



New Frontiers Charter School

BUILDING MIND, CHARACTER AND COMMUNITY

Module 600: Human Resources

Charter Board Policy for New Frontiers Charter School

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600.020. EQUAL OPPORTUNITY

The governing body ("Board") of New Frontiers Charter School Inc. adopts the following policy which shall be effective on the date that the policy is adopted by the Board.

SECTION 1. Anti-Discrimination Policy

New Frontiers Charter School employees shall not engage in discrimination or harassment motivated by race, color, religion, sex, disability, military service, or age directed toward other New Frontiers Charter School employees or students. A substantiated charge of discrimination and/or harassment shall result in disciplinary action. Retaliation against employees or students who report discrimination and/or harassment is strictly prohibited. Acts of retaliation may result in disciplinary action up to and including termination.

SECTION 2. Investigation

Any allegations of discrimination or harassment of students or employees shall be investigated and addressed.

SECTION 3. Coordinator

New Frontiers Charter School designates the following person to coordinate its efforts to comply with Title IX of the Education Amendments, the Americans with Disabilities Act, and Section 504 of the Rehabilitation Act:

Name: Norma Arshad and/or designee
Position: School Counselor and/or designee
Address: 4018 S. Presa, San Antonio, TX 78223
Telephone: 210-533-3655

SECTION 4. Complaints

The Coordinator shall be responsible for the investigation of discrimination complaints filed by employees and citizens. Complaints regarding any type of alleged discrimination shall be made in accordance with New Frontiers Charter School's complaint policy.

600.040. DRUG-FREE WORKPLACE

The governing body ("Board") of New Frontiers Charter School Inc. adopts the following policy which shall be effective on the date that the policy is adopted by the Board.

SECTION 1. Drug-Free Policy

New Frontiers Charter School is committed to maintaining a drug-free workplace and shall make a good faith effort to maintain such an environment. The unlawful manufacture, distribution, possession, or use of a controlled substance in the workplace is strictly prohibited. Violation of this policy may lead to disciplinary consequences up to and including termination.

SECTION 2. Drug-Free Awareness Program

The School Counselor and/or designee shall establish a drug-free awareness program.

SECTION 3. Notification

Employees shall notify the Director of Human Resources and/or designee of any conviction based on a drug statute violation that occurred in the workplace within five days of such a conviction. Within 10 days of such notification, or otherwise being notified, the Director of Human Resources and/or designee shall notify applicable relevant federal granting agencies of the conviction. Within 30 days of such notification the Director of Human Resources and/or designee shall take appropriate personnel action or require the employee to participate in a drug abuse assistance or rehabilitation program.

SECTION 4. Alcohol & Drug Testing

Section 4.1. Establishment of Testing Program & Procedures

In an effort to promote safety and help prevent accidents resulting from alcohol and/or drug misuse, the Director of Human Resources and/or designee shall establish an alcohol and drug and controlled substance testing program and procedures for the following:

1. Employees who are drivers of charter school-owned or rented vehicles;
2. Employees who perform safety-sensitive functions;
3. Applicants for positions in the above-referenced categories; and
4. Any employee when there is reasonable suspicion of use of alcohol or controlled substances in the workplace.

The Chief Executive Office and/or designee shall designate a charter school official who shall be responsible for ensuring that information is provided to all employees regarding prohibited driver conduct, alcohol and controlled substances tests, and the consequences that follow positive test results.

Section 4.2. Reasonable Suspicion Testing

Only supervisors trained in accordance with federal regulations may, based upon reasonable suspicion, remove an employee and require testing for alcohol and/or controlled substances. The determination of reasonable suspicion shall be based on specific observations of the appearance, behavior, speech, or body odors of the employee whose motor ability, emotional equilibrium, or mental acuity appears impaired. Such observations must take place just preceding, during, or just after the period of the workday that the employee is on duty.

The observations may include indication of the chronic and withdrawal effects of controlled substances. Within 24 hours of the observed behavior, the supervisor shall provide a signed, written record documenting the observations leading to a controlled substance reasonable suspicion test.

Section 4.3. Required Procedures

The procedures established under Section 4.1 shall require the termination of an employee's employment for refusal to submit to a required test for alcohol or controlled substances.

Section 4.4. Supervisor Training

The Chief Executive Officer and/or designee shall ensure that supervisors are properly trained in accordance with the terms of the applicable law and this policy

600.060 HIRING PRACTICES & CRIMINAL BACKGROUND CHECKS

The governing body (“Board”) of New Frontiers Charter School Inc. adopts the following policy which shall be effective on the date that the policy is adopted by the Board.

SECTION 1 New Hires

Section 1.1. Compliance

The Director of Human Resources and/or designee shall ensure compliance with applicable laws and regulations regarding hiring practices of new employees.

Section 1.2. Posting Job Vacancies

The Director of Human Resources and/or designee shall ensure that a job vacancies are posted with ample time and in various venues so that a broad pool of potentially strong applicants may apply for available positions.

