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3.1010 Non-Discrimination Policy

The School is an Equal Opportunity Employer. It is our policy to administer all of our employment practices, including those pertaining to recruitment, hiring, placement, transfer, promotion or compensation (i.e. wage rate), layoff or termination, and selection for training in a nondiscriminatory manner without regard to age, color, gender/sex, national origin, disability, race, religion, military or veteran status, genetic information, sexual orientation, or on any other basis prohibited by federal, state, or local law. The School will also make reasonable accommodation for qualified individuals with known disabilities unless doing so would result in an undue hardship.

Employees with a question or concern about discrimination in the workplace are encouraged to bring the concern to the attention of the Principal or his/her designee, or, if the Principal is at issue, to the Executive Director, or, if that is not possible, to the President or Board President. No reprisal will be permitted for raising concerns or making a report. Anyone determined to have engaged in discrimination or retaliation for a report of discrimination will be subject to disciplinary action, up to and including termination of employment.

29 USC § 631; 29 USC § 206(d); 42 USC § 2006(c); 42 USC § 12101; 42 USCS § 2000ff et. seq.; R.C. 4112.02; 4111.17

Adopted: December 15, 2016



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3.1020 Harassment Policy

3.1020.1 Statement of Philosophy

The School strives for a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in an atmosphere which promotes equal opportunities and prohibits discriminatory practices and harassment based upon age, color, disability, national origin, race, religion, or gender/sex, military or veteran status, genetic information, or sexual orientation. Harassment, whether verbal, physical, or environmental, is unacceptable and will not be tolerated.

3.1020.2 Definition of Harassment

For purposes of this policy, harassment is defined as unwelcome or unwanted conduct of an offensive nature (whether verbal, visual, or physical) when: 1) submission to or rejection of this conduct by an individual is used or threatened to be used as a factor in decisions affecting hiring, evaluation, promotion, or other aspects of employment; or 2) this conduct has the purpose or effect of unreasonably interfering with an individual's employment performance or creating an intimidating, abusive, hostile, or offensive work environment.

Examples of harassment include, but are not limited to: unwanted sexual advances; demands for sexual favors in exchange for favorable treatment or continued employment; repeated jokes which include offensive references to age, disability, national origin, race, religion, or gender; unwelcome flirtations, advances, or propositions; verbal abuse of a sexual nature; graphic, verbal commentary about an individual's body, sexual prowess, or sexual deficiencies; leering; whistling; touching; pinching; assault; coerced sexual acts; suggestive, insulting, threatening, or obscene comments or gestures; dissemination or display in the workplace of objects, written materials, or pictures which include offensive references to age, color, gender/sex, national origin, disability, race, religion, military or veteran status, genetic information, sexual orientation; asking questions about sexual conduct; racial or ethnic slurs or epithets.

Harassment is unacceptable in the workplace and at any work-related setting, such as business trips, meetings, or business-related social events.

Harassment does not include consensual, romantic adult relationships, including sexual or dating relationships, willingly undertaken by all involved parties that are between: (a) staff and Parents of a student enrolled in the School; or (b) two (2) or more staff members; or (c) staff and any member of the Board of Directors. However, any party involved in such a relationship is expected to maintain the same level of respect and professionalism required of all other staff and Board of Director's members. Notwithstanding this provision, unwelcome and/or unwanted conduct of an offensive nature within a consensual, romantic adult relationship may amount to harassment and will be treated in the same manner as all other allegations against employees or the Board of Directors. The School discourages consensual, romantic adult relationships like



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those outlined above. Such relationships may be inherently unequal and contain an imbalance in power or give rise to the perception of favoritism or bias. These perceptions undermine the spirit of trust and respect important in a positive School and workplace. In the event that a romantic, dating, intimate, and/or sexual relationship commences or ends, it is the duty of all staff and Board members to report the relationship to the Principal or Superintendent. If the Principal or Superintendent is involved in such a relationship, the relationship must be disclosed to the Board of Directors or its designee. By reporting such relationships, the School aims to ensure an environment free of sexual harassment. In consensual relationships staff or Board members may be asked to sign an acknowledgement at the time of reporting the consensual relationship by one of the parties at any time.

29 USC 631; 29 USC 206(d); 42 USC 2006(c); 42 USC 12101; R.C. 4112.02. See also Policy 4.2020.1 Anti-Harassment, Intimidation, and Bullying.

Adopted: November 30, 2017



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3.1020.3 Individuals Covered Under the Policy

This policy protects all employees. Harassment, whether engaged in by fellow employees or other non-employees who conduct business with the School, is neither condoned nor tolerated. Employees are encouraged to report all incidents of harassment, regardless of who the offender may be.

Adopted: December 15, 2016

3.1020.4 Reporting a Complaint

The School encourages all individuals who believe they are being harassed to firmly and promptly notify the offender that his or her behavior is unwelcome. The School does however recognize that, in some instances, power and disparities between the alleged harasser and the individual may make such a confrontation impossible. In the event that such informal, direct communication between individuals is either ineffective or impossible, the following steps should be followed in reporting a harassment complaint. A complaint may be filed by one experiencing or witnessing harassment.

Notification of Appropriate Staff

Individuals who believe they have been subjected to harassment should report the Incident to the Principal or his/her designee. When appropriate the Principal or his/her designee will immediately consult with the Board. If the Principal or his/her designee is allegedly involved in the incident, then the individual should report the incident directly to the President of the Board.

The School encourages prompt reporting of complaints so that rapid response and appropriate action may be taken, but no limited time frame applies. Late reporting of complaints will not in and of itself, preclude the School from taking remedial action.

Should any School employee, or School official who has authority to institute corrective measures on behalf of the School, receive notice of sexual harassment or allegations of sexual harassment, they shall immediately report it to the Title IX Coordinator. If the complaint involves sexual harassment as defined by Title IX, the School's Title IX Grievance Procedure shall be followed.

Protection Against Retaliation

The School will not in any way retaliate or permit retaliation against any individual who makes a good faith report of harassment or who assists or cooperates in an investigation thereof. Retaliation is a serious violation of this harassment policy and should be reported immediately. Any person found to have violated this policy by retaliating against another individual for making a report of harassment or for assisting or cooperating in the investigation thereof will be subject to the same disciplinary action provided for harassment offenders.



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Investigating the Complaint

Any allegation of harassment brought to the attention of the School will be thoroughly and promptly investigated. Confidentiality will be maintained where possible throughout the investigatory process to the extent practical and appropriate under the circumstances.

Resolving the Complaint

Upon completing the investigation of a harassment complaint, the School will communicate its findings and intended actions. If the investigation finds that harassment occurred, the harasser will be subject to appropriate disciplinary procedures, as listed below. If the investigation determines that no harassment has occurred, this finding will be communicated as appropriate.

Sanctions

Individuals found to have engaged in misconduct constituting harassment will be disciplined, up to and including discharge. Appropriate actions will be determined by the School. For example, action may include reprimanding the offender, documenting the occurrence in the employee's personnel file, referral to counseling, withholding of a promotion, demotion, reassignment, temporary suspension without pay, or termination of employment.

Although the School's ability to discipline a non-employee harasser (e.g., customer, supplier) is limited by the degree of control, if any, that the School has over the alleged harasser, any individual who has been subjected to harassment by such an individual should still file a complaint and be assured that the School will take those actions it deems appropriate to end any harassment.

Adopted: August 20, 2020



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3.1030 Immigration Law Compliance

The School is committed to employing only United States citizens and aliens who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin.

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification form I-9 and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed an I-9 with the School within the past three years, or if their previous I-9 is no longer retained or valid.

All offers of employment are subject to the receipt of satisfactory evidence of an employee's authorization to work in the United States.

8 USC § 1324a

See Appendix 3.1030-A Form I-9, Employment Eligibility Verification

Adopted: December 15, 2016



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3.1040 Background Check Compliance

All employees must undergo a criminal background check conducted by the Bureau of Criminal Identification and Investigation and FBI criminal background check as required by Ohio law. Certain convictions as outlined in Ohio Law will prohibit an individual from being employed in a public school. A listing of the disqualifying offenses may be obtained from the Human Resources office.

New employees may begin the on-boarding process and may be offered a position on a conditional basis pending receipt of a satisfactory background check. Any new employee with a conviction is subject to review and approval by the Board prior to being placed in the school setting.

Adopted: December 15, 2016



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2000 EMPLOYMENT AT THE SCHOOL

3.2010 Employment Status

At-will. Employees classified as at-will are free to terminate the employment relationship at any time, with or without reason. The employer also retains the same right to end the employment relationship with the employee, at any time, with or without cause.

Contract. Contract employees are employed for a specified term (typically one year), and are expected to fulfill the obligations as indicated in the contract. If the employee terminates employment prior to the expiration of the term, the employer may report breach of contract to the Ohio Department of Education, Licensure Division. The parties to the Employment Contract may only terminate the contract during its term for cause.

Adopted: December 15, 2016



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3.2020 Employment Agreements and Employment Contracts

At-will. Each year (typically in July), a Statement of Compensation may be provided to at-will employees. These Statements set forth details including pay, benefits, rights, responsibilities and obligations as an employee and are not intended to modify your status as an at-will employee. Every Statement is subject to the policies set forth in this Policy and Procedure Manual which has been approved and adopted by the Board, and any amendments, modifications or subsequent changes in these policies or procedures that the Board may, from time-to-time, approve. Any inconsistency between a Statement of Compensation and the formally approved and adopted Board policy or procedure will be resolved in favor of the Board policy or procedure and against the terms contained in the employment agreement. All Statements of Compensation are subject to final approval by the Board.

Contract. The Board may, in its sole discretion, offer Employment Contracts to certain employees. Contracts set forth details including pay, benefits, rights, responsibilities and obligations as an employee and are for a specified period of time (typically one year). If the employee terminates employment prior to the expiration of the term, the employer may report breach of contract to the Ohio Department of Education, Licensure Division. The parties to the Employment Contract may only terminate the contract during its term for cause. Every Contract is subject to the policies set forth in this Policy and Procedure Manual which has been approved and adopted by the Board, and any amendments, modifications or subsequent changes in these policies or procedures that the Board may, from time-to-time, approve. Any inconsistency between a Contract and the formally approved and adopted Board policy or procedure will be resolved in favor of the Board policy or procedure and against the terms contained in the employment agreement. All Contracts are subject to final approval by the Board.

Only the Board has the authority to enter into an employment agreement contrary to “employment-at-will” precepts, and, any such contractual agreement must be in a formal written document, authorized by the Board.

Adopted: December 15, 2016



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3.2030 Salaries

The Board annually reviews the employee salary and benefit schedules to determine whether modifications to either are appropriate and/or necessary. Changes approved and adopted by the Board take effect on July 1st of each year, unless otherwise specified.

Adopted: December 15, 2016



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3.2040 Payment of Salary – Employees Employed for the Entire Fiscal Year

Employees employed for the entire school year will be paid in 26 equal installments according to the established biweekly payroll schedule. Pay dates are biweekly on Friday. Employees shall refer to the payroll schedule for actual dates of pay.

Adopted: December 15, 2016



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3.2050 Payment of Salary – Employees Employed for Less than the Entire Fiscal Year

Salaried employees employed for a period less than the entire fiscal year will have their salary prorated. First pay will be issued on the scheduled pay date encompassing the date of hire. Pay dates are biweekly on Friday. Employees shall refer to the payroll schedule for actual dates of pay.

Adopted: December 15, 2016



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3.2051 Payment of Wages – Hourly Employees

Hourly (non-exempt) employees will be issued pay following the established payroll calendar. Pay dates are biweekly on Friday. Employees shall refer to the payroll schedule for actual dates of pay.



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3.2060 Direct Deposit

The School offers the option of direct deposit to all employees. Employees are encouraged to utilize direct deposit.

Adopted: October 17, 2019



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3.2070 Work Schedule

The Board establishes a school calendar and daily schedule each year to meet the needs of the School and the students. The calendar and schedule may be modified, from time-to-time, at the discretion of the Board. A general description of employee work hours will be announced prior to the beginning of each school year. However, salaried academic administrative personnel and teachers or otherwise exempt employees are expected to work as many hours as necessary to get the job done and ensure that the children and the school are successful.



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3.2080 Time Records

All employees are required to sign in upon arrival and sign out upon departure at each building/school location. Employees shall not sign-in/out other employees. Falsification of information and/or submitting timekeeping information for another employee will result in disciplinary action up to and including termination.

Hourly (non-exempt) employees are responsible for maintaining their timecards within the Nova Time system. Falsification of information and/or submitting timekeeping information for another employee will result in disciplinary action up to and including termination.

Teachers involved in tutoring are required to enter their tutor time via the Nova Time system. Falsification of information and/or submitting timekeeping information for another employee will result in disciplinary action up to and including termination.

Adopted: August 17, 2023
Adopted: December 15, 2016



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3.2090 Full-Time Employee

A full-time employee is one who regularly works 30 or more hours per week.



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3.2100 Part-Time Employee

A part-time employee regularly works less than 30 hours per week.

Benefits (medical, dental, vision, life, paid time off) are not offered to part time employees.



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3.2110 Temporary and Seasonal Employees Employee

Based upon scheduling needs and fluctuating work demands the School may also employ temporary or seasonal employees. While all policies and procedures apply equally to temporary and seasonal employees, no benefits are offered unless specifically indicated upon hire.



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3.2111 Seasonal Full –Time

Seasonal Full Time employees work full time during the school year (when school is in session). Seasonal full time are not scheduled during the summer months.



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3.2120 Introductory Period (Rescind Policy – April 16, 2020)

Adopted: April 16, 2020



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3.2130 Staff Orientation

Staff orientation is coordinated through the new employee's supervisor or designee.



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3.2140 Ohio Resident Educator Program

The School shall institute the Ohio Resident Educator Program which is a two-year, entry-level program for classroom teachers.

The School shall comply with the requirements of the Program as established by the Ohio Department of Education (education.ohio.gov; “Resident Educator Program”), which shall include the following components:

- (1) mentoring by teachers for the first two years of the program;
- (2) counseling, as determined necessary by the School, to ensure that program participants receive needed professional development; and
- (3) measures of appropriate progression through the Program, which shall include the performance-based assessment prescribed by the state board of education for resident educators in the third year of the program.

However, no Employee who is teaching career-technical courses under an Alternative Resident Educator License issued under Ohio law or rule of the state board shall be required to: (1) complete the conditions of the Ohio teacher residency program that a participant, as of September 29, 2015, would have been required to complete during the participant's first and second year of teaching under an Alternative Resident Educator License; or (2) take a performance-based assessment.

Every Employee who holds a Resident Educator License or an Alternative Resident Educator License issued under Ohio law must participate in the Teacher Resident Educator Program. Successful completion of the Program is required to qualify for a Professional Educator License issued under Ohio law.

R.C. 3319.223; O.A.C. 3301-24-04; 3301-24-18; 3301-24-19

Adopted: July 20, 2023
Adopted: April 16, 2020



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3.2150 Mandatory Reporting of Misconduct by Licensed Employees

The Board recognizes its responsibility to effectively address employee misconduct.

Definitions

“Licensed professional staff member” refers to employees who hold an educator's license or certification with the Ohio Department of Education (“ODE”) (including the Treasurer and Business Manager), educational assistants (aides with a permit and paraprofessionals with a license from ODE), employee holding a one (1) year conditional teaching permit in the area of intervention specialist or seeking an alternative educator license, and those employees who do not hold a valid educator's license but who are employed by the Board under a Pupil Activity Program Permit. For purposes of this policy, licensed professional staff member will be referred to as “employee.”

“Conduct unbecoming the teaching profession” is defined to mean:

- A. crimes or misconduct involving minors;
- B. crimes or misconduct involving school children;
- C. crimes or misconduct involving academic fraud;
- D. crimes or misconduct involving the school community;
- E. making, or causing to be made, any false or misleading statement or concealing a material fact in obtaining the issuance or renewal of any educator licensing documents;
- F. the violation of the terms and conditions of a consent agreement with the State Board of Education;
- G. a plea of guilty to or a finding of guilt or conviction upon any offense enumerated under R.C. 3319.39.

The complete rule adopted by the State Board of Education is in **Appendix 3.2150-A**

Reporting Professional Misconduct

The School's Principal is responsible for reporting teacher misconduct to ODE. If the Principal is the employee who must be reported, the Board president or chairperson must make the report. The School's Principal must report misconduct by an employee of an operator who is working in the School.



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Reports

Reports must be filed about School and/or operator's employees working in the School under the following circumstances:

- A. When the Principal, Board president or chairperson knows that an employee has a guilty **plea or conviction**, or has been found to be eligible for intervention in lieu of conviction, or for a pre-trial diversion program concerning a disqualifying or other criminal offense applicable to teachers;
- B. When the Principal or Board president or chairperson has initiated **termination or nonrenewal** proceedings against, has terminated, or has not renewed the contract of the employee because the Principal or Board president or chairperson has reasonably determined that the employee has committed an act that is unbecoming to the teaching profession or a disqualifying criminal offense or other criminal offense applicable to teachers.
- C. When the employee has **resigned under threat** of termination or nonrenewal for an act that is unbecoming to the teaching profession or a disqualifying or other criminal offense applicable to teachers.
- D. When the employee has **resigned because of or in the course of an investigation** by the Board regarding whether the employee has committed an act that is unbecoming to the teaching profession or a disqualifying or other criminal offense applicable to teachers.

The report must be made to ODE and must include the name and social security number of the employee in question together with a factual statement. The making of a report does not itself create any legal presumption that the described misconduct or any related crime has in fact occurred. The form for reporting misconduct is in **Appendix 3.2150-B**. A report must be kept in the employee's personnel file. The State Board of Education may proceed to conduct an investigation to determine whether further action is warranted. If, after an investigation, ODE determines that the results of that investigation

Do not warrant initiating action, the Board must move such reports from the employee's personnel file to a separate public file.

R.C. 3314.40-3314.403, R.C. 3314.99.



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2500 EMPLOYEE QUALIFICATIONS

3.2510 Teachers

Applicants must submit the following documents:

- A. Application for employment;
- B. Evidence of a Bachelor's Degree or higher;
- C. Certified transcripts from an accredited college or university attended by the teacher;
- D. Copy of the diploma issued by an accredited college or university;
- E. A current Teaching Certificate issued by the Ohio Department of Education;
- F. References and recommendations for employment, and;
- G. An application for the completion of a Bureau of Criminal Identification and Investigation and FBI criminal background check as required by Ohio law. New employees are employed on a conditional basis pending receipt of a satisfactory background check.

Every employee must undergo a criminal background check upon application. Certain convictions as outlined in Ohio Law, referred to as “absolute bar offenses,” will prohibit an individual from being employed in a public school. A listing of the disqualifying offenses may be obtained from the School’s office. Teachers must comply with all licensure requirements established by the Ohio Department of Education.

In certain circumstances, an individual who would otherwise be disqualified may be hired if that individual’s offense has been rehabilitated. Rehabilitation is limited to certain offenses. A complete list of offenses that cannot be rehabilitated (“absolute bar offenses”) may be obtained from the School’s office. To be rehabilitated, (1) the offense cannot involve a victim who was a minor or a victim who was or is a student; (2) for a felony, at least five years have passed since the individual was fully discharged from imprisonment, probation, or parole or the individual has had his/her conviction sealed or expunged; (3) for a misdemeanor, at least five years have elapsed since the date of conviction or the individual has had the record of his/her conviction sealed or expunged; (4) the individual is not a “repeat offender” (has not been convicted of any of the offenses listed in R.C. 3319.39(B)(1) or R.C. 3319.31 two or more times in separate criminal actions); (5) upon request by the school, the individual has provided written confirmation of rehabilitation efforts, the results of those efforts, and whether the terms of his/her probation, parole, or deferred adjudication have been completed; and (6) as viewed by a reasonable person, the employment of the individual will not jeopardize the health, safety, or welfare of people served by the school. The School has discretion to decide whether the offense has been rehabilitated. Written confirmation required in item (5), above, will not be conclusive evidence that the applicant has met the other rehabilitation requirements required by the Board and by law.

Teachers may be required to possess such other experience, training or special skills as may be required by the Board or the School administration for any specific position.



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R.C. 3319.291; R.C. 3319.30; 3319.39; R.C. 3313.71; OAC 3301-20-01.

Adopted: April 18, 2019



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CHAPTER 3: PERSONNEL POLICIES, PRACTICES AND PROCEDURES

3.2520 Educational Assistant/Paraprofessionals

An educational assistant/paraprofessional is a nonteaching employee who directly assists a teacher by performing duties for which a teaching license is not required.

Educational assistants/paraprofessional applicants must submit the following documents:

- A. Application for employment;
- B. Written references and recommendations for employment;
- C. Copy a valid educational aide permit or paraprofessional license issued by the State Board of Education*;
- D. An application for the completion of a Bureau of Criminal Identification and Investigation and FBI criminal background check as required by Ohio law. New employees are employed on a conditional basis pending receipt of a satisfactory background check.

Every employee must undergo a criminal background check upon application. Certain convictions as outlined in Ohio Law, referred to as “absolute bar offenses,” will prohibit an individual from being employed in a public school. A listing of the disqualifying offenses may be obtained from the School’s office. Educational Assistants must comply with all licensure/permit requirements established by the Ohio Department of Education.

In certain circumstances, an individual who would otherwise be disqualified may be hired if that individual’s offense has been rehabilitated. Rehabilitation is limited to certain offenses. A complete list of offenses that cannot be rehabilitated (“absolute bar offenses”) may be obtained from the School’s office. To be rehabilitated, (1) the offense cannot involve a victim who was a minor or a victim who was or is a student; (2) for a felony, at least five years have passed since the individual was fully discharged from imprisonment, probation, or parole or the individual has had his/her conviction sealed or expunged; (3) for a misdemeanor, at least five years have elapsed since the date of conviction or the individual has had the record of his/her conviction sealed or expunged; (4) the individual is not a “repeat offender” (has not been convicted of any of the offenses listed in R.C. 3319.39(B)(1) or R.C. 3319.31 two or more times in separate criminal actions); (5) upon request by the school, the individual has provided written confirmation of rehabilitation efforts, the results of those efforts, and whether the terms of his/her probation, parole, or deferred adjudication have been completed; and (6) as viewed by a reasonable person, the employment of the individual will not jeopardize the health, safety, or welfare of people served by the school. The School has discretion to decide whether the offense has been rehabilitated. Written confirmation required in item (5), above, will not be conclusive evidence that the applicant has met the other rehabilitation requirements required by the Board and by law.

An educational assistant/paraprofessional must be under the supervision and direction of an assigned teacher at all times in the performance of their duties, although such duties need not necessarily be performed in the physical presence of the teacher except as otherwise stated in this policy. An educational assistant/paraprofessional working for the School in a Title I supported program may be assigned to duties consistent with any of the following:

- providing one-on-one tutoring for eligible students during times when the teacher would not otherwise be instructing the student;



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- assisting with classroom management, such as organizing instructional and other materials;
- providing assistance in a computer laboratory;
- providing support in a library or media center;
- conducting parental involvement activities;
- acting as a translator;
- providing instructional services to students, if working under the direct supervision of a teacher.

An educational assistant/paraprofessional will be considered to be working under the “direct supervision” of a teacher if:

- the teacher plans the instructional activities that the educational assistant/paraprofessional carries out;
- the teacher evaluates the achievement of the students with whom the educational assistant/paraprofessional is working; and
- the educational assistant/paraprofessional works in close and frequent physical proximity to the teacher.

Nonteaching employees whose functions are solely secretarial and clerical and who do not perform duties as educational assistants are not required to hold a license even though they work under the direction of a teacher.

Educational assistants/paraprofessionals are prohibited from divulging personal information concerning any pupil in the school which was obtained or obtainable while employed, except to the teacher to whom assigned, or the Principal in such teacher’s absence, or when required to testify in a legal proceeding.

* Provided that the Superintendent believes an employee is qualified to obtain a valid permit or license and the employee has filed an application for such a permit or license with the State Board of Education, the School may allow an employee who does not currently hold a permit or license to work as a substitute for an educational assistant where that educational assistant is absent from work due to illness or emergency, or any other leave of absence. The employee must cease working as a substitute educational aide if he or she is denied a permit or license, or after sixty (60) days, whichever is earlier.

R.C. 3319.088; R.C. 3319.291; R.C. 3319.39; R.C. 3319.391; O.A.C. 3301-20-01; 3301-24-05; 3301-25.



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3.2530 Other Employees

Prior to employment applicants for positions that do not require a license issued by the State Board of Education or that involve the operation of vehicles of public transportation must submit the following documents:

- a. Application for employment;
- b. Written references and recommendations for employment;
- c. Copies of any specific license or certificate as may be required by law or by the Board or the School administration for the position sought;
- d. An application for the completion of a Bureau of Criminal Identification and Investigation and FBI criminal background check, as required by Ohio law. New employees are employed on a conditional basis pending receipt of a satisfactory background check.

Every employee must undergo a criminal background check at the time of application and then by the fifth of September every five years thereafter, unless the employee is a bus driver, in which case every six years thereafter. After the initial background checks, the employee will need to provide only an updated FBI criminal background check if the school previously requested a BCI criminal background check, and if he/she presents proof of having been an Ohio resident for the five-year period preceding September 5 of the applicable year. Certain convictions as outlined in Ohio Law will prohibit an individual from being employed in a public school. A listing of the disqualifying offenses may be obtained from the School's office.

In certain circumstances, an individual who would otherwise be disqualified may be hired or retained as an employee if that individual's offense has been rehabilitated. Rehabilitation is limited to certain offenses; a complete list of offenses that cannot be rehabilitated may be obtained from the School's office.

For an employee, other than a school bus or van driver, to be rehabilitated, (1) the offense cannot involve a victim who was a minor or a victim who was or is a student; (2) for a felony, at least five years have passed since the individual was fully discharged from imprisonment, probation, or parole or the individual has had his/her conviction sealed or expunged; (3) for a misdemeanor, at least five years have elapsed since the date of conviction or the individual has had the record of his/her conviction sealed or expunged; (4) the individual is not a "repeat offender" (has not been convicted of any of the offenses listed in R.C. 3319.39(B)(1) or R.C. 3319.31 two or more times in separate criminal actions); (5) upon request by the school, the individual has provided written confirmation of rehabilitation efforts, the results of those efforts, and whether the terms of his/her probation, parole, or deferred adjudication have been completed; and (6) as viewed by a reasonable person, the employment of the individual will not jeopardize the health, safety, or welfare of people served by the school. The School has discretion to decide whether the offense has been rehabilitated. Written confirmation required in item (5) above, will not be conclusive evidence that the applicant has met the other rehabilitation requirements required by the Board and by law.

To qualify as rehabilitated, bus drivers must also establish that (1) the offense did not involve a victim who was a minor or a victim who was or is a student, (2) the individual has provided written confirmation of rehabilitation efforts and the results of those efforts; (3) as viewed by a reasonable person, the employment of the individual will not jeopardize the health, safety, or welfare of people served by the school. The School has discretion to decide whether the offense has been rehabilitated. If a person who is employed by a school or school transportation provider is arrested, summoned, or indicted for an alleged violation of a non-rehabilitative offense, the Principal or his/her designee or Chief Executive Officer of the transportation provider shall suspend that person from all duties that require the care, custody, or control of a child during the pendency of the criminal action against the person.



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Employees must possess both physical and mental health to be able to fulfill the duties of employment or the continuation of employment. Employees may be required to possess such other experience, training or special skills as may be required by the Board or the School administration for the position.

R.C. 3319.291; R.C. 3319.39; R.C. 3327.10(J); R.C. 3319.391; O.A.C. 3301-20-03; O.A.C. 3301-83-23 (Bus Drivers)

Adopted: December 17, 2020
Adopted: September 19, 2019



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3.2540 Substitute Teachers

Substitute teachers must possess a valid substitute teacher certificate issued by the Ohio Department of Education. If an applicant can provide evidence that application for a substitute teacher certificate has been made, that person may be employed conditionally for up to 60 days pending receipt of the certificate. If a certificate is not obtained within that period of time, employment will be terminated.

All substitute teachers must complete an application for the completion of a Bureau of Criminal Identification and Investigation and FBI criminal background check as required by Ohio law. New employees are employed on a conditional basis pending receipt of a satisfactory background check.

Every employee must undergo a criminal background check once upon application, and then by the fifth of September every five years thereafter. Certain convictions as outlined in Ohio Law will prohibit an individual from working in a public school. A listing of the disqualifying offenses may be obtained from the School's office.

In certain circumstances, an individual who would otherwise be disqualified based on results of a criminal background check may be hired if that individual's offense has been rehabilitated. Rehabilitation is limited to certain offenses; a complete list of offenses that cannot be rehabilitated may be obtained from the School's office. To be rehabilitated, the offense (1) cannot involve a victim who was a minor; (2) cannot involve a victim who was or is a student; (3) the individual has not pled guilty, been found guilty by a court, or been convicted of a rehabilitative offense two or more times in separate criminal actions; (4) the individual has provided written confirmation of rehabilitation efforts and the results of those efforts; (5) the individual has provided written confirmation of rehabilitation efforts and the results of those efforts; and (6) as viewed by a reasonable person, the employment of the individual will not jeopardize the health, safety, or welfare of people served by the school. The School has discretion to decide whether the offense has been rehabilitated.

R.C. 3319.226; R.C. 3319.36; R.C. 3319.101; 1964 O.A.G. No. 903; R.C. 3319.391; OAC 3301-20-01.



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3.2550 Non-Bachelor's Substitute Teachers for 2021-2022 2022-2023, 2023-2024 School Years Only

In consideration of the special circumstances caused by the Covid-19 pandemic, the School may employ an individual who does not hold a post-secondary degree as a substitute teach ("Non-Bachelor's Substitute Teacher") for the 2021-2022, 2022-2023 and 2023-2024 school years only, provided that the individual holds a non-renewable temporary substitute teaching license ("Non-Bachelor's Substitute Teaching License") and satisfies all other applicable requirements and procedures with respect to that individual's qualifications to be a substitute teacher in the School.

A holder of a Non-Bachelor's Substitute Teaching License shall be permitted to teach in an assigned class of any subject area and grade level in the School for the year in which they hold such Non-Bachelor's Substitute Teaching License.

Every employee, including a Non-Bachelor's Substitute Teacher, must have a current criminal background check, which must be on file with the Ohio Department of Education. Certain convictions as outlined in Ohio Law, referred to as "absolute bar offenses," will prohibit an individual from being employed in a public school. A listing of the disqualifying offenses may be obtained from the School's office. In certain circumstances, an individual who would otherwise be disqualified may be hired if that individual's offenses have been rehabilitated. Rehabilitation is limited to certain offenses. To be rehabilitated, (1) the offense cannot involve a victim who was a minor or a victim who was or is a student; (2) for a felony, at least five years have passed since the individual was fully discharged from imprisonment, probation, or parole or the individual has had his/her conviction sealed or expunged; (3) for a misdemeanor, at least five years have elapsed since the date of conviction or the individual has had the record of his/her conviction sealed or expunged; (4) the individual is not a "repeat offender" (i.e., has not been convicted of any of the offenses listed in R.C. 3319.39(B)(1) or R.C. 3319.31 two or more times in separate criminal actions); (5) upon request by the School, the individual has provided written confirmation of rehabilitation efforts, the results of those efforts, and whether the terms of his/her probation, parole, or deferred adjudication have been completed; and (6) as viewed by a reasonable person, the employment of the individual will not jeopardize the health, safety, or welfare of people served by the school. The School has discretion to decide whether the offense has been rehabilitated. Written confirmation required in item (5), above, will not be conclusive evidence that the applicant has met the other rehabilitation requirements required by the School and by law.

Non-Bachelor's Substitute Teachers may be required to possess such other experience, training or special skills as may be required by the Board or the School administration for any specific position.

134 Ohio General Assembly, Senate Bill 1, Section 4; R.C. 3319.31; OAC 3301-20-01

Adopted July 21, 2022
Adopted: May 19, 2022



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CHAPTER 3: PERSONNEL POLICIES, PRACTICES AND PROCEDURES

3000 COMPENSATION AND BENEFITS

3.3010 General Policy

The School has adopted a compensation and benefit package designed to attract highly qualified applicants and encourage current employees to maintain their employment with us. Recognizing that we cannot compete dollar for dollar with the traditional public schools, we strive to establish pay levels that are fair and competitive; provide an exceptional level of support, and a great deal of autonomy for our employees; and, create work environments that are appealing and pleasant. Each year the Board adjusts wages, salaries and benefits, taking into consideration many factors, in an effort to meet the needs of our employees.



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3.3020 Overtime Pay

Under the federal Fair Labor Standards Act, exempt employees are usually defined as salaried executives; professional; administrative, and outside sales persons. These types of employees, which typically make up the vast majority of School employees, are exempt from the law requiring payment for overtime work. Exempt employees are responsible for working as many hours as necessary to get the job done and are not offered overtime pay. Non-exempt employees are those employees that are covered by the overtime provisions of the Fair Labor Standards Act and they are entitled to receive overtime pay. Overtime is defined as hours worked in excess of 8 hours per day or 40 hours per week (Sunday through Saturday). Overtime hours are paid at time and one half. At hire you will be notified of your exempt or non-exempt status.



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CHAPTER 3: PERSONNEL POLICIES, PRACTICES AND PROCEDURES

3.3030 Insurance

3.3030.1 Medical Insurance

Eligible employees may participate in the insurance plans offered by the School. Waiting periods are applicable as defined by the plan. Each year the Board determines the cost sharing/employee share of the premiums. Premiums are deducted from the employee's pay check. Information concerning benefits is supplied at the time of hire and available by contacting the Human Resources Office.

Adopted: October 17, 2019

3.3030.2 Life Insurance

Eligible employees are provided with term life insurance, at no cost.

Adopted: October 17, 2019



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3.3040 Retirement Benefits

3.3040.1 State Teachers Retirement System (STRS)

Certificated employees will contribute to STRS as required by law. Contribution rates are established by STRS, upon recommendation of its consulting actuary. These contribution rates are established by law and the State Teachers Retirement Board and are subject to change. STRS provides basic retirement benefits, disability, survivor and health care benefits to members and beneficiaries, based upon eligible service credit. Benefits are established by O.R.C., Chapter 3307. STRS issues a publicly available financial report that includes financial statements and required supplementary information. The report may be obtained by writing to the State Teachers Retirement System, 275 East Broad Street, Columbus, Ohio 43215-3771.

Adopted: April 15, 2021

3.3040.2 School Employee Retirement System (SERS)

Non-certificated employees will contribute to SERS, as required by law. Contribution rates are not determined actuarially, but are established by the SERS Retirement Board within rates allowed by statute. The adequacy of the rates is determined annually. SERS provides basic retirement benefits, disability, survivor, and health care benefits to members and beneficiaries, based upon eligible service credit. Benefits are established by O.R.C., Chapter 3309. SERS issues a publicly available financial report that includes financial statements and required supplementary information. The report may be obtained by writing to the School Employees Retirement System, 45 North Fourth Street, Columbus, Ohio 43215-3634.

3.3040.3 Medicare

Under current law, employees and employers must each contribute 1.4% of employee's wages for Medicare.

3.3040.4 403(b) Tax Deferred Annuities [R.C. §9.91] (Rescind Policy – January 21, 2021)

Approved: January 21, 2021



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3.3050 Personal Time

Each full time employee is provided three (3) personal days per year (24 hours). Personal Time does not carry over from year-to-year. Personal Time may not be taken on an in-service, collaboration, or professional development day. Personal Time may be utilized on Building Work Days provided that no in-service, collaboration, or professional development is scheduled at the building.

Effective 2020/2021 school year, for those hired after July 1 for year round employees or after the start of the school year for contracted employees, Personal Time allotted will be prorated based upon date of hire.

Effective 2020/2021 school year, unused personal time will be paid out in full at the conclusion of the 2020/2021 school year. Employees must complete the entire contract period (contracted employees) or entire fiscal year (July through June/year round employees) to receive Personal Time pay out. Employees will be paid for any unused Personal Time remaining at the end of the fiscal year/school year. Date of payment will be determined by the HR/Payroll Department, following the regular payroll calendar. The employee's daily rate is used for calculating Personal Time pay-out.

Personal Time requires advance notice of at least three (3) days. Approval of the Principal/Supervisor must be obtained prior to the time being taken.

Employees who resign during the school year or are terminated for any reason, are not paid for unused Personal Time.

Building Work Days

- Contracted employees are expected to be at work for the entire work day on dates noted as "Building Work Day". Building Work Days are typically scheduled to handle report cards, opening or closing of classrooms. Employees may request, with 3 days' advance notice, to utilize Personal Time on Building Work Days. The use of sick time must be accompanied by documentation from a physician or medical professional (Policy 3.3060).

In-Service, Collaboration, Professional Development Days

- Contracted employees are expected to be at work for the entire work day on dates noted as "Professional Development Days", this includes in-service and collaboration days. Personal Time may not be taken on an in-service, collaboration, or professional development day. The use of sick time must be accompanied by documentation from a physician or medical professional (Policy 3.3060).



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CHAPTER 3: PERSONNEL POLICIES, PRACTICES AND PROCEDURES

3.3060 Sick Leave

Full time employees will accumulate (for potential credit, but not cash) 1.25 days of sick leave each month of employment (15 days per year). In the event a full-time employee is exposed to or required by the School or local officials to quarantine due to testing positive for or exposure to COVID-19, or for other serious illness, the School may advance up to ten days of sick leave to be earned during the current school year to cover time off.

The maximum accumulation shall be 120 days.

Sick time may not be donated to other employees; however, there may be exceptions made in extenuating circumstances with prior approval of the Board (or the Board's designee) at its discretion. Requests for exceptions must be made in writing to the Board or to the Superintendent, for review and approval.

