may not accumulate rest periods or use rest periods as a basis for starting work late, leaving work early, or extending a meal period.

Because rest periods are paid, non-exempt employees should not clock out for them. Employees will be relieved of all of their duties during rest periods and are allowed to leave their worksite.

Non-exempt employees who are not authorized and permitted to take a rest period pursuant to the terms of this policy should complete a rest period premium form and submit it to their manager to ensure proper compensation.

If non-exempt employees do not submit a rest period premium form, the School will assume they either took their rest period or voluntarily decided to waive it.

### **Responsibilities**

Non-exempt employees are expected to take their meal and rest periods in accordance with the applicable guidelines set forth in this policy. Management is expected to make meal and rest periods available to their employees in accordance with this policy. Supervisors can schedule meal and rest periods for their employees, taking into account their department's operational requirements and employee needs. Supervisors may stagger employees' meal periods so ongoing operational responsibilities are not compromised, so long as the applicable guidelines in this policy are met.

Supervisors are responsible for administering their department's meal and rest periods in a fair and uniform manner.

### **Discipline**

Any employee, supervisor or manager who fails to observe meal and rest period policies will be subject to discipline, up to and including termination of employment. Violations of this policy should be reported to the Human Resources department. Every report will be fully investigated and corrective action will be taken where appropriate.

In addition, the School will not allow any form of retaliation against individuals who report alleged violations of this policy or who cooperate in the School's investigation of such reports. Any form of retaliation in violation of this policy will result in disciplinary action, up to and including termination.

### **OVERTIME**

Employees are paid for hours worked in accordance with all legal requirements. Employees who qualify as administrative, executive or professional employees within the meaning of state and federal laws are exempt from overtime pay and are not subject to this policy. All non-exempt employees qualify for overtime pay.

All overtime work by a non-exempt employee must be approved in advance by the employee's supervisor. Non-approved overtime will be paid, but because unauthorized overtime is against School policy, employees who work unauthorized overtime are subject to discipline up to and including termination.

Overtime is computed on the basis of total hours worked in a workweek. Hours paid that are not worked, e.g., paid time off, vacations and holidays do not count as hours worked for overtime purposes.

## **PAYMENT OF WAGES**

### **Paydays**

Harker paydays are on Friday and all employees are paid on a biweekly basis (26 pay periods per calendar year). If a regular payday falls on a holiday, employees will be paid on the preceding workday. Please see the payroll schedule as some pay dates are subject to change.

Employees are encouraged to review their paycheck stubs regularly. In case of any errors in a payroll check, employees should immediately discuss the error with their supervisor. If there is an error that needs to be corrected, the supervisor should then contact the payroll processor and adjustments will be made as soon as possible. To ensure prompt and accurate payment for work performed, it is the employee's responsibility to complete their timecards carefully and accurately.

### **Payroll Distribution**

In support of Harker's ongoing effort to remain green, paycheck stubs will not be distributed to those employees who have direct deposit. Employees who do not have direct deposit will have their paychecks mailed to their home address the day before a scheduled payday. All employees are provided access to their personal and pay information online and are encouraged to use the online system to verify their payroll check.

## **ADVANCED DEGREE SALARY DIFFERENTIAL**

Teachers who have earned a master's degree or doctorate in an area that is relevant and beneficial to their teaching shall be eligible for an annual salary increase. The salary increase shall be prorated from the date the degree is obtained, if not prior to the beginning of the school year. This applies to teaching faculty only.

## **BEREAVEMENT**

Harker provides employees up to five workdays off for the purpose of preparing, attending and/or traveling to a funeral for the employee's immediate family. For the purpose of this policy, Harker's definition of immediate family includes spouse, domestic partner, parents, grandparents, brothers, sisters, children and grandchildren, and designated person of the employee and the employee's spouse. This also includes individuals for whom the employee is the current legal guardian. The days of leave do not need to be consecutive, and the leave must be completed within three months of the death of the immediate family member.

Full-time employees will receive a maximum of five days' wage replacement. Part-time employees may use accrued PTO and sick leave for this absence from work.

The School understands the deep impact that death can have on an individual or family. Therefore, additional time off may be granted depending on the circumstances involved. All such requests must be approved by the head of school. If PTO is not available to the employee, the absence from work is unpaid.

Employees requesting bereavement leave for persons not falling into the definition of immediate family must use accrued PTO for absences from work. If PTO is not available to the employee, the absence from work is unpaid.

### **Reproductive Loss**

Harker provides employees up to five workdays off following a reproductive loss event, defined as a failed adoption, failed surrogacy, miscarriage, stillbirth, or unsuccessful assisted reproduction. The days of leave for reproductive loss do not need to be consecutive, and the leave must be completed within three months of the loss event. This leave is unpaid; however, employees may use accrued PTO and sick leave. The school understands the deep impact that loss can have on an individual or family. Therefore, additional time off may be granted depending on the circumstances involved. All such requests must be approved by the head of school.

## **CARPOOLING**

Harker encourages employees to carpool to work. For this effort, Harker will provide compensation distributed (through payroll) each quarter to those employees who have complied with the following provisions:

- An employee must have carpooled with someone (other than their own child), taken public transportation, bicycled or walked to work for at least 80 percent of the time (four out of five days a week each week for the full quarter).
- A carpool form must be completed by the employee and approved by the supervisor. Payroll must receive the completed carpool form on the first payroll processing day after a quarter has ended. Compensation will then be paid out on the next payroll date.
- Compensation will only be paid to those who have fulfilled the above conditions and are employed on the last day of the quarter.

## **HOLIDAYS**

Harker observes most federal holidays and provides compensation to full-time staff for those federal holidays that are listed below. Holiday pay for observed holidays is only provided to full-time staff who would have been regularly scheduled to work when the holiday occurs. From time to time, additional paid staff holidays may be provided and the list can be obtained from Human Resources. Employees who elect to observe religious holidays must use personal time off or the time off will be unpaid. When a holiday falls on a Saturday or Sunday, it is usually observed on the preceding Friday or the following Monday. However, Harker may close on another day. Eligibility for holiday pay begins upon commencement of regular full time work. Part-time and temporary/seasonal employees are not eligible for holiday pay.

Observed holidays: Labor Day, Thanksgiving Day, Christmas Day, New Year's Day, Martin Luther King Day, Presidents' Day, Memorial Day, Independence Day. The holiday schedule is subject to change and the final list can be obtained from Human Resources.

## **JURY DUTY**

Harker recognizes that jury duty is a civic responsibility of our employees. Full-time employees will be provided with wage replacement of up to 30 days if selected for jury duty. Employees must notify their supervisor within three business days of receiving a notice or summons from the court of the need for time off for jury duty. Employees will also be required to provide written verification from the court clerk, for each day of the time being served. If your jury duty responsibility ends at a time when you can still report to work for four or more hours of your scheduled shift, you must contact your supervisor to determine if you will be expected to return to work.

## **LEAVES OF ABSENCE**

### **A. FAMILY AND MEDICAL LEAVE ACT (FMLA) AND EXTENDED LEAVE**

Harker will grant family and medical leave in accordance with the requirements of applicable state and federal law in effect at the time the leave is granted. Although the federal (FMLA) and state (CFRA) laws have different names, Harker refers to these types of leaves collectively as "FMLA Leave." No greater or lesser leave benefits will be granted than those set forth in such state or federal laws. In certain situations, the federal law requires that provisions of state law apply. In any case, employees will be eligible for the most generous benefits available under applicable law.

Please contact your supervisor as soon as you become aware of the need for a FMLA Leave. Employees are expected to provide prompt notice to their supervisor and Human Resources of any change(s) to their return to work date. Accepting other employment, continuing to work in another job, or filing for unemployment insurance benefits while on leave may be treated as a voluntary resignation from employment.

#### **Employee Eligibility**

To be eligible for FMLA Leave benefits, you must: (1) have worked for the School for a total of at least 12 months; and (2) have worked at least 1,250 hours over the previous 12 months as of the start of the leave. For the federal FMLA only, you also must have worked at a location where at least 50 employees are employed by the School within 75 miles, as of the date the leave is requested.



## Reasons for Leave

State and federal laws allow FMLA Leave for various reasons. Because an employee's rights and obligations may vary depending upon the reason for the FMLA Leave, it is important to identify the purpose or reason for the leave. FMLA Leave may be used for one of the following reasons:

1. the birth, adoption or foster care of an employee's child within 12 months following birth or placement of the child ("Bonding Leave")
2. to care for an immediate family member (spouse, registered domestic partner, child, child of a domestic partner, sibling, parent, parent-in-law, grandparent, or grandchild) with a serious health condition ("Family Care Leave")
3. an employee's inability to work because of a serious health condition ("Serious Health Condition Leave")
4. a "qualifying exigency," related to the covered active duty or call to covered active duty of an employee's spouse, registered domestic partner, child, or parent in the armed forces of the United States ("Military Emergency Leave")
5. to care for a spouse, child, parent or next of kin (nearest blood relative) who is (a) an armed forces member (including the military reserves and National Guard) undergoing medical treatment, recuperation or therapy, is otherwise in an outpatient status, or is otherwise on the temporary disability retired list with a serious injury or illness incurred or aggravated in the line of duty while on active duty that may render the individual medically unfit to perform military duties; or (b) a person who, during the five (5) years prior to the treatment necessitating the leave, served in the active military, naval or air service, and who was discharged or released therefrom under conditions other than dishonorable (a "veteran" as defined by the Department of Veteran Affairs) and who has a serious injury or illness incurred or aggravated in the line of duty while on active duty that manifested itself before or after the member became a veteran ("Military Caregiver Leave").

## Length of Leave

The maximum amount of FMLA Leave will be twelve (12) workweeks in any 12-month period when the leave is taken for: (1) Bonding Leave; (2) Family Care Leave; (3) Serious Health Condition Leave; and/or (4) Military Emergency Leave. A qualified employee may take up to 12 weeks of FMLA in any 12-month period. The 12-month period is a "rolling" period, measured backward from the date on which an employee would begin leave.

When the reason for the FMLA is birth, adoption or foster care for a child, any FMLA leave must be taken for at least two weeks, except that the employee may request a shorter leave on any two occasions during the 12-month period.

The maximum amount of FMLA Leave for an employee wishing to take Military Caregiver Leave will be a combined leave total of twenty-six (26) workweeks in a single 12-month period. A "single 12-month period" begins on the date of your first use of such leave and ends 12 months after that date.

Under some circumstances, you may take FMLA Leave intermittently – which means taking leave in blocks of time, or by reducing your normal weekly or daily work schedule. Leave taken intermittently may be taken in increments of no less than one (1) hour.

To the extent required by law, some extensions to leave beyond an employee's FMLA entitlement may be granted when the leave is necessitated by an employee's work-related injury/illness, a pregnancy related disability, or a "disability" as defined under the Americans with Disabilities Act and/or applicable state or local law. Certain restrictions on these benefits may apply.

## Notice and Certification

### Bonding, Family Care, Serious Health Condition and Military Caregiver Leave Requirements

Employees are required to provide:

1. when the need for the leave is foreseeable, 30 days advance notice or such notice as is both possible and practical if the leave must begin in less than 30 days (normally this should be the same day the employee becomes aware of the need for leave or the next business day);
2. when the need for leave is not foreseeable, notice within the time prescribed by Harker's normal absence reporting policy, unless unusual circumstances prevent compliance, in which case notice is required as soon as is otherwise possible and practical;
3. when the leave relates to medical issues, a completed Certification of Health-Care Provider form

within 15 calendar days (for Military Caregiver Leave, an invitational travel order or invitational travel authorization may be submitted in lieu of a Certification of Health-Care Provider form);

4. periodic recertification (upon request); and
5. periodic reports during the leave.

Certification forms are available from Human Resources. At the School's expense, Harker may also require a second or third medical opinion regarding your own serious health condition. Employees are expected to cooperate with Harker in obtaining additional medical opinions that the School may require.

When leave is for planned medical treatment, you must try to schedule treatment so as not to unduly disrupt the School's operation, subject to the approval of your healthcare provider. Please contact Human Resources prior to scheduling planned medical treatment.

### **Military Emergency Leave Requirements**

Employees are required to provide:

1. as much advance notice as is reasonable and practicable under the circumstances;
2. a copy of the covered military member's active duty orders when the employee requests leave; and
3. a completed Certification of Qualifying Exigency form within 15 calendar days, unless unusual circumstances exist to justify providing the form at a later date.

Certification forms are available from Human Resources.

### **Failure to Provide Certification and to Return from Leave**

Absent unusual circumstances, failure to comply with these notice and certification requirements may result in a delay or denial of the leave. If you fail to return to work at your leave's expiration and have not obtained an extension of the leave, Harker may presume that you do not plan to return to work and have voluntarily terminated your employment.

### **Compensation during Leave**

Generally, FMLA Leave is unpaid. However, you may be eligible to receive benefits through state-sponsored or School-sponsored wage-replacement benefit programs. If you are eligible to receive these benefits, you may also choose to supplement these benefits with the use of accrued paid time off and sick leave, to the extent permitted by law and School policy. All such payments will be integrated so that you will receive no more than your regular compensation during this period. If you are not eligible to receive any of these wage-replacement benefits, the School may require you to use accrued paid time off and sick leave to cover some or all of the FMLA Leave. The use of paid benefits will not extend the length of a FMLA Leave.

### **Benefits during Leave**

Harker will continue making contributions for your group health benefits during your leave on the same terms as if you had continued to work. This means that if you want your benefits coverage to continue during your leave, you must also continue to make any premium payments that you are now required to make for yourself or your dependents. Employees taking Bonding Leave, Family Care Leave, Serious Health Condition Leave and Military Emergency Leave will generally be provided with group health benefits for a 12 work week period. Employees taking Military Caregiver Leave may be eligible to receive group health benefits coverage for up to a maximum of 26 workweeks. In some instances, the School may recover premiums it paid to maintain health coverage if you fail to return to work following a FMLA Leave.

If you are on a FMLA Leave but are not entitled to continued paid group health insurance coverage, you may continue your coverage through the School in conjunction with federal and/or state COBRA guidelines. Please contact Human Resources for further information.

Your length of service as of the leave will remain intact, but accrued benefits such as PTO and sick leave will not accrue while on an unpaid FMLA Leave.

### **Job Reinstatement**

Employees on leave are asked to confirm, with Human Resources, their return date at least two weeks before they return to work. Under most circumstances, you will be reinstated to the same position held at the time of the leave or to an equivalent position with equivalent pay, benefits and other employment terms and

conditions. However, you have no greater right to reinstatement than if you had been continuously employed rather than on leave. For example, if you would have been laid off had you not gone on leave, or if your position has been eliminated during the leave, then you will not be entitled to reinstatement.

Prior to being allowed to return to work, an employee wishing to return from a Serious Health Condition Leave must submit an acceptable release from a health care provider that certifies the employee can perform the essential functions of the job as those essential functions relate to the employee's serious health condition. For an employee on intermittent FMLA leave, such a release may be required if reasonable safety concerns exist regarding the employee's ability to perform their duties, based on the serious health condition for which the employee took the intermittent leave.

## **B. PREGNANCY DISABILITY LEAVE**

Any employee with appropriate doctor certification may request accommodations due to conditions related to pregnancy, childbirth or related medical conditions. Harker will provide such accommodations unless the requested accommodations would constitute an undue hardship. Any requests for accommodations should be directed to Human Resources.

Harker will grant unpaid pregnancy disability leave to employees disabled on account of their pregnancy, childbirth or related medical conditions. Please contact your supervisor as soon as you become aware of the need for a pregnancy disability leave.

### **Leave Availability**

An employee disabled due to pregnancy, childbirth or related medical condition may take up to a maximum of four months (17.3 weeks) of leave. Leave taken under the pregnancy disability policy runs concurrently with family and medical leave under federal law, but not family and medical leave under California law.

### **Notice and Certification Requirements**

Employees requesting to take a pregnancy disability leave must provide Harker with reasonable advance notice. In addition, employees must provide a certification from a healthcare provider.

### **Compensation during Leave**

Pregnancy disability leaves are without pay. However, employees may utilize sick leave and any other accrued paid time off during the leave.

### **Benefits during Leave**

Harker will maintain group health insurance coverage for the duration of California pregnancy disability leave up to a maximum of four months or 17.3 weeks (which is dependent on the length of the employee's disability due to the pregnancy), if such insurance was provided before the leave was taken and on the same terms as if the employee had continued to work. This means that if you want your benefits coverage to continue during your leave, you must also continue to make any premium payments that you are now required to make for yourself or your dependents. If the employee fails to make their premium co-payments, Harker will not continue to provide health insurance benefits and the employee will be eligible for insurance continuation rights under COBRA. Harker may recover premiums it paid to maintain health coverage for an employee who fails to return to work following pregnancy disability leave for reasons other than taking additional leave afforded under the California Family Rights Act (e.g., Bonding Leave) and the reason for not returning was not within the employee's control.

Employees on pregnancy disability leave whose paid health care insurance coverage ceases may continue their group health insurance coverage through Harker in conjunction with federal COBRA guidelines by making monthly payments to Harker's COBRA third party administrator. Employees should contact Human Resources for further information (this provision only applies to employees receiving group health benefits at the time of their leave).

### **Reinstatement**

Upon the submission of a medical certification that the employee is able to return to work, the employee will be offered the same position held at the time of leaving, unless the job no longer exists or the job has been filled in order to avoid undermining Harker's ability to operate safely and efficiently, or the employee is

not capable of performing the job responsibilities upon return. If the employee's former position is not available, a comparable position will be offered unless there is no comparable position available, or filling the available position would substantially undermine Harker's ability to operate safely and efficiently, or the employee is not capable of performing the job responsibilities. If an employee returning from pregnancy disability leave is unable to perform the essential functions of the job because of a physical or mental condition, Harker's obligations to that employee may be governed by state and federal disability laws. (See Nondiscrimination on Basis of Disability Policy.)

### **C. WORKERS' COMPENSATION DISABILITY LEAVE**

Harker will grant a workers' compensation disability leave to employees with occupational illnesses or injuries in accordance with state law. As an alternative, Harker will try to reasonably accommodate such employees with modified work. Leave taken under the workers' compensation disability policy runs concurrently with family and medical leave under both federal and state law. Please contact your supervisor and Human Resources as soon as you become aware of the need for a workers' compensation disability leave.

#### **Notice And Certification Requirements**

Employees must report all accidents, injuries and illnesses no matter how small to their immediate supervisor. In addition, employees must provide Harker with a certification from a healthcare provider if the employee misses work due to the injury and is ready to return to work.

#### **Compensation During Leave**

Workers' compensation disability leaves are without pay. However, employees may utilize accrued sick leave and any other accrued paid time off during the leave. All such payments will be coordinated with any state disability, workers' compensation or other wage reimbursement benefits for which you may be eligible. At no time shall an employee receive a greater total payment than the employee's regular salary.

#### **Benefits During Leave**

If the employee taking workers' compensation disability leave is eligible under the federal or state family and medical leave laws, Harker will maintain group health insurance coverage for up to a maximum of 12 workweeks if such insurance was provided before the leave was taken and on the same terms. This means that if you want your benefits coverage to continue during your leave, you must also continue to make any premium payments that you are now required to make for yourself or your dependents. If the employee fails to make their co-payments, Harker will not continue to provide health insurance benefits and the employee will be eligible for insurance continuation rights under COBRA only. If ineligible under the federal and state family and medical leave laws, employees on workers' compensation disability leaves will receive continued coverage on the same basis as employees taking other leaves.

Employees on workers' compensation disability who do not receive continued paid coverage, or whose paid coverage ceases after 12 workweeks, may continue their group health insurance coverage through Harker in conjunction with COBRA guidelines by making monthly payments to Harker's COBRA third party administrator for the amount of the relevant premium. Employees should contact Human Resources for further information.

#### **Reinstatement**

Upon the submission of a medical certification that the employee is able to return to work, the employee will be offered the same position held at the time of leaving, unless the job no longer exists or the job has been filled in order to avoid undermining Harker's ability to operate safely and efficiently, or the employee is not capable of performing the job responsibilities upon return. If the employee's former position is not available, a substantially similar position will be offered unless there is no substantially similar position available, or filling the available position would substantially undermine Harker's ability to operate safely and efficiently, or the employee is not capable of performing the job responsibilities. If an employee returning from workers' compensation disability leave is unable to perform the essential functions of the job because of a physical or mental condition, Harker's obligations to that employee may be governed by state and federal disability laws. (See Nondiscrimination on Basis of Disability Policy.)

#### **D. MEDICAL LEAVE OF ABSENCE**

(For employees who are not eligible for Family Medical Leave)

If you are eligible for FMLA leave based on your length of employment and hours of service, you will not be eligible for this leave. This leave is only available to employees who are not eligible for Family Medical Leave.

Any full-time employee who is temporarily disabled and unable to work due to a medical condition may, at the discretion of management, be granted a leave of absence without pay for the period of the disability, provided such period shall not exceed 12 weeks. The term "medical" encompasses all temporary medical disabilities. The employee's temporary disability status must be verified by written confirmation from the employee's doctor on a periodic basis. Employees must contact Human Resources every three weeks concerning their disability status and expected return date.

An employee who is granted a medical leave of absence must utilize any unused sick leave and PTO benefits during the period of the disability. The use of sick leave or PTO during a medical leave of absence does not extend the maximum 12-week period allowed.

Health insurance benefits ordinarily provided by the employer for eligible employees on a work-related injury or illness or for a non-industrial medical leave of absence will be provided for **the month in which the employee's medical leave of absence begins** on the same terms. This means that if you want your benefits coverage to continue during your leave, you must also continue to make any premium payments that you are now required to make for yourself or your dependents. If the employee fails to make their co-payments, Harker will not continue to provide health insurance benefits and the employee will be eligible for insurance continuation rights under COBRA only.

Employees requesting a medical leave are required to complete a Medical Leave of Absence form and all requests must be submitted to Human Resources.

The employee must notify Human Resources of the need for such a leave as soon as the employee learns that he or she is, or will become, temporarily disabled and unable to work due to a medical condition. Such notice must specify the reason for the leave, the date such leave will begin, and the expected duration of the disability. An employee who requests such a leave may be required to provide initially and from time to time, proof of disability in the form of a physician's statement. An employee returning from a medical leave of absence shall be required to provide a physician's statement that indicates that he or she is able to perform the essential functions of the position.