Employees must be active at the end of each month in order to receive sick time credit. Sick time is not accumulated while on a leave of absence.

Sick leave may be used for the following purposes:

- Personal illness including pregnancy-related illness.
- Personal injury.
- Illness, injury or death in the Teacher's immediate family. "Immediate family" means: spouse, children, stepchildren, parent or grandparent.

An employee who has been absent for three (3) consecutive days, must provide verification of the illness from a licensed physician. Failure to do so may result in loss of pay. Any employee that is absent or otherwise misses a day that is planned for in-service, professional development or committee assignments must provide verification from a licensed physician and failure to do so will result in the loss of pay for that day. The Principal/Supervisor may request verification at such times and in such instances as the Principal/Supervisor deems appropriate.

An employee who transfers from another public school district will be credited with the unused balance of his/her sick leave from that system, up to 120 days. It is the employee's responsibility to submit proper verification of time from another district. Time off balances are available in ADP.

When an employee leaves the employ of the school, accumulated sick leave cannot be converted to cash or any other means of compensation. The school will, upon request of the employee, verify the unused accumulated sick leave available on the last day of employment for the employee. Such request must be made in writing, must be signed by the employee and must include the name and address of the employer to whom the verification is to be made.

Sick time used for the purpose of death of an immediate family member shall be limited to 3 days (24 hours). "Immediate family" means: spouse, children, stepchildren, parent or grandparent.



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Supervisor/Manager may request verification of relationship and/or copy of service information as it deems appropriate.

Adopted: June 16, 2022

Adopted: February 17, 2022

Adopted: September 16, 2021

Adopted: February 20, 2020



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3.3060.1 Emergency Paid Sick Time (Rescinded September 16, 2021)



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3.3070 Jury Duty Leave [R.C.2313.18]

Full time employees who are selected for jury duty will be excused for the duration of the leave and receive their normal pay for each day they serve, for up to two weeks. The employee may also keep their jury duty pay. *R.C. 2313.19.*

The Executive Director will review instances in which a full time employee is called for a Grand Jury. The Executive Director holds the authority to approve pay for days missed beyond 2 weeks (10 days) for service on a Grand Jury.

Adopted: February 20, 2020



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CHAPTER 3: PERSONNEL POLICIES, PRACTICES AND PROCEDURES

3.3080 Military Leave

The School observes all applicable laws concerning military leave and re-employment rights following military training and service. *Uniformed Services Employment and Reemployment Rights Act, 38 U.S.C. 4301 et seq.; R.C. 3319.085; R.C. 5923.05.*

- Employees must submit military orders upon receipt to the Human Resource Department.
- Employees must submit pay information indicating what he/she will be receiving for active service to the Human Resource Department.

Constellation Schools will pay the employee the difference in pay, up to the employee's full amount of compensation for a period not to exceed 30 days of active service.

The employee may utilize any paid time off available to receive compensation beyond 30 days of active military service.



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3.3090 Family and Medical Leave

Eligibility. To qualify for FMLA leave, an employee must meet each of the following criteria and have a qualifying reason for the leave:

- Be employed at a location that has at least fifty (50) of our employees within a 75-mile radius.
- Have been employed by the School at least twelve months.
- Have worked at least 1,250 hours during the twelve-month period or fifty-two (52) weeks immediately before the date the leave begins.

Even though the School may be a covered employer, employees must meet all three of the above requirements to be eligible.

General Policy. We provide eligible employees with 12 weeks of unpaid, job-protected leave for any of the following family and medical reasons according to the Family and Medical Leave Act (FMLA).

- An employee's own serious health condition, as defined, that makes the employee unable to perform the essential functions of the job.
- For incapacity due to pregnancy, prenatal medical care or child birth.
- To care for an employee's spouse, child, or parent with a serious health condition.
- To care for an employee's newborn child, newly adopted child, or newly placed foster child as long as the leave is taken in the year following the child's birth or placement.
- To attend to a qualifying exigency relating to a spouse, child or parent on or called to active duty in the Armed Forces, including the National Guard or Reserves in support of a contingency operation. (Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions and attending post-deployment reintegration briefings.)

An eligible employee may take a total of twenty-six (26) weeks of unpaid leave during a single twelve (12) month period to care for the spouse, son, daughter, parent, or next of kin of a service member who is a current member or veteran (within five years) of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render him/her medically unfit to perform his/her duties. The leave may be taken to care for the covered service member while he or she is undergoing medical treatment, recuperation, or therapy or is in outpatient status or is on the temporary disability retired list.

If two spouses both work for the School, and each wishes to take FMLA leave for the birth or placement for adoption or foster care of a healthy child, or to care for an employee's parent (not parent "in law") with a serious health condition, the spouses may be limited to a combined 12 weeks of leave.

For the purposes of this policy, a "spouse" shall include the other person with whom an individual entered into marriage as defined or recognized by law for purposes of marriage in the state or country in which the marriage occurred. This definition includes an individual in a same-sex or common law marriage that either (1) was entered into in a state that recognizes such marriages or, (2) entered into outside of any state, is valid in the place where entered into.



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Requesting a Leave. An employee must inform his/her supervisor/manager and Human Resources at least 30 days in advance of the need to take FMLA leave when the need for the leave is foreseeable. If it is not possible to give 30 days' notice, an employee must provide notice as soon as practicable and must comply with the School's normal call-in procedures and attendance policy. Failure to give appropriate notice of the need for leave may result in denial of the leave, disciplinary action and/or termination of employment.

To request a leave, the employee must notify his/her supervisor, complete the appropriate form(s) and return it to Human Resources by the required date, and provide evidence, satisfactory to Human Resources, that the employee and his/her spouse have entered into marriage as described above.

Human Resources will inform the employee whether he/she is eligible for leave under the FMLA and, if so, will advise the employee of any information required and of the employee's rights and responsibilities associated with the leave. Human Resources will also inform the employee of the reason if the employee is not eligible for leave.

Additional Forms and the Leave Determination. An employee may be required to provide additional information to determine if the employee qualifies for FMLA protection. Information requests may include documentation of the employee's inability to perform his/her job, an employee's family member's disability status, continuing treatment and/or hospitalization needs or other circumstances surrounding the nature of the employee's leave. An employee must inform the School if any requested leave is for a reason for which FMLA leave was previously taken or certified. An employee will be required to provide sufficient information informing the School of the timing and duration of his/her leave. An employee may also be required to provide certification and periodic recertification supporting his/her need for leave.

Certification of Health Care Provider. An employee's treating health care provider must specify and certify the nature of the qualifying serious health condition, beginning/ending dates of incapacity, treatment, or care, etc. A Certification of Health Care Provider form must be fully completed, signed, and dated by the treating health care provider and submitted to Human Resources within 15 days of the date requested, absent extenuating circumstances. If leave is requested to provide care for an eligible family member, both the employee and the family member's treating health care provider will need to complete the applicable sections of a Certification form. If an employee fails to provide the Certification of Health Care Provider form within 15 days of the date requested, leave may be delayed or denied. It is an employee's responsibility to ensure timely completion and return of the Certification of Health Care Provider form.

The health care provider may be asked to authenticate the certification or the School may ask for the employee's authorization to contact the health care provider to obtain clarifying information related to the Certification of Health Care Provider form if questions arise at the time of approval reviews and any subsequent determination(s) related to leaves. The School may also request certification and other updates as appropriate and necessary.

The School may also seek second or third opinions (at School expense) from independent third party medical experts. An employee (or the employee's family member) may be required to submit to an examination by one or more of such experts. An employee's cooperation with such examinations is required and failure to cooperate may cause the leave to be delayed or denied. An employee will be granted provisional leave while the School waits for clarifications and/or the results of a second or third opinion.



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Communicating Leave Status. Human Resources will inform the employee if the leave has been approved, usually after receiving the Certification of Health Care Provider form. The employee will also receive a designation of his/her FMLA leave status in writing which will detail the type of leave being approved, along with the approved leave period, return-to-work date, and related requirements. The time off prior to approval will be counted as part of the leave if eligibility and qualification are established. The School may retroactively designate time away from work that qualifies as job-protected FMLA and count the absences toward the 12-week entitlement. An employee will be notified in writing of this designation while absent or after returning to work. If an employee's leave is determined to be nonqualifying, he/she will be advised in writing.

Serious Health Condition Defined. A serious health condition means an illness, injury, impairment, or physical or mental condition that involves one of the following:

- *Overnight Care* in a medical care facility.
- *Continuing treatment* by a health care provider that prevents the employee from performing the functions of his/her job (or prevents the employee's family member from participating in daily activities, like work or school.)
 - The continuing treatment requirement generally is met by a period of incapacity of *more than three consecutive calendar days* combined with:
 - At least two visits to a health care provider; or
 - A visit to a health care provider and a regimen of continuing treatment.

Note: Treatment does not include routine physical, eye, or dental examinations. A regimen of continuing treatment does not include the taking of over-the-counter medications such as aspirins, antihistamines, or salves; or bed-rest, drinking fluids, exercise, and other similar activities that can be initiated without a visit to a treating health care provider.

- Due to *pregnancy or prenatal care*.
- Due to a *chronic condition*.
 - Chronic Conditions Requiring Treatments. A chronic condition that is documented by a physician and requires all of the following:
 - Requires periodic visits for treatment by a health care provider or by a nurse or physician's assistant under direct supervision of a health care provider;
 - Continues over an extended period of time (including recurring episodes of a single underlying condition); and
 - May cause episodic rather than a continuing period of incapacity (for example. asthma, diabetes, epilepsy, etc.).
- *Permanent/Long-term Conditions Requiring Supervision.* A period of incapacity that is permanent or long term due to a condition for which treatment may not be effective. The employee or his/her family member must be under the continuing supervision of, but need not be receiving active treatment by a health care provider. Examples include Alzheimer's, a severe stroke, or the terminal stages of a disease.



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- *Multiple Treatments (Non-Chronic Conditions).* Any period of absence to receive multiple treatments (including any period of recovery) by a health care provider, either for restorative surgery after an accident or injury, or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days.

Personal Time Off. When an employee requests FMLA, he/she is required to use his/her PTO in accordance with the School's normal PTO policy unless he/she is receiving short-term disability or Workers' Compensation payments. After PTO is exhausted, unpaid leave will be granted until the end of the FMLA leave. Leave time compensated with PTO, short term disability and/or workers' compensation runs concurrent with (counts against) the employee's weeks of available FMLA leave.

Period of Leaves of Absence. The School measures the 12 month FMLA leave period as a rolling 12-month period counted backward from the date an employee uses leave under this policy. Each time an employee takes FMLA leave, the School will compute the amount of leave taken under this policy and subtract it from the 12 weeks of available leave, specific to each rolling 12-month period. The remaining balance is the maximum the employee is entitled to take at that time under FMLA.

Second Qualifying Event While on Leave. If an employee has a second qualifying leave while out on approved FMLA leave, he/she may request approval for a concurrent leave. The leave periods may partially or fully overlap. The employee will be required to complete the appropriate FMLA leave forms and provide a Certification of Health Care Provider form to establish qualification, the leave period and a return-to-work date, which may be different. If the leave is approved, the employee's return-to-work date is the latter of the two leave periods.

Benefits While On Leave. The School will continue to pay its portion of the employee's group health insurance benefit premiums during the leave period at the same level and under the same conditions as if he/she were actively at work. If the employee receives a paycheck during the period of leave, the employee will have his/her benefit premiums deducted as usual. If the employee does not receive a paycheck while on FMLA leave, he/she is responsible for paying the employee share of the benefit premiums while on FMLA leave. At the beginning of the leave, Human Resources will provide the employee with information on how and when to make premium payments. Premium payments must be made within 30 days of the due date to avoid cancellation. *The employee must continue paying his/her share of premiums or the benefit coverage may be canceled.* If an employee does not return to work after FMLA leave, he/she may be required to reimburse the School for any benefit premiums paid on his/her behalf.

Use of FMLA will not cause an employee to lose any employment benefit that accrued prior to the start of the employee's leave.

Manner in Which FMLA Leave May be Taken. FMLA may be taken in a single block of consecutive weeks, or, when medically necessary, leave for some conditions (including qualified exigencies) may be taken intermittently or on a reduced leave schedule. **"Intermittent Leave"** is leave taken in separate blocks of time due to a single illness or injury, rather than for one continuous period of time. **"Reduced Leave"** is a leave that reduces an employee's usual number of working hours per workweek or per workday. In all cases, the total leave time may not exceed a total of 12 weeks in a rolling 12-month period.

An employee is required to schedule leave for planned appointments outside of work hours so as to not disrupt the School's operations or to consult with his/her supervisor prior to the scheduling of treatment in



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order to work out a treatment schedule which best suits the needs of both the employee and the School without unduly disrupting the School's operations.

Requests for intermittent leave are handled the same as any other FMLA leave (See, "Requesting a Leave"). Once FMLA status has been established, further requests for intermittent leave require the employee to:

- Notify his/her supervisor/manager and Human Resources of the need to use intermittent leave as soon as possible.
- Follow the School's absence and call off requirements.
- Provide appropriate documentation for each time he/she uses intermittent leave.

Employees are not eligible for intermittent leave or reduced work schedules to care for a newly born or placed child.

The School may temporarily transfer an employee taking intermittent or reduced leave for planned medical treatment to an available alternative position with no loss of pay or benefits in order to better accommodate the intermittent or reduced leave schedule.

Return to Work. As soon as you know your return-to-work date, the employee must notify his/her supervisor and Human Resources. If the return to work date changes, the employee must notify the School immediately – no later than two days after learning of the change.

An employee may be required to provide a fitness for duty certificate from the health care provider indicating the employee's capacity to return to work and to perform the work required. The employee must be able to perform the essential functions of his/her job upon return. Requests for different (light) duties because of work restrictions cannot generally be accommodated.

When an employee returns from FMLA leave, he/she will be reinstated to his/her former position or an equivalent position with equivalent benefits, pay, and other terms and conditions of employment. Exceptions may apply if business circumstances have changed and for certain highly compensated positions under conditions defined within FMLA legislation.

If an employee fails to provide a required fitness for duty certificate from his/her treating physician, does not complete the School's return-to-work requirements and/or fails to return to work in a timely manner, the employee may not be reinstated to his/her job and may have his/her employment terminated.

Restrictions While on Leave. No employee may not engage in other employment (including self-employment) while on FMLA leave (or on a leave of absence of any kind.) A leave must be used only for the purpose requested. If an employee uses a leave of absence for any other purpose, including for travel/vacation, the employee will be treated as if he/she voluntarily resigned from his/her position.



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3.3090.1 Emergency Family and Medical Leave Expansion Act – Policy Rescinded February 17, 2022



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3.3100 Paid Vacation

Paid vacation time is provided to eligible employees. Employees should consult their contract or statement of compensation to determine if paid vacation time is allotted for the position held.

Eligible employees who are terminated or who resign are not entitled to be paid for vacation days that will occur during the remainder of the school year. Employees accrue vacation days on a pro rata basis, i.e., one-twelfth (1/12) of the total number of vacation days to which the employee is entitled for each full month worked. Therefore, upon termination or resignation, eligible employees will be paid only for vacation days actually earned. If the employee uses more paid vacation time than earned, the overpayment may be deducted from the employee's final paycheck.

Vacation must be requested with advance notice to the Supervisor/Building Leader. Vacation time must be approved prior to the time being taken.

Depending upon departmental/building schedules and needs, Supervisors/Building Leaders may deny paid vacation based upon business needs.

Adopted: November 21, 2019



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3.3110 Holidays

The school calendar specifies holidays for teachers and other instructional staff. The holiday schedule for non-instructional staff, including administrative personnel, is established each year by the Board.



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3.3120 Professional Development and Local Professional Development Committee (LPDC)

The School is committed to quality professional development for staff and shall provide opportunities based on the individual needs of staff and the recommendations of the LPDC and/or school's leadership.

Committee Member Composition, Selection and Terms

The LPDC shall have at least one representative from each Constellation school, the majority of which are teachers.

Teachers elected to the LPDC shall serve a term of two years. There shall be no limit in the number of terms LPDC members may serve.

LPDC teacher members may vacate their appointment by giving a thirty days' advance written notice to the committee chairperson. A LPDC member may be removed from his/her appointment upon the written request based on a 2/3 majority vote from the teaching staff or recommendation of an administrator followed by a unanimous vote of the remaining members of the LPDC Committee. The Executive Director, or designee, is responsible for appointing replacements to fill any administrative vacancies on an LPDC. Any member appointed to fill a vacancy occurring prior to the expiration date of the term for which the predecessor was appointed shall hold office as a member for the remainder of that term.

LPDC Meetings, Chairperson, Decision Making, Appeal

The LPDC shall meet once per month throughout the school year. The monthly dates will be set at the initial meeting. At the initial meeting of the LPDC, the committee shall select a chairperson, who shall be elected annually by a majority vote of the committee members, and such other officers as the committee may deem necessary, and may adopt rules for the conduct of its meetings. The chairperson's duties shall be to facilitate LPDC meetings and certify and report committee actions to affected parties.

Decisions shall be made by a majority vote of the committee members. Any tie vote or any vote without a majority shall be decided by the Coordinator of Professional and Staff Development. An educator wishing to appeal the decision of the LPDC committee may appeal to the Executive Director.

Note that the above rules relating to LPDC representation are modified somewhat whenever an administrator's coursework plan is being discussed or voted on. In such circumstances the LPDC must, if so requested by one of the administrators sitting on the committee, reduce the number of teachers voting on the plan to a point at which the majority of those voting are administrators.

R.C. 3313.22.



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3.3130 Section 125 Cafeteria Plan

A Section 125 Cafeteria Plan is available to employees. Pursuant to the terms of this plan, qualified employees may contribute before tax salary dollars to pay for employer sponsored health insurance, or to pay qualified dependent care expense



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3.3140 Ohio Workers' Compensation Laws [R.C. Chapter 4123]

An employee sustaining an injury in the course and scope of employment may avail himself/herself of Ohio's Worker Compensation laws as set forth in R.C., Chapter 4123, and may be entitled compensation for said injury pursuant to these statutes. Employees must notify the employer within 24 hours of any injury. The school has adopted a work place transition philosophy and will work with the employee, Bureau Workers' Compensation and employee's attending physician to develop a transition plan which will allow the employee to return to the workplace at the earliest possible date, performing alternative duties if necessary and appropriate.



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3.3150 Voting Leave

Employees who are unable to reach their polling locations outside of work hours shall be permitted to take a reasonable amount of unpaid leave to vote on election days. The Employee must provide reasonable notice to the Principal or his/her designee of the need for voting leave and may be required to provide evidence of voting upon return to work. *R.C. 3599.06.*



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3.3160 Witness and Crime Victim Leave

Employees who have been the victim of a crime, or are a member of a crime victim's family, shall be permitted to participate in the preparation for criminal or delinquency proceedings, if attendance is requested by the prosecutor responsible for the proceedings, and shall be permitted to attend proceedings pursuant to a subpoena where attendance is reasonably necessary to protect the interests of the victim. Such leave will be unpaid. Employees must promptly provide a copy of any prosecutorial requests or subpoenas to the Principal or his/her designee prior to taking leave. *R.C. 2930.18.*



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3.3170 First Responder Leave

Employees who serve as volunteer firefighters or volunteer emergency medical service technicians (“EMT”) shall be permitted to be absent or late in order to respond to an emergency prior to the time scheduled to report to work. Such leave will be unpaid. In order to be guaranteed this leave, an employee must give at least thirty (30) days written notice signed by the chief of the volunteer fire department or the medical director of the emergency medical organization with which the employee serves indicating that the employee is a volunteer firefighter or EMT. Employees must make every effort to provide reasonable notice that the employee may report late or be absent from work due to his/her dispatch to an emergency. Upon request, the Employee may be required to provide written documentation stating the cause of the employee’s tardiness or absence signed by the relevant fire chief or medical director. It is the responsibility of the employee to notify the Principal or his/her designee of any changes to his/her role as a volunteer firefighter or EMT. *R.C. 4113.41.*



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3.3180 Personal Leave

Employees who do not qualify for a leave of absence covered under the provisions of the Family Medical Leave Act may request a Personal Leave of Absence up to 30 days. A Personal Leave of Absence is typically unpaid and is a COBRA qualifying event.

A request for Personal Leave must be sent directly to the Executive Director for review and approval. Leave – specific items are coordinated through the Human Resource Office.

Adopted: January 16, 2020



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Policy 3.3190 Tuition Reimbursement Policy

Tuition Reimbursement Benefit Overview

From May 2022 through June 2024, eligible employees may be reimbursed for coursework that directly relates to their work assignment.

Employee Eligibility

Regular employees who work a minimum of 20 hours per week are eligible for tuition reimbursement if they are actively employed and in good standing from the time that coursework is pre-approved through the time of completion and reimbursement.

Reimbursable Expenses

Employees may receive reimbursement for tuition in one or more of the component categories below. All coursework must be started and completed between May 1, 2022, and June 30, 2024.

Maximum Total Benefit: \$7500			
	Tier 1	Tier 2	Tier 3
Component	Education degree program toward full/professional licensure	Additional education degree or program toward Department of Education certificate/endorsement program	Job-related professional development coursework
Description	<p>An accredited degree program that allows the employee to obtain new or supplemental professional licensure in one or more of the following:</p> <ul style="list-style-type: none"> • Elementary Education (PK-5) - General • Secondary Education (6-12) content-specific <ul style="list-style-type: none"> o English Language Arts o Mathematics o Science – Life Sciences, Physical Sciences, or related o Social Studies or History <p>Foreign Language offered at employee’s school such as</p> <ul style="list-style-type: none"> o French o Mandarin o Spanish <p>English as a Second Language</p> <p>Physical Education</p>	<p>An additional accredited degree or certificate program in one or more of the following:</p> <ul style="list-style-type: none"> • Curriculum & Design • English Language Arts • Math • Science • Social Studies or History • Foreign languages offered in the school where the employee works • English as a Second Language • Physical Education • Literacy/Reading Instruction • Special Education • School Counseling • Other as approved by Superintendent 	<p>Professional development in one or more of the following.</p> <ul style="list-style-type: none"> • Behavior Intervention • Career Technical Education • Data Analysis • Education Law • Educational Technology • Instructional Design • Instructional Practices • Literacy • School Counseling • Special Education • Student Assessments • Other as approved by Superintendent



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Maximum Total Benefit: \$7500			
Component	Education degree program toward full/professional licensure	Additional education degree or program toward Department of Education certificate/endorsement program	Job-related professional development coursework
	<ul style="list-style-type: none"> • Literacy / Reading Instruction • Special Education • School Counseling • Other as approved by Superintendent 		
Examples	Coursework toward a Bachelors of Elementary Education program for an individual who does not have sufficient coursework for a professional (non-substitute) elementary teaching license	Coursework toward a Reading Endorsement for an individual who already has a professional teaching license Coursework toward a Masters in Curriculum & Instruction for an individual who already has a bachelor's in education	Coursework required to renew an existing job-related license Coursework on Positive Behavior Intervention Support
Available Benefit	Up to \$500 per credit hour not to exceed \$7500	Up to \$500 per credit hour not to exceed \$3000	Up to \$1500 per course not to exceed \$1500

Courses must be taken at an accredited college, university, trade, or vocational school or through a registered professional association.

Coursework must be started and completed between May 1, 2022, and June 30, 2024. The employee must receive a grade of C or better or Pass for pass/fail classes.

Non-Reimbursable Expenses

Examples of non-reimbursable expenses include:

- Books
- Laboratory costs
- Study materials
- Private tutoring for course support
- Exam fees
- Travel expenses
- Parking fees
- Mileage
- Others to be determined



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Educational Assistance Reimbursement Procedure

Pre-Approval

The employee must request approval from their school leader in advance of beginning coursework. An exception will be made for any coursework begun May 1-31, 2022, where approval may be requested after the start of the course(s). School leaders must request approval from their supervisor.

The completed pre-approval form must be submitted to human resources at HRAdmin@constellationschools.com.

Reimbursement Request

Within 45 days following course completion, the employee must submit the following properly completed documents to the Administrator for reimbursement:

- Pre-Approval Form;
- Proof that courses are taken at accredited college, university, trade, or vocational school or through a registered professional association. For courses taken outside of a degree program – a course or seminar description. The employee may also be asked to provide a written statement describing how the course or seminar is related to their current or anticipated job duties;
- Transcript reflecting course grade of C or better (or “Pass” in a course taken as Pass / Fail) or equivalent proof of course completion or a certificate of completion or attendance; including course/seminar start and end dates
- An itemized tuition statement reflecting charges,
- Proof of payment

Failure to timely submit complete documentation will result in the denial of a claim for reimbursement. Should the employee have any issues meeting the 45-day deadline, they should contact Human Resources at HRAdmin@constellationschools.com prior to the deadline.

Reimbursement Approval and Processing

Requests for Reimbursement will be reviewed twice per month.

Approved reimbursements will be processed by the Payroll department within two pay cycles following approval. Reimbursements will only be processed on regularly scheduled pay days.

Please allow 4-6 weeks for approval and processing.

Constellation Schools reserves the right to amend, modify or change the terms and conditions of this program at any time for any reason.

Job Expectations

Any employee receiving reimbursement for costs related to obtaining new and/or additional licensure may be asked to fill a position utilizing that licensure.

Tax Implications

Tuition reimbursement follows IRS guidelines, which currently allow up to \$5250 in annual non-taxable reimbursement.



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Obligations Upon Separation

Any employee who voluntarily terminates employment may be asked to repay any educational assistance benefits received within the 12 months preceding termination.

Any employee who involuntarily terminates employment due to performance or conduct issues may be asked to repay any educational assistance benefits received within the 12 months preceding termination.

Repayment may be deducted from the employee's paycheck.

FAQ's

1. Can I receive benefits from all 3 buckets?

Yes, but the maximum available benefit to any individual employee over the full period is \$7500.

2. If I received reimbursement for a new teaching license, will you make me teach in that area?

Maybe. While it is our always our goal to match school needs with teacher preference, at times the school leader may change a teaching assignment to match licensure.

3. I took coursework to obtain an additional certification or degree prior to May 1, 2022. Can I request reimbursement for courses taken prior?

No. This program only allows for reimbursement of coursework started on or after May 1, 2022.



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4000 EMPLOYEE CONDUCT AND RESPONSIBILITIES

3.4010 Conflicts of Interest and Outside Employment/Activities

During School hours' employees are prohibited from engaging in any personal activities and associations that may conflict with, or distract from their duties with the School. Examples of such activities include, but are not limited to, private enterprises, campaigning for a candidate for political or elected office, and soliciting fees for private tutoring of students. Employees may never engage in any activities that conflict with the interests of the School regardless of whether they are paid or given other consideration. Employees wishing to engage in outside employment or summer employment must notify their Principal/Supervisor, in writing, and provide the name of the employer and the nature of the employment. Staff members who have any question regarding a potential conflict of interest should confer with the Principal or Executive Director.



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3.4020 Ethical Conduct

The School is a “character education” school designed to provide training for students in the areas of values, citizenship and personal conduct. Therefore, we require exemplary moral and ethical standards of conduct by its employees. The Board also requires that all employees maintain high standards in interpersonal relationships with other employees, parents, visitors and with students.



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3.4030 Gift Acceptance

Students and their Parents should be discouraged from the routine presentation of gifts to school employees. Where a student or parent spontaneously presents a gift of nominal value to a staff member, the gift may be accepted and reported to the Principal/Supervisor. However, the staff member should take the opportunity to discourage future gift-giving and suggest that letters or cards of appreciation directed to the Teacher, Principal or Board would be more appropriate.



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3.4040 Staff Dress, Grooming and Conduct

School employees are expected to set an example for students to follow regarding dress and grooming. Employees shall dress professionally and conduct themselves in a manner which reflects the discipline, respect and dignity associated with the image of the School. Personal hygiene is an important part of an employee's professional appearance. All employees are expected to practice good personal hygiene. Hair must be neat, clean and appropriately styled. Beards are to be neat and well trimmed. Perfume, cologne, cosmetics and jewelry are to be used in moderation. Pierced earrings may only be worn in the ears and no other visible body piercing is permitted. Tattoos must be covered in an appropriate manner so as to not be visible. The Principal will make the final determination as to the appropriateness of staff attire and/or grooming, and may send an employee home, or take other disciplinary action, when necessary.



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3.4050 Use of Alcohol and/or Drugs

Persons subject to the terms of this policy and the testing procedures are as follows:

- A. All employees of the School.
- B. All employees of temporary employee agencies or employee leasing services assigned to perform work for or on behalf of the School.
- C. All employees of contractors providing services at the School.
- D. All applicants for employment.

The School prohibits possession of, use of, or being under the influence of alcohol or illegal drugs or other controlled substances during working hours, on school property or in any facility maintained by the School.

Employees of the School are its most valuable resource and for that reason, their health and safety is of paramount concern. We will not tolerate any alcohol or drug use which imperils the health and well-being of its employees or threatens its business. The use of illegal drugs and abuse of other controlled substances, on or off duty, is inconsistent with the law-abiding behavior expected of all our employees. Employees who use illegal drugs or abuse other controlled substances, on or off duty, pose a risk to their own health and safety, as well as that of other employees. Such employees also tend to be less productive, less reliable, and prone to greater absenteeism resulting in the potential for increased cost, delay, and risk in the School's business. Employees have the right to work in a drug-free environment. In addition, alcohol and drug abuse inflicts a terrible toll on the nation's productive resources and the health and well-being of American workers. We are, therefore, committed to maintaining a safe workplace, free from the influence of alcohol and drugs.

3.4050.1 Use of Over-the-Counter Medicine and Authorized Use of Prescribed Medicine

Employees using over-the-counter medication or medication prescribed by a physician are expected to discuss potential side effects with a physician. An employee using any drug which may alter his or her physical or mental ability must report this treatment to the Principal, who, in consultation with the Executive Director, will determine whether the School should temporarily change the employee's job assignment during the period of treatment.



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CHAPTER 3: PERSONNEL POLICIES, PRACTICES AND PROCEDURES

3.4050 Use of Alcohol and/or Drugs (continued)

3.4050.2 Prohibitions

Our policy prohibits the following:

- A. Use, possession, manufacture, distribution, dispensation, or sale of illegal drugs on School premises, or in School-supplied vehicles, or during working hours.
- B. Unauthorized use or possession, or any manufacture, distribution, dispensation, or sale of a controlled substance on School premises or any facility maintained by them, in School-supplied vehicles, or during working hours.
- C. Use, manufacture, distribution, dispensation, possession, storage, or any sale of alcohol or illegal drugs or controlled substances on School premises, or in School-supplied vehicles, or during working hours.
- D. Being under the influence of alcohol or a controlled substance or illegal drugs on School premises or during school business or at any facility maintained by the School, or during working hours.
- E. Use of alcohol off School premises that adversely affects the employee's work performance, his own or others' safety at work, or which we regard as adversely affecting its reputation in the community or with its customers.
- F. Possession, use, manufacture, distribution, dispensation, or sale of illegal drugs off School premises.
- G. Switching or adulterating any urine, blood, or other sample submitted for testing.
- H. Refusing consent to testing or to submit a urine, blood, or other sample for testing when requested by management.
- I. Refusing to submit to a search when requested by management in accordance with this policy.
- J. Failure to adhere to the requirements of any alcohol or drug treatment or counseling program in which the employee is enrolled.
- K. Arrest or conviction under any criminal drug law.
- L. Arrest or conviction under any law prohibiting driving under the influence of alcohol or other drugs.
- M. Failure to notify the School of any arrest or conviction under any criminal drug law or laws prohibiting driving under the influence of alcohol or other drug, within five (5) days of the arrest or conviction.
- N. Refusing to sign a statement agreeing to abide by the School's Alcohol and Drug Abuse Policy.
- O. Refusing consent or refusing to submit to pre-employment testing.



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3.4050 Use of Alcohol and/or Drugs (continued)

3.4050.3 Searches

- A. Whenever the School has reason to believe that an employee's work performance or on-the-job behavior may be affected by alcohol or drugs, we may search the employee, the employee's locker, desk, or other School property under the control of the employee, as well as the employee's personal effects or automobile on our property or any facility that we maintain, including common parking areas which are not school property but which are designated for employees.
- B. Whenever the School has reason to believe that an employee possesses alcohol or drugs on our premises, we may search the employee, the employee's locker, desk, or other property under the control of the employee, as well as the employee's personal effects or automobile on our property or any facility that we maintain.

3.4050.4 Consequences

- A. Violation of our Alcohol and Drug Abuse Policy may result in severe disciplinary action, including discharge, at our sole discretion.
- B. In addition to any disciplinary action, we may, in our sole discretion, refer the employee to a treatment and counseling program for alcohol or drug abuse. The Principal, in consultation with the Executive Director, shall determine whether an employee who has been referred for alcohol or drug treatment and counseling should be temporarily reassigned to another position.
- C. We will promptly terminate any employee who tests positive for alcohol or drugs while undergoing treatment and counseling for alcohol or drug abuse, regardless of whether such treatment and counseling is voluntary or required by us.
- D. The results of, or an employee's refusal to submit to, any chemical/drug/alcohol test described herein may, in addition to any disciplinary action imposed, disqualify an employee from receiving compensation and benefits under Ohio's workers' compensation laws.

3.4050.5 Testing

- A. Whenever we have reason to believe that an employee's work performance or on-the-job behavior may be affected in any way by alcohol or drugs, we may require the employee to submit a urine, blood, or other sample for testing.
- B. We will afford employees subject to testing the opportunity, prior to testing, to list all prescription and non-prescription drugs they have used in the last thirty (30) days and to explain the circumstances surrounding the use of such drugs.
- C. Employees subject to testing must sign an approved form consenting to the testing and consenting to the release of the test results to the School. Refusal to sign the consent form will be considered refusal to be tested and will result in discharge and may result in denial of workers' compensation benefits.



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3.4050 Use of Alcohol and/or Drugs (continued)

- D. The School, prior to taking any action, will give all applicants and employees who test positive the opportunity to explain in writing the test results.

3.4050.6 Types of Testing

All employees are subject to the following types of testing:

- A. Post-Accident Testing
1. Alcohol and drug testing is required of employees if impairment may have either contributed to an accident or cannot be completely discounted as a contributing factor to an accident. Because alcohol does not remain in the body for extended periods of time, testing will be done as soon as possible.
 2. Reportable accidents that require testing include:
 - a. Death of any person.
 - b. Bodily harm to any person resulting in one or more of the following:
 - (i) Loss of consciousness
 - (ii) Necessity to carry person from the scene
 - (iii) Necessity for medical treatment (beyond first-aid)
 - (iv) Disability which prevents the discharge of normal duties or pursuit of normal activities beyond the day of the accident
 - c. Explosion or fire.
 - d. Serious damage to the property of the School or others.
 - e. Any other event that is serious in the judgment of the School requires testing.
 3. If any employee who is subject to post-accident testing is conscious, and refuses to be tested, that person will immediately be placed on suspension, pending further disciplinary action.
- B. Other Testing
1. Alcohol and drug testing of employees will be conducted when there is reason to believe the employee is impaired from the use of alcohol or drugs. A decision to test will be based on specific physical, behavioral, or performance indicators of possible alcohol or drug use. For example, repeated errors on the job, regulatory or School rule violations, or unusual time and attendance patterns, could provide evidence to test an employee based on reasonable cause.



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3.4050 Use of Alcohol and/or Drugs (continued)

2. Any employee who is tested will immediately be placed on suspension pending test results.
3. The School may conduct pre-employment testing.

R.C. 4123.651

Adopted: November 30, 2017

3.4050.7 Record Keeping

The School is responsible for establishing and maintaining records of drug testing.

3.4050.8 Privacy and Confidentiality

Information regarding an employee's alcohol testing results or rehabilitation will not be released to anyone outside Constellation Schools and the School, or their subsidiaries without the express written authorization of the tested individual, except upon the request of Federal/State agency officials as part of an accident investigation.

An employee's rehabilitation or alcohol test records will not be released to a subsequent employer without the employee's written consent.

3.4050.9 Use of Tobacco and Other Stimulants on School Premises

The use of tobacco and some oral, stimulants, including betel nuts, presents a health hazard that can have serious consequences both for the user and the nonuser and is, therefore, of concern to the School.

For purposes of this policy, "use of tobacco" shall mean, all uses of tobacco, including cigars, cigarettes, pipes, snuff, or any other matter or substances that contain tobacco, as well as electronic, "vapor," or other substitute forms of cigarettes. Additionally, "use of betel nuts" shall mean any and all use, possession, consumption or chewing of the areca nut (commonly known as the betel nut) or substances containing the areca nut.

The School cannot, even by indirection, condone the use of tobacco or the use of betel nuts. As such, the School prohibits the use of tobacco or betel nuts on School Property.

See Appendix 3.4050.9 for a "No Smoking" symbol sign which should be posted in areas where smoking is prohibited, including at each entrance. Each sign must also include a telephone number for reporting violations.

20 U.S.C. 6081-6084; R.C. 3313.751; R.C. Chapter 3794.

Adopted: November 30, 2017



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3.4060 Unanticipated Absence from Duty

Whenever possible employees must provide the Principal/Supervisor with advanced notice of anticipated or expected absences from duty. However, when an employee must be absent from duty for short periods of time due to illness or other unforeseen events, the employee must do the following:

- Notify the Principal/Supervisor at his or her home between 6:30 am and 6:45 am of the date of absence, or, as soon as possible under emergency circumstances. An employee must make a good faith effort to speak directly to his/her Principal/Supervisor, not merely leave a voice mail message;
- Employees must indicate the severity of the illness and attempt to project the anticipated duration of absence;
- Lessons and or other information prepared by the Teacher must be conveyed to the assistant or substitute; a sub folder should be readily available at school;
- A call must be made each morning during the employee's absence if he or she has been indefinite as to the duration of the absence;
- A call need not be made each morning if the employee has stated a definite term of absence. A phone call should confirm the expected return of the employee and a progress reports should be provided at least once a week;
- The employee shall complete the appropriate leave form upon returning to work.