In the case of illness, a doctor's release to return to work may be required from the employee before he or she will be allowed to return to work, if the absence was five (5) consecutive days or longer.

Benefit credit will not be accrued towards PTO and sick leave for the duration of the leave. Employees returning from a leave of absence during the course of a calendar year will receive only a prorated portion of sick leave and PTO benefits for the duration of that year.

Except as otherwise required by law, it should also be noted by the employee that a return to work from a leave of absence is contingent upon an available opening at that time and should be verified with Harker before reporting back to work. If an employee returning from medical leave is unable to perform the essential functions of the job because of a physical or mental condition, Harker's obligations to that employee may be governed by state and federal disability laws. (See Nondiscrimination on Basis of Disability Policy.)

Any employee who fails to report for work at the end of an approved leave may be deemed to have voluntarily resigned but will be eligible for continued insurance coverage under COBRA.

#### **E. MILITARY LEAVE OF ABSENCE**

Employees who enter the armed forces of the United States will be placed on an extended leave without pay in accordance with applicable laws, except that the School will pay employees their regular salary for the first 15 days of leave, less amounts received from the military for service during that period, upon presentation of a military pay voucher. These employees may also apply accrued paid time off to the leave if they wish, but they are not obligated to do so.

Upon completion of military service, the employee will be reinstated with full seniority to the former position or to a comparable position if application for reemployment is made: (1) within 90 calendar days of release

from the service or hospitalization following such service, or (2) within 14 days if service was between 31 and 180 days, or (3) on the next regular workday, plus eight hours, if service was 30 days or less.

An employee who is a member of the National Guard or of a reserve component of the Armed Forces shall, upon furnishing a copy of the official orders or instructions, be granted a military leave for training or similar duty, not to exceed 17 days annually. Upon presentation of a military pay voucher, employees will be reimbursed for the difference between their normal compensation and the pay they receive while on such leave, for up to 15 days of pay. The remainder of any such leave is unpaid unless the employee chooses to use accrued paid time off.

The spouse or registered domestic partner of a member of the military deployed to a designated combat zone may take up to 10 days unpaid leave.

Employees are expected to notify their supervisors as soon as they are aware of the dates they will be utilizing military leave.

Paid time off and sick benefits do not accrue during any period of unpaid leave. The date an employee is considered for an annual wage increase will be adjusted accordingly if the leave is for more than 30 calendar days. The employee's group life and health plan coverage will remain in effect, so long as the employee makes arrangements to pay the employee contribution for their own coverage and all of their dependents' coverage. After 12 weeks of leave, the employee will be responsible for paying all of the monthly cost for their own and their dependents' coverage or for all the cost of COBRA coverage, whichever is applicable. Failure to make such arrangements and payments may result in the lapse of coverage.

## **F. PAID FAMILY LEAVE**

Employees contribute to California's Paid Family Leave ("PFL") insurance fund, which will be administered by the State of California's Employment Development Department ("EDD"). Like SDI contributions, employee contributions to the PFL fund are deducted automatically from an employee's paycheck. The PFL fund is designed to provide employees who take an unpaid leave of absence from work with a wage supplement for up to eight weeks within a rolling 12-month period.

To determine eligibility for PFL benefits, an employee must apply for PFL benefits through the EDD. The EDD, not Harker, decides whether an employee is eligible for PFL benefits. PFL benefits apply to employees who take an unpaid leave of absence from work for one of the following reasons:

1. the birth or placement of a child for adoption or foster care;
2. to care for a family member (child, parent, spouse, registered domestic partner, sibling, parent-in-law, grandparent, or grandchild) who is seriously ill and requires care;
3. to participate in a qualifying event because of a family member's military deployment to a foreign country.

Under the law, an employee must provide certification to the EDD of the need for the leave. Employees applying for PFL benefits must also provide the appropriate certifications and notices required by Harker for the specific leave that the employee wishes to take.

In some instances, PFL benefits may be coordinated and run concurrently with an otherwise authorized leave of absence. In such circumstances, the use of PFL benefits and/or paid time off during the leave period will not extend the length of the leave beyond what is required by applicable law and/or allowed by Harker policy.

Employees should note that PFL does not provide reinstatement or return to work rights. For further information refer to the EDD website.

Employee benefits, including health insurance (assuming the employee is covered), do not continue during a use of PFL unless otherwise required by law and/or applicable Harker policies. As appropriate, you will receive separate information about your right to continue your health care insurance under COBRA.

Employees are free to use their sick leave for care of a family member as provided for in Harker's sick leave policy. Any information provided by employees about PFL Leave will be kept confidential. Fraud or dishonesty in connection with an application for or use of PFL benefits will be reported to the EDD and may result in immediate disciplinary action up to and including termination.

## **MEALS, KITCHEN & CATERING**

Lunch is provided to employees at no additional cost. Food that is provided to employees is for consumption during the employee's meal break and is not intended to be packaged and taken home for consumption later. The Food Court pro-gram allows employees to purchase dinners at a reasonable cost.

All staff members, except food service staff, must stay out of the kitchen area, unless they need to enter to pick up a food court item. Utensils and food should not be taken from the refrigerators or storage areas unless authorized by the executive chef or kitchen manager. Walk-in refrigerators and freezers are for kitchen staff only. No food supplies, including water, should be taken unless authorized by the executive chef. Coffee cups, plates, silverware and glasses used during the lunch period should be returned to the kitchen. If supplies are needed (kitchen utensils, plasticware, etc.), a request must be submitted to ensure the return and/or billing of the items needed.

Catering requests are needed for any event that requires food, including field trips. Catering requests must be booked three days prior to events. Requests can be made from the catering link on the faculty portal. Department expense account numbers must be on the request form for it to be processed properly.

## **PERSONAL TIME OFF (PTO) – FACULTY & STAFF STANDARDS**

### **Full-Time 12-Month Staff or Faculty (Division Heads, Deans, etc.)**

Unless otherwise specified in a written Employment Agreement, regular full-time employees who work a 12-month schedule are entitled to accrue 11 days of paid personal time off (PTO) in the first year of employment. This benefit accrues on a pro rata basis from the date of hire. Such employees will be entitled to accrue, on a pro rata basis, one additional PTO day each year commencing with the second year of employment and continuing each year until the 15th year of employment, at which time such employees will accrue a total of 25 days, pro rata, each year. Employees may not borrow against future accrued PTO.

PTO may be used for vacation or other personal reasons. For non-exempt employees, partial days of absence will be recorded in 15-minute increments and accrued PTO will be charged. For exempt employees who are absent for four or more hours in a single workday, partial days of absence will be recorded in 15-minute increments and accrued PTO will be charged.

Although PTO may be carried over from year to year, the regular use of PTO for rest and relaxation is encouraged. The maximum number of hours that can be banked is 200 hours. Once this maximum is reached, no further PTO will accrue until enough PTO is used so that accrued PTO falls below the maximum. If, in the sole discretion of the School, it is determined that an employee who has reached the PTO cap has been unable to use PTO because of work demands, the School may elect, in its sole discretion, to pay the employee enough PTO to put the employee below the cap. PTO accruals which vested before the cap was put in place will be honored, but no further PTO will accrue until the balance falls below the maximum.

Supervisors and managers must be aware of employee PTO balances. However, it is the employee's responsibility to manage their balance and request time off as per their department policies and procedures. This includes requesting time off at least two weeks before the intended date(s). Supervisors and managers will work with staff to ensure their PTO is utilized, but requests for approval will be at the manager's discretion. While it is understandable for newer staff to accrue and bank PTO for a planned trip that may happen the following summer (allowing for 15 days to sit on the books, for example), PTO should not be banked for the purpose of cashing it out at a later date. Requests to cash out banked PTO may be considered; however, they may not always be approved.

PTO does not accrue during a leave of absence for any reason.

Accrued, unused PTO will be paid to employees upon separation from employment.

### **Full-Time 10-Month Faculty (all Teachers, Counselors, etc.)**

Full-time faculty who work a 10-month schedule will be given up to a maximum of 24 hours of PTO each school year. Part-time faculty will be given 8 hours of PTO each school year. This amount will be provided on an annual basis at the start of each academic school year. Unused PTO will carry forward and remain available for use; however, the maximum number of PTO hours banked for full time 10-month faculty cannot exceed 24 hours or 8 hours for part-time faculty.

PTO may be used for vacation or other personal reasons. For faculty who are absent for four or more hours in a single workday, partial days of absence will be recorded in 15-minute increments and PTO will be charged. If you need to miss an obligation during a school day such as a class, office hours, school meeting, faculty meeting, etc.,

**notify your department chair and division head in advance by email.** While we understand such shorter absences may be necessary from time to time, the expectation is that you will meet all obligations of a given school day. We will reach out and discuss the recording of PTO should the frequency of such absences be greater than ideal for the consistency of the program or of our students' learning.

Since we ask families not to extend school breaks by extending their vacations or leaving early for vacation, we too ask our teachers to honor class time and to not do the same. Recall all PTO requests need to be made in advance with the division head.

Additionally, note that if a teacher is absent the entire day, Paycom must reflect the 8-hour absence, not just the class and advisory hours missed. This is to accurately reflect a teacher's missed time and also to honor the community impact all teachers have, whether in the classroom or out.

Accrued, unused PTO will be paid to employees upon separation from employment.

## **PROFESSIONAL DEVELOPMENT**

### **Staff Standards**

The School provides full-time staff with \$600 per year to attend classes or workshops for professional development, subject to the department manager's approval. The program needs to be directly related to each employee's current job duties at the School.

### **Faculty Standards**

The School provides full-time faculty with \$800 per year to attend classes or workshops for professional development, subject to the department manager's approval. Part-time faculty are provided with \$400 per year to attend classes or workshops for professional development. The program needs to be directly related to each employee's current job duties at the School.

## **RETIREMENT PLAN**

Harker provides employees with two different retirement plans through TIAA CREF.

### **1. The Harker School 401(a) Defined Contribution Plan**

The 401a plan provides retirement benefits to employees who have met eligibility requirements. Enrollment occurs twice per year (April 1 and October 1) on an automatic basis once the employee has reached the age of 21 AND has completed one year of service at Harker. An employee is credited with a year of service for each 12 consecutive month period (beginning with the day the employee first performs an hour of service for Harker) during which the employee completes 1,000 or more hours of service. Harker will automatically contribute 8 percent of each employee's wages\*, to the funding vehicles chosen by the employee. There is no direct employee contribution to the 401(a) plan.

\*overtime and bonus amounts are excluded from the calculation

### **2. The Harker School 403(b) Tax-Deferred Annuity Plan**

The 403b plan allows you to save for retirement on a tax-advantaged basis. There are no excluded employees for purposes of participation, and upon eligibility, employees are auto-enrolled into the plan and begin contributing 1 percent of their wages\* towards the plan. The plan features an automatic deferral contribution arrangement of 1 percent per year up to a maximum of 4 percent of compensation unless the employee has filed a contrary election through their TIAA CREF account. There is no employer match to the employee's 403(b) plan.