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3.4070 Confidentiality of Student Records

A file is kept for each student enrolled in the school. Student information is confidential and cannot be discussed with other students or parents. Any employee who initiates, contributes to, or facilitates the unauthorized release or use of student information may be subject to disciplinary action, including termination.



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3.4080 Student Attendance

Attendance is critical to the academic success of children. Teachers must ensure parents are aware of the importance of children coming to school on time each day. When a teacher is aware that a child is experiencing attendance difficulties, he/she will initiate a dialogue with the parent or guardian. If the problem persists, the teacher should inform the Principal.

Teachers are required to maintain daily student attendance records for all students under his/her care in the format prescribed by the School.

No student is permitted to leave the school at any time other than the regular dismissal time unless the Principal approves. A child may not leave the school except with a parent, or an individual expressly approved beforehand by the child's parent, and authorization from the Principal. A teacher must notify the Principal whenever a child entrusted to his or her care is to be taken off the school premises for any reason.



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CHAPTER 3: PERSONNEL POLICIES, PRACTICES AND PROCEDURES

3.4090 Enforcement of Student Code of Conduct

The School is a “character education” school in addition to being focused on high academic achievement for children. Character development is an essential part of the education that takes place in the school. To ensure an environment conducive to learning we have developed specific rules, regulations, policies and procedures to provide guidance to (1) students - so that there will be no ambiguity as to what is expected, and, (2) staff - so that when it is necessary to discipline a student, it will be done fairly and respectfully. It is essential that the disciplinary policies and procedures adopted by the Board be consistently applied to all students. All employees are expected to know and enforce these policies and procedures.

The expectations placed upon all of our students are as follows:

- Students will complete all assignments to the best of their ability.
- Students will respect authority and conform to school rules of conduct.
- Students will be respectful of one another.
- Students will respect the rights and property of others, including teachers, students, and the school.
- Nonviolence, peace and concern for one another are the foundation of all school activity.
- Each person possesses unique gifts that should be recognized and accepted.
- Students will attend school every day, be on time, and be prepared to learn.
- Students will wear the appropriate uniform each day, and will present a neat, clean appearance.
- Students will exercise self-discipline and self-control in all aspects of school activities.
- Students will assist in maintaining an orderly, clean school environment.



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3.4100 Disciplinary Actions

Discipline should be developed in a positive manner and should be a learning experience rather than a punitive experience. Children naturally want to follow rules if adults clearly define the rules and then invite the children to assume responsibility for his or her behavior. Assuming responsibility for behavior is to understand and accept the consequences for violating rules. Children whose rights are violated by physical harm are asked to report the problem to the teacher, or any available adult, rather than hit back. This instills the practice of following appropriate procedures. Once notified, the Teacher implements progressive discipline.

The following behaviors constitute serious offenses: unprovoked attack upon another student; threatening, striking or assaulting any student or school employee; failure to abide by corrective measures, such as removal to the office, for previous acts of misconduct; prolonged display of outrageous and disruptive behavior that interferes with the educational process; deliberate and open verbal and/or physical defiance of authority; profanity or obscene language; fighting, and intentional destruction of school property. Although progressive discipline will be utilized whenever possible and appropriate, there may be instances where circumstances dictate immediate remedial and corrective actions to protect students, Teachers or the school. In these cases, the Principal may determine the necessary and appropriate disciplinary.

Certain disciplinary measures are inherently contrary to our philosophy. Therefore, staff may not commit the following offenses:

1. Any Personal Indignities
2. Any Form of Corporal Punishment
3. Verbal and Nonverbal Humiliation, Sarcasm, Ridicule, Name-Calling, Swearing, Gestures, Etc.
4. Reducing Grades or Denying Academic Credit for Disciplinary Reasons



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3.4110 Parent Involvement and Background Checks

The successful operation of the School relies on the efforts of parents. Staff should ensure that parents feel as though they are a welcome part of the school community and an integral part of the education of their children. Parents should be encouraged to become partners with the school through volunteer activities that directly impact the school and the educational environment. Families are asked to contribute at least ten hours per school year in volunteer time. **All volunteers are hereby notified that they may need to submit to a background check, and have the results released to a representative of the school, prior to being permitted to serve in a volunteer capacity at the school.** Teachers should make certain that parents feel their time has been spent productively. Any adult with unsupervised access to children is required to undergo a criminal background check and sign a consent authorizing the results to be released to the Board, Principal, or Sponsor of the School. The Principal must bring to the attention of the Board all relevant negative information obtained from the criminal background checks and the Board will determine the appropriate level of participation for the affected adult(s).



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CHAPTER 3: PERSONNEL POLICIES, PRACTICES AND PROCEDURES

3.4120 Field Trips

Teachers are required to get pre-approval for all activities off school property and obtain parent permission slips for each student. Field trips should closely correlate to the curriculum being covered at that time. Field trips should be introduced with objectives meant to be learned by the experience. And follow up lessons should occur ensuring learning was accomplished. Teachers are required to take all students' emergency information including, parent's name, phone numbers, address, allergies, medications or other health concerns. Teachers are responsible for accounting for students before they leave school property, at least once during the field trip and before they leave to come back to school. Instructions and emergency information should be provided to any volunteer taking a small group of students. If a problem occurs, teachers are responsible for calling the school. Field trips should be limited to one (1) per quarter.



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3.4130 Visitors

To maintain a safe and secure environment for children, the doors to the schools will be locked, and all visitors will be required to sign in upon entry to the building and sign out upon leaving. The faculty and staff should maintain a high level of awareness regarding visitors entering the building and should approach visitors and offer assistance whenever they observe an unknown person in the building. Notify the Principal immediately of any unauthorized visitors.



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3.4140 Care of Materials, Equipment and School Property

When materials and equipment are issued for use in the classroom, the staff member is responsible to assure the items are not misused or mistreated. If an item is damaged, the staff member shall be responsible for reporting the condition to the Principal/Supervisor. If an item is stolen the staff member shall notify the Principal/Supervisor that the item is missing and the Principal/Supervisor shall, with information supplied by the staff member, make a formal police report.

No property, other than books, belonging to the School may be removed from the school premises without the prior written authorization of the Principal. All school materials must be returned before summer vacation. Upon the termination or resignation of any employee all school property must be returned prior to the issuance of the employee's final salary check.



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3.4150 Educational Materials

The Board, through the budgeting process, will ensure that the School has the necessary educational materials to ensure that every student has an opportunity for a high quality education.



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3.4160 Bulletin Boards

The Principal must ensure that all bulletin boards, and other displays, in the lobby or school common areas are maintained and updated on a regular basis. Teachers are required to keep bulletin boards current throughout the year. Bulletin boards should reflect class projects and student work displayed in an attractive manner. In addition, bulletin boards must contain information about the quarterly character traits being emphasized and reflect the overall character education program of the school.



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3.4170 Mailbox/Email Communication

Mailbox

Staff mailboxes are located in the office. Staff members are responsible for checking their mailboxes once in the morning as they arrive, once after lunch, and once before they leave for the day. Teachers are expected to follow-up on the information provided to them as soon as possible. All phone calls and questions must be addressed within 24 hours.

Email Correspondence

Staff emails will be reviewed periodically and at times throughout the day that works best for the individual. All emails and questions must be addressed within 24 hours.

Adopted: February 18, 2021



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3.4180 Telephone and Cellular Phone Use

School phones are for business use. On rare occasions for emergency and/or medical purposes staff may utilize school phones to make personal calls during the school day. These calls should be kept to a brief duration, and the prior approval of the Principal is required. School related calls may be placed from the office. When calling or faxing long distance, please provide the number you are calling together with the reason for the call to the Principal. Teachers will not be called to the phone during class time. Messages will be placed in staff mailboxes.

The use of personal cellular telephones is not permitted in any classroom. Prior to using a cellular telephone, employees must receive the authorization of his/her Principal/Supervisor. All cell phone usage is subject to the Cell Phone Use Policy in the Finance Section of the School Policies.



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3.4190 Resolution of Grievances

All professional contacts by staff members with the Board shall be made through the Principal.

Grievances by the staff should be submitted to the Executive Director where the Principal is part of the grievance. Otherwise, the Principal is responsible for all grievances that are filed in the course of the year, and the Board will refer such grievances back to the Principal. Where the Principal and Executive Director are unable to resolve the grievance, staff may submit the matter to the Chairman of the Board.



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3.4200 Closing Procedure - End of Session (School Year or Summer)

Submit completed forms, tests and checklists in student alphabetical order to the Principal by the last day of school. Do not remove records from the premises.

- All materials must be cleaned and the room left in order for the beginning of the next year.
- Classroom furniture must be stacked to one side of the room
- All report cards, attendance logs and records must be completed and turned in to the Principal.
- Data input into any electronic grade book, attendance system, etc. must be complete.
- Lesson plans and lesson plan books must be turned in to the Principal.
- Grade books must be turned in to the Principal.
- All storage areas must be organized and cleaned and free from all perishables.
- All plants and animals should find homes. Do not leave them at school.
- Capital improvements and repairs should be listed in order of priority.
- Common use areas shall be assigned and cleaned.
- All material should be inventoried.
- A list of replacement items should be written up.
- Material requests for the next school year should be written up on a requisition form.
- June and July paychecks may be withheld until the completion of the above.
- Exit conferences with the Principal.



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3.4210 Teacher Professionalism

Teachers are expected to show evidence of continuing growth, either in the form of formal graduate credit or other approved activities that will demonstrate their concern for maintaining and increasing their professional competence. Teachers are to submit to the Principal, in writing, evidence of continual growth by listing association memberships and or meetings attended.

All staff members are expected to fully and actively participate in activities designed to improve the School and other schools managed and operated by Constellation Schools. This may include grade level meetings including staff from all Constellation schools; committees created to address areas such as professional development or curriculum; or, such other activities as the Principal/Supervisor, Executive Director or Board, may, from time-to-time designate. Everyone is expected to work together as a team to create successful students, successful schools, and, a successful organization.



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3.4220 Additional Responsibilities

In addition to assigned classroom responsibilities, a teacher's responsibilities may include other activities, either before and/or after school hours, such as:

- Staff, committee and other professional meetings called by the principal
- Orientation for new, entering families, class meetings, school promotional meetings, and open house meetings with parents which may occur after hours
- Oversight of student arrivals and departures
- Conducting parent-teacher conferences
- IEP, IAT and/or MFE Meetings
- Making appropriate accommodation to ensure success of all students regardless of IEP status
- Tutoring students, acting as faculty advisor for student activities, etc.
- A proportionate share of building supervision
- Admissions interview of prospective students
- Parent-teacher organization meetings



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3.4230 Use of Electronic Equipment

To ensure that the School's electronic equipment is used only for lawful and appropriate purposes and to further its business interests, the School has adopted the following Policy which applies to all employees. Each employee and student having access to the electronic equipment of the School is required to abide by this Policy. The School will strictly enforce this Policy.

3.4230.1 Acceptable Uses of the School's Equipment

Software and business equipment, including telephones, facsimile machines, computers, the School's electronic mail system, the School's Internet access, and copy machines (collectively, the "Equipment") are intended to be used for business purposes only. The Equipment is the exclusive property of the School, and its sole purpose is to facilitate the business of the School. Each student and employee has the responsibility to maintain and enhance the public image of the School and to use the Equipment in a productive and appropriate manner.

3.4230.2 Unacceptable Uses of the School's Equipment

The School's Equipment may not be used for transmitting, receiving, or storage of any communications of a defamatory, discriminatory, or harassing nature, or materials that are sexually explicit, pornographic, or obscene. Harassment of any kind is prohibited. No messages with derogatory or inflammatory remarks about an individual's race, sex, age, disability, religion, national origin, or physical attributes shall be transmitted through the School's Equipment. The School will not tolerate actions that may create a hostile environment. Equipment may not be used for any purpose which is illegal or against the School's policies or contrary to the School's best interest. Sensitive or confidential information respecting the School or its students or vendors should not be transmitted via the Internet or over facsimile machines without the consent of the School. Solicitation of non-School business, or any use of the School's Equipment for personal gain, is prohibited.

3.4230.3 Personal Electronics

Staff may bring personal cell phones to work; however, these devices are not to be used when the individual is engaged in the supervision of students or doing the work of a normal employment day. Devices may be used on school property before the beginning of the workday, at the end of the workday, or during planning or lunch.

This policy does not prohibit normal business use by individuals who have been assigned a cell phone for work purposes. Employees are cautioned against taking or making telephone calls while driving.

Adopted: August 16, 2018



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3.4230.4 Electronic Media

Constellation School's staff members are expected to display professionalism and integrity while using any form of electronic media (i.e. social media, online classroom management tools, photos, videos), whether personal, professional or school-associated.

Guidelines

1. Use of any recording device, personal or school-owned, for the purpose of documenting Student behavior, is prohibited.
2. Use of electronic media to intentionally host or post improper or inappropriate material that could be reasonably accessed by the school community is prohibited. Ensure that personal electronic media has proper privacy restrictions in place.
3. Use of electronic media to promote inappropriate communications with students is prohibited.
4. Use of electronic media to violate, unknowingly or knowingly, any student confidentiality or to discuss confidential student, family or school-related information in a non-professional way (i.e. gossip, disparagement) is prohibited.

Adopted: August 16, 2018

3.4240.1 Communications

Students and employees are responsible for the content of all information that they transmit over the School's Equipment. All electronic communications must correctly identify the student or employee responsible for the communication. Any information sent to an individual outside of the School via the School's Equipment are statements that reflect on the School. All communications sent by students and employees via the School's Equipment must comply with this and other School policies.

3.4240.1 Software Issues

To prevent computer viruses from being transmitted through the School's Equipment, there will be no downloading or copying of any software onto the School's Equipment without prior approval of the School. No files of any kind will be downloaded from the Internet without prior approval of the School. License agreements relating to any software, whether individually owned or owned by the School, will be strictly complied with.

Adopted: June 18, 2009

3.4240.2 Electronic Mail Communication

The electronic mail system of Constellation Schools and the School is to be used for business purposes only.

Constellation Schools and/or the School, as the owner of its electronic mail system, reserves the right to access and review all communications and matter created, received, sent or stored by any individual using the School's electronic mail system. Certain School employees, as authorized by the School, must have unrestricted access to the School's electronic mail system for purposes such as, but not limited to,



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retrieving School business-related information, troubleshooting system problems, preventing system misuse, and complying with legal and regulatory interests. For these reasons, the School has retained a copy of all computer passwords and cannot guarantee the privacy of communications or matter created, received, sent or stored on its electronic mail system.

Communications or matter stored in the electronic mail system should not be accessed by anyone other than the author or recipient, except with the permission of the author or recipient, or by the School, as stated above. Users of the School's electronic mail system should not disclose their electronic mail password(s) to others.

Offensive, harassing or otherwise inappropriate communications or matter on the School's electronic mail system is prohibited.

Violations of this policy should be reported directly to your Manager and will result in discipline up to, and including, termination.

3.4240.3 Security

No student or employee may use a passcode or voice-mail access code that has not been issued to that employee by the School. The School has the technical means, and the legal right, to monitor all office electronic mail and Internet communications sent to or from the School's Equipment. The School will exercise this right as deemed necessary by the School.

There are several legitimate business reasons for the School monitoring the use of its Equipment including: (1) ensuring that the sole use of the Equipment is to further its business purposes; (2) preventing inappropriate and unprofessional comments, or even illegal activity, via its Equipment; (3) preventing and controlling the spread of viruses in its Equipment; (4) the need for supervision, control, and the efficient operation of the workplace; and (5) controlling costs.

In some respects, communication via the Internet is not completely private. For instance, certain information with regard to sender's name, receiver's name, and subject matter is tracked and recorded automatically at various stages of the transmission process. In addition to these automatic tracking features of Internet communications, the School has the added capability, as well as the right, to monitor and record all information with regard to Internet communications into and out of the School, as well as all internal e-mail communications. Despite certain equipment features that may give the appearance of creating privacy, such as passwords and the ability to delete and purge messages, students and employees have no expectation of privacy with regard to any communications or data transfer utilizing the School's Equipment. **By using the equipment of Constellation Schools and/or the School, students and employees consent to the monitoring of their activities on the School's Equipment and forfeit any expectation of privacy.**

3.4240.4 Violations

Any student or employee who abuses the privilege of using the School's Equipment will be subject to appropriate disciplinary action. We also reserve the right to advise appropriate authorities of any illegal use of the equipment.



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3.4250 Copyright Issues

The Board conforms to existing United States copyright laws and maintains the highest ethical standards in the use of copyrighted materials for instructional purposes.

The School encourages its staff to enrich the learning programs by making proper use of supplementary materials. It is the responsibility of staff to comply with the copying procedures and obey the requirements of the law. Under no circumstances may employees of the School violate copyright requirements in order to perform their duties. The Board and the School are not responsible for any violation of the Copyright Act by School employees.

The Copyright Act affects all employees as it sets guidelines regarding the duplication and use of copyrighted materials – print, non-print, music, computer software and others. The Principal or his/her designee is responsible for disseminating the guidelines for duplication and use of copyrighted materials to all employees. The guidelines are contained in Appendix 3.4250-A.

Any employee who is uncertain as to whether the reproduction or use of copyrighted materials complies with the procedures or is permissible under the law shall contact the Principal or his/her designee.

*U.S. Const. Art. I, Section 8
Copyright Act, 17 USC101 et seq.*



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3.4260 Social Networking Websites/Teacher Blogging

Social media tools offer the opportunity for users to gather in online communities of shared interest and to create, share, or consume content. Social media tools include social networking sites such as Facebook, video and photo sharing websites such as YouTube and Flickr, micro-blogging sites such as Twitter, weblogs, corporate blogs, personal blogs, conversation pages, discussion boards, message boards, news forums, wikis, virtual worlds, or any other websites that allow users to publish user generated content.

Once something is posted online, it can become viral and may never be completely eliminated—even if deleted. Public online forums and websites are accessed by many people, including our parents and students and may reflect upon the posting Staff Member and/or the School.

Staff Members are advised to exercise discretion and good judgment and act in a positive and ethical manner in using social media tools when they are officially responsible for representing the School and when they are discussing the School, aspects of their job or employment with the School, School-related issues or other issues impacting the School, or any matters impacting the perception of the School.

Staff Members are personally responsible for the content they publish via social media tools and should have no expectation of privacy in such forums. Staff Members should monitor the content of their “pages” and remove anything that violates the terms of this policy or any other School policy immediately.

Staff Members may not represent themselves as spokespersons for the School without express authorization. It should be clear that all information shared via social media tools solely expresses the thoughts of the writer/poster/etc. and has not been communicated on behalf of the School. Staff members must abide by all copyright and intellectual property laws in the event that they elect to use School or company logos.

Nonpublic proprietary information relating to the School is property of the School, and the unauthorized disclosure or distribution of such information is forbidden unless otherwise authorized by law.

Staff Members may not post images or photos of students and should use special caution before posting pictures of others.

Staff Members may not post or display comments about coworkers or supervisors that are vulgar, obscene, threatening, intimidating, harassing, or a violation of workplace policies against discrimination, harassment, or hostility on account of age, race, religion, sex, ethnicity, nationality, disability, or other protected class, status, or characteristic. Staff Members may be held responsible for the use of ethnic slurs, personal insults, obscenity, or for engaging in any of the above conduct that would not be acceptable in the workplace itself. Staff Members also are prohibited from posting data, links, documents, photographs or inappropriate information on any website that may result in a disruption of classroom activity.

Fraternization between Staff Members and Students via the Internet, personal e-mail accounts, social networking websites, and other modes of virtual technology is also prohibited.

Access to social networking websites during working hours or via school computers/devices is prohibited.



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When used properly, blogging can be a great way for teachers to learn new ideas for the classroom. However, Staff Members must use discretion and good judgment when posting comments on a blog.

Staff Members who blog in their capacity as staff members of the School may be asked by the Principal to put a disclaimer on their blog stating that the opinions expressed are their own and they do not necessarily reflect the beliefs or ideologies of the School. The Principal may make such a request if he or she reasonably believes that information in the blog could appear to a reasonable person to be written on behalf of or with the authorization of the School.

Under certain circumstances, the Principal must report acts unbecoming to the teacher profession to the Ohio Department of Education. The definition of “conduct unbecoming to the teaching profession” includes but not be limited to the following: “using technology to intentionally host or post improper or inappropriate material that could reasonably be accessed by the school community” and “using technology to promote inappropriate communications with students.”

Accordingly, a licensed Staff Member’s use of technology may result in their conduct being reported to the Ohio Department of Education, which may result in the ODE taking disciplinary action against a Staff Member.

See Licensure Code of Professional Conduct for Ohio Educators, State Board of Education.

Adopted: November 19, 2020



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5000 EMPLOYEE EVALUATION, DISCIPLINE AND TERMINATION

3.5010 General Policy

The School is committed to providing every employee with the tools necessary to be successful. To that end, on a regular basis the Principal/Supervisor reviews staffing, training and organization needs. All staffing and organizational plans must be approved by the Board before implementation.



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3.5020 Performance Evaluation of Licensed Teaching Staff

The effectiveness of the teaching staff is essential to the success of the School. Accordingly, teaching staff shall be evaluated pursuant to State law and the statewide, standards-based teacher evaluation framework adopted by the State Board of Education.

Definitions

Teacher- or the purposes of this policy, “teacher” means a licensed instructor who spends at least fifty percent (50%) of his/her time providing content-related student instruction, and who works at the School under one of the following:

1. A license issued pursuant to R.C. 3319.22, 3319.222 or 3319.226; or
2. A professional or permanent certificate issued under former R.C. 3319.222; or
3. A permit issued under R.C. 3319.301.

Teacher does not refer to substitute teachers or instructors of adult education.

Credentialed Evaluators- A “credentialed evaluator” means an administrator who holds a credential established by the Ohio Department of Education for the evaluation of teachers, and who employed or contracted with to conduct evaluations.

High-Quality Student Data (“HQSD”)- “High-Quality Student Data” means locally-determined data that evidences student learning attributable to the teacher being evaluated. If applicable, HQSD must include the value-added progress dimension and the teacher shall use at least one other HQSD measure to demonstrate student learning. HQSD may also include data from student assessments approved by the Ohio Department of Education for such purposes: however, HQSD may not include student learning objectives or shared attribution measures.

Holistic Rating

Based on the outcome of teacher evaluations, teachers shall be assigned a holistic rating of either “accomplished,” “skilled,” “developing” or “ineffective”. Ratings shall be determined based on a preponderance of the evidence gathered through a combination of informal and formal observations and supporting evidence using the Teacher Performance Evaluation Rubric established by the Ohio Department of Education.

Annually, the School shall report to the Ohio Department of Education the number of teachers assigned each effectiveness rating. Reports shall be aggregated by the teacher preparation programs from which, and the years in which, the teachers graduated. Personally identifiable information about the teachers shall not be reported.

Teachers shall be evaluated through at least two (2) formal observations by a credentialed evaluator, including first a holistic observation and then at least one focused observation, and through at least two (2) periodic informal observations called “classroom walk-throughs”.

Each formal observation shall be preceded by a conference between the evaluator and the teacher to explain the plans and objectives for the classroom situation to be observed. Following each formal observation, a post observation conference shall be held.



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Periodic informal observations will be between 5 and 30 minutes long, may be unannounced and may be conducted at the request of the teacher or discretion of the credentialed evaluator. Following each classroom walk-through, the evaluator shall provide feedback regarding walk-through observations.

Scoring on the teacher performance component shall be based on the Ohio Standards for the Teaching Profession established by the Ohio Department of Education.

Student Performance Calculation

At least two (2) measures of HQSD shall be used to evidence student learning. The teacher subject to the evaluation, in consult with the evaluator, may select the student data to be used in the evaluation, provided however, when applicable to the grade level or subject area, at least one measure of HQSD shall include the value-added progress dimension. Teachers must provide evidence to their evaluator which demonstrates that they have used high-quality student data in the following ways:

- A. critically reflecting and analyzing available data to support improvement and enhancement of student learning.
- B. critically assess student learning needs and styles, including the entire classes strengths and weaknesses, as well as individual students in each class;
- C. inform and adapt instruction to meet student needs as reflected in data analysis; and
- D. measure student learning, as well as progress toward achieving state and local standards.

Professional Growth and Improvement Plans

Teachers with final holistic effectiveness ratings of “accomplished”, shall develop a professional growth plan for the evaluation cycle. Teachers rated “accomplished” will have the right to select their credentialed evaluator and will be able to choose from any credentialed evaluator at the School.

Teachers with a holistic effectiveness rating of “skilled” will develop a professional growth plan collaboratively with their credentialed evaluator. Teachers rated “skilled” shall have input, but not final discretion, on who will be their credentialed evaluator for the evaluation cycle.

Teachers with a holistic effectiveness rating of “developing” must develop professional growth plans for the evaluation cycle collaboratively with their assigned credentialed evaluator.

Teachers with a holistic rating of “ineffective” will be placed on an improvement plan by their credentialed evaluator for the evaluation cycle.

Teachers whose holistic effectiveness ratings are “developing” or “ineffective” shall be assigned a credentialed evaluator by the Principal or his/her designee.

Regardless of holistic effectiveness ratings, the Principal or his/her designee may place a teacher on an improvement plan at any time during the academic year due to deficiencies in any individual component of the evaluation system described by this policy.



Constellation Schools

CHAPTER 3: PERSONNEL POLICIES, PRACTICES AND PROCEDURES

Evaluation Time Line

The School or its management company shall conduct an annual evaluation of all teachers rated “ineffective” or “developing” on their most recent evaluations. Teachers rated “skilled” or “accomplished” on their most recent evaluations may be evaluated on their most recent evaluations may be evaluated once every two (2) or three (3) years, respectively, so long as the teacher submits and makes progress towards his/her Professional Growth Plan. Teachers will be provided with at least one observation and post-conference in any year that the teacher is not formally evaluated.

All teacher evaluations shall be completed by May 1 of each school year. Evaluation results shall be given to each teacher no later than May 10 of the evaluation year.

Professional Development

The School and/or its management company may allocate reasonable financial resources to support professional development efforts in compliance with federal and State law in order to encourage positive results on holistic evaluation ratings and promote the overall success of the School.

Retention and Promotion Decisions

Evaluation results may be used by the School or its management company for retention and promotion decisions. Seniority shall not be the basis for making retention decisions, except when choosing between teachers who have comparable evaluations.

Exemption for Select Teachers

Notwithstanding anything stated elsewhere in this policy, beginning with the 2021-2022 school year, the School shall not conduct an OTEs evaluation on any teacher who is either:

1. Participating in the Resident Educator Program (“RESA”) for the year during which that teacher takes at least half of the RESA performance-based assessment for the first time;
2. Was on leave for 50% or more of the school year; or
3. Who has submitted notice of retirement prior to December 1 of the evaluation year.

R.C. 3319.02; R.C. 3319.11; R.C. 3319.111; R.C. 3319.112; R.C. 3319.22; R.C. 3319.222; R.C. 3319.226; R.C. 3319.26; R.C. 3333.0411.

Adopted: May 19, 2022
Adopted: October 17, 2019
Adopted: October 15, 2010



Constellation Schools

CHAPTER 3: PERSONNEL POLICIES, PRACTICES AND PROCEDURES

3.5020.1 Evaluation of Principal and Other Licensed Administrators

Through its management company, the School shall evaluate the Principal and any other positions requiring an administrator's license ("principal and other licensed administrators") consistent with the provisions of this policy. The procedures for the evaluation of the principal and other licensed administrators are based on principles comparable to the Board's teacher evaluation policy. The School and/or its management company shall consider a principal or other licensed administrator's evaluation(s) in making determinations to offer another contract of employment and/or in termination decisions. However, the creation of this policy does not create an expectation of employment for any employee and does not create additional contractual rights for the School or its management company.

Each principal or other licensed administrator shall be evaluated annually through a written evaluation process. The evaluation shall be conducted by the Executive Director or designee. Evaluators shall be trained and credentialed to evaluate principals pursuant to requirements by the Department of Education.

The Executive Director may develop procedures for the evaluation of and other licensed administrators consistent with this policy and state law. In developing such procedures, the Executive Director may refer to and/or utilize, in whole or in part, the Department of Education's Ohio Principal Evaluation System (OPES) model and the OPES Framework adopted by the State Board of Education. The Executive Director may utilize the Department of Education's model evaluation instruments and rubrics as part of the evaluation process and may modify such instruments or rubrics without Board approval.

The evaluation process shall include at least a preliminary evaluation and at least a final evaluation. A written copy of the preliminary evaluation shall be provided to the employee at least sixty days prior to any action by the School or the management company on the employee's contract of employment. A written copy of the evaluation shall be provided to the principal or other licensed administrator at least five days prior to any decision to offer or not offer the employee a contract.

Principal performance will be assessed by using a Principal Performance Rating Rubric consisting of four rating categories with indicators based on the standard elements from the Ohio Standards for Principals, available on the Department of Education's website. The evaluation process requires the evaluator to use and record evidence gathered in multiple ways (professional growth/ goal-setting, formative assessments, observations, conferences, professionalism) to determine a Final Summative Performance Rating.

Evaluators may utilize pre-observations and formal observations if deemed necessary at their discretion on a case-by-case basis. In lieu of pre-observations and formal observations, evaluators may rely on informal walkthroughs or other methods of observation.

Before finalizing a principal or other licensed administrator's evaluation, the evaluator shall hold a conference with the employee to discuss the results of the evaluation and to offer suggestions for improvement if applicable. The final evaluation report shall be signed and dated by the principal or other licensed administrator and the evaluator at the conclusion of the conference. The signature of the administrator shall only indicate his or her awareness of the report's contents or conclusions. The School shall provide a copy of the evaluation report to the principal or other licensed administrator. To the extent the employee disagrees with the results of the evaluation, he or she may submit a one-page rebuttal that will be included in the employee's personnel file.



Constellation Schools

CHAPTER 3: PERSONNEL POLICIES, PRACTICES AND PROCEDURES

3.5030 Performance Improvement Plan

Following an employee formal or informal evaluation if the Principal/Supervisor determines that the employee's performance does not meet the standards of the School, the Principal/Supervisor **may** create a Performance Improvement Plan for the employee. This performance improvement process shall not interfere with School's right to terminate an employee pursuant to the principles of AT-WILL EMPLOYMENT. Typically, a Performance Improvement Plan will involve three steps:

1. The Principal/Supervisor meets with the employee to discuss the performance concern(s) and to identify ways to improve the employee's performance or behavior. This discussion should be documented and include specific measurable performance objectives that the staff member must meet within a specified time. The date and time of the next meeting will be established before the meeting is concluded.
2. If the employee does not meet the objectives by the time of the second meeting or if improvement is not sustained, then at the discretion of the Principal/Supervisor, a second plan similar to the first may be devised or the Principal/Supervisor may elect to proceed to step 3 (below). This meeting also must be documented.
3. If the employee's performance still does not improve or is not sustained at a level satisfactory to the Principal/Supervisor, then appropriate action may be taken which could include termination.

Adopted: June 18, 2015



Constellation Schools

CHAPTER 3: PERSONNEL POLICIES, PRACTICES AND PROCEDURES

3.5040 Employee Discipline

The School is committed to establishing and maintaining supervisory practices and procedures that support effective operations in the interest of the organization and its employees. Such procedures may include the administration of disciplinary action to assist employees in overcoming work-related problems, performance deficiencies, or behavior that violates our policies, practices, and procedures.

Although we ordinarily maintain a progressive disciplinary procedure, circumstances may warrant disciplinary action outside of the progressive procedure. For example, the progressive procedure may not be appropriate: (1) when the conduct at issue involves severe performance deficiencies, performance problems related to skill or ability, or certain types of inappropriate conduct; (2) when the initial steps of progressive discipline do not assist the employee in correcting the problem; (3) when the employee occupies a position requiring the exercise of effective management and leadership; or (4) when the employee's actions, or inactions, may seriously impair the School's ability to carry out its mission. If the School determines that these, or similar circumstances exist, the School may determine that the progressive disciplinary procedure is inappropriate. Moreover, under certain circumstances, a Principal/Supervisor may determine that although the procedure should be utilized, certain steps in the procedure should be omitted or repeated.

The progressive disciplinary procedure does not apply to any employees during the orientation period regardless of employment status. For employees whose employment with the School is AT-WILL, nothing in this policy, or in the Personnel Policies and Procedures Manual, alters this relationship, nor does it constitute a contract of employment, an offer to enter into a contract of employment, or a promise of specific treatment in specific situations.

Adopted: June 18, 2015



Constellation Schools

CHAPTER 3: PERSONNEL POLICIES, PRACTICES AND PROCEDURES

3.5050 Disciplinary Procedure

Step 1: Oral Discussions and Warning

The initial step of the progressive disciplinary procedure is for the Principal/Supervisor to discuss the problem with the employee as soon as possible after the incident or awareness of the problem occurs. The Principal/Supervisor should discuss the problem, suggest ways to improve or to correct the problem, and identify a time period for corrective action. The Principal/Supervisor shall document the meeting and provide a description of the content of the meeting.

Step 2: Written Warning

The second step is for the Principal/Supervisor to provide the employee with a written warning. The step is generally taken when the initial step does not correct the problem, although a Principal/Supervisor may determine that a written warning is warranted as the initial step. When a written warning is given an employee, the Principal/Supervisor should meet with the employee, outline the problem, suggest ways to improve or correct the problem and identify a time period for corrective action. The specifics of this discussion should be documented in a letter or memorandum that is provided to the employee and forwarded to the Executive Director for placement in the employee personnel file. A copy of the letter or memorandum should also be initialed by the employee. If the employee refuses to sign it, this should be documented by the Principal/Supervisor.

Step 3 Suspension

Although not generally a step in the progressive disciplinary procedure, the Principal/Supervisor, in consultation with the Executive Director, may suspend an employee for up to three days without pay, where the employee's misconduct justifies immediate action.

Step 4 Discharge

If prior measures fail to correct a problem, the final step in the progressive discipline procedure is termination. If the Principal/Supervisor, in consultation with the Executive Director, is satisfied that discharge is appropriate, discharge should be initiated. The circumstances that led to the decision to discharge the employee should be documented by the Principal/Supervisor. The Principal/Supervisor makes his/her termination recommendation to the Board, and the Board will review and act on this recommendation.



Constellation Schools

CHAPTER 3: PERSONNEL POLICIES, PRACTICES AND PROCEDURES

3.5060 Documentation

Documentation of the oral discussion, written warning, suspension or discharge will become part of the employee's personnel file. If there has been no further disciplinary action involving a current employee after eighteen (18) months of continuous employment, the employee may request that documentation of a written warning be removed from his or her personnel file.



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CHAPTER 3: PERSONNEL POLICIES, PRACTICES AND PROCEDURES

3.5070 Termination

AT-WILL Employees - School employees employed “AT-WILL” may be terminated with or without notice and with or without cause. In addition, they may be terminated for any of the reason listed below that may justify the termination of an employee with an Employment Contract or for no reason at all.

Employees with an employment Contract – Employees working for the School under an Employment Contract may be terminated for cause during the term of the contract. The list below, which is meant to be illustrative and not comprehensive, identifies some activities that may result in an employee being terminated during the contract term.

- Theft or Dishonesty;
- Intentional destruction of School property;
- Unauthorized use of School property;
- Falsification of School Records;
- Unacceptable work performance, including irregular or tardy attendance;
- Willful violation of School policies or property;
- Unacceptable attendance record and/or punctuality;
- Providing inappropriate assistance to students on standardized tests and proficiency tests;
- Threatening, harassing, assaulting or abusing any student, employee or visitor;
- Fighting, physical violence and verbal abuse;
- Possession of firearms or explosives;
- Violation of the drug, alcohol and/or smoking policies;
- Intoxication or use of alcohol on School property;
- Use, sale or possession of unlawful drugs on School property
- Sleeping on duty;
- Neglect of duty and disruption of others;
- Insubordination;
- Abuse or inappropriate access of confidential information;
- Willful violation of School safety or security regulations.
- Violation of School policies.



Constellation Schools

CHAPTER 3: PERSONNEL POLICIES, PRACTICES AND PROCEDURES

3.5080 Resignation

AT-WILL Employees – As an AT-WILL employee you may terminate your employment at any time. However, the Schools and its students rely on the consistency and reliability of their teaching and non-teaching staff and student progress is disrupted by the loss of a teacher. Therefore, in an effort to reduce disruption and to help facilitate a smooth transition learning, an employee who wishes to resign should submit his/her written resignation to the Principal/Supervisor at least 30 days prior to the effective date. All school property must be returned prior to the employee's last day.

If you have an Employment Contract with the School, you are employed for a term certain (typically one year), and you are expected to fulfill your contractual obligation. If you terminate your employment prior to the expiration of the term, the School may assess and collect liquidated damages from you to reimburse it for the additional costs of replacing you. The parties to the Employment Contract may only terminate the contract during its term for cause.



Constellation Schools

CHAPTER 3: PERSONNEL POLICIES, PRACTICES AND PROCEDURES

3.5090 Reduction of Staff

AT-WILL Employees – The Board, in its sole discretion and upon the recommendation of the Executive Director, may eliminate positions and reduce AT-WILL staff as deemed necessary.

Employees with an Employment Contract – Except in instances where an employee is terminated for cause, the Board shall reduce staff or eliminate positions only at the termination of the Employment Contract.



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CHAPTER 3: PERSONNEL POLICIES, PRACTICES AND PROCEDURES

3.5100 Separation Requirements

Employees whose employment with the School has terminated, either voluntarily or non-voluntarily, are required to meet with human resources personnel and return all property, including: computers and other electronic devices or accessories; keys and identification badges; and books, documents, photographs and other miscellaneous items.