\*overtime and bonus amounts are excluded from the calculation

For additional information on either plan, please contact [hr@harker.org](mailto:hr@harker.org).

## **SICK LEAVE**

### **Full-Time Faculty and Staff Standards**

Regular full-time employees are entitled to earn up to 11 days of paid sick leave per year, accrued pro rata from the employee's anniversary date of hire. Paid sick leave is to be used for you or a family member for preventive care including medical, dental or other urgent health related appointments; or for care of an existing health



condition or for specified purposes if you are a victim of domestic violence, sexual assault, stalking, or other crime or abuse. Family members include the employee's parent, parent in-law, child, spouse, registered domestic partner, grandparent, grandchild and sibling. Preventive care would also include annual physicals or flu shots. Sick leave may also be used for any FMLA or CFRA approved leave for qualified employees. Sick leave is not provided for vacation or any reason other than stated above.

If the need for paid sick leave is foreseeable, employees shall provide at least one week advance notification to their supervisor or department manager. If the need for paid sick leave is not foreseeable, employees shall provide notice to their supervisor or department manager as soon as practicable but no less than one hour before your scheduled shift. When you report your absence, you should state the specific date when you expect to return to work. If you cannot provide a specific date, you must call in **each day** you will not be reporting to work, whether or not you have an available sick leave balance. Please make every effort to personally contact your immediate supervisor. Only under extreme circumstances should someone call in on your behalf.

For non-exempt (hourly) employees, partial days of absence will be recorded in 15-minute increments. For exempt employees who are absent for four or more hours in a single workday, partial days of absence will be recorded in 15-minute increments. If you need to miss an obligation during a school day such as a class, office hours, school meeting, faculty meeting, etc., **notify your department chair and division head in advance by email**. While we understand such shorter absences may be necessary from time to time, the expectation is that you will meet all obligations of a given school day. We will reach out and discuss the recording of sick days should the frequency of such absences be greater than ideal for the consistency of the program or of our students' learning.

Additionally, note that if a teacher is absent the entire day, Paycom must reflect the 8-hour absence, not just the class and advisory hours missed. This is to accurately reflect a teacher's missed time and also to honor the community impact all teachers have, whether in the classroom or out.

Sick leave balances may be carried over from year to year, but the maximum number of sick leave hours that can be banked is 240 hours. Once this maximum is reached, no further sick leave will accrue until enough sick leave is used so that the accrued balance falls below the maximum.

Unused sick leave is not paid to employees upon separation from employment. If, however, an employee is rehired within 12 months, their sick leave balance will be restored to the balance as of their separation date and the employee will have immediate use of banked sick leave.

An employee absent from work longer than five (5) consecutive days due to illness will be required to provide a state- ment or certificate from a physician or other health care provider verifying that the employee is/was unable to work due to illness or injury. An acceptable statement or certificate must include all of the following:

- employee's name
- name, address and contact number of the health care provider
- specific date(s) the health care provider recommends that the employee not perform regular duties
- date(s) the employee was seen by the health care provider
- signature of the health care provider
- whether the employee requires accommodations, and if so, the type(s) of accommodation(s) required in order to safely perform all of the essential functions of the employee's job.

Paid sick leave does not accrue during a leave of absence for any reason.

### **Part-Time Faculty and Staff Standards**

All part-time faculty are provided upfront with 48 hours of paid sick leave at the beginning of employment and each 12-month period thereafter. Unused sick leave does not carry over to the following year.

All other part-time employees will accrue 1 hour for every 30 hours worked. The maximum amount of paid sick leave that can be used annually is 40 hours per year. Up to 48 hours of accrued sick leave may be carried over from year to year, but the maximum number of sick leave hours that can be banked is 80 hours. Once the maximum is reached, no further sick leave will be accumulated during the 12-month earning period.

Paid sick leave is to be used for you or a family member for preventive care including medical, dental or other urgent health related appointments; or for care of an existing health condition or for specified purposes if you are a victim of domestic violence, sexual assault, stalking, or other crime or abuse. Family members include the

employee's parent, parent-in-law, child, spouse, registered domestic partner, grandparent, grandchild, sibling, and designated person. Preventive care would also include annual physicals or flu shots. Sick leave may also be used for any FMLA or CFRA approved leave for qualified employees. Sick leave is not provided for vacation or any reason other than stated above.

If the need for paid sick leave is foreseeable, employees shall provide at least one week advance notification to their supervisor or department manager. If the need for paid sick leave is not foreseeable, employees shall provide notice to their supervisor or department manager as soon as practicable but no less than one hour before your scheduled shift. When you report your absence, you should state the specific date when you expect to return to work. If you cannot provide a specific date, you must call in **each day** you will not be reporting to work, whether or not you have an available sick leave balance. Please make every effort to personally contact your immediate supervisor. Only under extreme circumstances should someone call in on your behalf.

Absences will be recorded in 15-minute increments and accrued sick leave will be charged. If you need to miss an obligation during a school day such as a class, office hours, school meeting, faculty meeting, etc., **notify your department chair and division head in advance by email**. While we understand such shorter absences may be necessary from time to time, the expectation is that you will meet all obligations of a given school day. We will reach out and discuss the recording of sick should the frequency of such absences be greater than ideal for consistency of program or of our students' learning.

Additionally, note that if a teacher is absent the entire day, Paycom must reflect the 8-hour absence, not just the class and advisory hours missed. This is to accurately reflect a teacher's missed time and also to honor the community impact all teachers have, whether in the classroom or out.

Unused sick leave is not paid to employees upon separation from employment. If, however, an employee is rehired within 12 months, their sick leave balance will be restored to the balance as of their separation date and the employee will have immediate use of banked sick leave.

An employee absent from work longer than five (5) consecutive days due to illness will be required to provide a statement or certificate from a physician or other health care provider verifying that the employee is/was unable to work due to illness or injury. An acceptable statement or certificate must include all of the following:

- employee's name
- name, address and contact number of the health care provider
- specific date(s) the health care provider recommends that the employee not perform regular duties
- date(s) the employee was seen by the health care provider
- signature of the health care provider
- whether the employee requires accommodations, and if so, the type(s) of accommodation(s) required in order to safely perform all of the essential functions of the employee's job.

Paid sick leave does not accrue during a leave of absence for any reason.

## **TUITION REDUCTION**

A tuition reduction benefit is offered to employees who have completed one full-time year of service with the School and who maintain their full-time status while their children are enrolled. The reduced tuition benefit is available to employees only during the course of their full-time employment and ends upon a change in their full-time status or upon termination of employment for any reason. In the event of a change in status or employment termination while their child(ren) are enrolled, the remaining months of the current school year and thereafter will require payment of the pro rata regular tuition. For any student an employee has enrolled at Harker, application fees, lunch or other expenses must be paid in full by the parent employee. Financial aid, if approved, may be available to full-time Harker employees in addition to the tuition reduction benefit as described below.

### **Academic School Year**

For employees who were hired *prior* to June 1, 1988 and have a child or children that have been admitted and enrolled in Harker, the tuition reduction benefit is as follows:

- K-grade 8: Employees will be charged an activity fee of \$250 per student, per year.
- Grades 9 -12: Employees must pay 10% of the grade level tuition per student, per year.

For employees who were hired between **June 1, 1988** and **September 1, 2015** and have a child or children that have been admitted and enrolled in Harker, the tuition reduction benefit is as follows:

- K-grade 12: Employees must pay 10% of the grade level tuition per student, per year.

For employees who were hired *after* **September 1, 2015** and have a child or children that have been admitted and enrolled in Harker, the tuition reduction benefit is as follows:

- K-grade 12: Employee must pay 15% of the grade level tuition for one student, per year. The tuition reduction benefit is available to other children on the following scale:
- two children: employee must pay 20% of the grade level tuition per student, per year.
- three or four children: employee must pay 30% of the grade level tuition per student, per year. The tuition benefit is not offered beyond the fourth child and the employee must pay 100% of the grade level tuition.

For Harker retirees who were hired *prior* to **September 1, 1975** and who have at least 30 years of full-time service with the School, the tuition reduction benefits is as follows:

- K-grade 8: The retiree will be charged an activity fee of \$250 per student, per year for their child/children or grandchild/children.
- Grades 9-12: The retiree will be eligible for the tuition remission benefit applicable to full-time employees.

For any student enrolled in any grade level, application fees, lunch or other expenses must be paid in full by the parent.

The value of reduced tuition rates received by retirees **for their grandchildren** is not tax exempt and the retiree remains fully responsible for any tax consequence.

### **Harker Summer Program**

Eligible employees (as defined below) whose children or eligible grandchildren\* are enrolled in the Harker Summer Camp Program, for K-grade 5, or the Harker Summer Institute, for grades 6-12, will pay 15% of tuition.

There is no tuition reduction for Swim School, sports camps, music and forensics institutes, or summer travel programs.

Employees are eligible for the tuition reduction benefit if they are:

1. Full-time Harker employees who are scheduled to work four or more hours per day during the summer program.
2. temporary summer program employees who are scheduled to work four or more hours per day during the summer program.
3. eligible retirees.

*\*For this benefit, retirees are defined as former Harker employees who were hired prior to September 1, 1975 and who have at least 30 years of full-time service with the School. The value of reduced tuition rates received by retirees for their grandchildren is not tax exempt and the retiree remains fully responsible for any tax consequence.*

### **WORKERS' COMPENSATION**

The School maintains workers' compensation insurance coverage at our expense. Workers' compensation insurance is intended to provide medical care and pay for lost time resulting from injuries on the job and those illnesses caused by your work. If you are injured on the job, you must report the injury to your supervisor and Human Resources immediately in order for the proper reports to be filled out. Prompt reporting of injuries is imperative.

The School will not tolerate workers' compensation fraud. Any such information should be reported in confidence to Human Resources. Because fraudulent workers' compensation claims substantially damage the School's financial health (thus threatening employees' jobs), it is in employees' best interests to eradicate it.

# OTHER EMPLOYMENT POLICIES, PROCEDURES & EXPECTATIONS

## GREEN BUSINESS PRACTICES

### A. ENVIRONMENTAL POLICY STATEMENT

The Harker School shall strive to incorporate sustainability into our core business operations through internal and external efforts. Specifically, we have adopted and promote the following policies and practices:

- Conservation of energy, water and natural resources;
- Commit to the purchase of environmentally friendly products whenever possible within the guidelines of our Environmentally Preferable Purchasing Policy;
- Reuse, recycle and reduce consumption; and,
- Promote environmental education, outreach and awareness, particularly in the education of our students and our parent community.

#### Conservation

- We encourage the use of public transit by offering pick up and drop off service to the local Caltrain Station.
- We promote biking, walking or car-pooling options for employees that includes a quarterly financial stipend for regular utilization of these options.
- All new construction and major remodels qualify for LEED Green building standards.
- Building heating and cooling systems are set to enhance energy savings, including turning them off entirely during holiday breaks.
- Employees are advised and encouraged to turn off lights when not in rooms and turn off and unplug electronics when not in use over weekends, holidays, and breaks.
- Employees are advised and encouraged to reduce water usage by turning water on to wet hands for washing, off while soaping, and then on again to rinse.
- Low-flow toilets are employed in all buildings. We have reduced use of single-use plastic on our upper school campus by 80%, plan to increase that to 90%, and extend that policy to all our campuses.