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CHAPTER 3: PERSONNEL POLICIES, PRACTICES AND PROCEDURES

3.5110 Teacher Misconduct Reporting and Employee Suspension

The Principal, in consultation with the Executive Director, must report teacher misconduct, including the misconduct of licensed employees of the management company, to the Superintendent of Public Instruction under the following circumstances:

1. When the Principal or Board Chairman knows that an employee has a guilty plea or conviction, or has been found to be eligible for intervention in lieu of conviction, or for a pre-trial diversion program concerning a disqualifying or other criminal offense applicable to teachers.
2. When the Principal or Board Chairman has initiated termination or nonrenewal proceedings against, or has not renewed the contract of the employee because the Board has reasonably determined that the employee has committed an act that is unbecoming to the teaching profession* or a disqualifying or other criminal offense applicable to teachers.
4. When the employee has resigned under threat of termination or nonrenewal for an act that is unbecoming to the teaching profession or concerning a disqualifying or other criminal offense applicable to teachers.
5. When the employee has resigned because of or in the course of an investigation by the Board regarding whether the employee has committed an act that is unbecoming to the teaching profession or concerning a disqualifying or other criminal offense applicable to teachers.

The report must include the name and social security number of the teacher, together with a factual statement. The making of the report does not create any legal presumption that the described misconduct or any related crime has, in fact, occurred.

Reports must be kept in the employee's personnel file. The State Board of Education may conduct an investigation to determine whether further action is warranted. If an investigation determines that action is not warranted, the Board of the School may move the report from the employee's personnel file to a separate file.

Failure to file a required report generally is a fourth degree misdemeanor. However, it is a first degree misdemeanor if: (1) the licensee who was not reported was required to be reported for an act or offense constituting child abuse or neglect and (2) prior to the designated reporter's conviction or plea of guilty for failure to file the report, the licensee abuses or neglects the same or a different child attending the school where the licensee works. Additionally, the State Board of Education, after notice and an opportunity for a hearing, may deny, limit, or revoke the educator license of a designated reporter who fails to file a required report about another licensee's misconduct.

A person who reports misconduct by a school employee, in good faith and in accordance with prescribed procedures, is immune from civil liability for injury, death or loss to person or property that results from the provision of that information. If a non-mandatory reporter provides good-faith information about licensee misconduct, the Ohio Department of Education must keep that person's name confidential. Immunity is also provided if the report of the alleged misconduct is made by another employee of the School or the School's operator, and the report is made to the Principal or Board Chairman.



Constellation Schools

CHAPTER 3: PERSONNEL POLICIES, PRACTICES AND PROCEDURES

3.5110 Teacher Misconduct Reporting and Employee Suspension (continued)

It is a first degree misdemeanor to do either of the following: (1) knowingly make a false report to the Principal alleging misconduct by another employee of the School or (2) knowingly causing the Principal to make a false report of the alleged misconduct to the Superintendent of Public Instruction or the State Board of Education. It is also a first degree misdemeanor for any person to knowingly make a false report of alleged misconduct by a school employee directly to the Superintendent of Public Instruction or the State Board of Education.

If the subject of a false report prevails in a civil action against the reporter, the court must award the prevailing party reasonable attorney's fees and costs.

Upon the arrest, summons, or indictment of a school employee for a specified offense, the employee must be suspended from all duties that require the care, custody or control of a child. Employees licensed by the State Board of Education must be suspended if arrested, summoned or indicted for an offense requiring automatic revocation of their license upon conviction. Non-licensed school employees must be suspended if arrested, summoned or indicted for an offense that would bar the person from school employment. In all cases, the suspension must continue through the conclusion of the criminal action against the employee.



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CHAPTER 3: PERSONNEL POLICIES, PRACTICES AND PROCEDURES

3.5200 Whistleblower Policy

The Ohio Revised Code prohibits employers from taking any disciplinary or retaliatory action against an employee for making a report of a violation of any state or federal statute which an employee believes is:

- (1) a criminal offense that is likely to cause either an imminent risk of physical harm to persons or a hazard to public safety,
- (2) is a felony;
- (3) an improper solicitation for a contribution.

To receive the protection afforded by the Revised Code, the employee must orally notify his/her supervisor of the violation and subsequently file a written report with the supervisor that provides sufficient detail to identify and describe the violation. If the employee is unable to report the violation to his or her supervisor, the oral and written reports must be made to the Board. Employees must make a reasonable and good faith effort to determine the accuracy of any information that is reported verbally or in writing.

If the employer does not correct the violation or make a reasonable and good faith effort to correct the violation within twenty-four hours after the oral notification or the receipt of the report, whichever is earlier, the employee may file a written report that provides sufficient detail to identify and describe the violation with the prosecuting authority of the county or municipal corporation where the violation occurred, with a peace officer, with the inspector general if the violation is within the inspector general's jurisdiction, or with any other appropriate public official or agency that has regulatory authority over the employer and the industry, trade, or business in which the employer is engaged.

The employer will not retaliate or take part in any form of reprisal against the employee bringing the complaint. Employees who believe they may have been subject to retaliation should report suspected retaliation to the Board President.

An employee may be subject to discipline if it is determined that the report of wrongdoing was knowingly fabricated by the employee or was knowingly distorted, exaggerated or minimized to either injure someone else or, to protect the reporting party or others.

Complaints of harassment will be handled in accordance with the anti-harassment policy.

R.C. 4113.51, et seq.



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CHAPTER 3: PERSONNEL POLICIES, PRACTICES AND PROCEDURES

6000 PERSONNEL FILES

3.6010 Content

The School maintain personnel files on each Employee. These files may contain the following information:

- Employment application, resume, and related documents, including criminal background check
- Ohio Department of Public Safety Form HLS 0037, Declaration Regarding Material Assistance/Non-assistance to a Terrorist Organization
- Any form required by federal, state and/or local government
- Transcripts, teaching credentials
- Written performance evaluations
- Letters of commendation or other indications of excellent performance
- Reprimands or other written disciplinary records, including grievances and resolutions
- State Certification
- Evidence of continuing education including Child Abuse Identification and Bloodborne Pathogen trainings
- TB Test
Hepatitis B Consent or Declination

To ensure that personnel files are up-to-date at all times, it is the responsibility of each Employee to promptly notify the Human Resource Department of Constellation Schools of any changes in name, telephone number, home address, marital status, change in legal name, addition or deletion of dependents, change in beneficiaries, change in Federal or State tax deductions, scholastic achievements, the individuals to notify in case of an emergency, or other relevant personal information.



Constellation Schools

CHAPTER 3: PERSONNEL POLICIES, PRACTICES AND PROCEDURES

3.6020 Personal Information and Access to Personnel Files

The School is a state agency for purposes of Chapter 1347 of the Ohio Revised Code and maintains all personal information and personnel files in accordance with all relevant laws and rules.

“Personal Information” is any information describing anything about a person who is an employee of the School or about actions done to or by, or about personal characteristics of such an employee, if such Personal Information can be retrieved from a system by a name or other identifying number or symbol assigned to such employee. A “system” includes any record management scheme where any collection or group of records containing personal information, including personnel files, are searchable by name or other similar identifiers.

The School, by and through its management company, maintains personnel files on each employee. These files may contain the following Personal Information: application for employment; resume; copies of personal references; job evaluations; professional credentials or certification; copies of performance appraisals; disciplinary warning notices; letters of recommendation; criminal background reports and any notices, and writings or reports related to the Employee.

To ensure that personnel files are accurate, relevant, timely and complete at all times, it is the responsibility of each Employee to promptly notify the human resources department of the management company of any changes in legal name, telephone number, home address, marital status, change in legal name, addition or deletion of dependents, change in beneficiaries, change in Federal or State tax deductions, scholastic achievements, the individuals to notify in case of an emergency, or any other Personal Information. Personal Information shall be updated annually by the Principal or his/her designee.

Personal Information shall be used and maintained in a manner consistent with state and federal laws and regulations. Personnel files are the property of the School, and access to the information they contain is restricted to the School and designated persons of its Management Company. This restriction is otherwise subject only to applicable requirements of public records law or a lawful subpoena. The School’s governing authority or Management Company has a legitimate reason to review information in a file, then it is allowed to do so. The School will not place or use Personal Information in an “interconnected” or “combined system” as defined by Ohio law, unless the School has given notice of its intent to do so and the interconnected or combined system will contribute to the necessary and efficient implementation of the School’s programs. The Principal is directly responsible for the Personal Information systems and may adopt further procedural rules consistent with this policy. No Personal Information may be accessed without first completing a written request to the Principal. Unauthorized access or disclosure to Personal Information may result in employee discipline, though employees shall not be subject to discipline for notifying appropriate parties of the known or suspected unauthorized disclosure of Personal Information by another employee. The Principal may grant blanket access to all or part of the Personal Information systems for employees whose jobs require such access, and has granted such access to the Management Company. All Employees or authorized contractors granted access to any Personal Information in the files shall be informed of the substantive provisions of the policy and accompanying appendices. In an effort to protect Personal Information in the system from unauthorized modification, destruction, use or disclosure, the Principal shall keep a log of authorized parties and specific access granted, and all Personal Information systems shall be password protected.



Constellation Schools

CHAPTER 3: PERSONNEL POLICIES, PRACTICES AND PROCEDURES

The School shall maintain and use only Personal Information that is necessary and relevant to the functions that the School is required to perform and shall eliminate Personal Information when it is no longer necessary and relevant to those functions.

If an Employee is asked to supply Personal Information to be maintained in the School's personnel files, the School shall inform the Employee whether that information is legally required, or whether the Employee may refuse to provide the Personal Information.

The Principal shall establish disciplinary measures for the unauthorized use of information contained in the system, which shall include, but not be limited to the following: reprimand; suspension or administrative leave with or without pay; termination; referral to authorities for prosecution.

Employees who wish to review their own files should contact the Principal or his/her designee. With reasonable advance notice, Employees may review their own personnel files by appointment or may receive copies of Personal Information upon reasonable request. However, medical, psychiatric, or psychological information may not be disclosed if a physician, psychiatrist, or psychologist determines that the disclosure of the information is likely to have an adverse effect on the person.

Employees who dispute the accuracy, relevance, timeliness, or completeness of Personal Information may request that the School make a reasonable investigation into the information. Investigations will be conducted within a reasonable time as required by Ohio law, and results of any investigations will be conducted within a reasonable time as required by Ohio law, and results of any investigation will be provided to the complaining employee. In the event that an employee disagrees with the outcome of the investigation, the employee may be permitted to submit a statement, not to exceed one hundred (100) words, summarizing the dispute. Statements summarizing disputed information shall be included in any subsequent transfer, report or dissemination if the disputed information.

Affected employees will be notified in the event of a breach of security in any computerized data system that creates a material risk of identity theft or other fraudulent activity.

Procedural rules regarding the operation of the Personal Information System and access of School employees in Appendix 3.6020.1 Personal Information Procedure. Each Employee shall be informed of the rules contained in Appendix 3.6020.1 Personal Information Procedure.

Ohio Privacy Act; R.C. Chapter 1347; R.C. 149.43.

See **Appendix 3.6020.1** Personal Information Procedure; See **Appendix 3.6020.2** Personal Information Notice.

Adopted: June 28, 2018 & July 19, 2018



Constellation Schools

CHAPTER 3: PERSONNEL POLICIES, PRACTICES AND PROCEDURES

3.6030 Medical Records

Employee medical records will be maintained in a file separate from other personnel records, and access to such medical information will be restricted.



Constellation Schools

CHAPTER 3: PERSONNEL POLICIES, PRACTICES AND PROCEDURES

7000 MISCELLANEOUS POLICIES

3.7010 Student Clubs, Teams and Activities

All student activities (clubs, teams, groups etc) must first be recommended by the Principal, reviewed by the Executive Director and Treasurer, and approved by the Board. The Board will give consideration to all factors in determining the potential value to students before granting its approval. An employee wishing to initiate a student activity must provide a detailed description of the activity to the Principal, including a budget specifying the anticipated costs of the activity.



Constellation Schools

CHAPTER 3: PERSONNEL POLICIES, PRACTICES AND PROCEDURES

3.7020 Fund Raising Activities and Projects

All fund raising activities conducted at or on behalf of the School must be approved in advance of the proposed activity by the Principal, after consultation with the Executive Director and Treasurer. Employees are cautioned that there is potential for personal liability in instances where proper and accurate records are not maintained, or where funds are not properly safeguarded or deposited. Employees that assume responsibility for conducting and overseeing a fund-raising project should ensure they comply with all financial and legal requirements governing fund-raising activities.



Constellation Schools

CHAPTER 3: PERSONNEL POLICIES, PRACTICES AND PROCEDURES

3.7030 Purchase of Supplies and Materials

Employees may request the purchase of supplies and materials provided the immediate supervisor or administrator approves the purchase and there are adequate funds in the budget to cover the cost. Staff must comply with all applicable purchasing requirements.

1. Verbal approval by itself is never acceptable to make a purchase or place an order. A requisition must first be completed and then signed by the Principal/Supervisor and then sent to the Treasurer. The Treasurer will determine if there are adequate funds available in the budget for the transaction and will then issue a written purchase order, which is subject to recommendation of the Executive Director and approval by the Board. Once approved, the purchase order is forwarded to the vendor.
2. Upon receipt of the supplies and materials the school secretary/administrative assistant shall verify that all items have been received and are acceptable for use. The Treasurer should be consulted regarding any problems/concerns with the items received.



Constellation Schools

CHAPTER 3: PERSONNEL POLICIES, PRACTICES AND PROCEDURES

3.7040 Returning Employees

Each year employees must submit an “Intent to Return” form indicating to his/her Principal/Supervisor whether the employee intends to return for the following year. Although submission of this form does not impose an obligation on the employee to return, or an obligation on the School to continue the employee’s employment, this process is helpful in determining the staffing needs of the School.



Constellation Schools

CHAPTER 3: PERSONNEL POLICIES, PRACTICES AND PROCEDURES

Appendix 3.1030-A

Employment Eligibility Verification

Department of Homeland Security

U.S. Citizenship and Immigration Services

USCIS

Form I-9

OMB No. 1615-0047

Expires 08/31/2019



▶ **START HERE:** Read instructions carefully before completing this form. The instructions must be available, either in paper or electronically, during completion of this form. Employers are liable for errors in the completion of this form.

ANTI-DISCRIMINATION NOTICE: It is illegal to discriminate against work-authorized individuals. Employers **CANNOT** specify which document(s) an employee may present to establish employment authorization and identity. The refusal to hire or continue to employ an individual because the documentation presented has a future expiration date may also constitute illegal discrimination.

Section 1. Employee Information and Attestation *(Employees must complete and sign Section 1 of Form I-9 no later than the first day of employment, but not before accepting a job offer.)*

Last Name (Family Name)		First Name (Given Name)		Middle Initial	Other Last Names Used (if any)	
Address (Street Number and Name)			Apt. Number	City or Town		State ZIP Code
Date of Birth (mm/dd/yyyy)	U.S. Social Security Number		Employee's E-mail Address		Employee's Telephone Number	

I am aware that federal law provides for imprisonment and/or fines for false statements or use of false documents in connection with the completion of this form.

I attest, under penalty of perjury, that I am (check one of the following boxes):

QR Code - Section 1
Do Not Write In This Space

1. A citizen of the United States
2. A noncitizen national of the United States (See instructions)
3. A lawful permanent resident (Alien Registration Number/USCIS Number):



Constellation Schools

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4. An alien authorized to work until (expiration date, if applicable, mm/dd/yyyy):

Some aliens may write "N/A" in the expiration date field. (See instructions)

Aliens authorized to work must provide only one of the following document numbers to complete Form I-9:
An Alien Registration Number/USCIS Number OR Form I-94 Admission Number OR Foreign Passport Number.

1. Alien Registration Number/USCIS Number:

OR

2. Form I-94 Admission Number:

OR

3. Foreign Passport Number:

Country of Issuance:

Signature of Employee

Today's Date (mm/dd/yyyy)

Preparer and/or Translator Certification (check one):

I did not use a preparer or translator.

A preparer(s) and/or translator(s) assisted the employee in completing Section 1.

(Fields below must be completed and signed when preparers and/or translators assist an employee in completing Section 1.)

I attest, under penalty of perjury, that I have assisted in the completion of Section 1 of this form and that to the best of my knowledge the information is true and correct.

Signature of Preparer or Translator			Today's Date (mm/dd/yyyy)	
Last Name (Family Name)		First Name (Given Name)		
Address (Street Number and Name)		City or Town	State	ZIP Code

Employer Completes Next Page





Constellation Schools

CHAPTER 3: PERSONNEL POLICIES, PRACTICES AND PROCEDURES

Employment Eligibility Verification

Department of Homeland Security
U.S. Citizenship and Immigration Services

USCIS

Form I-9

OMB No. 1615-0047
Expires 08/31/2019



Section 2. Employer or Authorized Representative Review and Verification

(Employers or their authorized representative must complete and sign Section 2 within 3 business days of the employee's first day of employment. You must physically examine one document from List A OR a combination of one document from List B and one document from List C as listed on the "Lists of Acceptable Documents.")

Employee Info from Section 1	Last Name (Family Name)	First Name (Given Name)	M.I.	Citizenship/Immigration Status
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List A

OR

List B

AND

List C

Identity and Employment Authorization

Identity

Employment Authorization

Document Title	Document Title	Document Title
Issuing Authority	Issuing Authority	Issuing Authority
Document Number	Document Number	Document Number
Expiration Date (if any)(mm/dd/yyyy)	Expiration Date (if any)(mm/dd/yyyy)	Expiration Date (if any)(mm/dd/yyyy)
Document Title	Additional Information	QR Code - Sections 2 & 3 Do Not Write In This Space
Issuing Authority		
Document Number		
Expiration Date (if any)(mm/dd/yyyy)		
Document Title		
Issuing Authority		
Document Number		
Expiration Date (if any)(mm/dd/yyyy)		



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Certification: I attest, under penalty of perjury, that (1) I have examined the document(s) presented by the above-named employee, (2) the above-listed document(s) appear to be genuine and to relate to the employee named, and (3) to the best of my knowledge the employee is authorized to work in the United States.

The employee's first day of employment (mm/dd/yyyy):

(See instructions for exemptions)

Signature of Employer or Authorized Representative		Today's Date (mm/dd/yyyy)	Title of Employer or Authorized Representative	
Last Name of Employer or Authorized Representative		First Name of Employer or Authorized Representative	Employer's Business or Organization Name	
Employer's Business or Organization Address (Street Number and Name)		City or Town	State	ZIP Code

Section 3. Reverification and Rehires (To be completed and signed by employer or authorized representative.)

A. New Name (if applicable)			B. Date of Rehire (if applicable)
Last Name (Family Name)	First Name (Given Name)	Middle Initial	Date (mm/dd/yyyy)

C. If the employee's previous grant of employment authorization has expired, provide the information for the document or receipt that establishes continuing employment authorization in the space provided below.

Document Title	Document Number	Expiration Date (if any) (mm/dd/yyyy)
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I attest, under penalty of perjury, that to the best of my knowledge, this employee is authorized to work in the United States, and if the employee presented document(s), the document(s) I have examined appear to be genuine and to relate to the individual.

Signature of Employer or Authorized Representative	Today's Date (mm/dd/yyyy)	Name of Employer or Authorized Representative
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LISTS OF ACCEPTABLE DOCUMENTS

All documents must be **UNEXPIRED**

Employees may present one selection from List A
or a combination of one selection from List B and one selection from List C.

LIST A Documents that Establish Both Identity and Employment Authorization	OR	LIST B Documents that Establish Identity	AND	LIST C Documents that Establish Employment Authorization
1. U.S. Passport or U.S. Passport Card		1. Driver's license or ID card issued by a State or outlying possession of the United States provided it contains a photograph or information such as name, date of birth, gender, height, eye color, and address		1. A Social Security Account Number card, unless the card includes one of the following restrictions: (1) NOT VALID FOR EMPLOYMENT (2) VALID FOR WORK ONLY WITH INS AUTHORIZATION (3) VALID FOR WORK ONLY WITH DHS AUTHORIZATION
2. Permanent Resident Card or Alien Registration Receipt Card (Form I-551)		2. ID card issued by federal, state or local government agencies or entities, provided it contains a photograph or information such as name, date of birth, gender, height, eye color, and address		2. Certification of report of birth issued by the Department of State (Forms DS-1350, FS-545, FS-240)
3. Foreign passport that contains a temporary I-551 stamp or temporary I-551 printed notation on a machine-readable immigrant visa		3. School ID card with a photograph		3. Original or certified copy of birth certificate issued by a State, county, municipal authority, or territory of the United States bearing an official seal
4. Employment Authorization Document that contains a photograph (Form I-766)		4. Voter's registration card		4. Native American tribal document
5. For a nonimmigrant alien authorized to work for a specific employer because of his or her status: a. Foreign passport; and b. Form I-94 or Form I-94A that has the following: (1) The same name as the passport; and (2) An endorsement of the alien's nonimmigrant status as long as that period of endorsement has not yet expired and the proposed employment is not in conflict with any restrictions or limitations identified on the form.		5. U.S. Military card or draft record		5. U.S. Citizen ID Card (Form I-197)
		6. Military dependent's ID card		6. Identification Card for Use of Resident Citizen in the United States (Form I-179)
		7. U.S. Coast Guard Merchant Mariner Card		7. Employment authorization document issued by the Department of Homeland Security
		8. Native American tribal document		
		9. Driver's license issued by a Canadian government authority		
	For persons under age 18 who are unable to present a document listed above:			
6. Passport from the Federated States of Micronesia (FSM) or the Republic of the Marshall Islands (RMI) with Form I-94 or Form I-94A indicating nonimmigrant admission under the Compact of Free Association Between the United States and the FSM or RMI		10. School record or report card		
		11. Clinic, doctor, or hospital record		
		12. Day-care or nursery school record		

Examples of many of these documents appear in Part 13 of the Handbook for Employers (M-274).

Refer to the instructions for more information about acceptable receipts.



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Instructions for Form I-9, Employment Eligibility Verification

Department of Homeland Security
U.S. Citizenship and Immigration Services

USCIS
Form I-9

OMB No. 1615-0047
Expires 08/31/2019



Anti-Discrimination Notice. It is illegal to discriminate against work-authorized individuals in hiring, firing, recruitment or referral for a fee, or in the employment eligibility verification (Form I-9 and E-Verify) process based on that individual's citizenship status, immigration status or national origin. Employers **CANNOT** specify which document(s) the employee may present to establish employment authorization and identity. The employer must allow the employee to choose the documents to be presented from the Lists of Acceptable Documents, found on the last page of Form I-9. The refusal to hire or continue to employ an individual because the documentation presented has a future expiration date may also constitute illegal discrimination. For more information, call the Immigrant and Employee Rights Section (IER) in the Department of Justice's Civil Rights Division at 1-800-255-7688 (employees), 1-800-255-8155 (employers), or 1-800-237-2515 (TTY), or visit <https://www.justice.gov/crt/immigrant-and-employee-rights-section>.

What is the Purpose of This Form?

Employers must complete Form I-9 to document verification of the identity and employment authorization of each new employee (both citizen and noncitizen) hired after November 6, 1986, to work in the United States. In the Commonwealth of the Northern Mariana Islands ([CNMI](#)), employers must complete Form I-9 to document verification of the identity and employment authorization of each new employee (both citizen and noncitizen) hired after November 27, 2011.

General Instructions

Both employers and employees are responsible for completing their respective sections of Form I-9. For the purpose of completing this form, the term “employer” means all employers, including those recruiters and referrers for a fee who are agricultural associations, agricultural employers, or farm labor contractors, as defined in section 3 of the Migrant and Seasonal Agricultural Worker Protection Act, Public Law 97-470 (29 U.S.C. 1802). An “employee” is a person who performs labor or services in the United States for an employer in return for wages or other remuneration. The term “Employee” does not include those who do not receive any form of remuneration (volunteers), independent contractors or those engaged in certain casual domestic employment. Form I-9 has three sections. Employees complete Section 1. Employers complete Section 2 and, when applicable, Section 3. Employers may be fined if the form is not properly completed. See 8 USC § 1324a and 8 CFR § 274a.10. Individuals may be prosecuted for knowingly and willfully entering false information on the form. Employers are responsible for retaining completed forms. **Do not mail completed forms to U.S. Citizenship and Immigration Services (USCIS) or Immigration and Customs Enforcement (ICE).**

These instructions will assist you in properly completing Form I-9. The employer must ensure that all pages of the instructions and Lists of Acceptable Documents are available, either in print or electronically, to all employees completing this form. When completing the form on a computer, the English version of the form includes specific instructions for each field and drop-down lists for universally used abbreviations and acceptable documents. To access these instructions, move the cursor over each field or click on the question mark symbol (?) within the field. Employers and employees can also access this full set of



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instructions at any time by clicking the Instructions button at the top of each page when completing the form on a computer that is connected to the Internet.

Employers and employees may choose to complete any or all sections of the form on paper or using a computer, or a combination of both. Forms I-9 obtained from the USCIS website are not considered electronic Forms I-9 under DHS regulations and, therefore, cannot be electronically signed. Therefore, regardless of the method you used to enter information into each field, you must print a hard copy of the form, then sign and date the hard copy by hand where required.

Employers can obtain a blank copy of Form I-9 from the USCIS website at <https://www.uscis.gov/sites/default/files/files/form/i-9.pdf>. This form is in portable document format (.pdf) that is fillable and savable. That means that you may download it, or simply print out a blank copy to enter information by hand. You may also request paper Forms I-9 from USCIS.

Certain features of Form I-9 that allow for data entry on personal computers may make the form appear to be more than two pages. When using a computer, Form I-9 has been designed to print as two pages. Using more than one preparer and/or translator will add an additional page to the form, regardless of your method of completion. You are not required to print, retain or store the page containing the Lists of Acceptable Documents.

Form I-9 Instructions 07/17/17 N

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The form will also populate certain fields with N/A when certain user choices ensure that particular fields will not be completed. The Print button located at the top of each page that will print any number of pages the user selects. Also, the Start Over button located at the top of each page will clear all the fields on the form.

The Spanish version of Form I-9 does not include the additional instructions and drop-down lists described above. Employers in Puerto Rico may use either the Spanish or English version of the form. Employers outside of Puerto Rico must retain the English version of the form for their records, but may use the Spanish form as a translation tool. Additional guidance to complete the form may be found in the [Handbook for Employers: Guidance for Completing Form I-9 \(M-274\)](#) and on USCIS' Form I-9 website, [I-9 Central](#).

Completing Section I: Employee Information and Attestation

You, the employee, must complete each field in Section 1 as described below. Newly hired employees must complete and sign Section 1 no later than the first day of employment. Section 1 should never be completed before you have accepted a job offer.

Entering Your Employee Information

Last Name (*Family Name*): Enter your full legal last name. Your last name is your family name or surname. If you have two last names or a hyphenated last name, include both names in the Last Name field. *Examples of correctly entered last names include De La Cruz, O'Neill, Garcia Lopez, Smith-Johnson, Nguyen.* If you only have one name, enter it in this field, then enter "Unknown" in the First Name field. You may not enter "Unknown" in both the Last Name field and the First Name field.

First Name (*Given Name*): Enter your full legal first name. Your first name is your given name. *Some examples of correctly entered first names include Jessica, John-Paul, Tae Young, D'Shaun, Mai.* If you only have one name, enter it in the Last Name field, then enter "Unknown" in this field. You may not enter "Unknown" in both the First Name field and the Last Name field.

Middle Initial: Your middle initial is the first letter of your second given name, or the first letter of your middle name, if any. If you have more than one middle name, enter the first letter of your first middle name. If you do not have a middle name, enter N/A in this field.



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Other Last Names Used: Provide all other last names used, if any (e.g., maiden name). Enter N/A if you have not used other last names. For example, if you legally changed your last name from Smith to Jones, you should enter the name Smith in this field.

Address (Street Name and Number): Enter the street name and number of the current address of your residence. If you are a border commuter from Canada or Mexico, you may enter your Canada or Mexico address in this field. If your residence does not have a physical address, enter a description of the location of your residence, such as "3 miles southwest of Anytown post office near water tower."

Apartment: Enter the number(s) or letter(s) that identify(ies) your apartment. If you do not live in an apartment, enter N/A.

City or Town: Enter your city, town or village in this field. If your residence is not located in a city, town or village, enter your county, township, reservation, etc., in this field. If you are a border commuter from Canada, enter your city and province in this field. If you are a border commuter from Mexico, enter your city and state in this field.

State: Enter the abbreviation of your state or territory in this field. If you are a border commuter from Canada or Mexico, enter your country abbreviation in this field.

ZIP Code: Enter your 5-digit ZIP code. If you are a border commuter from Canada or Mexico, enter your 5- or 6-digit postal code in this field.

Date of Birth: Enter your date of birth as a 2-digit month, 2-digit day, and 4-digit year (mm/dd/yyyy). For example, enter January 8, 1980 as 01/08/1980.

U.S. Social Security Number: Providing your 9-digit Social Security number is voluntary on Form I-9 unless your employer participates in E-Verify. If your employer participates in E-Verify and:

1. You have been issued a Social Security number, you must provide it in this field; or
2. You have applied for, but have not yet received a Social Security number, leave this field blank until you receive a Social Security number.

Employee's E-mail Address (Optional): Providing your e-mail address is optional on Form I-9, but the field cannot be left blank. To enter your e-mail address, use this format: name@site .domain. One reason Department of Homeland Security (DHS) may e-mail you is if your employer uses E-Verify and DHS learns of a potential mismatch between the information provided and the information in government records. This e-mail would contain information on how to begin to resolve the potential mismatch. You may use either your personal or work e-mail address in this field. Enter N/A if you do not enter your e-mail address.

Employee's Telephone Number (Optional): Providing your telephone number is optional on Form I-9, but the field cannot be left blank. If you enter your area code and telephone number, use this format: 000-000-0000. Enter N/A if you do not enter your telephone number.

Attesting to Your Citizenship or Immigration Status

You must select one box to attest to your citizenship or immigration status.

1. **A citizen of the United States.**
2. **A noncitizen national of the United States:** An individual born in American Samoa, certain former citizens of the former Trust Territory of the Pacific Islands, and certain children of noncitizen nationals born abroad.
3. **A lawful permanent resident:** An individual who is not a U.S. citizen and who resides in the United States under legally recognized and lawfully recorded permanent residence as an immigrant. This term includes conditional residents. Asylees and refugees should not select this status, but should instead select "An Alien authorized to work" below.



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If you select “lawful permanent resident,” enter your 7- to 9-digit Alien Registration Number (A-Number), including the “A,” or USCIS Number in the space provided. When completing this field using a computer, use the dropdown provided to indicate whether you have entered an Alien Number or a USCIS Number. At this time, the USCIS Number is the same as the A-Number without the “A” prefix.

4. **An alien authorized to work:** An individual who is not a citizen or national of the United States, or a lawful permanent resident, but is authorized to work in the United States.

If you select this box, enter the date that your employment authorization expires, if any, in the space provided. In most cases, your employment authorization expiration date is found on the document(s) evidencing your employment authorization. Refugees, asylees and certain citizens of the Federated States of Micronesia, the Republic of the Marshall Islands, or Palau, and other aliens whose employment authorization does not have an expiration date should enter N/A in the Expiration Date field. In some cases, such as if you have Temporary Protected Status, your employment authorization may have been automatically extended; in these cases, you should enter the expiration date of the automatic extension in this space.

Aliens authorized to work must enter one of the following to complete Section 1:

1. Alien Registration Number (A-Number)/USCIS Number; or
2. Form I-94 Admission Number; or
3. Foreign Passport Number and the Country of Issuance

Your employer may not ask you to present the document from which you supplied this information.

Alien Registration Number/USCIS Number: Enter your 7- to 9-digit Alien Registration Number (A-Number), including the “A,” or your USCIS Number in this field. At this time, the USCIS Number is the same as your A-Number without the “A” prefix. When completing this field using a computer, use the dropdown provided to indicate whether you have entered an Alien Number or a USCIS Number. If you do not provide an A-Number or USCIS Number, enter N/A in this field then enter either a Form I-94 Admission Number, or a Foreign Passport and Country of Issuance in the fields provided.

Form I-94 Admission Number: Enter your 11-digit I-94 Admission Number in this field. If you do not provide an I-94 Admission Number, enter N/A in this field, then enter either an Alien Registration Number/USCIS Number or a Foreign Passport Number and Country of Issuance in the fields provided.

Foreign Passport Number: Enter your Foreign Passport Number in this field. If you do not provide a Foreign Passport Number, enter N/A in this field, then enter either an Alien Number/USCIS Number or a I-94 Admission Number in the fields provided.

Country of Issuance: If you entered your Foreign Passport Number, enter your Foreign Passport’s Country of Issuance. If you did not enter your Foreign Passport Number, enter N/A.

Signature of Employee: After completing Section 1, sign your name in this field. If you used a form obtained from the USCIS website, you must print the form to sign your name in this field. By signing this form, you attest under penalty of perjury (28 U.S.C. § 1746) that the information you provided, along with the citizenship or immigration status you selected, and all information and documentation you provide to your employer, is complete, true and correct, and you are aware that you may face severe penalties provided by law and may be subject to criminal prosecution for knowingly and willfully making false statements or using false documentation when completing this form. Further, falsely attesting to U.S. citizenship may subject employees to penalties, removal proceedings and may adversely affect an employee's ability to seek future immigration benefits. If you cannot sign your name, you may place a mark in this field to indicate your signature. Employees who use a preparer or translator to help them complete the form must still sign or place a mark in the Signature of Employee field on the printed form.

If you used a preparer, translator, and other individual to assist you in completing Form I-9:



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- Both you and your preparer(s) and/or translator(s) must complete the appropriate areas of Section 1, and then sign Section 1. If Section 1 was completed on a form obtained from the USCIS website, the form must be printed to sign these fields. You and your preparer(s) and/or translator(s) also should review the instructions for **Completing the Preparer and/or Translator Certification** below.
- If the employee is a minor (individual under 18) who cannot present an identity document, the employee's parent or legal guardian can complete Section 1 for the employee and enter “minor under age 18” in the signature field. If Section 1 was completed on a form obtained from the USCIS website, the form must be printed to enter this information. The minor's parent or legal guardian should review the instructions for Completing the Preparer and/or Translator Certification below. Refer to the [Handbook for Employers: Guidance for Completing Form I-9 \(M-274\)](#) for more guidance on completion of Form I-9 for minors. If the minor's employer participates in E-Verify, the employee must present a list B identity document with a photograph to complete Form I-9.
- If the employee is a person with a disability (who is placed in employment by a nonprofit organization, association or as part of a rehabilitation program) who cannot present an identity document, the employee's parent, legal guardian or a representative of the nonprofit organization, association or rehabilitation program can complete Section 1 for the employee and enter “Special Placement” in this field. If Section 1 was completed on a form obtained from the USCIS website, the form must be printed to enter this information. The parent, legal guardian or representative of the nonprofit organization, association or rehabilitation program completing Section 1 for the employee should review the instructions for Completing the Preparer and/or Translator Certification below. Refer to the [Handbook for Employers: Guidance for Completing Form I-9 \(M-274\)](#) for more guidance on completion of Form I-9 for certain employees with disabilities.

Today's Date: Enter the date you signed Section 1 in this field. Do not backdate this field. Enter the date as a 2-digit month, 2-digit day and 4-digit year (mm/dd/yyyy). For example, enter January 8, 2014 as 01/08/2014. A preparer or translator who assists the employee in completing Section 1 may enter the date the employee signed or made a mark to sign Section 1 in this field. Parents or legal guardians assisting minors (individuals under age 18) and parents, legal guardians or representatives of a nonprofit organization, association or rehabilitation program assisting certain employees with disabilities must enter the date they completed Section 1 for the employee.

Completing the Preparer and/or Translator Certification

If you did not use a preparer or translator to assist you in completing Section 1, you, the employee, must check the box marked **I did not use a Preparer or Translator**. If you check this box, leave the rest of the fields in this area blank.

If one or more preparers and/or translators assist the employee in completing the form using a computer, the preparer and/or translator must check the box marked “**A preparer(s) and/or translator(s) assisted the employee in completing Section 1**”, then select the number of Certification areas needed from the dropdown provided. Any additional Certification areas generated will result in an additional page. [Form I-9 Supplement](#), Section 1 Preparer and/or Translator Certification can be separately downloaded from the USCIS Form I-9 webpage, which provides additional Certification areas for those completing Form I-9 using a computer who need more Certification areas than the 5 provided or those who are completing Form I-9 on paper. The first preparer and/or translator must complete all the fields in the Certification area on the same page the employee has signed. There is no limit to the number of preparers and/or translators an employee can use, but each additional preparer and/or translator must complete and sign a separate Certification area. Ensure the employee's last name, first name and middle initial are entered at the top of any additional pages. The employer must ensure that any additional pages are retained with the employee's completed Form I-9.

Signature of Preparer or Translator: Any person who helped to prepare or translate Section 1 of Form I-9 must sign his or her name in this field. If you used a form obtained from the USCIS website, you must print the form to sign your name in this field. The Preparer and/or Translator Certification must also be completed if “Individual under Age 18” or “Special Placement” is entered in lieu of the employee's signature in Section 1.



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Today's Date: The person who signs the Preparer and/or Translator Certification must enter the date he or she signs in this field on the printed form. Do not backdate this field. Enter the date as a 2-digit month, 2-digit day, and 4-digit year (mm/dd/yyyy). For example, enter January 8, 2014 as 01/08/2014.

Last Name (*Family Name*): Enter the full legal last name of the person who helped the employee in preparing or translating Section 1 in this field. The last name is also the family name or surname. If the preparer or translator has two last names or a hyphenated last name, include both names in this field.

First Name (*Given Name*): Enter the full legal first name of the person who helped the employee in preparing or translating Section 1 in this field. The first name is also the given name.

Address (Street Name and Number): Enter the street name and number of the current address of the residence of the person who helped the employee in preparing or translating Section 1 in this field. Addresses for residences in Canada or Mexico may be entered in this field. If the residence does not have a physical address, enter a description of the location of the residence, such as "3 miles southwest of Anytown post office near water tower." If the residence is an apartment, enter the apartment number in this field.

City or Town: Enter the city, town or village of the residence of the person who helped the employee in preparing or translating Section 1 in this field. If the residence is not located in a city, town or village, enter the name of the county, township, reservation, etc., in this field. If the residence is in Canada, enter the city and province in this field. If the residence is in Mexico, enter the city and state in this field.

State: Enter the abbreviation of the state, territory or country of the preparer or translator's residence in this field.

ZIP Code: Enter the 5-digit ZIP code of the residence of the person who helped the employee in preparing or translating Section 1 in this field. If the preparer or translator's residence is in Canada or Mexico, enter the 5- or 6-digit postal code.

Presenting Form I-9 Documents

Within 3 business days of starting work for pay, you must present to your employer documentation that establishes your identity and employment authorization. For example, if you begin employment on Monday, you must present documentation on or before Thursday of that week. However, if you were hired to work for less than 3 business days, you must present documentation no later than the first day of employment.

Choose which unexpired document(s) to present to your employer from the Lists of Acceptable Documents. An employer cannot specify which document(s) you may present from the Lists of Acceptable Documents. You may present either one selection from List A or a combination of one selection from List B and one selection from List C. Some List A documents, which show both identity and employment authorization, are combination documents that must be presented together to be considered a List A document: for example, the foreign passport together with a Form I-94 containing an endorsement of the alien's nonimmigrant status and employment authorization with a specific employer incident to such status. List B documents show identity only and List C documents show employment authorization only. If your employer participates in E-Verify and you present a List B document, the document must contain a photograph. If you present acceptable List A documentation, you should not be asked to present, nor should you provide, List B and List C documentation. If you present acceptable List B and List C documentation, you should not be asked to present, nor should you provide, List A documentation. If you are unable to present a document(s) from these lists, you may be able to present an acceptable receipt. Refer to the Receipts section below.

Your employer must review the document(s) you present to complete Form I-9. If your document(s) reasonably appears to be genuine and to relate to you, your employer must accept the documents. If your document(s) does not reasonably appear to be genuine or to relate to you, your employer must reject it and provide you with an opportunity to present other documents from the Lists of Acceptable Documents. Your employer may choose to make copies of your document(s), but must return the original(s) to you. Your employer must review your documents in your physical presence.



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Your employer will complete the other parts of this form, as well as review your entries in Section 1. Your employer may ask you to correct any errors found. Your employer is responsible for ensuring all parts of Form I-9 are properly completed and is subject to penalties under federal law if the form is not completed correctly.

Minors (individuals under age 18) and certain employees with disabilities whose parent, legal guardian or representative completed Section 1 for the employee are only required to present an employment authorization document from List C. Refer to the [Handbook for Employers: Guidance for Completing Form I-9 \(M-274\)](#) for more guidance on minors and certain individuals with disabilities.

Receipts

If you do not have unexpired documentation from the Lists of Acceptable Documents, you may be able to present a receipt(s) in lieu of an acceptable document(s). New employees who choose to present a receipt(s) must do so within three business days of their first day of employment. If your employer is reverifying your employment authorization, and you choose to present a receipt for reverification, you must present the receipt by the date your employment authorization expires. Receipts are not acceptable if employment lasts fewer than three business days.

There are three types of acceptable receipts:

1. A receipt showing that you have applied to replace a document that was lost, stolen or damaged. You must present the actual document within 90 days from the date of hire or, in the case of reverification, within 90 days from the date your original employment authorization expires.
2. The arrival portion of Form I-94/I-94A containing a temporary I-551 stamp and a photograph of the individual. You must present the actual Permanent Resident Card (Form I-551) by the expiration date of the temporary I-551 stamp, or, if there is no expiration date, within 1 year from the date of admission.
3. The departure portion of Form I-94/I-94A with a refugee admission stamp. You must present an unexpired Employment Authorization Document (Form I-766) or a combination of a List B document and an unrestricted Social Security Card within 90 days from the date of hire or, in the case of reverification, within 90 days from the date your original employment authorization expires.

Receipts showing that you have applied for an initial grant of employment authorization, or for renewal of your expiring or expired employment authorization, are not acceptable.

Completing Section 2: Employer or Authorized Representative Review and Verification

You, the employer, must ensure that all parts of Form I-9 are properly completed and may be subject to penalties under federal law if the form is not completed correctly. Section 1 must be completed no later than the employee's first day of employment. You may not ask an individual to complete Section 1 before he or she has accepted a job offer. Before completing Section 2, you should review Section 1 to ensure the employee completed it properly. If you find any errors in Section 1, have the employee make corrections, as necessary and initial and date any corrections made.

You or your authorized representative must complete Section 2 by examining evidence of identity and employment authorization within 3 business days of the employee's first day of employment. For example, if an employee begins employment on Monday, you must review the employee's documentation and complete Section 2 on or before Thursday of that week. However, if you hire an individual for less than 3 business days, Section 2 must be completed no later than the first day of employment.

Entering Employee Information from Section 1

This area, titled, "Employee Info from Section 1" contains fields to enter the employee's last name, first name, middle initial exactly as he or she entered them in Section 1. This area also includes a Citizenship/Immigration Status field to enter the number of the citizenship or immigration status checkbox the employee selected in Section 1. These fields help to ensure that the two pages of an employee's Form I-9 remain together. When completing Section 2 using a computer, the number entered in the Citizenship/Immigration Status field provides drop-downs that directly relate to the employee's selected citizenship or immigration status.



Entering Documents the Employee Presents

You, the employer or authorized representative, must physically examine, in the employee's physical presence, the unexpired document(s) the employee presents from the Lists of Acceptable Documents to complete the Document fields in Section 2.

You cannot specify which document(s) an employee may present from these lists. If you discriminate in the Form I-9 process based on an individual's citizenship status, immigration status, or national origin, you may be in violation of the law and subject to sanctions such as civil penalties and be required to pay back pay to discrimination victims. A document is acceptable as long as it reasonably appears to be genuine and to relate to the person presenting it. Employees must present one selection from List A or a combination of one selection from List B and one selection from List C.

List A documents show both identity and employment authorization. Some List A documents are combination documents that must be presented together to be considered a List A document, such as a foreign passport together with a Form I-94 containing an endorsement of the alien's nonimmigrant status.

List B documents show identity only, and List C documents show employment authorization only. If an employee presents a List A document, do not ask or require the employee to present List B and List C documents, and vice versa. If an employer participates in E-Verify and the employee presents a List B document, the List B document must include a photograph.

If an employee presents a receipt for the application to replace a lost, stolen or damaged document, the employee must present the replacement document to you within 90 days of the first day of work for pay, or in the case of reverification, within 90 days of the date the employee's employment authorization expired. Enter the word "Receipt" followed by the title of the receipt in Section 2 under the list that relates to the receipt.

When your employee presents the replacement document, draw a line through the receipt, then enter the information from the new document into Section 2. Other receipts may be valid for longer or shorter periods, such as the arrival portion of Form I-94/I-94A containing a temporary I-551 stamp and a photograph of the individual, which is valid until the expiration date of the temporary I-551 stamp or, if there is no expiration date, valid for one year from the date of admission.

Ensure that each document is an unexpired, original (no photocopies, except for certified copies of birth certificates) document. Certain employees may present an expired employment authorization document, which may be considered unexpired, if the employee's employment authorization has been extended by regulation or a Federal Register Notice. Refer to the [Handbook for Employers: Guidance for Completing Form I-9 \(M-274\)](#) or I-9 Central for more guidance on these special situations.

Refer to the M-274 for guidance on how to handle special situations, such as students (who may present additional documents not specified on the Lists) and H-1B and H-2A nonimmigrants changing employers.

Minors (individuals under age 18) and certain employees with disabilities whose parent, legal guardian or representative completed Section 1 for the employee are only required to present an employment authorization document from List C. Refer to the M-274 for more guidance on minors and certain persons with disabilities. If the minor's employer participates in E-Verify, the minor employee also must present a List B identity document with a photograph to complete Form I-9.

You must return original document(s) to the employee, but may make photocopies of the document(s) reviewed. Photocopying documents is voluntary unless you participate in E-Verify. E-Verify employers are only required to photocopy certain documents. If you are an E-Verify employer who chooses to photocopy documents other than those you are required to photocopy, you should apply this policy consistently with respect to Form I-9 completion for all employees. For more information on the types of documents that an employer must photocopy if the employer uses E-Verify, visit E-Verify's website at www.dhs.gov/e-verify. For non-E-Verify employers, if photocopies are made, they should be made consistently for ALL new hires and reverified employees.

Photocopies must be retained and presented with Form I-9 in case of an inspection by DHS or another federal government agency. You must always complete Section 2 by reviewing original documentation, even if you photocopy an employee's document(s) after reviewing the documentation. Making photocopies of an employee's document(s) cannot take the place of completing Form I-9. You are still responsible for completing and retaining Form I-9.



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List A - Identity and Employment Authorization: If the employee presented an acceptable document(s) from List A or an acceptable receipt for a List A document, enter the document(s) information in this column. If the employee presented a List A document that consists of a combination of documents, enter information from each document in that combination in a separate area under List A as described below. All documents must be unexpired. If you enter document information in the List A column, you should not enter document information in the List B or List C columns. If you complete Section 2 using a computer, a selection in List A will fill all the fields in the Lists B and C columns with N/A.

Document Title: If the employee presented a document from List A, enter the title of the List A document or receipt in this field. The abbreviations provided are available in the dropdown when the form is completed on a computer. When completing the form on paper, you may choose to use these abbreviations or any other common abbreviation to enter the document title or issuing authority. If the employee presented a combination of documents, use the second and third Document Title fields as necessary.

Full name of List A Document	Abbreviations
U.S. Passport	U.S. Passport
U.S. Passport Card	U.S. Passport Card
Permanent Resident Card (Form I-551)	Perm. Resident Card (Form I-551)
Alien Registration Receipt Card (Form I-551)	Alien Reg. Receipt Card (Form I-551)
Foreign passport containing a temporary I-551 stamp	1. Foreign Passport 2. Temporary I-551 Stamp
Foreign passport containing a temporary I-551 printed notation on a machine-readable immigrant visa (MRIV)	1. Foreign Passport 2. Machine-readable immigrant visa (MRIV)
Employment Authorization Document (Form I-766)	Employment Auth. Document (Form I-766)
For a nonimmigrant alien authorized to work for a specific employer because of his or her status, a foreign passport with Form I-94/I-94A that contains an endorsement of the alien's nonimmigrant status	1. Foreign Passport, work-authorized non-immigrant 2. Form I-94/I94A 3. "Form I-20" or "Form DS-2019" Note: In limited circumstances, certain J-1 students may be required to present a letter from their Responsible Officer in order to work. Enter the document title, issuing authority, document number and expiration date from this document in the Additional Information field.
Passport from the Federated States of Micronesia (FSM) with Form I-94/I-94A	1. FSM Passport with Form I-94 2. Form I-94/I94A
Passport from the Republic of the Marshall Islands (RMI) with Form I-94/I94A	1. RMI Passport with Form I-94 2. Form I-94/I94A
Receipt: The arrival portion of Form I-94/I-94A containing a temporary I-551 stamp and photograph	Receipt: Form I-94/I-94A w/I-551 stamp, photo
Receipt: The departure portion of Form I-94/I-94A with an unexpired refugee admission stamp	Receipt: Form I-94/I-94A w/refugee stamp
Receipt for an application to replace a lost, stolen or damaged Permanent Resident Card (Form I-551)	Receipt replacement Perm. Res. Card (Form I-551)
Receipt for an application to replace a lost, stolen or damaged Employment Authorization Document (Form I-766)	Receipt replacement EAD (Form I-766)
Receipt for an application to replace a lost, stolen or damaged foreign passport with Form I-94/I-94A that contains an endorsement of the alien's nonimmigrant status	1. Receipt: Replacement Foreign Passport, work-authorized nonimmigrant 2. Receipt: Replacement Form I-94/I-94A 3. Form I-20 or Form DS-2019 (if presented)
Receipt for an application to replace a lost, stolen or damaged passport from the Federated States of Micronesia with Form I-94/I-94A	1. Receipt: Replacement FSM Passport with Form I-94 2. Receipt: Replacement Form I-94/I-94A



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Receipt for an application to replace a lost, stolen or damaged passport from the Republic of the Marshall Islands with Form I-94/I-94A	1. Receipt: Replacement RMI Passport with Form I-94 2. Receipt: Replacement Form I-94/I-94A
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Issuing Authority: Enter the issuing authority of the List A document or receipt. The issuing authority is the specific entity that issued the document. If the employee presented a combination of documents, use the second and third Issuing Authority fields as necessary.

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Document Number: Enter the document number, if any, of the List A document or receipt presented. If the document does not contain a number, enter N/A in this field. If the employee presented a combination of documents, use the second and third Document Number fields as necessary. If the document presented was a Form I-20 or DS-2019, enter the Student and Exchange Visitor Information System (SEVIS) number in the third Document Number field exactly as it appears on the Form I-20 or the DS-2019.

Expiration Date (if any) (mm/dd/yyyy): Enter the expiration date, if any, of the List A document. The document is not acceptable if it has already expired. If the document does not contain an expiration date, enter N/A in this field. If the document uses text rather than a date to indicate when it expires, enter the text as shown on the document, such as "D/S"(which means, "duration of status"). For a receipt, enter the expiration date of the receipt validity period as described above. If the employee presented a combination of documents, use the second and third Expiration Date fields as necessary. If the document presented was a Form I-20 or DS-2019, enter the program end date here.

List B - Identity: If the employee presented an acceptable document from List B or an acceptable receipt for the application to replace a lost, stolen, or destroyed List B document, enter the document information in this column. If a parent or legal guardian attested to the identity of an employee who is an [individual under age 18](#) or certain [employees with disabilities](#) in Section 1, enter either "Individual under age 18" or "Special Placement" in this field. Refer to the [Handbook for Employers: Guidance for Completing Form I-9 \(M-274\)](#) for more guidance on individuals under age 18 and certain person with disabilities.

If you enter document information in the List B column, you must also enter document information in the List C column. If an employee presents acceptable List B and List C documents, do not ask the employees to present a List A document. No entries should be made in the List A column. If you complete Section 2 using a computer, a selection in List B will fill all the fields in the List A column with N/A.

Document Title: If the employee presented a document from List B, enter the title of the List B document or receipt in this field. The abbreviations provided are available in the dropdown when the form is completed on a computer. When completing the form on paper, you may choose to use these abbreviations or any other common abbreviations to document the document title or issuing authority.

Full name of List B Document	Abbreviations
Driver's license issued by a State or outlying possession of the United States	Driver's license issued by state/territory
ID card issued by a State or outlying possession of the United States	ID card issued by state/territory
ID card issued by federal, state, or local government agencies or entities	Government ID
School ID card with photograph	School ID
Voter's registration card	Voter registration card
U.S. Military card	U.S. Military card
U.S. Military draft record	U.S. Military draft record
Military dependent's ID card	Military dependent's ID card
U.S. Coast Guard Merchant Mariner Card	USCG Merchant Mariner card
Native American tribal document	Native American tribal document
Driver's license issued by a Canadian government authority	Canadian driver's license



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School record (for persons under age 18 who are unable to present a document listed above)	School record (under age 18)
Report card (for persons under age 18 who are unable to present a document listed above)	Report card (under age 18)
Clinic record (for persons under age 18 who are unable to present a document listed above)	Clinic record (under age 18)
Doctor record (for persons under age 18 who are unable to present a document listed above)	Doctor record (under age 18)
Hospital record (for persons under age 18 who are unable to present a document listed above)	Hospital record (under age 18)
Day-care record (for persons under age 18 who are unable to present a document listed above)	Day-care record (under age 18)
Nursery school record (for persons under age 18 who are unable to present a document listed above)	Nursery school record (under age 18)

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Full name of List B Document	Abbreviations
Individual under age 18 endorsement by parent or guardian	Individual under Age 18
Special placement endorsement for persons with disabilities	Special Placement
Receipt for the application to replace a lost, stolen or damaged Driver's License issued by a State or outlying possession of the United States	Receipt: Replacement driver's license
Receipt for the application to replace a lost, stolen or damaged ID card issued by a State or outlying possession of the United States	Receipt: Replacement ID card
Receipt for the application to replace a lost, stolen or damaged ID card issued by federal, state, or local government agencies or entities	Receipt: Replacement Gov't ID
Receipt for the application to replace a lost, stolen or damaged School ID card with photograph	Receipt: Replacement School ID
Receipt for the application to replace a lost, stolen or damaged Voter's registration card	Receipt: Replacement Voter reg. card
Receipt for the application to replace a lost, stolen or damaged U.S. Military card	Receipt: Replacement U.S. Military card
Receipt for the application to replace a lost, stolen or damaged Military dependent's ID card	Receipt: Replacement U.S. Military dep. card
Receipt for the application to replace a lost, stolen or damaged U.S. Military draft record	Receipt: Replacement Military draft record
Receipt for the application to replace a lost, stolen or damaged U.S. Coast Guard Merchant Mariner Card	Receipt: Replacement Merchant Mariner card
Receipt for the application to replace a lost, stolen or damaged Driver's license issued by a Canadian government authority	Receipt: Replacement Canadian DL
Receipt for the application to replace a lost, stolen or damaged Native American tribal document	Receipt: Replacement Native American tribal doc
Receipt for the application to replace a lost, stolen or damaged School record (for persons under age 18 who are unable to present a document listed above)	Receipt: Replacement School record (under age 18)
Receipt for the application to replace a lost, stolen or damaged Report card (for persons under age 18 who are unable to present a document listed above)	Receipt: Replacement Report card (under age 18)
Receipt for the application to replace a lost, stolen or damaged Clinic record (for persons under age 18 who are unable to present a document listed above)	Receipt: Replacement Clinic record (under age 18)



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Receipt for the application to replace a lost, stolen or damaged Doctor record (for persons under age 18 who are unable to present a document listed above)	Receipt: Replacement Doctor record (under age 18)
Receipt for the application to replace a lost, stolen or damaged Hospital record (for persons under age 18 who are unable to present a document listed above)	Receipt: Replacement Hospital record (under age 18)
Receipt for the application to replace a lost, stolen or damaged Day-care record (for persons under age 18 who are unable to present a document listed above)	Receipt: Replacement Day-care record (under age 18)
Receipt for the application to replace a lost, stolen or damaged Nursery school record (for persons under age 18 who are unable to present a document listed above)	Receipt: Replacement Nursery school record (under age 18)

Issuing Authority: Enter the issuing authority of the List B document or receipt. The issuing authority is the entity that issued the document. If the employee presented a document that is issued by a state agency, include the state as part of the issuing authority.

Document Number: Enter the document number, if any, of the List B document or receipt exactly as it appears on the document. If the document does not contain a number, enter N/A in this field.

Expiration Date (if any) (mm/dd/yyyy): Enter the expiration date, if any, of the List B document. The document is not acceptable if it has already expired. If the document does not contain an expiration date, enter N/A in this field. For a receipt, enter the expiration date of the receipt validity period as described in the Receipt section above.

List C - Employment Authorization: If the employee presented an acceptable document from List C, or an acceptable receipt for the application to replace a lost, stolen, or destroyed List C document, enter the document information in this column. If you enter document information in the List C column, you must also enter document information in the List B column. If an employee presents acceptable List B and List C documents, do not ask the employee to present a list A document. No entries should be made in the List A column.

Document Title: If the employee presented a document from List C, enter the title of the List C document or receipt in this field. The abbreviations provided are available in the dropdown when the form is completed on a computer. When completing the form on paper, you may choose to use these abbreviations or any other common abbreviations to document the document title or issuing authority. If you are completing the form on a computer, and you select an Employment authorization document issued by DHS, the field will populate with List C #7 and provide a space for you to enter a description of the documentation the employee presented. Refer to the M-274 for guidance on entering List C #7 documentation.

Full name of List C Document	Abbreviations
Social Security Account Number card without restrictions	(Unrestricted) Social Security Card
Certification of Birth Abroad (Form FS-545)	Form FS-545
Certification of Report of Birth (Form DS-1350)	Form DS-1350
Consular Report of Birth Abroad (Form FS-240)	Form FS-240
Original or certified copy of a U.S. birth certificate bearing an official seal	Birth Certificate
Native American tribal document	Native American tribal document
U.S. Citizen ID Card (Form I-197)	Form I-197
Identification Card for use of Resident Citizen in the United States (Form I-179)	Form I-179
Employment authorization document issued by DHS (List C #7)	Employment Auth. document (DHS) List C #7
Receipt for the application to replace a lost, stolen or damaged Social Security Account Number Card without restrictions	Receipt: Replacement Unrestricted SS Card



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Receipt for the application to replace a lost, stolen or damaged Original or certified copy of a U.S. birth certificate bearing an official seal	Receipt: Replacement Birth Certificate
Receipt for the application to replace a lost, stolen or damaged Native American Tribal Document	Receipt: Replacement Native American Tribal Doc.
Receipt for the application to replace a lost, stolen or damaged Employment Authorization Document issued by DHS	Receipt: Replacement Employment Auth. Doc. (DHS)

Issuing Authority: Enter the issuing authority of the List C document or receipt. The issuing authority is the entity that issued the document.

Document Number: Enter the document number, if any, of the List C document or receipt exactly as it appears on the document. If the document does not contain a number, enter N/A in this field.

Expiration Date (if any) (mm/dd/yyyy): Enter the expiration date, if any, of the List C document. The document is not acceptable if it has already expired, unless USCIS has extended the expiration date on the document. For instance, if a conditional resident presents a Form I-797 extending his or her conditional resident status with the employee's expired Form I-551, enter the future expiration date as indicated on the Form I-797. If the document has no expiration date, enter N/A in this field. For a receipt, enter the expiration date of the receipt validity period as described in the Receipt section above.

Additional Information: Use this space to notate any additional information required for Form I-9 such as:

- Employment authorization extensions for Temporary Protected Status beneficiaries, F-1 OPT STEM students, CAP-GAP, H-1B and H-2A employees continuing employment with the same employer or changing employers, and other nonimmigrant categories that may receive extensions of stay
- Additional document(s) that certain nonimmigrant employees may present
- Discrepancies that E-Verify employers must notate when participating in the IMAGE program
- Employee termination dates and form retention dates
- E-Verify case number, which may also be entered in the margin or attached as a separate sheet per E-Verify requirements and your chosen business process.
- Any other comments or notations necessary for the employer's business process

You may leave this field blank if the employee's circumstances do not require additional notations.

Entering Information in the Employer Certification

Employee's First Day of Employment: Enter the employee's first day of employment as a 2-digit month, 2-digit day and 4-digit year (mm/dd/yyyy).

Signature of Employer or Authorized Representative: Review the form for accuracy and completeness. The person who physically examines the employee's original document(s) and completes Section 2 must sign his or her name in this field. If you used a form obtained from the USCIS website, you must print the form to sign your name in this field. By signing Section 2, you attest under penalty of perjury (28 U.S.C. § 1746) that you have physically examined the documents presented by the employee, the document(s) reasonably appear to be genuine and to relate to the employee named, that to the best of your knowledge the employee is authorized to work in the United States, that the information you entered in Section 2 is complete, true and correct to the best of your knowledge, and that you are aware that you may face severe penalties provided by law and may be subject to criminal prosecution for knowingly and willfully making false statements or knowingly accepting false documentation when completing this form.

Today's Date: The person who signs Section 2 must enter the date he or she signed Section 2 in this field. Do not backdate this field. If you used a form obtained from the USCIS website, you must print the form to write the date in this field. Enter the date as a 2-digit month, 2-digit day and 4-digit year (mm/dd/yyyy). For example, enter January 8, 2014 as 01/08/2014.



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Title of Employer or Authorized Representative: Enter the title, position or role of the person who physically examines the employee's original document(s), completes and signs Section 2.

Last Name of the Employer or Authorized Representative: Enter the full legal last name of the person who physically examines the employee's original documents, completes and signs Section 2. Last name refers to family name or surname. If the person has two last names or a hyphenated last name, include both names in this field.

First Name of the Employer or Authorized Representative: Enter the full legal first name of the person who physically examines the employee's original documents, completes, and signs Section 2. First name refers to the given name.

Employer's Business or Organization Name: Enter the name of the employer's business or organization in this field.

Employer's Business or Organization Address (Street Name and Number): Enter an actual, physical address of the employer. If your company has multiple locations, use the most appropriate address that identifies the location of the employer. Do not provide a P.O. Box address.

City or Town: Enter the city or town for the employer's business or organization address. If the location is not a city or town, you may enter the name of the village, county, township, reservation, etc. that applies.

State: Enter the two-character abbreviation of the state for the employer's business or organization address.

ZIP Code: Enter the 5-digit ZIP code for the employer's business or organization address.

Completing Section 3: Reverification and Rehires

Section 3 applies to both reverification and rehires. When completing this section, you must also complete the Last Name, First Name and Middle Initial fields in the Employee Info from Section 1 area at the top of Section 2, leaving the Citizenship/Immigration Status field blank. When completing Section 3 in either a reverification or rehire situation, if the employee's name has changed, record the new name in Block A.

Reverification

Reverification in Section 3 must be completed prior to the earlier of:

- The expiration date, if any, of the employment authorization stated in Section 1, or
- The expiration date, if any, of the List A or List C employment authorization document recorded in Section 2 (with some exceptions listed below).

Some employees may have entered "N/A" in the expiration date field in Section 1 if they are aliens whose employment authorization does not expire, e.g. asylees, refugees, certain citizens of the Federated States of Micronesia, the Republic of the Marshall Islands, or Palau. Reverification does not apply for such employees unless they choose to present evidence of employment authorization in Section 2 that contains an expiration date and requires reverification, such as Form I-766, Employment Authorization Document.

You should not reverify U.S. citizens and noncitizen nationals, or lawful permanent residents (including conditional residents) who presented a Permanent Resident Card (Form I-551). Reverification does not apply to List B documents.

For reverification, an employee must present an unexpired document(s) (or a receipt) from either List A or List C showing he or she is still authorized to work. You CANNOT require the employee to present a particular document from List A or List C. The employee is also not required to show the same type of document that he or she presented previously. See specific instructions on how to complete Section 3 below.

Rehires

If you rehire an employee within three years from the date that the Form I-9 was previously executed, you may either rely on the employee's previously executed Form I-9 or complete a new Form I-9.



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If you choose to rely on a previously completed Form I-9, follow these guidelines.

- If the employee remains employment authorized as indicated on the previously executed Form I-9, the employee does not need to provide any additional documentation. Provide in Section 3 the employee's rehire date, any name changes if applicable, and sign and date the form.
- If the previously executed Form I-9 indicates that the employee's employment authorization from Section 1 or employment authorization documentation from Section 2 that is subject to reverification has expired, then reverification of employment authorization is required in Section 3 in addition to providing the rehire date. If the previously executed Form I-9 is not the current version of the form, you must complete Section 3 on the current version of the form.
- If you already used Section 3 of the employee's previously executed Form I-9, but are rehiring the employee within three years of the original execution of Form I-9, you may complete Section 3 on a new Form I-9 and attach it to the previously executed form.

Employees rehired after three years of original execution of the Form I-9 must complete a new Form I-9.

Complete each block in Section 3 as follows:

Block A - New Name: If an employee who is being reverified or rehired has also changed his or her name since originally completing Section 1 of this form, complete this block with the employee's new name. Enter only the part of the name that has changed, for example: if the employee changed only his or her last name, enter the last name in the Last Name field in this Block, then enter N/A in the First Name and Middle Initial fields. If the employee has not changed his or her name, enter N/A in each field of Block A.

Block B - Date of Rehire: Complete this block if you are rehiring an employee within three years of the date Form I-9 was originally executed. Enter the date of rehire in this field. Enter N/A in this field if the employee is not being rehired.

Block C - Complete this block if you are reverifying expiring or expired employment authorization or employment authorization documentation of a current or rehired employee. Enter the information from the List A or List C document(s) (or receipt) that the employee presented to reverify his or her employment authorization. All documents must be unexpired.

Document Title: Enter the title of the List A or C document (or receipt) the employee has presented to show continuing employment authorization in this field.

Document Number: Enter the document number, if any, of the document you entered in the Document Title field exactly as it appears on the document. Enter N/A if the document does not have a number.

Expiration Date (if any) (mm/dd/yyyy): Enter the expiration date, if any, of the document you entered in the Document Title field as a 2-digit month, 2-digit day, and 4-digit year (mm/dd/yyyy). If the document does not contain an expiration date, enter N/A in this field.

Signature of Employer or Authorized Representative: The person who completes Section 3 must sign in this field. If you used a form obtained from the USCIS website, you must print Section 3 of the form to sign your name in this field. By signing Section 3, you attest under penalty of perjury (28 U.S.C. §1746) that you have examined the documents presented by the employee, that the document(s) reasonably appear to be genuine and to relate to the employee named, that to the best of your knowledge the employee is authorized to work in the United States, that the information you entered in Section 3 is complete, true and correct to the best of your knowledge, and that you are aware that you may face severe penalties provided by law and may be subject to criminal prosecution for knowingly and willfully making false statements or knowingly accepting false documentation when completing this form.

Today's Date: The person who completes Section 3 must enter the date Section 3 was completed and signed in this field. Do not backdate this field. If you used a form obtained from the USCIS website, you must print Section 3 of the form to enter the date in this field. Enter the date as a 2-digit month, 2-digit day, and 4-digit year (mm/dd/yyyy). For example, enter January 8, 2014 as 01/08/2014.



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Name of Employer or Authorized Representative: The person who completed, signed and dated Section 3 must enter his or her name in this field.

What is the Filing Fee?

There is no fee for completing Form I-9. This form is not filed with USCIS or any government agency. Form I-9 must be retained by the employer and made available for inspection by U.S. Government officials as specified in the “USCIS Privacy Act Statement” below.

USCIS Forms and Information

For additional guidance about Form I-9, employers and employees should refer to the *Handbook for Employers: Guidance for Completing Form I-9 (M-274)* or USCIS’ Form I-9 website at <https://www.uscis.gov/i-9-central>.

You can also obtain information about Form I-9 by e-mailing USCIS at I-9Central@dhs.gov, or by calling 1-888-464-4218 or 1-877-875-6028 (TTY).

You may download and obtain the English and Spanish versions of Form I-9, the *Handbook for Employers*, or the instructions to Form I-9 from the USCIS website at <https://www.uscis.gov/i-9>. To complete Form I-9 on a computer, you will need the latest version of Adobe Reader, which can be downloaded for free at <http://get.adobe.com/reader/>. You may order USCIS forms by calling our toll-free number at 1-800-870-3676. You may also obtain forms and information by contacting the USCIS National Customer Service Center at 1-800-375-5283 or 1-800-767-1833 (TTY).

Information about E-Verify, a fast, free, internet-based system that allows businesses to determine the eligibility of their employees to work in the United States, can be obtained from the USCIS website at <http://www.uscis.gov/e-verify>, by e-mailing USCIS at E-Verify@dhs.gov or by calling 1-888-464-4218 or 1-877-875-6028 (TTY).

Employees with questions about Form I-9 and/or E-Verify can reach the USCIS employee hotline by calling 1-888-897-7781 or 1-877-875-6028 (TTY).

Photocopying Blank and Completed Forms I-9 and Retaining Completed Forms I-9

Employers may photocopy or print blank Forms I-9 for future use. All pages of the instructions and Lists of Acceptable Documents must be available, either in print or electronically, to all employees completing this form. Employers must retain each employee's completed Form I-9 for as long as the individual works for the employer and for a specified period after employment has ended. Employers are required to retain the pages of the form on which the employee and employer entered data. If copies of documentation presented by the employee are made, those copies must also be retained. Once the individual's employment ends, the employer must retain this form and attachments for either 3 years after the date of hire (i.e., first day of work for pay) or 1 year after the date employment ended, whichever is later. In the case of recruiters or referrers for a fee (only applicable to those that are agricultural associations, agricultural employers, or farm labor contractors), the retention period is 3 years after the date of hire (i.e., first day of work for pay).

Forms I-9 obtained from the USCIS website that are not printed and signed manually (by hand) are not considered complete. In the event of an inspection, retaining incomplete forms may make you subject to fines and penalties associated with incomplete forms.

Employers should ensure that information employees provide on Form I-9 is used only for Form I-9 purposes. Completed Forms I-9 and all accompanying documents should be stored in a safe, secure location.

Form I-9 may be generated, signed, and retained electronically, in compliance with Department of Homeland Security regulations at 8 CFR 274a.2.



Constellation Schools

CHAPTER 3: PERSONNEL POLICIES, PRACTICES AND PROCEDURES

USCIS Privacy Act Statement

AUTHORITIES: The authority for collecting this information is the Immigration Reform and Control Act of 1986, Public Law 99-603 (8 USC § 1324a).

PURPOSE: This information is collected by employers to comply with the requirements of the Immigration Reform and Control Act of 1986. This law requires that employers verify the identity and employment authorization of individuals they hire for employment to preclude the unlawful hiring, or recruiting or referring for a fee, of aliens who are not authorized to work in the United States.

DISCLOSURE: Providing the information collected by this form is voluntary. However an employer should not continue to employ an individual without a completed form. Failure of the employer to prepare and/or ensure proper completion of this form for each employee hired in the United States after November 6, 1986 or in the Commonwealth of the Mariana Islands after November 27, 2011, may subject the employer to civil and/or criminal penalties. In addition, employing individuals knowing that they are unauthorized to work in the United States may subject the employer to civil and/or criminal penalties.

ROUTINE USES: This information will be used by employers as a record of their basis for determining eligibility of an employee to work in the United States. The employer must retain this form for the required period and make it available for inspection by authorized officials of the Department of Homeland Security, Department of Labor and the Department of Justice, Civil Rights Division, Immigrant and Employee Rights Section.

Paperwork Reduction Act

An agency may not conduct or sponsor an information collection and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The public reporting burden for this collection of information is estimated at 35 minutes per response, when completing the form manually, and 26 minutes per response when using a computer to aid in completion of the form, including the time for reviewing instructions and completing and retaining the form. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to: U.S. Citizenship and Immigration Services, Regulatory Coordination Division, Office of Policy and Strategy, 20 Massachusetts Avenue NW, Washington, DC 20529-2140; OMB No. 1615-0047. **Do not mail your completed Form I-9 to this address.**



Appendix 3.2150-A

Licensure Code of Professional Conduct for Ohio Educators





Licensure Code of Professional Conduct for Ohio Educators

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Introduction

Educators are entrusted by the public with the responsibility of providing a high-quality education to each student. Through various roles, these professionals devote themselves to providing a safe and nurturing environment in which all students can learn. In alignment with the Standards for Ohio Educators and Ohio's Learning Standards, Ohio's educators strive for excellence through the high expectations they hold for themselves and their students. The professional conduct of every educator affects attitudes toward the profession. Educators are trustees of the profession and share with the broader community the responsibility of providing high-quality public education. Educators recognize the need to balance the demands of the profession by caring for their own physical and emotional well-being in order to successfully carry out their professional responsibilities.

Aware of the importance of maintaining the confidence and trust of students, parents, colleagues and the public, Ohio educators maintain the highest degree of professional conduct for themselves and their peers. Ohio educators are all individuals applying for a credential or individuals credentialed by the State Board of Education, and the Licensure Code of Professional Conduct for Ohio Educators serves as the basis for decisions on issues pertaining to licensure that are consistent with applicable law. It provides a guide for conduct in situations that have professional implications for all individuals, such as teachers, principals, superintendents, educational aides, coaches, substitute teachers and others credentialed by the State Board of Education.

Ohio is nationally known as a state that produces high-quality educators and recognizes that its 250,000 practicing educators hold the fundamental beliefs defined in the following nine principles:

1. Educators behave in a professional manner, realizing that one's actions reflect directly on the status and substance of the profession.
2. Educators maintain a professional relationship with all students at all times, both in and out of the classroom.
3. Educators accurately report information required by the local board of education or governing board, state education agency, federal agency or state or federal law.
4. Educators adhere to federal, state and local laws and statutes regarding criminal activity.
5. Educators comply with state and federal laws related to maintaining confidential information.
6. Educators serve as positive role models and do not use, possess or unlawfully distribute illegal or unauthorized drugs.
7. Educators ensure school property, public funds or fees paid by students or the community are used in the best interest of students and not for personal gain.
8. Educators fulfill all the terms and obligations in their employment contracts.
9. Educators use technology in a responsible manner and safeguard the electronic devices and data entrusted to them.

As education is a public trust, the Ohio Department of Education pursues allegations of unprofessional conduct. The Department recognizes that an accusation of misconduct is not conclusive proof that the educator engaged in conduct unbecoming. By law, educators are entitled to all due process rights, with each circumstance considered on a case-by-case basis to determine appropriate action. Not all referrals or investigations result in disciplinary action. The Licensure Code of Professional Conduct for Ohio Educators includes the presumptive range of applicable disciplinary actions involving any individual credentialed by the State Board of Education.



Constellation Schools

CHAPTER 3: PERSONNEL POLICIES, PRACTICES AND PROCEDURES

1. Professional Behavior

Educators shall behave as professionals, realizing their actions directly reflect on the status and substance of the education profession.

An educator serves as a positive role model to both students and adults and is responsible for preserving the dignity and integrity of the teaching profession and for practicing the profession according to the highest ethical standards.