#### Reduce, Reuse and Recycle

- We reduce our waste stream by increasing recycling and composting processes.
- We increase waste diversion by recycling all paper, cardboard, metals, bottles, plastics, packaging and cans.
- We reduce paper consumption by using double-sided printing defaults on copiers and printers and collect single-sided printing for reuse as printed material or scratch paper.
- We reduce the waste generated by donating reusable office items (appliances, electronic equipment, furniture) to charitable organizations.
- We reuse envelopes and packaging and purchase reusable products.
- We promote the use of natural lighting and solar energy in the construction of new buildings and plan to expand solar paneling on existing sites in the future.
- We purchase low mercury fluorescent lighting and energy star appliances.
- We conserve water with the installation of dual flush low flow toilets, planting native drought tolerant plants and using a drip irrigation system.
- We recycle all markers used in classrooms via the Crayola Recycling plan.

#### Toxic Reduction

- We choose green sealed janitorial cleaning products.
- We use recycled content products, materials and supplies whenever possible.
- We purchase No VOC paints and markers.
- We recycle universal wastes and carefully manage all hazardous waste.
- We purchase rechargeable batteries and appliances only.
- We promote storm water and source control compliance.

#### Environmentally Preferable Purchasing

- We purchase remanufactured and refillable toner cartridges.
- We purchase office paper with 30% recycled content.

- We strive to purchase products with the least packaging (no plastic, polystyrene, aerosol packaging).
- We strive to purchase office furniture and supplies with recycled content.
- We promote and in fact, expect the use of refillable bottles, canvas bags and reusable to-go containers.
- We purchase Energy Star rated appliances and office equipment.
- We purchase and install water efficient toilets, showerheads and faucet aerators.
- Our goal is to purchase 98% non-recyclable batteries (rechargeable).

### **Employee Education**

- We make regular announcements at faculty meetings providing updates on our sustainable initiatives with information about how they are environmentally helpful.
- We conducted a full faculty retreat on the topic of sustainability and developed multiple sustainable initiatives as a result.
- We use video instruction to inform the school community about various initiatives, including paper recycling.
- We provide information and signage about proper use of trash receptacles for recycling and waste management.
- We conduct a quarterly employee stipend program for those who walk, bike, or take public transportation to work.
- We inform employees of environmental issues in school publications, training material and staff meeting discussions.

## **B. GREEN BUSINESS SUSTAINABLE PURCHASING**

The Harker School encourages the use of sustainable, green-certified products and services. By including environmental considerations in purchasing decisions, the school can reduce its environmental footprint and promote practices that improve human health, conserve natural resources, and reward environmentally conscious manufacturers. Considering that the people we serve are children and young adults, we have a particular responsibility to prevent exposure to harmful toxins.

School personnel are encouraged to actively seek out green-certified, environmentally preferable products and services when quality, performance, price and functionality are comparable to their non-green counterparts.

### **Definitions**

- Environmentally preferable products and services are those with less negative effect on human health and the environment when compared with competing products or services that serve the same purpose.
- A toxic substance is one that can cause harm when breathed, swallowed or absorbed through the skin. Such substances are often found in cleaners, detergents, paints, pesticides and art supplies.
- Comparison between options will consider the environmental cost of acquisition of raw materials, production, manufacturing, packaging, distribution, reuse, operation, maintenance and disposal.

### **Scope**

- Purchase products that minimize environmental impacts, exposure to toxins, pollution, and hazards to workers and the community.
- Purchase products that include recycled content, are durable and long-lasting, conserve energy and water, use agricultural fibers and residues, reduce greenhouse gas emissions, use unbleached or chlorine-free manufacturing processes, and use wood from sustainably harvested forests.
- Institute practices that reduce waste by increasing product efficiency and effectiveness.
- Seek out suppliers that offer to take back or recycle products at the end of their useful life.
- Seek fiscal responsibility by balancing price, performance and environmental considerations. For example, consider purchasing recycled-content paper products instead of non-recycled products whenever recycled-content products are available within a 5% cost differential. The cost differential of other product categories will vary.
- Seek opportunities to pool purchases with others to enhance markets for environmentally preferable products, to obtain favorable prices, and to reduce waste packaging, transportation and product cost.
- Use life cycle analysis (LCA) to help guide best choices. LCA is a technique intended to qualify the total impact of a product during its production, distribution, use, recycling, treatment and disposal.
- Require outside contractors and consultants to use environmentally preferable products, whenever practical, in performance of their services.

- Maximize the proportion of goods and services that come from local providers with acceptable environmental practices, thereby reducing the environmental impact of transportation wherever feasible and supporting a sustainable local economy.

### **Responsibility**

Each individual is responsible for seeking and requesting environmentally preferred products. Purchasers should include green-certified product specifications in bid documents and contracts, as appropriate.

### **Resources**

Green School Buying Guide by the Green Schools Initiative

<http://www.greenschools.net/display.php?modin=54> San Jose Go Green Schools Program

<http://www.sanjoseca.gov/index.aspx?NID=1473>

US Environmental Protection Agency Environmentally Preferable Purchasing (EPP)

<http://yosemite1.epa.gov/oppt/epstand2.nsf/Pages/Homepage.html?Open>

## **C. GREEN BUSINESS FRAGRANCE-FREE PRODUCTS**

Fragrance-containing chemical products such as air fresheners and scented cleaning agents contain chemicals that turn into vapor at room temperature. These particulates enter our bodies through our respiratory systems and by absorption through the skin. In recent years, these chemicals have been known to affect air quality and human health causing headaches, upper respiratory symptoms, shortness of breath, and difficulty with concentration in many individuals. Those with allergies and asthma report that certain odors, even in small amounts, can trigger symptoms. It is also known that children and adolescents are more susceptible to the effects of chemical exposure than adults. As a Certified Green Business and educational facility, The Harker School is committed to providing a healthy environment for our students, employees and visitors.

For this reason, Harker will work with facilities management to ensure that products used to clean the workplace are fragrance-free and that best practices are followed to limit student and employee exposure to cleaning chemicals. The school will also require that all employees refrain from bringing personal cleaning products to campus. The school recognizes the hazards caused by exposure to scented products and cleaning chemicals and this policy will help provide a fragrance-free environment for all students, employees and visitors. This policy applies to both employees and vendors of the school.

### **Policies**

1. The school expects that all classrooms, offices and campus spaces used by students, staff or visitors remain free of scented products.
2. Use of air fresheners, plug-ins, potpourri, scented candles or other room scenting products are prohibited on any campus.
3. Use of cleaning products other than those purchased by the school, including hand soaps and surface cleaners, are prohibited on campus.
4. In consideration of co-workers and students with chemical sensitivities, the use of heavily-scented personal care products, such as strong colognes or perfumes that are perceptible to others, are discouraged on school premises.

### **Procedure**

1. Employees will be informed of The Harker School's Fragrance-Free Products Policy through policy distribution and signs posted throughout the campuses.
2. Vendors will be informed of the school's Fragrance-Free Products Policy by their school contacts.
3. Employees with a concern about scents or odors should contact their manager or the Human Resources department.

## **D. GREEN BUSINESS WASTE MINIMIZATION**

The Harker School's Hazardous Waste Minimization Policy supports the goal of reducing the amount and toxicity of waste generated through school activities. Waste minimization helps to decrease health and environmental threats to humans and the earth's ecosystems. The benefits in cost savings and the creation

of safer working and learning conditions for faculty, staff and students are significant benefits as well.

As part of our daily activities at Harker, we come across chemicals that contain hazardous properties in administrative offices, classrooms, playing fields, public gathering spaces and, of course, restrooms. The products in use help maintain campus cleanliness, plant and lawn health, sanitary dining facilities, efficient building and grounds equipment, and are used for some instructional purposes, like art, science and performing arts activities. This Waste Minimization Plan presents strategies that can be used by Harker personnel to reduce the amount and toxicity of wastes created.

Changing practices and processes that result in the generation of hazardous waste is the most effective method for reducing or eliminating that waste. It can be accomplished through effective purchasing, chemical substitution, conducting experiments at the microscale, and good housekeeping by all. Below are some suggestions for reducing hazardous waste generated in your area at school.

### **Minimization Strategies**

- Share supplies through centralized storage to prevent over-stocking.
- Order only the quantity of products that you need for a particular project or time frame.
- Use older products first to prevent supplies from becoming outdated.
- Handle chemical products carefully to prevent spill clean-up waste.
- Do not mix non-hazardous waste with hazardous waste; when mixed with hazardous waste, non-hazardous products only increase the volume of the hazard.
- Keep chemical inventories current with periodic review, and submit new Safety Data Sheets to Harker's hazmat manager to add to our searchable database.
- Substitute non-hazardous or less hazardous materials whenever possible.
- Check the Green Alternative Wizard developed by MIT for alternative products at [www.mygreenlab.org/green-alternatives-wizard.html](http://www.mygreenlab.org/green-alternatives-wizard.html).
- When hazardous waste generation is unavoidable, comply with Harker's strict chemical disposal procedures in order to prevent injury, minimize environmental health hazards, and meet regulatory requirements. Refer to our Chemical Waste Disposal Guidelines in the Resources tile of our portal.

### **CELL PHONE USAGE & REIMBURSEMENT**

In the interest of the safety of our employees and other drivers, Harker employees are prohibited from using cell phones while driving on Harker business and/or Harker time.

Should your job require that you keep your cell phone turned on while you are driving, you must use a hands-free device. Under no circumstances should employees place phone calls while operating a motor vehicle and while driving on Harker business and/or Harker time. Violating this policy is a violation of law and a violation of Harker policy.

Writing, sending or reading text-based communication on a wireless device or cell phone while driving is also prohibited under this policy. This includes text messaging, instant messaging and email. Violating this policy is a violation of law, and a violation of Harker policy.

Cellular telephones can be a valuable resource for employees in the performance of their job duties by providing immediate accessibility. Based on job duties and responsibilities, eligible employees will qualify for a reimbursement to cover the business use of their personal cell phones.

The School maintains a number of cell phones that may be assigned to a specific department or position. These phones are intended to be used only during work hours and personal use of these phones is strictly prohibited.

As a general rule, cell phones should not be selected as an alternative to other means of communication – e.g., landlines and walkies – when such alternatives would provide adequate service to the employee and the School.

This policy defines positions at Harker whose job duties require cell phone use. In some cases, employees in positions that require cell phone use will be provided a Harker-owned mobile device. These employees are not eligible for cell phone reimbursement. Employees who are required to have a cell phone as part of their position duties, will have this clearly outlined in their position description. Employees in positions not clearly defined in this policy are considered convenience users. Convenience users are employees who have been granted use and access to their email via mobile phone or other device and are not expected or required to respond to work-related concerns or issues that they may become aware of while conveniently accessing their email. Employees in this category are not eligible for personal cell phone reimbursement.

## **Eligibility**

Employees eligible for cell phone reimbursement generally include administrators, department managers and full-time employees whose job duties regularly require emergency call back, irregular work hours or other job-related factors that require the employee to routinely utilize a cell phone to enhance their ability to perform their job duties.