Conduct unbecoming to the profession includes, but is not limited to, the following actions:

- a) Failing to adhere to the Licensure Code of Professional Conduct for Ohio Educators.
- b) Assisting another in committing an act of conduct unbecoming, as described in the Licensure Code of Professional Conduct for Ohio Educators.
- c) Having a continuing physical or mental inability, incapacity or addiction that significantly impacts the educator's ability to carry out his or her professional responsibilities and renders the educator incapable of safely maintaining the care, custody and control of students.
- d) Committing any violation of state or federal laws, statutes or rules although the conduct may not have resulted in a criminal charge, indictment, prosecution or conviction. (Except as noted in Principle 6(b), this does not include traffic violations.)
- e) Disparaging a colleague, peer, or other school personnel while working in a professional setting (teaching, coaching, supervising or conferencing) on the basis of race or ethnicity, socioeconomic status, gender, national origin, sexual orientation, political or religious affiliation, physical characteristics, age, disability or English language proficiency.
- f) Harassing, intimidating, or retaliating against a colleague, peer, or other school personnel.
- g) Sexually harassing any student, minor or adult in the school community.
- h) Failing to complete a criminal background check, as required by state or federal law.
- i) Violating local, state or federal procedures related to the security of standardized tests, test supplies or resources.
- j) Negligently failing to verify, prior to hiring, recommending for employment, or issuing payment, except as permitted by law, that an educator possesses the appropriate credential type for the educator's position (for example, the appropriate credential type means a teacher must possess a teaching credential, principal a principal credential, superintendent a superintendent credential, etc.).
- k) Accepting or holding employment that requires the educator to engage in activities or duties outside the scope of the educator's credential type.
- l) Being disciplined by another state educational entity or other professional licensing board or entity for unethical conduct.
- m) Committing an act of academic dishonesty (for example, plagiarism, falsification, fabrication, sabotage, or cheating in an academic setting).
- n) Engaging in nepotism, as prohibited by local, state, or federal law.



2. Professional Relationships with Students

Educators shall maintain a professional relationship with all students at all times, both in and out of the classroom.

An educator's responsibility includes nurturing the intellectual, physical, emotional, social and civic potential of all students and providing a safe environment free from harassment, intimidation and criminal activity. An educator creates, supports and maintains an appropriate learning environment for all students and fulfills the roles of trusted confidant, mentor and advocate for students' rights while maintaining appropriate professional, emotional and social boundaries. An educator must serve as a champion against child abuse and be cognizant of student behaviors that suggest abuse or neglect.

Conduct unbecoming includes, but is not limited to, the following actions:

- a) Committing any act of sexual abuse of a student or minor or engaging in inappropriate sexual conduct with a student or minor.
- b) Committing an act of cruelty to children or an act of child endangerment (for example, physical, psychological, or emotional abuse).
- c) Soliciting, encouraging, engaging or consummating an inappropriate relationship with any student, minor, or individual who was a student in the preceding twelve months.
- d) Engaging in grooming a student or minor (befriending and establishing an emotional connection with a student or minor or a student's or minor's family to lower the student's or minor's inhibitions for the purpose of an inappropriate emotional, romantic or sexual relationship).
- e) Disparaging a student on the basis of race or ethnicity, socioeconomic status, gender, national origin, sexual orientation, political or religious affiliation, physical characteristics, academic or athletic performance, disability or English language proficiency.
- f) Using inappropriate language, gestures or signs at any school-related activity (such as racial slurs, or biased, lewd or lascivious expressions).
- g) Provoking an altercation with or between students or engaging in a physical altercation with students that is not for the purpose of ensuring the health, safety, and welfare of students.
- h) Failing to provide appropriate supervision of students, within the scope of the educator's official capacity, which risks the health, safety and welfare of students or others in the school community.
- i) Knowingly contributing to or failing to intervene in the harassment, intimidation, or bullying of a student.



3. Accurate Reporting

Educators shall accurately report information required by the local board of education or governing board, state education agency, federal agency or state or federal law.

An educator communicates appropriate representation of facts concerning qualifications for professional practice, student information, school board policy and other educational matters. An educator must notify the superintendent or designee, of any conduct by a licensed educator that substantially impairs his or her ability to function professionally or is detrimental to the health, safety and welfare of students. It is not considered conduct unbecoming for an educator to, in good faith, notify a superintendent as required by this principle and said educator shall not be the subject of retaliation.

Conduct unbecoming includes, but is not limited to, the following actions:

- a) Falsifying, intentionally misrepresenting, willfully omitting or being negligent in reporting information submitted to federal, state and other governmental agencies including, but not limited to, staff, student, district, and financial data and information submitted in the course of an official inquiry or investigation.
- b) Falsifying, intentionally misrepresenting, willfully omitting or being negligent in reporting professional qualifications, criminal history, discipline of a professional license or credential, college or professional development credit and/or degrees, academic awards and employment history when applying for employment and/or licensure or when recommending an individual for employment, promotion or licensure.
- c) Falsifying, intentionally misrepresenting, willfully omitting or being negligent in reporting reasons for absences or leaves.
- d) Falsifying, intentionally misrepresenting, willfully omitting or being negligent in reporting information regarding the evaluation of students and/or personnel.
- e) Knowingly failing to notify the superintendent or designee upon becoming aware that an educator's ability to function in his or her position has been substantially impaired or of any conduct that is detrimental to the health, safety and welfare of students.
- f) Intentionally failing to make a mandated report of any violation of state or federal law.
- g) Directing, instructing, assisting or requesting another to commit an act described in Principle 3 of the Licensure Code of Professional Conduct for Ohio Educators.



4. Criminal Acts

Educators shall adhere to federal, state and local laws and statutes.

An educator shall not engage in criminal activity as evidenced by a criminal conviction, guilty plea, finding of guilt, or participation in a court-ordered diversion or treatment in lieu of conviction program.

Conduct unbecoming includes, but is not limited to, the following actions:

- a) A criminal offense that is an offense of violence, theft, drug abuse, or sexually-oriented offense as defined in Ohio Administrative Rule 3301-20-01 (for example, murder, rape, drug trafficking, kidnapping, robbery, felonious assault).
- b) A criminal offense that requires an educator to meet the rehabilitation standards, as defined in Ohio Administrative Code Rule 3301-20-01 (for example, assault, passing bad checks, fraud, domestic violence, possession of drugs).
- c) Conveying or possessing a deadly weapon or dangerous ordnance in a school safety zone, on school premises or at a school-related activity, unless authorized by state or federal law.
- d) A criminal offense that is not identified as an absolute bar offense or offense requiring rehabilitation pursuant to Ohio Administrative Code Rule 3301-20-01 and the offense involves a student, minor, school district, or school personnel.
- e) A criminal offense that is not identified as an absolute bar offense or offense requiring rehabilitation pursuant to Ohio Administrative Code Rule 3301-20-01 and the offense does not involve a student, minor, school district, or school personnel. (Except as noted in Principle 6(b), this does not include traffic violations.)



5. Confidentiality

Educators shall comply with local, state and federal laws related to maintaining confidential information.

An educator is entrusted with information that could be misused to embarrass or damage a student's reputation or relationship with others. Therefore, the educator has the responsibility to keep information about students confidential unless disclosure serves professional purposes, affects the health, safety, and welfare of students and others, is required by law, or parental permission has been given. An educator maintains the security of confidential information, such as academic and disciplinary records, testing materials, personal confidences, photographs, health and medical information, family status and/or income.

Conduct unbecoming includes, but is not limited to, the following actions:

- a) Willfully or knowingly violating any student confidentiality required by federal or state laws, including publishing, providing access to, or altering confidential student information on district or public websites, such as grades, personal information, photographs, disciplinary actions, or individualized educational programs (IEPs) without parental consent or consent of students 18 years of age and older.
- b) Using confidential student, family, or school-related information in a non-professional way (for example, gossip, malicious talk or disparagement).
- c) Violating local, state, or federal procedures or laws related to the confidentiality of standardized tests, test supplies, or resources.



6. Use, Possession, or Unlawful Distribution of Alcohol, Drugs and Tobacco

Educators shall not use, possess or unlawfully distribute illegal or unauthorized drugs. Educators shall not use alcohol during any school activity involving students, minors or underage persons. Educators shall not use tobacco during any school activity except in designated areas. Educators shall not furnish, provide or encourage students or underage persons to use, possess or unlawfully distribute alcohol, tobacco, or illegal or unauthorized drugs.

As a positive role model, an educator is entrusted with protecting the health, safety, and welfare of students at any school event. The use of alcohol or illegal or unauthorized drugs causes impairment of professional judgment that may potentially harm others. A professional educator must refrain from the illegal use of tobacco on any school grounds or at any school activity.

Conduct unbecoming includes, but is not limited to, the following actions:

- a) Being under the influence of, possessing, using or consuming illegal or unauthorized drugs.
- b) Engaging in habitual or excessive abuse of alcohol, as demonstrated by two or more alcohol-related convictions within a five-year span or a severe alcohol-related conviction (for example, a high blood alcohol content, significant injury or property damage, or incidents involving minors).
- c) Being on school premises in an official capacity (for example, teaching, coaching, supervising, or conferencing) or at any school activity involving students, minors or underage persons while under the influence, possessing, or consuming alcoholic beverages.
- d) Furnishing or providing tobacco, alcohol or illegal or unauthorized drugs to any student, minor, or underage person.
- e) Being on school premises or at any school activity involving students, minors or underage persons while using tobacco except in a designated area.
- f) Promoting the use of steroids, stimulants, or nutritional supplements to accelerate physical growth or contribute to the control of weight loss or weight gain to enhance physical performance.



7. Financial Management and Improper Compensation for Personal Gain

Educators shall ensure all school funds and accounts are managed in a responsible and transparent manner. Educators shall ensure school property, public funds or fees paid by students or the community are not used for personal gain. Educators shall not make decisions based upon gifts, gratuities, favors or the socioeconomic status of parents, family members, community members or businesses.

An educator is entrusted with public funds and school property in the course of performing job duties and maintains a high level of honesty, accuracy and accountability to ensure institutional privileges are not used for personal gain. An educator maintains integrity with students, colleagues, parents, families, the community or businesses when accepting gifts, gratuities, or favors. To avoid bias or prejudice, an educator needs to ensure decisions made about students or school policy are not negatively influenced by the socioeconomic status of parents, family members, community members or businesses.

Conduct unbecoming includes, but is not limited to, the following actions:

- a) Using public school property or public funds for personal use not in accordance with local, state or federal laws.
- b) Soliciting students or parents of students to purchase equipment, supplies, or services or to participate in activities that financially benefit the educator without notifying the superintendent or designee and/or not in accordance with local board policy.
- c) Accepting gifts from vendors or potential vendors for personal use or gain exceeding \$25 in value.
- d) Tutoring students in one's district for profit without notifying the superintendent or designee and/or not in accordance with local board policy.
- e) Coaching and/or promoting athletic or artistic camps, off-season leagues, etc., in one's district for profit without notifying the superintendent or designee and/or not in accordance with local board policy.
- f) Failing to transparently and responsibly account for and manage any and all school-related funds in accordance with local board policies and local, state, or federal laws, including rules, opinions, and bulletins promulgated by the Ohio Auditor of State or the Ohio Ethics Commission.
- g) Failing to account for funds related to school activities collected from students, parents, family members, community members, staff or peers in accordance with local board policy.
- h) Co-mingling public or school-related funds with personal funds or checking accounts.
- i) Submitting fraudulent requests for reimbursement of expenses.
- j) Failing to pay a finding for recovery issued by the Ohio Auditor of State.



8. Commitment to Contract

Educators shall fulfill all of the terms and obligations detailed in their employment contract with the local board of education, public educational agency, or community school for the duration of the contract.

An educator knows and understands the rights and responsibilities as outlined in the employment contract and adheres to the terms and conditions of the agreement by fulfilling responsibilities and duties required of the position.

Conduct unbecoming includes, but is not limited to, the following actions:

- a) Abandoning the contractual agreement for professional services without the consent of the board of education or designee, according to Ohio Revised Code 3319.15, or without the consent of the community school's governing authority or operator, according to Ohio Revised Code 3314.103.
- b) Willfully refusing to perform services and duties required by the contract, except as outlined in Ohio Revised Code Chapter 4117.
- c) Violating or interfering with due process as outlined in the contractual agreement.



9. Appropriate and Responsible Use of Technology

Educators shall always use technology, electronic communications, and social media in a responsible and professional manner and appropriately safeguard the unauthorized use or access to electronic devices and data entrusted to them.

An educator responsibly creates, uses, consumes, distributes, and protects information and data across all technologies. Educators shall maintain appropriate boundaries with colleagues, students, and the school community when using technology and electronic communications. While maintaining their constitutional rights, educators recognize that when using technology, the words they choose and the content of their statements can reflect negatively on their positions, schools, and the profession.

Conduct unbecoming includes, but is not limited to, the following actions:

- a) Negligently failing to prevent others from unauthorized use of professional electronic devices to access improper or inappropriate material or confidential data.
- b) Negligently failing to prevent students from unauthorized use of the educator's personal electronic devices to access improper or inappropriate material or confidential data.
- c) Accessing inappropriate, non-school-related material on a school-owned device not in accordance with local board policy.
- d) Presenting inappropriate, non-school-related media to students.
- e) Using technology, social media, or other electronic communications to promote inappropriate communications with students (for example, excessively, for non-educational purposes or requesting students or minors to conceal communication).
- f) Knowingly failing to report and/or address instances of electronic or online harassment, bullying, or intimidation of a student.
- g) Knowingly failing to appropriately intervene when made aware of inappropriate or illegal images or material involving students or minors in electronic forms.
- h) Using technology, social media or other electronic communications to host, post, or distribute improper or inappropriate material that could reasonably be accessed by the school community (includes, but is not limited to, pornography, obscene material, promotion of drug use or underage consumption of alcohol, promotion of violence, disparagement of students, and disparagement based upon gender, gender identity, race, sex, ethnicity, sexual orientation, disability, military status, or religion).
- i) Using school technology to run, manage, or promote a personal business venture.



Disciplinary Procedure

DUE PROCESS

The State Board of Education has the authority to suspend, limit, revoke or deny licenses; issue a letter of admonishment; or enter into a consent agreement with an applicant or licensed educator to administer the educator discipline process in accordance with Chapter 33 and Chapter 119 of the Ohio Revised Code and Chapter 3301 of the Ohio Administrative Code.

When an educator is reported to the Ohio Department of Education for an allegation of unprofessional conduct made by a principal, parent, teacher, student, superintendent or community member, the Department will determine whether the State Board of Education has jurisdiction to investigate the matter pursuant to Section 3319.311 of the Ohio Revised Code.

If it is determined an investigation is warranted, a thorough investigation would be conducted pursuant to Section 3319.311 of the Ohio Revised Code at which time **all mitigating circumstances will be fully examined to determine whether the allegation can be substantiated**. If an allegation is reported and turns out to be a false allegation or unsubstantiated, all information obtained in the case file will be sealed two years after the investigation is concluded in accordance with Section 3319.311 of the Ohio Revised Code.

If the results of an investigation warrant initiating an action under Section 3319.31 of the Ohio Revised Code, **an educator is entitled to all due process rights** afforded pursuant to Chapter 33 and Chapter 119 of the Ohio Revised Code and Chapter 3301 of the Ohio Administrative Code.

DISCIPLINARY GUIDELINES

Upon a determination that the results of an investigation warrant the State Board of Education to impose a disciplinary action pursuant to Section 3319.31 of the Ohio Revised Code, the State Board may impose an appropriate penalty within the presumptive range on a **case-by-case basis**, as set forth in these disciplinary guidelines, unless the aggravating and mitigating factors in an individual case warrant a penalty outside the presumptive range.

The range of disciplinary actions are presumptions and may include a letter of admonishment, consent agreement, limitation of a license, suspension of a license, revocation of a license, or denial of a license. The terms "suspension," "revocation," and "denial" shall mean any length of suspension, revocation or denial, including permanent revocation or permanent denial. A license may be suspended or limited pursuant to a consent agreement or State Board resolution. A complete explanation of the types of disciplinary actions can be accessed on the Ohio Department of Education's website, education.ohio.gov, search keywords *disciplinary actions*.

The State Board may determine that a penalty outside the range of the disciplinary guidelines is more appropriate in an individual case based upon aggravating and mitigating factors as outlined in Sections 3301-73-21 (A) (B) and Section 3301-20-01 (E) of the Ohio Administrative Code, or any other factors the State Board, district or educational entity, or superintendent consider relevant. Further, the State Board may determine not to impose a disciplinary action involving an educator's licensure or application for licensure based upon conduct being a minor violation or a local school district or educational entity appropriately addressing the violation of the Licensure Code of Professional Conduct for Ohio Educators at the district or building level.

The Licensure Code of Professional Conduct for Ohio Educators applies to all individuals licensed by the Ohio Department of Education. The presumptive ranges are only applicable for disciplinary actions involving an educator's licensure or application for licensure. The presumptive ranges are not applicable for any discipline imposed at the local level. Possible discipline at the local level must follow all local contractual provisions including, but not limited to, due process, progressive discipline, and just cause. However, an educator who violates one or more of the principles may be subject to discipline at both the state and local levels.

Following are the disciplinary actions, including a presumptive range of penalties that shall apply to violations of the *Licensure Code of Professional Conduct for Ohio Educators*.



DISCIPLINARY ACTIONS

1. Professional Behavior

Educators shall behave as professionals realizing that their actions directly reflect on the status and substance of the education profession.

If an educator violates Principle 1, the presumption for the appropriate range of disciplinary action is the following:

- I. Suspension (one day to one year) of a license depending upon the violation of the testing procedure;
- II. Suspension of a license until the educator comes into compliance with the required background checks;
- III. Letter of admonishment up to revocation/denial of a license for other acts unbecoming to the professional conduct of educators.

2. Professional Relationships with Students

Educators shall maintain a professional relationship with all students at all times, both in and out of the classroom.

If an educator violates Principle 2, the presumption for the appropriate range of disciplinary action is the following:

- I. Revocation/denial of a license for sexual/physical abuse;
- II. Suspension (one day to five years) of a license up to revocation/denial of a license for psychological or emotional abuse or for soliciting, encouraging, engaging or consummating an inappropriate written, verbal, psychological, emotional or physical relationship with a student or minor;
- III. Suspension (one day to five years) of a license for disparagement, inappropriate language, physical altercations, inappropriate supervision or harassment.

3. Accurate Reporting

Educators shall accurately report information required by the local board of education or governing board, state education agency, federal agency or state or federal law.

If an educator violates Principle 3, the presumption for the appropriate range of disciplinary action is the following:

- I. Suspension (one day to three years) of a license for falsifying, intentionally misrepresenting, willfully omitting, or being negligent in reporting criminal history, discipline of a professional license or credential, academic awards or employment history;
- II. Suspension (three years to five years) of a license up to revocation/denial of a license for falsifying, intentionally misrepresenting, willfully omitting, or being negligent in reporting professional qualifications, or college or professional development credit and/or degrees;
- III. Suspension (one day to five years) of a license for all other violations of this principle.



4. Criminal Acts

Educators shall adhere to federal, state and local laws and statutes.

If an educator violates Principle 4, the presumption for the appropriate range of disciplinary action is the following:

- I. Revocation/denial of a license for a criminal offense that is an offense of violence, theft offense, drug abuse offense or sexually oriented offense, as defined in Ohio Administrative Code Rule 3301-20-01;
- II. Revocation/denial of a license for a criminal offense involving the school community or where the victim is a student or minor;
- III. Suspension (one day to five years) of a license up to revocation/denial of a license for all other felony criminal acts;
- IV. Letter of admonishment up to revocation/denial of a license for all other misdemeanor criminal acts (for example, disorderly conduct, trespassing, assault, passing bad checks, fraud, domestic violence, possession of drugs).

5. Confidentiality

Educators shall comply with local, state and federal laws related to maintaining confidential information.

If an educator violates Principle 5, the presumption for the appropriate range of disciplinary action is suspension (one day to two years) of a license.

6. Use, Possession, or Unlawful Distribution of Alcohol, Drugs and Tobacco

Educators shall not use, possess or unlawfully distribute illegal or unauthorized drugs. Educators shall not use alcohol during any school activity involving students, minors or underage persons. Educators shall not use tobacco during any school activity except in designated areas. Educators shall not furnish, provide or encourage students or underage persons to use, possess or unlawfully distribute alcohol, tobacco, or illegal or unauthorized drugs

If an educator violates Principle 6, the presumption for the appropriate range of disciplinary action is the following:

- I. Suspension (one year to five years) of a license up to revocation/denial of a license for violations dealing with students, minors, or underage persons or school activities;
- II. Suspension (one day to five years) of a license for misuses unrelated to students, minors, or underage persons or school activities.



Constellation Schools

CHAPTER 3: PERSONNEL POLICIES, PRACTICES AND PROCEDURES

7. Financial Management and Improper Compensation for Personal Gain

Educators shall ensure all school funds and accounts are managed in a responsible and transparent manner. Educators shall ensure school property, public funds or fees paid by students or the community are not used for personal gain. Educators shall not make decisions based upon gifts, gratuities, favors or the socioeconomic status of parents, family members, community members or businesses.

If an educator violates Principle 7, the presumption for the appropriate range of disciplinary action is the following:

- I. Suspension (two years to five years) up to revocation/denial of a license for theft of school property or school funds;
- II. Letter of admonishment up to suspension (one day to one year) of a license for using one's position for personal gain;
- III. Suspension (one day to five years) up to revocation/denial of a license for all other violations of this principle.

8. Commitment to Contract

Educators shall fulfill all of the terms and obligations detailed in their employment contract with the local board of education, public educational agency, or community school for the duration of the contract.

If an educator violates Principle 8, the presumption for the appropriate range of disciplinary action is a letter of admonishment up to suspension (one day to one year) of a license.

9. Appropriate and Responsible Use of Technology

Educators shall always use technology, electronic communications, and social media in a responsible and professional manner and appropriately safeguard the unauthorized use or access to electronic devices and data entrusted to them.

If an educator violates Principle 9, the presumption for the appropriate range of disciplinary action is the following:

- I. Letter of admonishment up to suspension (one day to five years) of a license for negligence in failing to prevent others from unauthorized access of professional devices and students from unauthorized access of personal devices; accessing inappropriate, non-school-related material on school-owned devices; and use of school technology to run, manage, or promote a personal business;
- II. Suspension (one day to five years) of a license up to revocation/denial of a license for presenting inappropriate, non-school-related media to students and for violations involving the use of technology to host, post, or distribute inappropriate material;
- III. Suspension (one year to five years) of a license up to revocation/denial of a license for violations involving use of technology for promoting and/or engaging in inappropriate communication with students;
- IV. Suspension (one day to five years) of a license for failing to report or address instances of electronic or online harassment, bullying, or intimidation of a student, or failing to appropriately intervene when made aware of inappropriate or illegal materials involving students or minors appearing in electronic form.



Ohio Department of Education Office of Professional Conduct

25 S. Front St., MS 104 | Columbus, OH 43215

614-466-5638 | 614-995-3752 (fax)

education.ohio.gov



Licensure Code of Professional Conduct for Ohio Educators



Constellation Schools

CHAPTER 3: PERSONNEL POLICIES, PRACTICES AND PROCEDURES

Appendix 380

Certification of Health Care Provider for Employee's Serious Health Condition under the Family and Medical Leave Act

U.S. Department of Labor
Wage and Hour Division



DO NOT SEND COMPLETED FORM TO THE DEPARTMENT OF LABOR.
RETURN TO THE PATIENT.

OMB Control Number: 1215-0103
Expires: 07-02-2019

The Family and Medical Leave Act (FMLA) provides that an employer may require an employee seeking FMLA protections because of a need for leave due to a serious health condition to submit a medical certification issued by the employee's health care provider. 29 U.S.C. §§ 2613, 2614(c)(3); 29 C.F.R. § 825.305. The employer must give the employee **at least 15 calendar days** to provide the certification. If the employee fails to provide complete and sufficient medical certification, his or her FMLA leave request may be denied. 29 C.F.R. § 825.313. Information about the FMLA may be found on the WHD website at www.dol.gov/agencies/whd/fmla.

SECTION I – EMPLOYER

Either the employee or the employer may complete Section I. While use of this form is optional, this form asks the health care provider for the information necessary for a complete and sufficient medical certification, which is set out at 29 C.F.R. § 825.306. **You may not ask the employee to provide more information than allowed under the FMLA regulations, 29 C.F.R. §§ 825.306-825.308.** Additionally, you **may not** request a certification for FMLA leave to bond with a healthy newborn child or a child placed for adoption or foster care.

Employers must generally maintain records and documents relating to medical information, medical certifications, recertifications, or medical histories of employees created for FMLA purposes as confidential medical records in separate files/records from the usual personnel files and in accordance with 29 C.F.R. § 1630.14(c)(1), if the Americans with Disabilities Act applies, and in accordance with 29 C.F.R. § 1635.9, if the Genetic Information Nondiscrimination Act applies.

- (1) Employee name: _____
First Middle Last
- (2) Employer name: _____ Date: _____ (month/year)
(See date certification requested)
- (3) The medical certification must be returned by _____ (month/year)
(Must allow at least 15 calendar days from the date requested, unless it is not feasible despite the employee's diligent good faith efforts.)
- (4) Employee's job title: _____ Job description (is / is not) attached
 Employee's regular work schedule: _____
 Statement of the employee's essential job functions: _____

(The essential functions of the employee's position are determined with reference to the position the employee held at the time the employee notified the employer of the need for leave or the leave started, whichever is earlier.)

SECTION II – HEALTH CARE PROVIDER

Please provide your contact information, complete all relevant parts of this Section, and sign the form. Your patient has requested leave under the FMLA. The FMLA allows an employer to require that the employee submit a timely, complete, and sufficient medical certification to support a request for FMLA leave due to the serious health condition of the employee. For FMLA purposes, a "serious health condition" means an illness, injury, impairment, or physical or mental condition that involves *inpatient care* or *continuing treatment by a health care provider*. For more information about the definitions of a serious health condition under the FMLA, see the chart on page 4.

You may, but are **not required** to, provide other appropriate medical facts including symptoms, diagnosis, or any regimen of continuing treatment such as the use of specialized equipment. Please note that some state or local laws may not allow disclosure of private medical information about the patient's serious health condition, such as providing the diagnosis and/or course of treatment.



Constellation Schools

CHAPTER 3: PERSONNEL POLICIES, PRACTICES AND PROCEDURES

Employee Name:

Health Care Provider's name: *(Print)*

Health Care Provider's business address:

Type of practice / Medical specialty:

Telephone: ()

Fax: ()

E-mail:

PART A: Medical Information

Limit your response to the medical condition(s) for which the employee is seeking FMLA leave. Your answers should be your best estimate based upon your medical knowledge, experience, and examination of the patient. After completing Part A, complete Part B to provide information about the amount of leave needed. Note: For FMLA purposes, "incapacity" means the inability to work, attend school, or perform regular daily activities due to the condition, treatment of the condition, or recovery from the condition. Do not provide information about genetic tests, as defined in 29 C.F.R. § 1635.3(f), genetic services, as defined in 29 C.F.R. § 1635.3(e), or the manifestation of disease or disorder in the employee's family members, 29 C.F.R. § 1635.3(h).

- (1) State the approximate date the condition started or will start: *(month/year)*
- (2) Provide your best estimate of how long the condition lasted or will last:
- (3) Check the box(es) for the questions below, as applicable. If all box(es) checked, the amount of leave needed must be provided in Part B.

Inpatient Care: The patient (has been / is expected to be) admitted for an overnight stay in a hospital, hospice, or residential medical care facility on the following date(s): _____

Incapacity plus Treatment: *(e.g. outpatient surgery, sleep therapy)*
Due to the condition, the patient (has been / is expected to be) incapacitated for *more than* three consecutive, full calendar days from _____ *(month/year)* to _____ *(month/year)*.
The patient (was / will be) seen on the following date(s):

The condition (has / has not) also resulted in a course of continuing treatment under the supervision of a health care provider *(e.g. prescription medication taken from over the counter) or therapy requiring special equipment)*

Pregnancy: The condition is pregnancy. List the expected delivery date: *(month/year)*

Chronic Condition: *(e.g. asthma, migraines/headaches)* Due to the condition, it is medically necessary for the patient to have treatment visits at least twice per year.

Permanent or Long Term Conditions: *(e.g. Alzheimer's, terminal stage of cancer)* Due to the condition, incapacity is permanent or long-term and requires the continuing supervision of a health care provider (even if active treatment is not being provided).

Conditions requiring Multiple Treatments: *(e.g. chemotherapy treatments, respiratory therapies)* Due to the condition, it is medically necessary for the patient to receive multiple treatments.

None of the above: If none of the above condition(s) were checked, (i.e., inpatient care, pregnancy) no additional information is needed. Go to page 4 to sign and date the form.



Constellation Schools

CHAPTER 3: PERSONNEL POLICIES, PRACTICES AND PROCEDURES

Employee Name: _____

- (4) If needed, briefly describe other appropriate medical facts related to the condition(s) for which the employee seeks FMLA leave. (e.g., use of assistive devices)
- _____

PART B: Amount of Leave Needed

For the medical condition(s) checked in Part A, complete all that apply. Several questions seek a response as to the frequency or duration of a condition, treatment, etc. Your answer should be your **best estimate** based upon your medical knowledge, experience, and examination of the patient. Be as specific as you can; terms such as "lifetime," "unknown," or "indeterminate" may not be sufficient to determine FMLA coverage.

- (5) Due to the condition, the patient (had / will have) **planned medical treatment(s)** (scheduled medical visits) (e.g., psychotherapy, prenatal appointments) on the following date(s):
- _____

- (6) Due to the condition, the patient (was / will be) referred to **other health care provider(s)** for evaluation or treatment(s).

State the nature of such treatments: (e.g., cardiologist, physical therapy)

Provide your **best estimate** of the beginning date _____ (month/year) and end date _____ (month/year) for the treatment(s).

Provide your **best estimate** of the duration of the treatment(s), including any period(s) of recovery (e.g., 3 days total)

- (7) Due to the condition, it is medically necessary for the employee to work a **reduced schedule**.

Provide your **best estimate** of the reduced schedule the employee is able to work. From _____ (month/year) to _____ (month/year) the employee is able to work: (e.g., 3 hours/day, up to 20 hours a week)

- (8) Due to the condition, the patient (was / will be) **incapacitated for a continuous period of time**, including any time for treatment(s) and/or recovery.

Provide your **best estimate** of the beginning date _____ (month/year) and end date _____ (month/year) for the period of incapacity.

- (9) Due to the condition, it (was / is / will be) medically necessary for the employee to be absent from work on an **intermittent basis** (periodically), including for any episodes of incapacity i.e., episodic flare-ups. Provide your **best estimate** of how often (frequency) and how long (duration) the episodes of incapacity will likely last.

Over the next 6 months, episodes of incapacity are estimated to occur _____ times per _____ (day / week / month) and are likely to last approximately _____ (hours / days) per episode.



Constellation Schools

CHAPTER 3: PERSONNEL POLICIES, PRACTICES AND PROCEDURES

Employee Name: _____

PART C: Essential Job Functions

If provided, the information in Section 1 question #4 may be used to answer this question. If the employer fails to provide a statement of the employee's essential functions or a job description, answer these questions based upon the employee's own description of the essential job functions. An employee who must be absent from work to receive medical treatment(s), such as scheduled medical visits, for a serious health condition is considered to be *not able* to perform the essential job functions of the position during the absence for treatment(s).

(10) Due to the condition, the employee (was not able / is not able / will not be able) to perform *one or more* of the essential job function(s). Identify at least one essential job function the employee is not able to perform.

Signature of Health Care Provider _____ Date _____ (mm/dd/yyyy)

Definitions of a Serious Health Condition (See 29 C.F.R. §§ 825.113-115)
<p style="text-align: center;">Inpatient Care</p> <ul style="list-style-type: none"> • An overnight stay in a hospital, hospice, or residential medical care facility. • Inpatient care includes any period of incapacity or any subsequent treatment in connection with the overnight stay.
<p style="text-align: center;">Continuing Treatment by a Health Care Provider (any one or more of the following)</p>
<p><u>Incapacity Plus Treatment:</u> A period of incapacity of more than three consecutive, full calendar days, and any subsequent treatment or period of incapacity relating to the same condition, that also involves either:</p> <ul style="list-style-type: none"> ○ Two or more in-person visits to a health care provider for treatment within 30 days of the first day of incapacity unless extenuating circumstances exist. The first visit must be within seven days of the first day of incapacity, or. ○ At least one in-person visit to a health care provider for treatment within seven days of the first day of incapacity, which results in a regimen of continuing treatment under the supervision of the health care provider. For example, the health provider might prescribe a course of prescription medication or therapy requiring special equipment.
<p><u>Pregnancy:</u> Any period of incapacity due to pregnancy or for prenatal care.</p>
<p><u>Chronic Conditions:</u> Any period of incapacity due to or treatment for a chronic serious health condition, such as diabetes, asthma, migraine headaches. A chronic serious health condition is one which requires visits to a health care provider (or nurse supervised by the provider) at least twice a year and recurs over an extended period of time. A chronic condition may cause episodic rather than a continuing period of incapacity.</p>
<p><u>Permanent or Long-term Conditions:</u> A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective, but which requires the continuing supervision of a health care provider, such as Alzheimer's disease or the terminal stages of cancer.</p>
<p><u>Conditions Requiring Multiple Treatments:</u> Restorative surgery after an accident or other injury, or, a condition that would likely result in a period of incapacity of more than three consecutive, full calendar days if the patient did not receive the treatment.</p>

PAPERWORK REDUCTION ACT NOTICE AND PUBLIC BURDEN STATEMENT

If submitted, it is mandatory for employers to retain a copy of this disclosure in their records for three years. 29 U.S.C. § 2615; 29 C.F.R. § 825.500. Persons are not required to respond to this collection of information unless it displays a currently valid OMB control number. The Department of Labor estimates that it will take an average of 15 minutes for respondents to complete this collection of information, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collected information. If you have any comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, U.S. Department of Labor, Room S-3502, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

DO NOT SEND COMPLETED FORM TO THE DEPARTMENT OF LABOR. RETURN TO THE PATIENT.



Constellation Schools

CHAPTER 3: PERSONNEL POLICIES, PRACTICES AND PROCEDURES

Employee Name: _____

PART C: Essential Job Functions

If provided, the information in Section 1 question #4 may be used to answer this question. If the employer fails to provide a statement of the employee's essential functions or a job description, answer these questions based upon the employee's own description of the essential job functions. An employee who must be absent from work to receive medical treatment(s), such as scheduled medical visits, for a serious health condition is considered to be *not able* to perform the essential job functions of the position during the absence for treatment(s).

(10) Due to the condition, the employee (was not able / is not able / will not be able) to perform *one or more* of the essential job function(s). Identify at least one essential job function the employee is not able to perform.

Signature of Health Care Provider _____ Date _____ (mm/dd/yyyy)

Definitions of a Serious Health Condition (See 29 C.F.R. §§ 825.111-117)
<p style="text-align: center;">Inpatient Care</p> <ul style="list-style-type: none"> • An overnight stay in a hospital, hospice, or residential medical care facility. • Inpatient care includes any period of incapacity or any subsequent treatment in connection with the overnight stay.
<p style="text-align: center;">Continuing Treatment by a Health Care Provider (any one or more of the following)</p>
<p>Incapacity Plus Treatment: A period of incapacity of more than three consecutive, full calendar days, and any subsequent treatment or period of incapacity relating to the same condition, that also involves either:</p> <ul style="list-style-type: none"> o Two or more in-person visits to a health care provider for treatment within 30 days of the first day of incapacity unless extenuating circumstances exist. The first visit must be within seven days of the first day of incapacity, or. o At least one in-person visit to a health care provider for treatment within seven days of the first day of incapacity, which results in a regimen of continuing treatment under the supervision of the health care provider. For example, the health care provider might prescribe a course of prescription medication or therapy requiring special equipment.
<p>Pregnancy: Any period of incapacity due to pregnancy or for prenatal care.</p>
<p>Chronic Conditions: Any period of incapacity due to or treatment for a chronic serious health condition, such as diabetes, asthma, migraine headaches. A chronic serious health condition is one which requires visits to a health care provider (or nurse supervised by the provider) at least twice a year and recurs over an extended period of time. A chronic condition may cause episodic rather than a continuing period of incapacity.</p>
<p>Permanent or Long-term Conditions: A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective, but which requires the continuing supervision of a health care provider, such as Alzheimer's disease or the terminal stages of cancer.</p>
<p>Conditions Requiring Multiple Treatments: Restorative surgery after an accident or other injury, or a condition that would likely result in a period of incapacity of more than three consecutive, full calendar days if the patient did not receive the treatment.</p>

PAPERWORK REDUCTION ACT NOTICE AND PUBLIC BURDEN STATEMENT

If submitted, it is mandatory for employers to retain a copy of this disclosure in their records for three years. 29 U.S.C. § 2615; 29 C.F.R. § 825.500. Persons are not required to respond to this collection of information unless it displays a currently valid OMB control number. The Department of Labor estimates that it will take an average of 15 minutes for respondents to complete this collection of information, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, U.S. Department of Labor, Room 8-3502, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

DO NOT SEND COMPLETED FORM TO THE DEPARTMENT OF LABOR. RETURN TO THE PATIENT.



Constellation Schools

CHAPTER 3: PERSONNEL POLICIES, PRACTICES AND PROCEDURES

Certification of Health Care Provider for Family Member's Serious Health Condition under the Family and Medical Leave Act

U.S. Department of Labor
Wage Hour Division



DO NOT SEND COMPLETED FORM TO THE DEPARTMENT OF LABOR.
RETURN TO THE PATIENT.

O&D Control Number: 1235-0033
Expires: 6/30/2023

The Family and Medical Leave Act (FMLA) provides that an employer may require an employee seeking FMLA leave to care for a family member with a serious health condition to submit a medical certification issued by the family member's health care provider. 29 U.S.C. §§ 2613, 2614(e)(3); 29 C.F.R. § 825.305. The employer must give the employee at least 15 calendar days to provide the certification. If the employee fails to provide complete and sufficient medical certification, his or her FMLA leave request may be denied. 29 C.F.R. § 825.313. Information about the FMLA may be found on the WHD website at www.dol.gov/agencies/eplad.html.

SECTION I - EMPLOYER

Either the employee or the employer may complete Section I. While use of this form is optional, this form asks the health care provider for the information necessary for a complete and sufficient medical certification, which is set out at 29 C.F.R. § 825.306. You may not ask the employee to provide more information than allowed under the FMLA regulations, 29 C.F.R. §§ 825.306-825.308. Additionally, you may not request a certification for FMLA leave to bond with a healthy newborn child or a child placed for adoption or foster care.

Employers must generally maintain records and documents relating to medical information, medical certifications, recertifications, or medical histories of employees or employees' family members created for FMLA purposes as confidential medical records in separate files/records from the usual personnel files and in accordance with 29 C.F.R. § 16.3014(e)(2) of the Americans with Disabilities Act applies, and in accordance with 29 C.F.R. § 1635.9, if the Genetic Information Nondiscrimination Act applies.

- (1) Employee name: _____
First Middle Last
- (2) Employer name: _____ Date: _____ (month/year)
If no date certification requested
- (3) The medical certification must be returned by _____ (month/year)
Must allow at least 15 calendar days from the date requested, unless it is not feasible despite the employer's diligent good faith effort.

SECTION II - EMPLOYEE

Please complete and sign Section II before providing this form to your family member or your family member's health care provider. The FMLA allows an employer to require that you submit a timely, complete, and sufficient medical certification to support a request for FMLA leave due to the serious health condition of your family member. If requested by your employer, your response is required to obtain or retain the benefit of the FMLA protections. 29 U.S.C. §§ 2613, 2614(e)(3). You are responsible for making sure the medical certification is provided to your employer within the time frame requested, which must be at least 15 calendar days. 29 C.F.R. §§ 825.305-825.306. Failure to provide a complete and sufficient medical certification may result in a denial of your FMLA leave request. 29 C.F.R. § 825.313.

- (1) Name of the family member for whom you will provide care: _____
- (2) Select the relationship of the family member to you. The family member is your:
 Spouse Parent Child, under age 18
 Child, age 18 or older and incapable of self-care because of a mental or physical disability

Spouse means a husband or wife as defined or recognized in the state where the individual was married, including in a common law marriage or same-sex marriage. The terms "child" and "parent" include *in loco parentis* relationships in which a person assumes the obligations of a parent to a child. An employee may take FMLA leave to care for an individual who assumed the obligations of a parent to the employee when the employee was a child. An employee may also take FMLA leave to care for a child for whom the employee has assumed the obligations of a parent. No legal or biological relationship is necessary.



Constellation Schools

CHAPTER 3: PERSONNEL POLICIES, PRACTICES AND PROCEDURES

Employee Name: _____

- (3) Briefly describe the care you will provide to your family member: *(Check all that apply)*
- Assistance with basic medical, hygienic, nutritional, or safety needs Transportation
 Physical Care Psychological Comfort Other: _____

(4) Give your **best estimate** of the amount of leave needed to provide the care described: _____

(5) If a **reduced work schedule** is necessary to provide the care described, give your **best estimate** of the reduced schedule you are able to work. From _____ *(month/year)* to _____ *(month/year)*, I am able to work
(hours per day) *(days per week)*

Employee Signature _____ Date _____ *(month/year)*

SECTION III - HEALTH CARE PROVIDER

Please provide your contact information, complete all relevant parts of this Section, and sign the form below. A family member of your patient has requested leave under the FMLA to care for your patient. The FMLA allows an employer to require that the employee submit a timely, complete, and sufficient medical certification to support a request for FMLA leave to care for a family member with a serious health condition. For FMLA purposes, a "serious health condition" means an illness, injury, impairment, or physical or mental condition that involves inpatient care or continuing treatment by a health care provider. For more information about the definitions of a serious health condition under the FMLA, see the chart at the end of the form.

You also may, but are **not required** to, provide other appropriate medical facts including symptoms, diagnosis, or any regimen of continuing treatment such as the use of specialized equipment. Please note that some state or local laws may not allow disclosure of private medical information about the patient's serious health condition, such as providing the diagnosis and/or course of treatment.

Health Care Provider's name: *(Print)* _____

Health Care Provider's business address: _____

Type of practice / Medical specialty: _____

Telephone: (____) _____ Fax: (____) _____ E-mail: _____

PART A: Medical Information

Limit your response to the medical condition for which the employee is seeking FMLA leave. Your answers should be your **best estimate** based upon your medical knowledge, experience, and examination of the patient. **After completing Part A, complete Part B to provide information about the amount of leave needed.** Note: For FMLA purposes, "incapacity" means the inability to work, attend school, or perform regular daily activities due to the condition, treatment of the condition, or recovery from the condition. Do not provide information about genetic tests, as defined in 29 C.F.R. § 1635.3(f), genetic services, as defined in 29 C.F.R. § 1635.3(e), or the manifestation of disease or disorder in the employee's family members, 29 C.F.R. § 1635.3(b).

(1) Patient's Name: _____

(2) State the approximate date the condition started or will start. _____ *(month/year)*

(3) Provide your **best estimate** of how long the condition lasted or will last: _____

(4) For FMLA to apply, care of the patient must be medically necessary. Briefly describe the type of care needed by the patient *(e.g., assistance with basic medical, hygienic, nutritional, safety, transportation needs, physical care, or psychological comfort)*.



Constellation Schools

CHAPTER 3: PERSONNEL POLICIES, PRACTICES AND PROCEDURES

Employee Name: _____

(5) Check the box(es) for the questions below, as applicable. For all box(es) checked, the amount of leave needed must be provided in Part B.

Inpatient Care. The patient (has been / is expected to be) admitted for an overnight stay in a hospital, hospice, or residential medical care facility on the following date(s): _____

Incapacity plus Treatment. *(e.g., outpatient surgery, strep throat)*
Due to the condition, the patient (has been / is expected to be) incapacitated for *more than three* consecutive, full calendar days from _____ (month/year) to _____ (month/year).
The patient (was / will be) seen on the following date(s): _____

The condition (has / has not) also resulted in a course of continuing treatment under the supervision of a health care provider *(e.g., prescription medication other than over-the-counter or therapy requiring special equipment)*.

Pregnancy: The condition is pregnancy. List the expected delivery date: _____ (month/year)

Chronic Conditions: *(e.g., asthma, migraine headaches)* Due to the condition, it is medically necessary for the patient to have treatment visits at least twice per year.

Permanent or Long Term Conditions: *(e.g., Alzheimer's, terminal stages of cancer)* Due to the condition, incapacity is permanent or long term and requires the continuing supervision of a health care provider (even if active treatment is not being provided).

Conditions requiring Multiple Treatments: *(e.g., chemotherapy treatments, restorative surgery)* Due to the condition, it is medically necessary for the patient to receive multiple treatments.

None of the above: If none of the above condition(s) were checked, (i.e., inpatient care, pregnancy) no additional information is needed. Go to page 4 to sign and date the form.

(6) If needed, briefly describe other appropriate medical facts related to the condition(s) for which the employee seeks TMLA leave. *(e.g., use of sedation, dialysis)*

PART B: Amount of Leave Needed

For the medical condition(s) checked in Part A, complete all that apply. Several questions seek a response as to the frequency or duration of a condition, treatment, etc. Your answer should be your **best estimate** based upon your medical knowledge, experience, and examination of the patient. Be as specific as you can; terms such as "unknown," "unknown," or "indeterminate" may not be sufficient to determine if the benefits and protections of the TMLA apply.

(7) Due to the condition, the patient (had / will have) **planned medical treatment(s)** (scheduled medical visits) *(e.g., psychotherapy, physical appointments)* on the following date(s): _____

(8) Due to the condition, the patient (was / will be) **referred to other health care provider(s)** for evaluation or treatment(s).

State the nature of such treatments: *(e.g., cardiologist physical therapy)*

Provide your **best estimate** of the beginning date _____ (month/year) and end date _____ (month/year) for the treatment(s).

Provide your **best estimate** of the duration of the treatment(s), including any period(s) of recovery

(e.g., 5 days/weeks)



Constellation Schools

CHAPTER 3: PERSONNEL POLICIES, PRACTICES AND PROCEDURES

Employee Name: _____

(9) Due to the condition, the patient (was / will be) **incapacitated for a continuous period of time**, including any time for treatment(s) and/or recovery.

Provide your best estimate of the beginning date _____ (month/year) and end date _____ (month/year) for the period of incapacity.

(10) Due to the condition it, (was / is / will be) medically necessary for the employee to be absent from work to provide care for the patient on an **intermittent basis** (periodically), including for any episodes of incapacity (i.e., episodic flare-ups). Provide your best estimate of how often (frequency) and how long (duration) the episodes of incapacity will likely last.

Over the next 6 months, episodes of incapacity are estimated to occur _____ times per (day / week / month) and are likely to last approximately _____ (hours / days) per episode.

Signature of Health Care Provider _____ Date _____ (month/year)

Definitions of a Serious Health Condition (See 29 C.F.R. §§ 825.113, 115)

Inpatient Care

- An overnight stay in a hospital, hospice, or residential medical care facility.
- Inpatient care includes any period of incapacity or any subsequent treatment in connection with the overnight stay.

Continuing Treatment by a Health Care Provider (any one or more of the following)

Incapacity Plus Treatment: A period of incapacity of more than three consecutive, full calendar days, and any subsequent treatment or period of incapacity relating to the same condition, that also involves either:

- Two or more in person visits to a health care provider for treatment, with a 30 days of the first day of incapacity unless extenuating circumstances exist. The first visit must be within seven days of the first day of incapacity; or,
- At least one in person visit to a health care provider for treatment within seven days of the first day of incapacity, which results in a regimen of continuing treatment under the supervision of the health care provider. For example, the health provider might prescribe a course of prescription medication or therapy requiring special equipment.

Pregnancy: Any period of incapacity due to pregnancy or for prenatal care.

Chronic Conditions: Any period of incapacity due to or treatment for a chronic serious health condition, such as diabetes, asthma, migraines, headaches. A chronic serious health condition is one which requires visits to a health care provider (or nurse supervised by the provider) at least twice a year and recurs over an extended period of time. A chronic condition may cause episodic rather than a continuing period of incapacity.

Permanent or Long-term Conditions: A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective, but which requires the continuing supervision of a health care provider, such as Alzheimer's disease or the terminal stages of cancer.

Conditions Requiring Multiple Treatments: Restorative surgery after an accident or other injury; or, a condition that would likely result in a period of incapacity of more than three consecutive, full calendar days if the patient did not receive the treatment.

PAPERWORK REDUCTION ACT NOTICE AND PUBLIC BURDEN STATEMENT

*Enforced. It is mandatory for employers to retain a copy of this disclosure in their records for three years. 29 U.S.C. § 2616.

29 C.F.R. § 825.509. Persons are not required to respond to this collection of information unless it displays a presently- ended OMB control number. The Department of Labor estimates that it will take an average of 15 minutes for respondents to complete this collection of information, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, U.S. Department of Labor, Room 53502, 200 Constitution Avenue, N.W., Washington, D.C. 20010.

DO NOT SEND COMPLETED FORM TO THE DEPARTMENT OF LABOR, RETURN TO THE PATIENT.



Constellation Schools

CHAPTER 3: PERSONNEL POLICIES, PRACTICES AND PROCEDURES

Notice of Eligibility & Rights and Responsibilities
under the Family and Medical Leave Act

U.S. Department of Labor
Wage and Hour Division



DO NOT SEND TO THE DEPARTMENT OF LABOR.
PROVIDE TO EMPLOYEE.

DMR Control Number: 1235-0006
Expires: 6/30/2023

In general, to be eligible to take leave under the Family and Medical Leave Act (FMLA), an employee must have worked for an employer for at least 12 months, meet the hours of service requirement in the 12 months preceding the leave, and work at a site with at least 50 employees within 75 miles. While use of this form is optional, a fully completed Form WH-381 provides employees with the information required by 29 C.F.R. §§ 825.300(b), (c) which must be provided within five business days of the employee notifying the employer of the need for FMLA leave. Information about the FMLA may be found on the WHD website at www.dol.gov/agencies/whd/fmla.

Date: _____

From: _____ (Employee) To: _____ (Employee)

On _____, we learned that you need leave (beginning on) _____ for one of the following reasons: (Select as appropriate)

- The birth of a child, or placement of a child with you for adoption or foster care, and to bond with the newborn or newly-placed child
- Your own serious health condition
- You are needed to care for your family member due to a serious health condition. Your family member is your:
 - Spouse Parent Child under age 18 Child 18 years or older and incapable of self-care because of a mental or physical disability
- A qualifying exigency arising out of the fact that your family member is on covered active duty or has been notified of an impending call or order to covered active duty status. Your family member on covered active duty is your:
 - Spouse Parent Child of any age
- You are needed to care for your family member who is a covered servicemember with a serious injury or illness. You are the servicemember's:
 - Spouse Parent Child Next of kin

Spouse means a husband or wife as defined or recognized in the state where the individual was married, including in a common law marriage or same-sex marriage. The terms "child" and "parent" include *in loco parentis* relationships in which a person assumes the obligations of a parent to a child. An employee may take FMLA leave to care for an individual who assumed the obligations of a parent to the employee when the employee was a child. An employee may also take FMLA leave to care for a child for whom the employee has assumed the obligations of a parent. No legal or biological relationship is necessary.

SECTION I – NOTICE OF ELIGIBILITY

This Notice is to inform you that you are:

- Eligible** for FMLA leave. (See Section II for any Additional Information Needed and Section III for information on your Rights and Responsibilities.)
- Not eligible** for FMLA leave because: (Only one reason need be checked)
 - You have not met the FMLA's 12-month length of service requirement. As of the first date of requested leave, you will have worked approximately: _____ towards this requirement.
(months)
 - You have not met the FMLA's 1,250 hours of service requirement. As of the first date of requested leave, you will have worked approximately: _____ towards this requirement.
(hours of service)



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Employee Name: _____

- You are an airline flight crew employee and you have not met the special hours of service eligibility requirements for airline flight crew employees as of the first date of requested leave (i.e., worked or been paid for at least 60% of your applicable monthly guarantee, and worked or been paid for at least 504 duty hours.)
- You do not work at and/or report to a site with 50 or more employees within 75-miles as of the date of your request.

If you have any questions, please contact: _____ (Name of employer representative)

at _____ (Contact information)

SECTION II – ADDITIONAL INFORMATION NEEDED

As explained in Section I, you meet the eligibility requirements for taking FMLA leave. Please review the information below to determine if additional information is needed in order for us to determine whether your absence qualifies as FMLA leave. Once we obtain any additional information specified below we will inform you, **within 5 business days**, whether your leave will be designated as FMLA leave and count towards the FMLA leave you have available. **If complete and sufficient information is not provided in a timely manner, your leave may be denied.**

(Select as appropriate)

- No additional information requested. If no additional information requested, go to Section III.
- We request that the leave be supported by a certification, as identified below.
 - Health Care Provider for the Employee
 - Health Care Provider for the Employee's Family Member
 - Qualifying Exigency
 - Serious Illness or Injury (Military Caregiver Leave)

Selected certification form is attached / not attached.

If requested, medical certification must be returned by _____ (month/day/year) (Must allow at least 12 calendar days from the date the employer requested the employee to provide certification, unless it is not feasible despite the employee's diligent good faith efforts.)

We request that you provide reasonable documentation or a statement to establish the relationship between you and your family member, including *in loco parentis* relationships (as explained on page one). The information requested must be returned to us by _____ (month/day/year). You may choose to provide a simple statement of the relationship or provide documentation such as a child's birth certificate, a court document, or documents regarding foster care or adoption-related activities. Official documents submitted for this purpose will be returned to you after examination.

- Other information needed (e.g., documentation for military family leave):

The information requested must be returned to us by _____ (month/day/year).

If you have any questions, please contact: _____ (Name of employer representative)

at _____ (Contact information).

SECTION III – NOTICE OF RIGHTS AND RESPONSIBILITIES

Part A: FMLA Leave Entitlement

You have a right under the FMLA to take unpaid, job-protected FMLA leave in a 12-month period for certain family and medical reasons, including up to 12 weeks of unpaid leave in a 12 month period for the birth of a child or placement of a child for adoption or foster care, for leave related to your own or a family member's serious health condition, or for certain qualifying exigencies related to the deployment of a military member to covered active duty. You also have a right



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Employee Name: _____

under the FMLA to take up to **26 weeks** of unpaid, job-protected FMLA leave in a single 12-month period to care for a covered servicemember with a serious injury or illness (*Military Caregiver Leave*).

The 12-month period for FMLA leave is calculated as: *(Select as appropriate)*

- The calendar year (January 1st - December 31st)
- A fixed leave year based on
(e.g., a fiscal year beginning on July 1 and ending on June 30)
- The 12-month period measured forward from the date of your first FMLA leave usage.
- A "rolling" 12-month period measured backward from the date of any FMLA leave usage: *(Each time an employee takes FMLA leave, the remaining leave is the balance of the 12 weeks not used during the 12 months immediately before the FMLA leave is to start.)*

If applicable, the single 12-month period for *Military Caregiver Leave* started on _____ *(month/year)*.

You *are* / *are not* considered a **key employee** as defined under the FMLA. Your FMLA leave cannot be denied for this reason; however, we may not restore you to employment following FMLA leave if such restoration will cause substantial and grievous economic injury to us.

We *have* / *have not* determined that restoring you to employment at the conclusion of FMLA leave will cause substantial and grievous economic harm to us. Additional information will be provided separately concerning your status as key employee and restoration.

Part B: Substitution of Paid Leave – When Paid Leave is Used at the Same Time as FMLA Leave

You have a right under the FMLA to request that your accrued paid leave be substituted for your FMLA leave. This means that you can request that your accrued paid leave run concurrently with some or all of your unpaid FMLA leave, provided you meet any applicable requirements of our leave policy. Concurrent leave use means the absence will count against both the designated paid leave and unpaid FMLA leave at the same time. If you do not meet the requirements for taking paid leave, you remain entitled to take available unpaid FMLA leave in the applicable 12-month period. Even if you do not request it, the FMLA allows us to require you to use your available sick, vacation, or other paid leave during your FMLA absence.

(Check all that apply)

- Some or all of your FMLA leave will not be paid.** Any unpaid FMLA leave taken will be designated as FMLA leave and counted against the amount of FMLA leave you have available to use in the applicable 12-month period.
- You have requested to use some or all of your available paid leave** *(e.g., sick, vacation, PTO)* during your FMLA leave. Any paid leave taken for this reason will also be designated as FMLA leave and counted against the amount of FMLA leave you have available to use in the applicable 12-month period.
- We are requiring you to use some or all of your available paid leave** *(e.g., sick, vacation, PTO)* during your FMLA leave. Any paid leave taken for this reason will also be designated as FMLA leave and counted against the amount of FMLA leave you have available to use in the applicable 12-month period.
- Others** *(e.g., short- or long-term disability, workers' compensation, state medical leave law, etc.)* Any time taken for this reason will also be designated as FMLA leave and counted against the amount of FMLA leave you have available to use in the applicable 12-month period.

The applicable conditions for use of paid leave include:

For more information about conditions applicable to sick/vacation/other paid leave usage please refer to _____ available at: _____



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Employee Name: _____

Part C: Maintain Health Benefits

Your health benefits must be maintained during any period of FMLA leave under the same conditions as if you continued to work. During any paid portion of FMLA leave, your share of any premiums will be paid by the method normally used during any paid leave. During any unpaid portion of FMLA leave, you must continue to make any normal contributions to the cost of the health insurance premiums. To make arrangements to continue to make your share of the premium payments on your health insurance while you are on any unpaid FMLA leave, contact _____ at _____

You have a minimum grace period of (30-days or _____ *indicate longer period, if applicable*) in which to make premium payments. If payment is not made timely, your group health insurance may be cancelled, provided we notify you in writing at least 15 days before the date that your health coverage will lapse, or, at our option, we may pay your share of the premiums during FMLA leave, and recover these payments from you upon your return to work.

You may be required to reimburse us for our share of health insurance premiums paid on your behalf during your FMLA leave if you do not return to work following unpaid FMLA leave for a reason other than: the continuation, recurrence, or onset of your or your family member's serious health condition which would entitle you to FMLA leave; or the continuation, recurrence, or onset of a covered servicemember's serious injury or illness which would entitle you to FMLA leave; or other circumstances beyond your control.

Part D: Other Employee Benefits

Upon your return from FMLA leave, your other employee benefits, such as pensions or life insurance, must be resumed in the same manner and at the same levels as provided when your FMLA leave began. To make arrangements to continue your employee benefits while you are on FMLA leave, contact _____ at _____

Part E: Return-to-Work Requirements

You must be reinstated to the same or an equivalent job with the same pay, benefits, and terms and conditions of employment on your return from FMLA-protected leave. An equivalent position is one that is virtually identical to your former position in terms of pay, benefits, and working conditions. At the end of your FMLA leave, all benefits must also be resumed in the same manner and at the same level provided when the leave began. You do not have return-to-work rights under the FMLA if you need leave beyond the amount of FMLA leave you have available to use.

Part F: Other Requirements While on FMLA Leave

While on leave you (will be / will not be) required to furnish us with periodic reports of your status and intent to return to work every _____ *(Indicate interval of periodic reports, as appropriate for the FMLA leave situation).*

If the circumstances of your leave change and you are able to return to work earlier than expected, you will be required to notify us at least two workdays prior to the date you intend to report for work.

PAPERWORK REDUCTION ACT NOTICE AND PUBLIC BURDEN STATEMENT

It is mandatory for employers to provide employees with notice of their eligibility for FMLA protection and their rights and responsibilities. 29 U.S.C. § 2617; 29 C.F.R. § 825.300(b), (c). It is mandatory for employers to retain a copy of this disclosure in their records for three years. 29 U.S.C. § 2616; 29 C.F.R. § 825.500. Persons are not required to respond to this collection of information unless it displays a currently valid OMB control number. The Department of Labor estimates that it will take an average of 10 minutes for respondents to complete this collection of information, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding this burden estimate or any other aspect of this collection information, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, U.S. Department of Labor, Room S-3502, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

DO NOT SEND THE COMPLETED FORM TO THE DEPARTMENT OF LABOR, EMPLOYEE INFORMATION.



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CHAPTER 3: PERSONNEL POLICIES, PRACTICES AND PROCEDURES

Notice of Eligibility & Rights and Responsibilities under the Family and Medical Leave Act

U.S. Department of Labor
Wage and Hour Division



DO NOT SEND TO THE DEPARTMENT OF LABOR.
PROVIDE TO EMPLOYER.

DWR Control Number: 1234-0004
Daphne: 67890007

In general, to be eligible to take leave under the Family and Medical Leave Act (FMLA), an employee must have worked for an employer for at least 12 months, meet the hours of service requirement in the 12 months preceding the leave, and work at a site with at least 50 employees within 75 miles. While use of this form is optional, a fully completed Form WH-381 provides employees with the information required by 29 C.F.R. §§ 825.300(b), (c) which must be provided within five business days of the employee notifying the employer of the need for FMLA leave. Information about the FMLA may be found on the WHD website at www.dol.gov/agencies/whd/fmla.

Date: _____ (month/day/year)
From: _____ (Employer) / or _____ (Employee)

On _____ (month/day/year), we learned that you need leave (beginning on) _____ (month/day/year) for one of the following reasons: (Select as appropriate)

- The birth of a child, or placement of a child with you for adoption or foster care, and to bond with the newborn or newly-placed child
- Your own serious health condition
- You are needed to care for your family member due to a serious health condition. Your family member is your:
 - Spouse Parent Child under age 18 Child 18 years or older and incapable of self-care because of a mental or physical disability
- A qualifying exigency arising out of the fact that your family member is on covered active duty or has been notified of an impending call or order to covered active duty status. Your family member on covered active duty is your:
 - Spouse Parent Child of any age
- You are needed to care for your family member who is a covered servicemember with a serious injury or illness. You are the servicemember's:
 - Spouse Parent Child Next of kin

Spouse means a husband or wife as defined or recognized in the state where the individual was married, including in a common law marriage or same-sex marriage. The terms "child" and "parent" include *in loco parentis* relationships in which a person assumes the obligations of a parent to a child. An employee may take FMLA leave to care for an individual who assumed the obligations of a parent to the employee when the employee was a child. An employee may also take FMLA leave to care for a child for whom the employee has assumed the obligations of a parent. No legal or biological relationship is necessary.

SECTION I – NOTICE OF ELIGIBILITY

This Notice is to inform you that you are:

- Eligible** for FMLA leave. (See Section II for any Additional Information Needed and Section III for information on your Rights and Responsibilities.)
- Not eligible** for FMLA leave because: (Only one reason need be checked)
 - You have not met the FMLA's 12-month length of service requirement. As of the first date of requested leave, you will have worked approximately: _____ towards this requirement.
(months)
 - You have not met the FMLA's 1,250 hours of service requirement. As of the first date of requested leave, you will have worked approximately: _____ towards this requirement.
(hours of service)



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Employee Name: _____

- You are an airline flight crew employee and you have not met the special hours of service eligibility requirements for airline flight crew employees as of the first date of requested leave (i.e., worked or been paid for at least 60% of your applicable monthly guarantee, and worked or been paid for at least 504 duty hours.)
- You do not work at and/or report to a site with 50 or more employees within 75-miles as of the date of your request.

If you have any questions, please contact: _____ (Name of employer representative)

at _____ (Contact information)

SECTION II – ADDITIONAL INFORMATION NEEDED

As explained in Section I, you meet the eligibility requirements for taking FMLA leave. Please review the information below to determine if additional information is needed in order for us to determine whether your absence qualifies as FMLA leave. Once we obtain any additional information specified below we will inform you, **within 5 business days**, whether your leave will be designated as FMLA leave and count towards the FMLA leave you have available. **If complete and sufficient information is not provided in a timely manner, your leave may be denied.**

(Select as appropriate)

- No additional information requested. If no additional information requested, go to Section III.
- We request that the leave be supported by a certification, as identified below.
 - Health Care Provider for the Employee
 - Health Care Provider for the Employee’s Family Member
 - Qualifying Exigency
 - Serious Illness or Injury (includes Caregiver Leave)

Selected certification form is attached / not attached.

If requested, medical certification must be returned by _____ (mm/dd/yyyy) (Must allow at least 15 calendar days from the date the employer requested the employee to provide certification, unless it is not feasible despite the employee’s diligent good faith efforts.)

We request that you provide reasonable documentation or a statement to establish the relationship between you and your family member, including *in loco parentis* relationships (as explained on page one). The information requested must be returned to us by _____ (mm/dd/yyyy). You may choose to provide a simple statement of the relationship or provide documentation such as a child’s birth certificate, a court document, or documents regarding foster care or adoption-related activities. Official documents submitted for this purpose will be returned to you after examination.

- Other information needed (e.g., documentation for military family leave): _____
The information requested must be returned to us by _____ (mm/dd/yyyy).

If you have any questions, please contact: _____ (Name of employer representative)

at _____ (Contact information)

SECTION III – NOTICE OF RIGHTS AND RESPONSIBILITIES

Part A: FMLA Leave Entitlement

You have a right under the FMLA to take unpaid, job-protected FMLA leave in a 12-month period for certain family and medical reasons, including up to 12 weeks of unpaid leave in a 12 month period for the birth of a child or placement of a child for adoption or foster care, for leave related to your own or a family member’s serious health condition, or for certain qualifying exigencies related to the deployment of a military member to covered active duty. You also have a right



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Employee Name: _____

under the FMLA to take up to **26 weeks** of unpaid, job-protected FMLA leave in a single 12-month period to care for a covered servicemember with a serious injury or illness (*Military Caregiver Leave*).

The 12-month period for FMLA leave is calculated as: *(Select as appropriate)*

- The calendar year (January 1st - December 31st)
- A fixed leave year based on _____
(e.g., a fiscal year beginning on July 1 and ending on June 30)
- The 12-month period measured forward from the date of your first FMLA leave usage.
- A "rolling" 12-month period measured backward from the date of any FMLA leave usage: *(Each time an employee takes FMLA leave, the remaining leave is the balance of the 12 weeks not used during the 12 months immediately before the FMLA leave is to start.)*

If applicable, the single 12-month period for *Military Caregiver Leave* started on _____ *(month/year)*.

You are / are not considered a key employee as defined under the FMLA. Your FMLA leave cannot be denied for this reason; however, we may not restore you to employment following FMLA leave if such restoration will cause substantial and grievous economic injury to us.

We have / have not determined that restoring you to employment at the conclusion of FMLA leave will cause substantial and grievous economic harm to us. Additional information will be provided separately concerning your status as key employee and restoration.

Part B: Substitution of Paid Leave – When Paid Leave is Used at the Same Time as FMLA Leave

You have a right under the FMLA to request that your accrued paid leave be substituted for your FMLA leave. This means that you can request that your accrued paid leave run concurrently with some or all of your unpaid FMLA leave, provided you meet any applicable requirements of our leave policy. Concurrent leave use means the absence will count against both the designated paid leave and unpaid FMLA leave at the same time. If you do not meet the requirements for taking paid leave, you remain entitled to take available unpaid FMLA leave in the applicable 12-month period. Even if you do not request it, the FMLA allows us to require you to use your available sick, vacation, or other paid leave during your FMLA absence.

(Check all that apply)

- Some or all of your FMLA leave will not be paid.** Any unpaid FMLA leave taken will be designated as FMLA leave and counted against the amount of FMLA leave you have available to use in the applicable 12-month period.
- You have requested to use some or all of your available paid leave** (e.g., sick, vacation, PTO) during your FMLA leave. Any paid leave taken for this reason will also be designated as FMLA leave and counted against the amount of FMLA leave you have available to use in the applicable 12-month period.
- We are requiring you to use some or all of your available paid leave** (e.g., sick, vacation, PTO) during your FMLA leave. Any paid leave taken for this reason will also be designated as FMLA leave and counted against the amount of FMLA leave you have available to use in the applicable 12-month period.
- Other:** *(e.g., short- or long-term disability, workers' compensation, state medical leave law, etc.)*
Any time taken for this reason will also be designated as FMLA leave and counted against the amount of FMLA leave you have available to use in the applicable 12-month period.

The applicable conditions for use of paid leave include:

For more information about conditions applicable to sick/vacation/other paid leave usage please refer to _____ available at: _____



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Employee Name: _____

Part C: Maintain Health Benefits

Your health benefits must be maintained during any period of FMLA leave under the same conditions as if you continued to work. During any paid portion of FMLA leave, your share of any premiums will be paid by the method normally used during any paid leave. During any unpaid portion of FMLA leave, you must continue to make any normal contributions to the cost of the health insurance premiums. To make arrangements to continue to make your share of the premium payments on your health insurance while you are on any unpaid FMLA leave, contact _____ at _____

You have a minimum grace period of (30-days or _____ *indicate longer period, if applicable*) in which to make premium payments. If payment is not made timely, your group health insurance may be cancelled, provided we notify you in writing at least 15 days before the date that your health coverage will lapse, or, at our option, we may pay your share of the premiums during FMLA leave, and recover these payments from you upon your return to work.

You may be required to reimburse us for our share of health insurance premiums paid on your behalf during your FMLA leave if you do not return to work following unpaid FMLA leave for a reason other than: the continuation, recurrence, or onset of your or your family member's serious health condition which would entitle you to FMLA leave; or the continuation, recurrence, or onset of a covered servicemember's serious injury or illness which would entitle you to FMLA leave; or other circumstances beyond your control.

Part D: Other Employee Benefits

Upon your return from FMLA leave, your other employee benefits, such as pensions or life insurance, must be resumed in the same manner and at the same levels as provided when your FMLA leave began. To make arrangements to continue your employee benefits while you are on FMLA leave, contact _____ at _____

Part E: Return-to-Work Requirements

You must be reinstated to the same or an equivalent job with the same pay, benefits, and terms and conditions of employment on your return from FMLA-protected leave. An equivalent position is one that is virtually identical to your former position in terms of pay, benefits, and working conditions. At the end of your FMLA leave, all benefits must also be resumed in the same manner and at the same level provided when the leave began. You do not have return-to-work rights under the FMLA if you need leave beyond the amount of FMLA leave you have available to use.

Part F: Other Requirements While on FMLA Leave

While on leave you (will be / will not be) required to furnish us with periodic reports of your status and intent to return to work every _____
(Indicate interval of periodic reports, as appropriate for the FMLA leave situation).

If the circumstances of your leave change and you are able to return to work earlier than expected, you will be required to notify us at least two workdays prior to the date you intend to report for work.

PAPERWORK REDUCTION ACT NOTICE AND PUBLIC BURDEN STATEMENT

It is mandatory for employers to provide employees with notice of their eligibility for FMLA protection and their rights and responsibilities. 29 U.S.C. § 2617; 29 C.F.R. § 825.300(b), (c). It is mandatory for employers to retain a copy of this disclosure in their records for three years. 29 U.S.C. § 2616; 29 C.F.R. § 825.500. Persons are not required to respond to this collection of information unless it displays a currently valid OMB control number. The Department of Labor estimates that it will take an average of 10 minutes for respondents to complete this collection of information, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding this burden estimate or any other aspect of this collection information, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, U.S. Department of Labor, Room S-3502, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

DO NOT SEND THE COMPLETED FORM TO THE DEPARTMENT OF LABOR, EMPLOYEE INFORMATION.



Constellation Schools

CHAPTER 3: PERSONNEL POLICIES, PRACTICES AND PROCEDURES

Designation Notice under the Family and Medical Leave Act

U.S. Department of Labor
Wage and Hour Division



**DO NOT SEND TO THE DEPARTMENT OF LABOR.
PROVIDE TO EMPLOYEE.**

DOL Form WH-382 (Rev. 12/15/2011)

Expires: 02/01/2013

Leave covered under the Family and Medical Leave Act (FMLA) must be designated as FMLA-protected and the employer must inform the employee of the amount of leave that will be counted against the employee's FMLA leave entitlement. In order to determine whether leave is covered under the FMLA, the employer may request that the leave be supported by a certification. If the certification is incomplete or insufficient, the employer must state in writing what additional information is necessary to make the certification complete and sufficient. While use of this form is optional, a fully completed Form WH-382 provides employers with the information required by 29 C.F.R. §§ 825.306(d), 825.301, and 825.305(e), which must be provided within five business days of the employer having enough information to determine whether the leave is for an FMLA-qualifying reason. Information about the FMLA may be found on the WHD website at www.dol.gov/agencies/whd/fmla.

SECTION I - EMPLOYER

The employer is responsible in all circumstances for designating leave as FMLA-qualifying and giving notice to the employee. Once an eligible employee communicates a need to take leave for an FMLA-qualifying reason, an employer may not delay designating such leave as FMLA leave, and neither the employee nor the employer may decline FMLA protection for that leave.

Date: _____ (mm/dd/yyyy)

From: _____ (Employer) To: _____ (Employee)

On _____ (mm/dd/yyyy) we received your most recent information to support your need for leave due to:
(Select as appropriate)

- The birth of a child, or placement of a child with you for adoption or foster care, and to bond with the newborn or newly-placed child
- Your own serious health condition
- The serious health condition of your spouse, child, or parent
- A qualifying exigency arising out of the fact that your spouse, child, or parent is on covered active duty or has been notified of an impending call or order to covered active duty with the Armed Forces
- A serious injury or illness of a covered servicemember where you are the servicemember's spouse, child, parent, or next of kin (Military Caregiver Leave)

We have reviewed information related to your need for leave under the FMLA along with any supporting documentation provided and decided that your FMLA leave request is: (Select as appropriate)

- Approved.** All leave taken for this reason will be designated as FMLA leave. (Go to Section III for more information.)
- Not Approved:** (Select as appropriate)
 - The FMLA does not apply to your leave request.
 - As of the date the leave is to start, you do not have any FMLA leave available to use.
 - Other: _____
- Additional information** is needed to determine if your leave request qualifies as FMLA leave. (Go to Section II for the specific information needed. If your FMLA leave request is approved and no additional information is needed, go to Section III.)

SECTION II - ADDITIONAL INFORMATION NEEDED

We need additional information to determine whether your leave request qualifies under the FMLA. Once we obtain the additional information requested, we will inform you **within 5 business days** if your leave will or will not be designated as FMLA leave and count towards the amount of FMLA leave you have available. **Failure to provide the additional information as requested may result in a denial of your FMLA leave request.**

If you have any questions, please contact: _____ at _____
(Name of employer FMLA representative) (Contact information)

Incomplete or Insufficient Certification

The certification you have provided is incomplete and/or insufficient to determine whether the FMLA applies to your leave request. (Select as applicable)

- The certification provided is incomplete and we are unable to determine whether the FMLA applies to your leave request. "Incomplete" means one or more of the applicable entries on the certification have not been completed.



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Employee Name: _____

- The certification provided is insufficient to determine whether the FMLA applies to your leave request. *"Insufficient" means the information provided is vague, unclear, ambiguous or non-responsive.*

Specify the information needed to make the certification complete and/or sufficient: _____

You must provide the requested information no later than *(provide at least 7 calendar days)* _____ (month/day/year), unless it is not practicable under the particular circumstances despite your diligent good faith efforts, or your leave may be denied.