These types of employees are required to have an electronic device for mobile communication (mobile phone or other device) as a part of their job because of meeting one of the requirements listed below.

1. frequent need for contact during the working day, but employee has no fixed office/phone or is frequently moving among campuses
2. frequent need for direct outside contact (parents, vendors, donors, media) outside of the time they would normally be expected to be at an office phone
3. frequent need for contact while working between campuses (for meetings, special events, etc.) or while off campus at conferences, international travel, etc.
4. frequent need for remote access/remote control of Harker networked devices.

If the need defined in one of the requirements listed above includes either high need for email/web productivity or remote control, a "smart phone" will normally be preferred.

## **Employee Responsibilities**

The employee who is in a position which requires cell phone usage will have their personal phone number published in the Harker directory. It will be expected that the employee will respond to a call or message when called for school business.

## **Department Assigned Cell Phones**

Harker-owned cell phones assigned to departments might be used by multiple employees on an as-needed basis during the workday and are intended solely for business use. Personal use of such phones for anything other than a personal emergency shall subject the employee to disciplinary action. Such phones will not be assigned to an individual and shall not be taken home by employees except periodically when an employee is assigned by the department to be "on call" after normal work hours.

## **Reimbursement Guideline**

An employee who has an authorized need for cellular phone or smartphone services will be reimbursed a reasonable portion of their monthly service bill for use of their personal cellular phone or smartphone services as follows:

- Up to a maximum of \$30 per month for standard cellular phone service.
- Up to a maximum of \$50 per month for smartphone service.

Employees may submit expense reimbursement requests each month to the extent that the amounts above do not cover the total expenses for usage that month.

Any additional features are at the expense of the employee and upgrades or damages to the employee's phone are not reimbursable.

Employees who have a Harker-issued cell phone are not eligible for the reimbursement of business use of their personal cellular or smartphone service.

Employees authorized for this reimbursement will receive this reimbursement monthly through accounts payable.

## **Procedure for Requesting Reimbursement**

Reimbursement will be authorized through SAP Concur by the employee's regular upline supervisor and charged to NETX08 (Cell Phone).

## **COPY PROCEDURES**

Teachers and staff are welcome to use any of the copy machines on campus or they can send copy jobs to the copy center. Please keep the following Green Business practices in mind:

- Print/copy with paper that is at least 30% post-consumer recycled content
- Use duplex copying as the default whenever possible



- Consider the use of electronic documents instead of printing paper documents, when possible
- Reuse paper that was not duplex printed as scrap paper
- Fit as much content onto each printed page

Any job requiring 250 or more copies, or jobs requiring special handling, should be sent to the copy center. Originals, along with copy instructions, should be placed in a color-coded copy envelope and sent via courier. The copy envelope must be in the teachers' mailroom by the second courier pick-up time at your site for next morning delivery. Please see the courier schedule to confirm the time. Additionally, copy jobs can be sent electronically to the copy center but all electronic files must be received by 2 p.m. for next morning delivery. Completed copy requests are normally returned within 24 hours of the copy center receiving the request.

## **EMPLOYEE ADVANCE**

Under rare and unforeseen circumstances, an employee may receive an advance against future earnings in the form of an emergency salary advance. In these unforeseen and extremely critical circumstances, an employee may receive an advance that does not exceed the net pay of the employee's next two pay periods. Employees requesting a salary advance must receive approval from their immediate supervisor and the human resources director.

## **EXPENSE REIMBURSEMENTS**

The Harker School will reimburse you for reasonable and approved expenses undertaken as a result of your job duties and responsibilities. All reimbursements must be approved by your direct supervisor or department manager.

## **MAIL PROCEDURES**

Please refer to the courier schedule posted within your campus copy room to see when the last pick up for mail and courier delivery is scheduled on your campus.

## **FLEET USAGE AND DRIVER SAFETY POLICY**

### **Overview**

The safety of our students, teachers and staff is paramount at Harker. This is especially true in the use of company vehicles for the transport of the above constituents. This policy, which is also referenced as The Harker School Driving Policy, describes the guidelines and regulations regarding how employees may be authorized to operate school vehicles. Once approved, this extends to the expectations for continued adherence to Department of Motor Vehicle (DMV) statutes, Department of Transportation (DOT) regulations for bus drivers, and other standards as established by The Harker School. In addition, this policy covers the transportation of Harker students in private vehicles operated by employees of the school.

Acknowledgement of and adherence to the elements of this policy are required of anyone wishing to operate a school vehicle, whether in the transport of materials and supplies or the transport of students, teachers and staff.

### **Approval procedure for operating Harker vehicles**

1. Make a request of the assistant head of school for student affairs to become an eligible driver.
2. Print and retain a copy of this policy, which is posted on the faculty/staff portal in the Resources.
3. Sign the Acknowledgement of Receipt contained at the end of the policy and return to the Office of Student Affairs.
4. Complete the Insurance Company Driving Record Authorization, which is also posted on the faculty/staff portal, and submit it to the business office. This will be forwarded to the insurance broker, and a copy of the employee's driving record will be requested from the DMV.
5. If the driving record meets referenced standards, the driver will be approved, and after signing a DMV Pull Notice enrollment form for the Office of Student Affairs, they will be enrolled in the program which calls for intermittent forwarding of the employee's driving record to the school by the DMV.
6. In order to be able to drive a personal vehicle to transport students and or faculty and staff while on Harker business, personal insurance levels must meet those published in this policy. If this is your aim, you must also submit a copy of current insurance information that includes current coverage levels to the Office of Student Affairs as part of the application.

## **Maintaining eligibility**

Company vehicles are to be driven by authorized employees only, except in emergencies, or in case of repair testing by a mechanic. Non-employees of The Harker School may not drive company vehicles under any circumstances.

All accidents, regardless of severity, must be reported to the police and to the assistant head of school for student affairs as soon as reasonably possible after the accident. Failing to stop after an accident and/or failure to report an accident may result in disciplinary action, including dismissal. Leaving the scene of an accident, especially if an injury has occurred, may result in criminal charges.

All moving violations received during the operation of a company vehicle must be reported within 24 hours to the assistant head of school for student affairs. All fines for these citations are the responsibility of the individual driver, not the school.

All parking violations received during the operation of a company vehicle must be reported within 24 hours to the assistant head of school for student affairs. All fines for these citations are the responsibility of the individual driver, not the school.

Any enrolled employee whose driver's license is revoked or suspended shall immediately notify the assistant head of school for student affairs. They must be certain not to operate a company vehicle after the date of the suspension or revocation or drive Harker students in a personal vehicle. Non-compliance may result in disciplinary action. The employee will need to reapply for reinstatement that will be subject to insurance company approval.

## **Bus drivers**

All bus drivers must comply with all applicable DOT regulations, including successful completion of medical, drug and alcohol evaluations.

The school is required to also maintain Pull Notice program records for bus drivers per CHP regulations. Records will be provided annually to assess employees' driving records, as well as any time there is an adverse action against the holder. An unfavorable record as defined below will result in a loss of the privilege of driving a company vehicle.

## **Ineligibility for or withdrawal from approved driver's list**

The following performance levels may defer or disqualify an employee from inclusion on Harker's Approved Driver's List, even if previously approved.

### **A. DISQUALIFYING VIOLATIONS AND ACCIDENTS**

Any violation on the driving record from the bullet points referenced below will prevent an applicant from becoming an approved driver. If one of these occurs after becoming a Harker approved driver it will result in withdrawal of that approval. Depending upon circumstances, these may also result in other employee action, including dismissal.

- Driving while under the influence of drugs or alcohol (DUI)
- Negligent homicide arising out of the use of a motor vehicle (gross negligence)
- Operating a vehicle during a period of suspension or revocation
- Using a motor vehicle for the commission of a felony
- Aggravated assault with a motor vehicle
- Operating a motor vehicle without the owner's authority (grand theft)
- Permitting an unlicensed person to drive
- Reckless driving
- Speed contest (racing)
- Hit and run (bodily injury or property damage)

### **B. CONSIDERATIONS OF LESSER VIOLATIONS OR ACCIDENTS**

The following actions in the three years prior to application will also prevent approval:

- Three or more other moving violations of any type not listed above
- Two or more accidents at which you were determined to be at fault
- Any combination of moving violations and accidents totaling four

Failure to report any accident that occurs while driving a school vehicle within 24 hours of the incident, regardless of fault, will likely result in withdrawal of the driver's approval.

## Insurance coverage

Personal auto insurance is the primary coverage for any accident involving a personal vehicle driven by an enrolled employee. Required coverage for employees transporting students in their personal vehicle is:

- \$250,000 per person/\$500,000 per accident for bodily injury liability, or;
- \$500,000 per accident combined single limit of liability; and,
- \$100,000 per accident property damage.

The school acts as additional insured for all approved drivers while transporting students on school business, so these levels are required by Harker to limit the school's initial exposure. Questions regarding these levels can be forwarded to the business office.

## What to do in case of an accident

In an attempt to minimize the results of an accident, the driver must prevent further damages or injuries and obtain all pertinent information and report it accurately. As a Harker approved driver it is very important that these guidelines be followed.

1. Call for medical aid if necessary.
2. Secure the scene: pull onto the shoulder or side of road, redirect traffic, set up road flares/reflectors, etc.
3. Call the police. All accidents involving school vehicles or student passengers, regardless of severity, must be reported to the police. If the driver cannot get to a phone, they should write a note giving the location to a reliable- appearing motorist and ask that person to notify the police.
4. Record names and addresses of driver, witnesses and occupants of the other vehicles and any medical personnel who may arrive at the scene. Other pertinent information to obtain includes:
  - a. license number of other drivers
  - b. insurance company names and policy numbers of other vehicles
  - c. make, year, model of other vehicles
  - d. date and time of accident
  - e. overall road and weather conditions
5. Draw a diagram of the accident scene and note the street names and locations of traffic signs, signals, etc. If you have a cell phone with a camera, take pictures of the scene, vehicles, street signs, etc.
6. Do not discuss the accident with anyone at the scene except the police. Do not accept any responsibility for the accident while being polite, and do not argue with anyone. This is for the police to sort out.
7. Do provide the other party with your name, address, phone number, driver's license number, and personal insurance information.
8. As soon as reasonably feasible, and absolutely within 24 hours, report the accident to the assistant head of school for student affairs. Be prepared to provide a copy of the accident record and/or your written description of the accident to the assistant head of school for student affairs at that time.

## Driver Safety Rules

We ask that as a driver of Harker students, staff or user of a company vehicle, that you read and acknowledge the following driver's safety rules as best practices.

- Be aware of and avoid all moving violations as described in the addendum.
- Do not operate a company vehicle when your ability to do so safely has been impaired by illness, fatigue, injury or prescription medication.
- All drivers and passengers operating or riding in company vehicles must wear seat belts at all times.
- No unauthorized personnel (e.g., hitchhikers, family members not specifically approved for inclusion in the activity) are allowed to ride in company vehicles.
- Drivers are responsible for the security of Harker vehicles assigned to them. The vehicle engine must be shut off, ignition keys removed, and vehicle doors locked whenever the vehicle is left unattended. If the vehicle is left with a parking attendant, only the ignition key is to be left.
- It is expected that headlights will be used 1/2 hour after sunset and 1/2 hour before sunrise, during inclement weather, or at any time when a distance of 500 feet ahead of the vehicle cannot be seen clearly.
- It is imperative that you follow all directives for safe driving when on school property and set an example for other drivers as to speed, lane use, stopping and parking.