Second and Third Opinions

- We request that you obtain a second / third opinion) medical certification at our expense, and we will provide further details at a later time. *Note: The employee or the employee's family member may be requested to authorize the health care provider to release information pertaining only to the serious health condition at issue.*

SECTION III – FMLA LEAVE APPROVED

As explained in Section I, your FMLA leave request is approved. All leave taken for this reason will be designated as FMLA leave and will count against the amount of FMLA leave you have available to use in the applicable 12-month period. The FMLA requires that you notify us as soon as practicable if the dates of scheduled leave change, are extended, or were initially unknown. Based on the information you have provided to date, we are providing the following information about the amount of time that will be counted against the total amount of FMLA leave you have available to use in the applicable 12-month period. *(Select an appropriate)*

- Provided there is no change from your anticipated FMLA leave schedule, the following number of hours, days, or weeks will be counted against your leave entitlement:
- Because the leave you will need will be **unscheduled**, it is not possible to provide the hours, days, or weeks that will be counted against your FMLA entitlement at this time. You have the right to request this information once in a 30-day period (if leave was taken in the 30-day period).

Please be advised: *(check all that apply)*

- Some or all of your FMLA leave will not be paid. Any unpaid FMLA leave taken will be designated as FMLA leave and counted against the amount of FMLA leave you have available to use in the applicable 12-month period.
- Based on your request, some or all of your available paid leave (e.g., sick, vacation, PTO) will be used during your FMLA leave. Any paid leave taken for this reason will also be designated as FMLA leave and counted against the amount of FMLA leave you have available to use in the applicable 12-month period.
- We are requiring you to use some or all of your available paid leave to g., sick, vacation, PTO) during your FMLA leave. Any paid leave taken for this reason will also be designated as FMLA leave and counted against the amount of FMLA leave you have available to use in the applicable 12-month period.
- Other: *(e.g., Short- or long-term disability, workers' compensation, state medical leave law, etc.) Any time taken for this reason will also be designated as FMLA leave and counted against the amount of FMLA leave you have available to use in the applicable 12-month period.*

Return-to-work requirements. To be restored to work after taking FMLA leave, you will be / will not be required to provide a certification from your health care provider (fitness-for-duty certification) that you are able to resume work. This request for a fitness-for-duty certification is *only* with regard to the particular serious health condition that caused your need for FMLA leave. **If such certification is not timely received, your return to work may be delayed until the certification is provided.**

A list of the essential functions of your position (is / is not) attached. If attached, the fitness-for-duty certification must address your ability to perform the essential job functions.

PAPERWORK REDUCTION ACT NOTICE AND PUBLIC BURDEN STATEMENT

It is mandatory for employers to inform employees in writing whether leave requested under the FMLA has been determined to be covered under the FMLA. 29 U.S.C. § 2617; 29 C.F.R. § 825.500(d), (e). It is mandatory for employers to retain a copy of this checklist in their records for three years. 29 U.S.C. § 2616; 29 C.F.R. § 825.500. Persons are not required to respond to this collection of information unless it displays a currently valid OMB control number. The Department of Labor estimates that it will take an average of 10 minutes for respondents to complete this collection of information, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, send them to: the Administrator, Wage and Hour Division, U.S. Department of Labor, Room S-3507, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

DO NOT SEND THE COMPLETED FORM TO THE DEPARTMENT OF LABOR, EMPLOYEE INFORMATION.



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Appendix 3.2150-B

SCHOOL DISTRICT, DD BOARD & COMMUNITY SCHOOL EDUCATOR MISCONDUCT REPORTING FORM

Ohio Revised Code 3319.313 and 5126.253 requires public and non-public schools, including county DD boards and community schools, to report to the Superintendent of Public Instruction the name and a factual statement of any license holder who engages in professional misconduct.

A. Please select the type of education entity you are:

- School District
- Education Service Center
- Community School
- DD Board
- Other

Name

Address

Contact Person (Name and Title)

Telephone Number

Fax Number Email

Address

B. Educator's Information

Name State

ID

Date of Birth

Most Recent Position Current

Employment Status

Educator's Home Telephone Number

Educator's Home Address



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* Ohio Revised Code 319.313 requires that the social security number of the employee be provided. If the Office of Professional Conduct requires an employee's social security number, you will be contacted to provide it. Should you submit a PDF of this form via email, due to security concerns, please do not include the employee's social security number in either the form or the email.

C. Why are you reporting this educator? (Check all that apply)

- The employee has plead guilty to, has been found guilty of, or has been convicted of an offense in Ohio Revised Code 3319.31 or 3319.39, and/or
- The employee has been terminated or non-renewed or you have initiated termination or non-renewal proceedings because the educator has engaged in "conduct unbecoming" the profession or has committed an offense under Ohio Revised Code 3319.31 or 3319.39, and/or
- The employee has resigned under threat of termination or non-renewal, and or
- The employee resigned because of, or in the course of, an investigation regarding an act unbecoming the teaching profession or an offense described in Ohio Revised Code 3319.31 or 3319.39, and or The employee has engaged or may have engaged in conduct unbecoming to the teaching profession.
-

~~D. Please provide information concerning the incident involving the educator (i.e., the type, date, and place of the conviction or conduct that may be deemed "conduct unbecoming"; describe what prompted disciplinary action by you; describe what you were investigating that lead to resignation or non-renewal, etc.)~~

Please feel free to attach any information that you consider important (i.e., court records, investigation reports, complaints, witness statements, etc.).



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Thank you providing this information. Upon receipt, the Office of Professional Conduct will review the information submitted and determine if further information is needed. If it is determined that further information is needed, the Office of Professional Conduct will contact the person that submitted this form.

Please be advised that under Ohio Revised Code 3319.314, you are required to maintain all information related to this report in the employee's personnel file. If the State Board of Education does not pursue disciplinary action against the reported employee, you are required to move all information related to this report from the employee's personnel file to a separate, public file. The Office of Professional Conduct will notify the contact person on this form if no discipline is warranted.

All information submitted to the Office of Professional Conduct is confidential and not a public record pursuant to Revised Code 3319.311

Please fax (614-995-3752) or mail all documentation to:

Ohio Department of Education
Office of Professional Conduct
25 South Front Street, Mail Stop 104
Columbus, OH 43215
website: www.education.ohio.gov

If you need assistance in completing this form, please contact the Office of Professional Conduct at (614) 466-5638.

Completion and submission of this form does not relieve school employees of their statutory duty to report known or suspected child abuse to the appropriate children services or law enforcement agency.

Signature and Title

Date



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CERTIFICATION

I hereby certify that the attached documents are true and accurate copies of the personnel/disciplinary/investigation records of _____
as kept in the ordinary course of business of the _____

Name

Sworn to before me and signed in my presence this _____ day of _____, 2018.

Notary Public

My commission expires _____.



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Appendix 3.3060-A

Time Off Donation Request Form

Please complete this form in indication of your desire to donate your accrued Paid Time Off (PTO) to another employee. Only PTO that has been accrued to date can be donated.

School: _____ Today's Date: _____

Employee Name: _____ Position: _____

Donation of PTO made to (employee name): _____

Number of Sick Hours donated: _____

Number of Personal Hours donated: _____

Number of Vacation Hours donated: _____

I acknowledge that I am donating my paid time off voluntarily and with the full, advanced knowledge that any time off that I donate will not be available to me in the future, regardless of circumstances. I understand that voluntarily donating my paid time off, in any amount, will result in a deduction to my available PTO and will result in the employee listed above being compensated for the amount of PTO indicated above.

Employee Signature: _____ Date: _____

For Office Use Only:

Approved

Unapproved

Notes:

Supervisor Name (Please Print): _____

Supervisor Signature: _____ Date: _____



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Appendix 3.3060.1-A (**Rescinded September 16, 2021**)



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CHAPTER 3: PERSONNEL POLICIES, PRACTICES AND PROCEDURES

Appendix 3.3090.1-A (Rescinded February 17, 2022)



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CHAPTER 3: PERSONNEL POLICIES, PRACTICES AND PROCEDURES

Appendix 3.3090.1-B (Rescinded February 17, 2022)



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Appendix 3.3190-A – Tuition Reimbursement Pre-Approval Form

Tuition Reimbursement Pre- Approval Request Form			
Educational assistance is available for coursework that is started and completed between May 1, 2021 and June 30, 2023. For all coursework that begins on/ after June 1, 2021 pre-approval must be obtained. For coursework beginning May 1-31 st , 2021, approval may be requested after the start of the course.			
Employee First Name:		Employee Last Name:	
Email Address:		Phone Number:	
Job Title:			
I am requesting approval for coursework toward (check the applicable boxes):			
<input type="checkbox"/> An accredited degree or certificate program that is directly related to my work assignment and allows me to obtain new or supplemental professional licensure in one or more of the designated content areas. Examples: -Coursework toward a Bachelors of Elementary Education program for an individual who does not have sufficient coursework for a professional (non-substitute) elementary teaching license -Coursework toward a Reading Endorsement for an individual -Coursework toward a Gifted Endorsement	<input type="checkbox"/> Elementary Education (PK-5)- General <input type="checkbox"/> Secondary Education (6-12) content specific <ul style="list-style-type: none"> <input type="checkbox"/> English Language Arts <input type="checkbox"/> Mathematics <input type="checkbox"/> Science- Life Sciences, Physical Science, or related <input type="checkbox"/> Social Studies or History <input type="checkbox"/> Foreign Language <ul style="list-style-type: none"> <input type="checkbox"/> French <input type="checkbox"/> Mandarin <input type="checkbox"/> Spanish <input type="checkbox"/> English as a Second Language <input type="checkbox"/> Physical Education <input type="checkbox"/> Literacy/ Reading Instruction <input type="checkbox"/> Special Education <input type="checkbox"/> Gifted Education <input type="checkbox"/> School Counseling <input type="checkbox"/> Other as approved by School Director: _____	Estimated Cost- Tuition Only <div style="background-color: #ADD8E6; height: 20px; width: 100%;"></div> Class Start Date: _____	
<input type="checkbox"/> An additional accredited degree program that is directly related to my work assignment in one or more of the designated content areas. Example: -Coursework toward a Masters of Curriculum and Instruction for an individual who already has a bachelor's in education	<input type="checkbox"/> Elementary Education (PK-5)- General <input type="checkbox"/> Secondary Education (6-12) content specific <ul style="list-style-type: none"> <input type="checkbox"/> English Language Arts <input type="checkbox"/> Mathematics <input type="checkbox"/> Science- Life Sciences, Physical Science, or related <input type="checkbox"/> Social Studies or History <input type="checkbox"/> Foreign Language <ul style="list-style-type: none"> <input type="checkbox"/> French <input type="checkbox"/> Mandarin <input type="checkbox"/> Spanish <input type="checkbox"/> English as a Second Language <input type="checkbox"/> Physical Education <input type="checkbox"/> Literacy/ Reading Instruction <input type="checkbox"/> Special Education <input type="checkbox"/> Gifted Education <input type="checkbox"/> School Counseling <input type="checkbox"/> Other as approved by School Director: _____	Estimated Cost- Tuition Only <div style="background-color: #ADD8E6; height: 20px; width: 100%;"></div> Class Start Date: _____	



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<input type="checkbox"/> Professional development that is directly related to my work assignment and is in one of more of the designated content areas: Example: <i>-Coursework on Positive Behavior Intervention Supports</i>	<input type="checkbox"/> Behavior Intervention <input type="checkbox"/> Career Technical Education <input type="checkbox"/> Data Analysis <input type="checkbox"/> Education Law <input type="checkbox"/> Educational Technology <input type="checkbox"/> Instructional Design <input type="checkbox"/> Instructional Practices <input type="checkbox"/> Literacy <input type="checkbox"/> School Co9unseling <input type="checkbox"/> Special Education <input type="checkbox"/> Gifted Education <input type="checkbox"/> Student Assessments <input type="checkbox"/> Other as approved by School Director _____	Estimated Cost- Tuition Only
		Class Start Date: _____
Supervisor Signature		Date:
Supervisor Name		
Supervisor Title		

For Office Use Only	
Date Approved by Board of Directors	
Approval Signature	



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Appendix 3.4250 - A Copyright Guidelines

Educational Use of Copyrighted Print Materials

1. Fair use

The fair use of copyrighted work for purposes such as criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship or research is not an infringement of copyright. In determining whether the use made of a work in any particular case is a fair use, the factors to be considered include the:

- A. purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes;
- B. nature of the copyrighted work;
- C. amount and substantiality of the portion used in relation to the copyrighted work as a whole and
- D. effect of the use upon the potential market for or value of the copyrighted work.

2. Single copying for teachers

A single copy may be made of any of the following by or for a teacher at his/her individual request for his/her scholarly research or use in teaching or preparation to teach a class:

- A. a chapter from a book;
- B. an article from a periodical or newspaper;
- C. a short story, short essay or short poem, whether or not from a collective work or
- D. a chart, graph, diagram, drawing, cartoon or picture from a book, periodical or newspaper.

3. Multiple copies for classroom use



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Multiple copies (not to exceed more than one copy per student in a course) may be made by or for the teacher giving the course for classroom use or discussion, provided that:

- A. the copying meets the tests of brevity, spontaneity and cumulative effect as defined below and
- B. each copy includes a notice of copyright.

1) Brevity

Poetry: (a) a complete poem if fewer than 250 words and if printed on not more than two pages or (b) from a longer poem, an excerpt of not more than 250 words.

Prose: (a) a complete article, story or essay of fewer than 2,500 words or (b) an excerpt of not more than 1,000 words or 10% of the work, whichever is less, but in any event a minimum of 500 words.

Each of the numerical limits stated in “poetry” and “prose” above may be expanded to permit the completion of an unfinished line of a poem or of an unfinished prose paragraph.

Illustration: one chart, graph, diagram, drawing, cartoon or picture per book or periodical issue.

Special work: certain work in poetry, prose or "poetic prose", which often combines language with illustrations, of fewer than 2,500 words.

A "special work" may not be reproduced in its entirety. However, an excerpt comprising not more than two of the published pages of a special work, and containing not more than 10% of the words found in the text thereof, may be reproduced.

2) Spontaneity

The copying is at the instance and inspiration of the individual teacher. The inspiration and decision to use the work, and the moment of its use for maximum teaching effectiveness, are so close in time that it would be unreasonable to expect a timely reply to a request for permission.



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3) Cumulative effect

The copying of the material is for only one course in the school in which copies are made.

Not more than one short poem, article, story or essay, or two excerpts, may be copied from the same author, nor more than three from the same collective work or periodical volume, during one class term.

The limitations stated in the preceding two paragraphs shall not apply to current news periodicals and newspapers and current news sections of other periodicals.

The limitations as to single copying for teachers and multiple copies for classroom use are applicable.

4. Prohibitions

- A. Copying shall not be used to create, replace or substitute for anthologies, compilations or collective works. Such replacements or substitutions may occur whether copies of various works or excerpts therefrom are accumulated or reproduced and used separately.
- B. There shall be no copying of or from works intended to be “consumable” in the course of study or teaching. These include workbooks, exercises, standardized tests, test booklets, answer sheets and similar consumable material.
- C. Copying shall not:
 - 1) substitute for the purchase of books, publishers’ reprints or periodicals;
 - 2) be directed by higher authority or
 - 3) be repeated with respect to the same item by the same teacher from term to term.
- D. No charge shall be made to the student beyond the actual cost of the photocopying.

Educational Use of Copyrighted Music

1. Permissible uses



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- A. Emergency copying may be done to replace purchased copies which for any reason are not available for an imminent performance, provided purchased replacement copies shall be substituted in due course.
 - B. For academic purposes other than performance, single or multiple copies of excerpts of works may be made, provided that the excerpts do not comprise a part of the whole which would constitute a performable unit such as a section, movement or area, but in no case more than 10% of the whole work. The number of copies shall not exceed one copy per student.
 - C. Printed copies which have been purchased may be edited or simplified, provided that the fundamental character of the work is not distorted or that lyrics, if any, are not altered or added.
 - D. A single copy of recordings of performances by students may be retained by the educational institution or individual teacher.
 - E. A single copy of a sound recording (such as a tape, disc or cassette) of copyrighted music may be made from sound recordings owned by an educational institution or an individual teacher for the purpose of constructing aural exercises or examinations and may be retained by the educational institution or individual teacher. (This pertains only to the copyright of the music itself and not to any copyright which may exist in the sound recording.)
2. Prohibitions
- A. Copying shall not be used to create, replace or substitute for anthologies, compilations or collective works.
 - B. Copying of or from works intended to be “consumable” in the course of study or of teaching such as workbooks, exercises, standardized tests, answer sheets and similar material is prohibited.
 - C. Copying shall not be used for the purpose of performance except as previously stated.
 - D. Copying shall not be used for the purpose of substituting for the purchase of music except as previously stated.
 - E. Copying without inclusion of the copyright notice which appears on the printed copy is prohibited.



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Educational Use of Copyrighted Audiovisual Material

1. Before reproducing small portions of sound recordings, filmstrips, slide sets, transparencies or motion pictures, or videotaping commercial television broadcasts, employees shall consult with the head administrator to determine whether the proposed action complies with the “fair use” principles of the Copyright Act.
2. School recordings may be made of certain instructional television programs telecast by the local Public Broadcasting Systems educational television station. Before recording the telecast, the following conditions shall be satisfied.
 - A. The monthly list of programs not licensed for recording shall be consulted. Any program listed shall not be recorded.
 - B. Recordings may be used in classroom or instructional settings as an educational activity or at a Parent Organization meeting, board meeting or similar activity.
 - C. Recordings shall be used only in the facilities of the School and shall not be loaned or made available outside of those facilities.
 - D. Recordings made from evening programs, which may be copied, shall be retained for no more than seven days following the telecast unless an extension is received in writing in advance. Daytime telecasts may be recorded and retained permanently unless otherwise notified.

Educational Use of Copyrighted Library Material

1. A library may make a single copy of unpublished work to replace a damaged, deteriorated, lost or stolen copy, provided that an unused replacement cannot be obtained at a fair price.
2. A library may provide a single copy of copyrighted material at cost to a student or staff member.
 - A. The copy must be limited to one article of a periodical issue or a small part of other material, unless the library finds that the copyrighted work cannot be obtained elsewhere at a fair price. Under the latter circumstances, the entire work may be copied.
 - B. The copy shall contain the notice of copyright, and the student or staff member shall be notified that the copy is to be used only for private study, scholarship or



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research. Any other use subjects the person to liability for copyright infringement.

3. At the request of the teacher, copies may be made for reserve use. The same limits apply as for single or multiple copies as previously stated.

Copying Limitations

1. Circumstances arise when personnel are uncertain whether or not copying is prohibited. In those circumstances, the Principal shall be contacted. If the Principal is uncertain, he/she shall consult with the Employer's legal counsel.
2. The following prohibitions have been expressly stated in federal guidelines.
 - A. Reproduction of copyrighted material shall not be used to create or substitute for anthologies, compilations or collective works.
 - B. Unless expressly permitted by agreement with the publisher and authorized by School action, there shall be no copying from copyrighted consumable materials such as workbooks, exercises, test booklets, answer sheets or similar materials.
 - C. Employees shall not:
 - 1) use copies to substitute for the purchase of books, periodicals, music recordings or other copyrighted material, except as permitted by School procedure;
 - 2) copy or use the same items from term to term without the copyright owner's permission;
 - 3) copy or use more than nine instances of multiple copying of protected material in any one term;
 - 4) copy or use more than one short work or two excerpts from works of the same author in any one term or
 - 5) copy or use protected materials without including a notice of copyright. The following shall constitute a satisfactory notice:



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NOTICE: THIS MATERIAL MAY BE PROTECTED BY
COPYRIGHT LAW.

3. Employees shall not reproduce or use copyrighted material at the direction of a School administrator without permission of the copyright owner.

Computer Software Copyright

The Board recognizes that computer software piracy is a major problem for the industry, and that violations of copyright laws contribute to higher costs and lessen incentives for publishers to develop effective educational software. Therefore, in an effort to discourage software piracy and to prevent such illegal activity, the Employer will take the following steps.

1. The ethical and practical implications of software copyright violations will be provided to all employees and students using computer facilities and software located at the School.
2. Employees and students will be informed that they are expected to adhere to the Copyright Act and all subsequent amendments thereto governing the use of software.
3. Wherever possible, efforts will be made to prevent software from being duplicated from floppy disks, hard drives or networked systems.
4. Illegal copies of copyrighted software shall not be made or used on equipment located at the School.
5. Administrators shall be designated as the only individuals who may sign license agreements for educational software used on the Employer's or School's computers.
6. Documentation of licenses for software used on the Employer's or the School's computers will be located at the office site where the software is being used.

Unsupervised Copy Equipment

The following notice, in large type, shall be affixed to all copying equipment (Xerox, Thermofax, audiotape recorder, videotape recorder and copy camera) located at the School:

NOTICE: THE COPYRIGHT LAW OF THE UNITED STATES GOVERNS THE
MAKING OF COPIES OF COPYRIGHTED MATERIAL. THE PERSON
USING THIS EQUIPMENT IS LIABLE FOR ANY INFRINGEMENT.

Library Copying for Students or Staff



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1. The following notice, in large type, shall be posted prominently where copies are made available to students or staff:

NOTICE: THE COPYRIGHT LAW OF THE UNITED STATES GOVERNS THE MAKING OF COPIES OF COPYRIGHTED MATERIAL.

2. The following notice, in large type, shall be posted prominently where print copies are made available to students and/or staff:

WARNING CONCERNING COPYRIGHT RESTRICTIONS

THE COPYRIGHT LAW OF THE UNITED STATES GOVERNS THE MAKING OF COPIES OR OTHER REPRODUCTION OF COPYRIGHTED MATERIAL.

UNDER CERTAIN CONDITIONS SPECIFIED IN THE LAW, LIBRARIES AND ARCHIVES ARE AUTHORIZED TO FURNISH A PHOTOCOPY OR OTHER REPRODUCTION. ONE OF THESE SPECIFIED CONDITIONS IS THAT THE PHOTOCOPY OR REPRODUCTION IS NOT TO BE “USED FOR ANY PURPOSE OTHER THAN PRIVATE STUDY, SCHOLARSHIP OR RESEARCH.” IF A USER MAKES A REQUEST FOR, OR LATER USES, A PHOTOCOPY OR REPRODUCTION FOR PURPOSES IN EXCESS OF “FAIR USE,” THAT USER MAY BE LIABLE FOR COPYRIGHT INFRINGEMENT.

THIS INSTITUTION RESERVES THE RIGHT TO REFUSE TO ACCEPT A COPYING ORDER IF, IN ITS JUDGMENT, FULFILLMENT OF THE ORDER WOULD INVOLVE VIOLATION OF COPYRIGHT LAW.



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Appendix 3.4260-A Constellation Schools Social Media Guidelines

1. PURPOSE

Constellation Schools recognizes the rights of students, staff, faculty and employees who want to participate in online social networking, and understands the importance of extending the collaborative learning environment of the school by utilizing the continuously evolving technology connected to the Internet “social media” services such as Facebook, Twitter, Tumblr, Wikipedia, blogging, and many other online tools through which people connect and share information. With this in mind, the School has developed the following guidelines to provide directions for faculty, staff, students and the school community when participating in online social media activities. These guidelines are intended to create an atmosphere of good will, honesty, trust, and individual accountability.

These social media guidelines are designed to support employees and students as they participate in the various and constantly evolving world of social media. We encourage innovative use of technology that supports our mission and educational goals. However, it is important to keep in mind that information produced, posted, shared and retrieved by students, faculty and staff reflects upon the school community, and that participation in all aspects of social media should be done responsibly. Moreover, issues concerning the proper respect for the privacy of our students, confidentiality of sensitive information, and respect for copyrights and trademarks are all very important to understand before participating in an online social environment. By accessing, creating, or contributing to various platforms such as, but not limited to; Facebook, Twitter, blogs, discussions, wikis, podcasts or other social media for classroom or school use, you agree to abide by these following guidelines. If you have any doubts or concerns about how these guidelines apply to you or your situation, or how they might apply to some new form of social media in the future, please err on the side of caution and direct your questions and concerns to the Technology Coordinator before you make use of such media.

2. GENERAL GUIDELINES

Please consult and follow our employee policies and manual and/or parent and student handbook. Be aware that all existing policies, including the “Acceptable Use” policy, and behavior guidelines, extend to school-related activities in the online environment as well as on school premises. Cyberbullying is considered an act of harassment and will not be tolerated. The School reserves the right to require that any school-related images or content posted without permission be removed from the Internet. Failure to follow these guidelines, or comply with a School policy, may result in disciplinary action, up to and including, termination of employment for employees, and suspension and/or expulsion for students.

Use good judgment

Think about the type of image that you want to convey on behalf of the school when you are posting to social networks and social media sites. Remember that what you post will be viewed and archived permanently online once you hit the “publish” button. On sites where you publicize your professional affiliation, make sure that your profile adheres to established criteria. A good rule of thumb is don’t post anything that you wouldn’t want to see on the front page of a newspaper or a headline on Yahoo, Google,



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etc. Do not post data, links, documents, photographs or inappropriate information on any website that may result in a disruption of classroom activity. Do not post or display comments about coworkers or supervisors that are vulgar, obscene, threatening, intimidating, harassing, or a violation of workplace policies.

Provide value

If you will be messaging or posting to a member or members of the school community, think about what you have to offer the community—whether it is thoughtful, relevant, or helpful—and focus on providing that consistently. Don't pass along mass email forwards and urban legends (funny stories, videos, non-school photos and other "SPAM").

3. COPYRIGHT AND FAIR USE

- Respect **copyright and fair use guidelines**.
- Hyperlinking to outside sources is recommended. Be sure not to plagiarize, and give credit where it is due. If you are re-posting photos, videos, poems, music, text, artwork, or other copyrightable material, take the extra step of identifying the creator of the materials to the extent reasonably possible.
- When hyperlinking to other sites and media, be sure that the content to which you are hyperlinking is appropriate and consistent with these guidelines.
- Be aware that photographs taken by professional photographers cannot be scanned and used on the Internet without the photographer's permission—even if they are photos of you and for which you paid. Most photographers will charge a little extra for "digital rights" to photos.

4. PROFILES AND IDENTITY

- Remember your association and responsibility to the School in online social environments. If you identify yourself as a school employee, ensure your profile and related content is consistent with how you wish to present yourself with colleagues, parents, and students in terms of the image, purpose, and mission of the school.
- Remember how you represent yourself online should be comparable to how you represent yourself in person.
- No confidential identifying personal information, such as full names, addresses or phone numbers should appear on blogs or wikis or other social media.
- Be cautious how you set up your profile, bio, avatar, etc. The same guidelines apply to this information as well as the substantive content you post.
- When uploading digital pictures or avatars that represent you, make sure you select an appropriate image. Also remember not to utilize protected images.
- Any tagging or identification of students in posted photos should not include the student's full name or personal information, and must be authorized by the student's parent or guardian.

5. SOCIAL BOOKMARKING

- Be aware that others can view the sites that you bookmark.
- Be aware of words used to tag or describe the bookmark.



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- Be aware of URL shortening services and verify the landing site they point to before submitting a link as a bookmark.
- Attempt to link directly to a page or resource if possible as you do not control what appears on landing pages in the future.
- Be aware that sites and locations you direct others to may also have content that might not relate or be appropriate for educational use.

6. FACULTY AND STAFF GUIDELINES

Personal Responsibility

School employees are personally responsible for the content they publish online. Be mindful that what you publish will be public for a long time—protect your privacy and that of the school, our students and their families. Once materials have been published online, you are likely to lose control of it.

- Your online behavior should reflect the same standards of honesty, respect, and consideration that you use face-to-face and should be carried out consistent with the standards applied on school premises and in furtherance of the mission, vision, and values of the School.
- When posting to social media, such as a blog, discussion forum, Twitter, or Facebook account, be sure you make it clear that the information is representative of your views and opinions and not necessarily the views and opinions of the School. Remember that blogs, wikis, discussion groups, and podcasts can be seen an extension of your classroom. What is inappropriate in your classroom should be deemed inappropriate online.
- The lines between public and private, personal and professional are blurred in the online world. By virtue of identifying yourself online as affiliated with the School, you are now connected to colleagues, students, parents, and the school community. You should ensure that content associated with you is consistent with your work at the school and the School's mission, vision, and values.
- Don't participate in spreading false or unsubstantiated rumors or false information. Particularly, don't make false statements about Constellation Schools LLC and/or a Constellation School, students, student families, or staff.
- Strive to speak the truth—and when you don't know, sometimes saying nothing is the best choice.
- When contributing online do not post confidential student information.
- Photographs, videos, and other digital content directly identifying students or their families should not be posted online. We may be able to post it for internal viewing inside the Constellation Schools site if that is appropriate.
- Use of student time for social media should have an articulated and defined instructional purpose consistent with the School's mission, vision, and values.
- You should not be accessing social networking websites during working hours or via school computers/devices.

Disclaimers

- School employees are prohibited from speaking or making comments regarding the business of the School and/or Constellation Schools LLC, or their respective officers, directors, employees, parents or students, that may be perceived to be a communication of the School and/or Constellation Schools LLC or on the School's and/or Constellation Schools LLC's behalf. To the extent any such comments or communications are made, employees must ensure that their comments or communications will be construed as the employee's own personal opinion and not commentary made on behalf of the School and/or Constellation Schools LLC. For example, "The



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postings on this site are my own and don't necessarily represent the positions, strategies, or opinions of the School."

- This standard disclaimer does not by itself exempt school employees from personal responsibility when posting online.
- Where online media is open to content and participation (such as comments) from students and parents, teachers are encouraged to carefully review and legally moderate such comments or disable their use. It is also often the case that "spambots" will try to post advertisements randomly on blogs in the comments area. It is best practice to limit public access to blogs, disable or mandate legal moderation of comments before they can be made publically visible.
- Remember that a licensed Staff Member's use of technology may result in their conduct being reported to the Ohio Department of Education, which may result in the ODE taking disciplinary action against the Staff Member.

Instant Messaging, Chat, Email, and Text Messaging

- Avatar images and profile information should follow the same guidelines as the above Profiles and Identity section. It is mandatory that you use appropriate and accurate image icons to represent your identity.
- The School understands that technology is constantly changing and that many sites have pedagogical significance for teacher and student use.
- Use of communication tools between faculty/staff and students should be confined to content that is pedagogical in nature and directly relates to the work around the subject matter at hand.
- Use of communication tools between faculty/staff and students such as instant messaging, chat, email, or text messaging for topics that are personal or that do not relate to work at the school are prohibited.

7. STUDENT GUIDELINES

Due to the wealth of new social media tools available, student products and documents have the potential to reach audiences far beyond the classroom. This translates into a greater level of responsibility and accountability for everyone. Below are guidelines students must adhere to when using web tools in the classroom or in any way related to classroom or school activities. Also understand that as a student at our school you represent the school even when you are not posting to social media during class time, and you should follow these guidelines anytime you post material that could identify you or your relationship to the school.

1. Be aware of what you post online. Social media venues are very public. What you contribute leaves a digital footprint for all to see. Do not post anything you wouldn't want friends, enemies, parents, teachers, or a future employer to see.
2. Follow the School's code of conduct when writing online. It is acceptable to disagree with someone else's opinions, however, do it in a respectful way. Make sure that criticism is constructive and not hurtful. What is inappropriate in the classroom is inappropriate online.
3. Be safe online. Never give out personal information, including, but not limited to, last names, phone numbers, addresses, exact birthdates, and pictures. Do not share your password with anyone besides your teachers and parents.
4. Be sure to read the entire article/website prior to linking to websites to support your thoughts and ideas to ensure that all information is appropriate for a school setting.
5. Following, linking, or "friending" official social media accounts of the School are acceptable and encouraged.



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6. Following, linking, or “friending” personal accounts of any school employee is not other employee of the School.
7. Do your own work! Do not use other people's intellectual property without their permission. Be aware that it is a violation of copyright law to copy and paste other's thoughts. It is good practice to hyperlink to your sources.
8. Be aware that pictures, videos, songs, and audio clips may also be protected under copyright laws. Verify you have permission to use the images, videos, songs or other clips.
9. How you represent yourself online is an extension of you! Do not misrepresent yourself by using someone else's identity. Pretending, in any way, to be another student, faculty/staff member or anyone else is strictly prohibited.
10. Blog and wiki posts should be well written. Follow writing conventions including proper grammar, capitalization, and punctuation. If you edit someone else's work, be sure it is in the spirit of improving the writing.
11. If you run across inappropriate material that makes you feel uncomfortable, unsafe, or is not respectful, tell a member of the School staff immediately.
12. Students who do not abide by these terms and conditions may lose their opportunity to take part in the School’s technology and computer resources, and may bring additional disciplinary action.

8. PARENT/GUARDIAN GUIDELINES

Classroom blogs and other social media are powerful tools that open up communication between students, parents, and teachers. This kind of communication and collaboration can have a huge impact on learning. The School encourages parents/guardians to participate in such projects when appropriate and requests that parents act responsibly and respectfully at all times, understanding that their conduct not only reflects on the school community but will be a model for our students as well.

Parents/Guardians should adhere to the following guidelines:

1. Parents/Guardians will not attempt to destroy or harm any information provided by the school community online.
2. Parents/Guardians will not use classroom social media sites for any illegal activity, including violation of data privacy laws.
3. Parents/Guardians are highly encouraged to read and/or participate in social media projects.
4. Parents/Guardians should not distribute any information that might be deemed personal about other students participating in a social media project.
5. Parents/Guardians should not upload or include any information that does not also meet the student guidelines above.
6. Parents/Guardians should model appropriate behavior for their children online. Any disagreement or need for clarification about School policies, teachers, administrators, staff, or other families, should not be handled in public forums like social media.

9. UPDATES AND CHANGES

The School reserves the right to make changes and modifications to these guidelines as necessary throughout the year. Please check this page regularly for the most current version.



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Appendix 3.6020 – A Personal Information Procedure

It is necessary for the orderly operation of the School to prepare a personal information system for the retention of appropriate files bearing upon an employee's duties and responsibilities to the School and the School's responsibilities to the employee.

The Board requires that accurate, necessary, and relevant records exist concerning an employee's qualifications for the job held, compliance with federal, state, and local benefit programs, conformance with School rules, and job performance, including, but not limited to completed evaluations of the employee. Such records shall be maintained and secured in compliance with Ohio law.

Certain information concerning School employees is confidential, to be reviewed only under conditions which guarantee protection of both the School's right to access information and the employee's right to unnecessary invasion of privacy. Most information in the personnel files, however, is not confidential and is available for inspection in accordance with Ohio law. The School shall, however, refrain from disclosing an employee's social security number when releasing personnel records.

INITIAL EMPLOYMENT

Upon employment, each employee is to submit for the:

A. Personnel File

1. a completed employment application form
2. a copy of a current, valid license, if applicable
3. transcripts, if applicable

B. Payroll File

1. W-4 forms
2. completed forms for life and disability insurance without medical examination portion
3. completed annuity forms
4. payroll deduction authorization
5. accumulated sick leave, if applicable
6. I-9 forms



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C. Confidential File

1. applications for health insurance
2. criminal history record check

Professional staff members shall also be responsible upon employment, for providing a complete transcript of their education and records of all prior teaching experience.

All information concerning employees' health status, including mental or physical examinations and treatments are to be kept in a confidential file. Access is limited to the employee, the employee's supervisor, the Superintendent, and other central office administrators who have a supervisory relationship to the employee, and others authorized by law. A log will be kept of each individual granted access to an employee's personnel file.

CONTENTS

During the period of employment, the following data shall be maintained in personnel files:

- A. current correct name, address, and telephone number
- B. current data on education completed, including transcripts of all academic work
- C. an accurate record of work experience
- D. proof of fulfillment of requirements for change in salary classification
- E. current data pertaining to certificates required by the State
- F. proof of discharge from military service
- G. rate of compensation
- H. completed evaluations
- I. disciplinary incidents.

Employees who wish to review their own personnel file shall make no alterations or additions to the record nor remove any material.

Employees who wish copies of material in their personnel file shall receive such copies free of charge.

Upon the request of the employee, the School shall investigate the accuracy of his/her personnel file and either delete the disputed information or include in the file a statement by the employee that he/she disputes the information. If information is deleted or a statement of protest is made by an employee, the employee may request the School to notify any person of such deletion of



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protest. If there is a breach of security in any computerized data system that creates a material risk of identity theft or other fraudulent activity, the School shall notify the affected employees.



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Appendix 3.6020-B

NOTICE AND RIGHTS OF INDIVIDUALS SUBJECT TO PERSONAL INFORMATION SYSTEM

The following is a list of the types of personal information the School maintains in a personal information system:

Staff: social security numbers, medical information, background checks

Students: all educational records except as otherwise consented to by guardians or designated as directory information, if any

Parents/Guardians: any social security numbers or medical information in student files, any volunteer background checks

Other:

Personal information maintained in the system may be used in the following ways:

Only as allowed pursuant to privacy and public records laws such as for parties designated by policy as those with a legitimate educational interest.

The following individuals are designated users with access to the personal information system:

Staff Personal Information: School administrators or as otherwise required by law.

Student Personal Information: School officials with a legitimate educational interest as defined in the Student Records and Release of Information Policy, the Ohio Department of Education as defined in the Student Records and Release of Information Policy, the Sponsor if required in the School's Charter Contract or by policy.

Other:

You, your legal guardian, or your attorney have the right to inspect all personal information in the system pertaining to you. Upon your request to inspect your personal information maintained in the system, the School will provide, at cost, copies of your personal information to you.

You have the right to have another individual accompany you when reviewing your personal information.

If you dispute the accuracy, relevance, timeliness, or completeness of your personal information maintained in the system, you may request the Board to investigate the current status of the



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information. The Board shall follow the procedures outlined in Ohio law in responding to such a request.