- All other state laws, local laws or D.O.T. Motor Carrier Safety Regulations must be obeyed.

### **Defensive and Smart Driving Guidelines**

We ask that as a driver of Harker students, staff or user of a company vehicle that you read and acknowledge the following defensive and "smart driving" guidelines as best practices.

- Turn off the engine when it is expected you will be stopped for more than two minutes. This reduces unnecessary pollution.
- Reduce excess weight in vehicles to increase mileage per gallon. Consult with the transportation director for guidelines.
- Maintain a safe following distance at all times. To estimate your following distance, pick a stationary object ahead of you. As the vehicle in front of you passes the object, begin counting 1001, 1002, 1003, etc., until you reach the same object. This counts the number of seconds between you and the vehicle ahead of you.
  - Drivers of passenger vehicles should keep a two-second interval between their vehicle and the vehicle immediately ahead. During slippery road conditions, the following distance should be increased to at least four seconds.
  - Drivers of heavy trucks should keep a minimum of a three-second interval when not carrying cargo; and at least four seconds when fully loaded. Following distance should also be increased when adverse conditions exist.
- Drivers must yield the right of way at all traffic control signals and signs requiring them to do so. Drivers should also be prepared to yield for safety's sake at any time. Pedestrians and bicycles in the roadway always have the right of way.
- Avoid driving in other drivers' blind spots; attempt to maintain eye contact with the other driver, either directly or through mirrors.
- Honor posted speed limits and drive at steady speeds. Avoid rapid acceleration unless necessary in a merging situation or when avoiding danger. In the same vein, do not maintain speeds which require rapid deceleration or heavy braking, either. In adverse driving conditions, reduce speed to a safe operating speed that is consistent with the conditions of the road, weather, lighting, and volume of traffic. Tires can hydroplane on wet pavement at speeds as low as 40 MPH.
- Turn signals are to be used to show where you are heading, while going into traffic and before every turn or lane change.
- When you are passing or changing lanes, view the entire vehicle in your rear-view mirror before pulling back into that lane.
- Be alert to the position of other vehicles, pedestrians and bicyclists when approaching intersections. Never speed through an intersection on a caution light. Approach a stale green light with your foot poised over the brake to reduce your reaction time should it be necessary to stop. When the traffic light turns green, look both ways for oncoming traffic before proceeding.
- When waiting to make left turns, keep your wheels facing straight ahead. If rear-ended, you will not be pushed into the lane of oncoming traffic.
- When stopping behind another vehicle, leave enough space so you can see the rear wheels of the car in front. This allows room to go around the vehicle if necessary, and may prevent you from being pushed into the car in front of you if you are rear-ended.
- Avoid backing where possible, but when necessary, keep the distance traveled to a minimum and be particularly careful.
  - Check behind your vehicle. Operators of heavy trucks should walk around their vehicle before backing and/or have someone guide you.
  - Do not back around a corner or into an area of no visibility.

### **Proper maintenance of vehicles**

Proper vehicle maintenance is a basic element of any fleet safety program, not only to ensure a safe, road worthy vehicle, but also to avoid costly repair expenses and unexpected breakdowns. For the record:

- Registration and inspection are the responsibility of the transportation supervisor.
- In addition to inspections required by law for passenger vehicles, routine inspections of critical items, such as brakes, lights, tires, wipers, etc., must also be completed by drivers of passenger vehicles before all travel, depending upon circumstances. For instance, if it is raining, or looks like rain, the wipers should be checked before driving the vehicle; if you expect to be driving at night, make certain the headlights are in working order.

- A clean vehicle makes a good impression on those who ride in it, so please leave it as you found it - clean. The transportation office regularly ensures that passenger vehicles are cleaned inside and out.

## **MILEAGE REIMBURSEMENT**

The School will reimburse employees for the use of their personal vehicles while on Harker business. Reimbursement will be made at the current business mileage rate as established by the IRS. This rate is recalculated annually in January and may be subject to change at any time by the IRS. The business mileage rate covers all costs of operating the vehicle including gasoline, oil, insurance and repairs. Tolls and parking costs are reimbursed separately and are not included in this rate.

Business mileage is the mileage incurred in the use of a personal automobile while conducting Harker business. Business mileage does not include travel between a faculty or staff member's residence and their principal office, campus or classroom. All costs associated with traveling between an employee's residence and principal office, campus or classroom are considered commuting expenses and are personal (non-reimbursable).

An employee's principal office, campus or classroom is the location where an employee regularly conducts business or performs a task for which the employee is compensated by the School. Mileage between campus locations (for classes, meetings, etc.) is considered business mileage and is eligible for reimbursement.

Reimbursement requests for mileage must be approved by your direct supervisor or department manager.

### **Parking and Tolls**

Expenses for parking and tolls incurred during commuting (travel between home and principal office, campus or classroom) are not reimbursable. Fees for parking and tolls incurred for approved business travel are reimbursable.

### **Non-Reimbursed Expenses**

Employees who use their personal automobiles for business travel must maintain adequate liability insurance coverage. The individual's coverage is primary to any other available coverage. The School does not reimburse individuals for the cost of insurance. Harker will not reimburse other expenses including, but not limited to, driving or parking violations, fines, gasoline, automobile repairs, vehicle damage or insurance deductibles as a result of an accident, breakdown, tow or resultant meals and lodging.

## **LEAVING CAMPUS/VISITING ANOTHER CAMPUS**

All staff must sign out at the front desk and indicate an approximate return time before leaving campus. In the event of an emergency, we need to be aware of which faculty and staff members are on campus.

It is important that there be accountability for those going to another Harker campus as well. If there is a drill or actual emergency, accounting for visitors/guests is imperative. All staff must sign in/check in at the front desk of any campus upon arrival which would then require signing out on departure from that campus. If an employee is going directly to a meeting location on a given campus, a phone call to the front desk to sign in will be acceptable. This process will be repeated in reverse upon departure.

## **OUT OF OFFICE/AWAY FROM WORK**

As a courtesy to other employees as well as our clients (parents, vendors, etc.), the following is a set of procedures to be followed when Harker employees are away from their classrooms or offices due to illness, vacation, holidays or school breaks, conferences, etc.

### **Outlook**

Activate your "Out Of Office" feature and create an out-of-office message that indicates:

1. length of time that you will be away
2. alternate contact, where applicable. You may be receiving a message from co-workers or clients that is of great importance or sensitive in nature and requires immediate assistance. Let them know who they can contact in your absence.

During winter break faculty can simply indicate it's winter break while some departments, such as security or the business office, would include an alternate contact.

## **Phone / Voicemail**

Unless you plan to check your voicemail messages daily, change your voicemail message indicating that you are out of the office, and give the same information as your email message.

Depending on your department or position, consider forwarding your phone to another member of your department who can respond to any incoming calls in your absence. Even if you forward your calls, please activate an "out of office" message on your voicemail.

## **Out of Office Message Points**

- You do not need to disclose your reason for being out of the office unless it's a school holiday or reflects well on the school, such as attending a workshop or conference. Keep your message short and to the point.
- Your out-of-office message should indicate when you will return to the office/classroom so that senders have an idea of when you may respond to their messages.
- Do not state that you will be checking your email periodically unless you actually do so. The recipient of your out-of-office message will assume you will respond to their message once you do check your email and may get upset or feel slighted that their message was ignored.

## **Other Procedures**

Contact any vendors or clients who need to be made aware of your absence. During a schoolwide shut down (e.g., winter break), ensure that your regular delivery vendors are aware of the closure. Have personal packages sent to your home address.

If you and/or your department will be closed for an extended period of time during regular business hours, notify the pertinent Harker community (your campus or All Harker depending on which campus(es) you serve) of your closure and your expected return to business operations.

## **PARKING PROCEDURES**

On the lower school campus, staff may park in the front lots or the Rincon lot. On the middle and upper school campuses, all staff parking is assigned prior to the beginning of the school year by the Office of Student Affairs, including spaces for High Efficiency Vehicles (HEV). On all campuses please observe the no parking signs and spaces reserved for visitors and the handicapped. When entering or leaving during the academic day, please do so quietly. All staff vehicles must display Harker identification while on campus. Car ID tags are available from the office of the assistant head of school for student affairs.

## **SOLICITATION OF HARKER FAMILIES AND EMPLOYEES**

We have a generous and active community that is involved in hundreds of fundraising efforts each year for various causes, and we applaud those efforts. Due to the variety and volume of these efforts schoolwide, the school has the following policies.

All fundraising efforts must be pre-approved (see specifics below). Emails to families or employees from students, parents, faculty or staff soliciting funds or donations are not permitted unless they are doing so on behalf of Harker's advancement office. Approved fundraising would include the school's annual giving, capital giving, annual picnic, Harker Day, etc.

### **Student Fundraisers**

In an effort to limit the number of financial requests of families, we limit student fundraisers. We prefer to focus on student awareness and activism to support a cause. If there is a special request for a fundraiser, it must be approved by the division head.

### **Parent Fundraisers**

All parent-organized fundraisers must go through the advancement office for prior approval. Parent-run fundraisers should not go through official school channels, such as school email lists, grade-level coordinators, or room parents; parents may use their personal contacts and social media to publicize fundraisers.

### **Faculty/Staff Fundraisers**

Faculty- or staff-run fundraisers at Harker must be approved by the pertinent division head. Faculty and

staff who organize a personal fundraiser on their own outside of Harker should not go through official school channels, such as school email lists, grade level coordinators, or room parents. Faculty or staff may use their own personal contacts and social media to publicize fundraisers.

## **TOBACCO USE**

All Harker owned, leased or operated facilities and grounds will be designated tobacco free. There will be no designated smoking areas since no level of tobacco use is considered to be safe. In addition, e-cigarettes, juuls, or other vape devices will be prohibited from use on any Harker owned, leased or operated facilities and grounds.

This policy applies at all times and areas including parking lots, grounds surrounding the Harker owned Troy Drive residences, and Harker owned, leased or operated motor vehicles. Smoking is also prohibited in private vehicles on School premises. The policy applies to all students, employees and visitors of Harker as well as employee residents of Troy Drive apartments.

## **TERMINATION AND CHECK-OUT**

Unless an employee has a written contract of employment for a specified period of time, all employees of the School are employed at-will, as stated in the At-Will Employment Policy.

All exiting employees must check out with the Human Resources department on their last day (unless previously arranged with Human Resources). The check-out procedure includes submission of keys or any other Harker-issued clothing and equipment as well as receipt of the exiting employee's final paycheck. Non-returning faculty with access to network resources will be expected to comply with the Use of Electronic Information Resources Policy as stated in this handbook. All non-returning teachers and faculty will have their accounts disabled on their official termination date. All other staff and employees will have their accounts disabled immediately on their last day of work. Summer Camp employees will receive their final paycheck as per the details listed on their summer camp offer letter.

## **HARKER FACILITIES & FACILITY SCHEDULING**

### **A. CAMPUS UTILITIES, UPKEEP & REPAIRS**

Conservation and cost efficiency are equally important. Lights should be on only when needed. Lights in the halls, offices, bathrooms, classrooms, etc., should be off when not in use. Thermostats should be checked regularly and generally set at 68 degrees or lower for heat, 76 degrees or higher for air conditioning.

The facility department maintains all campus building, grounds and custodial needs for Harker faculty and staff. Priorities are placed on safety-related repairs and those items that may affect the ability to teach. All requests for campus repairs or improvements are important and, excepting immediate safety issues, should be submitted to facilities staff through the maintenance request system, found on the facilities tab of the faculty & staff portal. Immediate safety needs should be reported to the campus receptionist, who will contact facilities immediately.

### **B. USE OF FACILITIES OTHER THAN YOUR CLASSROOM**

Use of any campus facility other than for regularly scheduled classes must be scheduled one week in advance in the Resource Scheduler, which can be found in the "Reserve a Room" tile on the Operations tab in the faculty/staff portal. Only Harker administration-approved events are authorized. Outside group reservations (including professional organizations and non-Harker athletics) must be requested through the business manager.

All campus activities with students, including off-hour classroom tutoring, and whether one-on-one or in a group, must be scheduled in the Resource Scheduler as it is our main tool for communicating security and building access needs to support services.

If you need instructions or access to the scheduling tool through the "Reserve a Room" tile please submit a maintenance request and you will be contacted by the facility department assistant with instructions.

All faculty and staff accessing buildings off-hours must sign in near the alarm pad in the building they are entering to communicate off-hours access to others. When accessing any Harker campus buildings, it is your responsibility to make sure buildings are kept locked, and to lock and arm security systems in any location accessed when leaving campus, including gates.

### **C. TRAFFIC PROCEDURES**

It is imperative that we heed traffic control procedures, particularly speed limits and direction arrows. Be respectful and cooperative to Harker security and traffic personnel.

All non-school vehicles moving through the inner campus must be escorted by a staff member walking in front of the vehicle whenever school is in session and students are on campus.

### **D. VISITORS**

All visitors to the campus must register at the receptionist's desk. Visitor badges must be worn for the duration of the visit. Division head approval is necessary if a guest is to be in your room during instructional time.

## **HEALTH, SAFETY & SECURITY**

### **A. CAMPUS SECURITY & IDENTIFICATION**

Harker provides faculty and staff with employee badges to help secure Harker campuses. Badges are required to be worn at all times on any campus to help security personnel identify non-approved visitors.

Harker also provides security personnel on campus each day to provide security monitoring for all students and staff. Efficient use of those resources in the evenings involves rotation of guards in support of campuses that see greater levels of activity.

The following are security's campus exit guidelines for all personnel Monday through Friday:

Boynton – 7 p.m. • Union – 8 p.m. • Bucknall – 9 p.m. • Saratoga – 10 p.m.

Please adhere to these exit guidelines to help support campus security measures.

### **B. KEYS**

Staff are issued all keys and alarm codes necessary to perform their duties as determined by the division heads of each campus. Additional keys may be requested by submitting a key request form found on the facilities tab of the faculty portal directly to the division head where access is desired. Alarm codes can be requested through the security manager, Tor Warmdahl. Faculty and staff are responsible for all keys and codes issued to them. They are not to be shared with or loaned to other faculty members or students.

Lost keys must be reported immediately both to your supervisor and the security manager. Staff may be held responsible for the expense of re-keying locks due to the loss of keys. Keys should never be attached to anything that identifies Harker (such as a lanyard or your ID badge). Employees who have keys attached to Harker identified items will be asked to separate them.

Keys are never to be handed out to a student.

### **C. WORKING ON CAMPUS AFTER CLOSING**

It may occasionally be necessary to work on campus after security's exit guidelines. All planned late activities must be scheduled in Meeting Room Manager in advance to notify security of special support needs. If you anticipate a last-minute need to exceed the exit guideline, please contact the security guard on duty as soon as possible. Security patrol can be reached at 408.639.0743.

### **D. EMERGENCY PREPAREDNESS**

Each staff member must become familiar with the actions needed to respond in an emergency. There are many possible disasters which may occur, most of which can be managed effectively when all staff involved know their specific responsibilities. The key is preparedness. Eliminating possible hazardous situations and being aware of how to react BEFORE an emergency occurs can save lives.

With the large number of students and staff on campus at any one time, the responsibility for their safety is a serious concern. We must all take steps to be effective, contributing members of the school's disaster response plan. The first step in reaching that goal is becoming familiar with the contents of the guide placed in your classroom, and the second is actively and professionally participating in all emergency duties.



## **E. ACCIDENT REPORTS**

A written report must be completed when an accident occurs on the school premises or during a school related activity that requires evaluation by a physician or occurred as a result of failure of equipment or policies. Forms are available in the nurse's office and at <http://tech.harker.org/intraforms>. A nurse or other designee should notify parents as soon as possible. The written report must be completed in ink and turned in to the school nurse no later than 9 a.m. the following day. It is the responsibility of the first staff member encountering an injured student to complete the front page of the accident report.

## **F. FIRST AID**

Routine minor injuries and illness should be referred to the nurse's office with a signed pass stating the specific problem. If the student is kept at the infirmary or sent home, the attendance office or the front desk will be notified by the nurse. If a student faints, or you suspect neck or back injuries, do not move the student and call for the nurse to come to you. In case of possible fracture, particularly the back of neck, teachers must make sure the person is not moved and send for help immediately by dialing 9-1-1 from the classroom phone. This will activate the eNotify system and ensure the most rapid response possible.

## **G. CALLING 911**

- When it is clear that an emergency situation requires a call to 911, employees can initiate the call themselves.
- When calling on a cell phone from one of the Harker campuses, dial the San Jose dispatcher directly at 408.277.8911. Dialing 911 from a cell phone near a freeway may route the call to the Highway Patrol in Vallejo instead of our local dispatcher. You will still get emergency assistance but it will take longer.

If a call to 911 is made during the school day, the enotify system will advise several key personnel of the emergency.

Three things will immediately happen to assist the faculty member:

- the nurse will respond directly to the location
- security will be informed so the emergency vehicles can be directed to the appropriate location without delay
- administration will come and manage the scene.

## **H. PEANUT AND NUT POLICY**

Harker's food service will not serve peanuts or peanut products of any type in any prepared or prepackaged foods.

When serving other kinds of nuts, the nut will be visible to the consumer and the dish will be clearly marked at the point of collection. We will not allow food containing peanuts or peanut byproducts to be served at school events including class parties, club meetings, team gatherings, etc. The teacher or staff member supervising the event is responsible to ensure that this guideline is followed. Harker parents, primarily those of lower school students, will be notified of the extreme danger connected with peanut allergies and are strongly encouraged not to use peanut products in food they provide for their own children for either snacks or lunch. Although sharing food may be unlikely, the chance does exist and we need to be cognizant of that fact.

## **I. SAFETY TIPS**

Faculty and staff are expected to foresee and/or try to prevent any unsafe situation (i.e., letting students go off by themselves while on a field trip, using certain equipment in a science experiment, allowing children to play an unsafe game or in an area which may lead to an injury).

Any time a dangerous situation is assessed, action must be taken (e.g., too many students in a room or the pool, unsafe equipment). If the danger is imminent, the faculty or staff member present must take action to secure the site and send for immediate help. A prompt written report of the situation should be turned in to the appropriate administrator. In dealing with an activity involving children, be aware of the following:

- If leading an activity, be sure students and any other staff are properly briefed or trained, particularly if it is a new activity or if there is a potential for danger.

- If volunteers are used in an activity, make sure they are properly briefed or trained. Likewise, when teachers are absent, be sure substitute teachers are properly briefed in non-classroom responsibilities.
- When involved in playing games with children or in faculty games, be aware of personal safety.
- Take care when using items such as paper cutters, Exacto knives or any sharp object.
- Take special care when dealing with any activity involving blood. The administration should be notified before such activity is undertaken.
- Faculty members are expected to review safety procedures before each academic year.

All teachers are expected to maintain safe working and teaching environments in their classrooms. Teachers in specialty areas such as science, visual arts and performing arts should be informed of and adhere to all CAL/ OSHA (California Occupational Safety and Health) guidelines and regulations. All unsafe conditions reported as part of facilities, safety committee or outside regulator agency observation are to be addressed in a timely manner, with appropriate supporting documentation as required. Questions regarding safety issues can be directed to the department chair, campus dean or division head, lead facilities personnel or director of facilities, or the assistant head of school for student affairs.

#### **J. EMERGENCY PROCEDURES**

The assistant head of school for student affairs and his representatives will instruct faculty about proper procedures at the beginning of the year and on an ongoing basis during the school year. It is imperative that all teachers learn and follow the procedures exactly as they are presented, and participate actively and constructively in all drills and simulations.

#### **K. SECURITY**

Unfortunately, issues of theft at Harker occasionally occur. In general, it should be understood that the volume of problems can be reduced if classrooms, closets and lockers are secured when no one is there to supervise. Regardless of how much honesty is counseled, fewer temptations encourage fewer problems. Classrooms must be locked during lunch and should never be left unsupervised while unlocked. Since outside intruders also may present a threat to the school's security, faculty and staff should be alert to any unknown persons on campus and immediately report concerns to an administrator or campus security officers. All visitors and vendors should wear identifying nametags. If you see someone not wearing one and you are concerned, you can contact an administrator for support.

Everyone should be continually alert to lock all doors and windows when leaving a room and alarms must be rearmed when leaving a building at day's end or on weekends in coordination with security staff and guidelines. Everyone must assume responsibility in this area. The front gate will be secured at 10 p.m. each evening unless a campus activity necessitates a later closing. Security staff will make a check of all buildings and grounds twice each evening before going off shift at 11:15 p.m. Security does not regularly patrol campuses on weekends and holidays unless there is a specific event noted in MRM requiring security. On weekends and during holiday periods, teachers and staff who enter an alarmed building are responsible for deactivating the associated alarm, unlocking necessary doors, and then rearming and securing the building upon exit. It is the responsibility of those choosing to access the school buildings during off hours to be familiar with the operation of security systems prior to the intended visit.

#### **L. EMPLOYEE USE OF NURSE'S OFFICE**

The nurse on your campus is happy to provide for your occasional health care needs, such as headaches, allergies and colds, as well as provide nursing advice. However, the nurse cannot replace the care of your primary care practitioner. Chronic and acute illnesses are best addressed by your personal physician who will have the time and patient history to best care for you. The nurse will provide medication for colds, headaches, etc., but if you require over-the-counter medications frequently, please keep a supply of your own at school in a location inaccessible to students.





**HARKER.**  
*K through Life.*

TRANSITIONAL KINDERGARTEN

888 Boynton Ave.  
San Jose, CA 95117  
408.553.5703

LOWER SCHOOL

4300 Bucknall Rd.  
San Jose, CA 95130  
408.553.0501

MIDDLE SCHOOL

4525 Union Ave.  
San Jose, CA 95124  
408.553.0300

UPPER SCHOOL

500 Saratoga Ave.  
San Jose, CA 95129  
408.345.9200