SECTION 2. Criminal Background Checks

The Director of Human Resources and/or designee shall ensure compliance with applicable laws and regulations regarding criminal background checks and fingerprinting process. Upon notification that an employee or prospective employee has engaged in an offense which legally prohibits that individual from employment at an open-enrollment charter school, the Director of Human Resources and/or designee shall terminate, or not hire as applicable, that individual.

600.080 COMPENSATION

The governing body (“Board”) of New Frontiers Charter School Inc. adopts the following policy which shall be effective on the date that the policy is adopted by the Board.

SECTION 1. Fair Labor Standards Act (FLSA) Compliance

Section 1.1. Designation of Work Week

For purposes of the FLSA, the board generally designates the 40 hour work-week for employees as Sunday at 12:00 am through Saturday at 11:00 pm.

The Board authorizes the Chief Executive Officer to designate separate work weeks for specific school personnel such as, but not limited to, the school maintenance staff.

Section 1.2. Classification of Employees.

The Director of Human Resources and/or designee shall determine the classification of employees as “exempt” or “nonexempt” for purposes of FLSA compliance.

Section 1.3. Permission Required to Work Overtime

Nonexempt employees may only work over 40 hours per week if they have received prior approval from their supervisor.

SECTION 2. Compensation Plans for School Employees

The Chief Executive Officer and/or designee shall recommend for Board approval compensation plans for all categories of charter school employees including salary schedules, stipends, benefits, incentives or other components determined appropriate by the Chief Executive Officer.

The Director of Human Resources shall administer the compensation plan in a manner consistent with the annual budget adopted by the Board.

SECTION 3. Wage Overpayment / Underpayment

New Frontiers Charter School strives to take all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled paydays. In the unlikely event that there is an error in the amount of pay, the employee shall promptly bring the discrepancy to the attention of his or her supervisor so that corrections can be made as quickly as possible. No employee is entitled to retain any pay in excess of the amount he or she has earned according to the agreed-upon rate of pay. If a wage overpayment occurs, the overpayment will be regarded as an advance of future wages payable and will be deducted in whole or in part from the next available paycheck(s) until the overpaid amount has been fully repaid. Each employee will be expected to sign a wage deduction authorization agreement authorizing such a deduction upon employment with New Frontiers Charter School. Such authorization agreement is valid for the duration of the employment relationship.

SECTION 4. Expense Reimbursement

The Director of Finance and/or designee shall designate allowable expenses for expense reimbursement when employees incur expenses that are pre-approved and related to their work assignments. Employees shall be required to submit accurate documentation of the expenses for which reimbursement is sought.

SECTION 5. Employee Evaluations

A formal written performance evaluation will be conducted at the end of the employee's introductory period by the employee's direct supervisor. Additional formal performance evaluations will be conducted annually to provide both supervisors and employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful approaches for meeting goals.

School-wide performance evaluations (for non-teaching and non-Principal positions) are scheduled annually. New Frontiers Charter School awards merit-based adjustments in an effort to recognize truly superior employee performance. The decision to award such an adjustment is dependent upon numerous factors, including the information documented by this formal performance evaluation process and the School's financial standing.

SECTION 6. Merit Increases and Bonus/Incentive Parameters

Merit increases and/or bonuses/Incentives may be awarded to all NFCS employees provided that the funds have been allocated as part of the NFCS Board approved budget. Monies may be awarded in December and/or June as a percentage of an employee's annual salary, as indicated in the charts below:

Section 6.1. Non-Instructional Salary Staff and Instructional Salary Staff

Non-Instructional Salary Staff			Instructional Salary Staff		
Outstanding	2.75%	3%	Highly Effective	2.75%	3%
Exceeds Expectations	2.25%	2.5%	Effective	1.75%	2.5%
Meets Expectations	1.75%	2%	Improvement Necessary	1%	1.5%
Needs Improvement	1%	1.5%	Does Not Meet Standard	0%	0%
Unacceptable	0%	0%			

Section 6.2. Non-Instructional Hourly Employees and Instructional Hourly Employees

Hourly employees may receive merit increases and/or merit bonuses/incentives (one-time payouts) commensurate to their performance evaluation. Percentage rates of increase may range from 0% to 12%.

Section 6.3. Cost of Living Adjustment (COLA)

A cost of living adjustment may be awarded as a salary or one time payout bonus/incentive by the Board of trustees. This action requires board approval.

Section 6.4. Salary Caps for Positions

The governing board of NFCS has the authority to set salary caps on positions in the best interests of the school/district. Salary caps may be established each school year prior to the offering of salary agreements to employees for the following school year.

Section 6.5. Delegation of Authority and Responsibility for Budget

The Chief Executive Officer shall use the parameters approved by the governing board of NFCS in order to prepare an effective and efficient budget for personnel costs that will be included in the overall school budget presented to the governing board before the start of each new school year.

The governing board of NFCS hereby delegates to the Chief Executive Officer the authority to set employee compensation within the parameters established above. The Chief Executive Officer is also delegated the authority to institute the salary caps on positions as established by the governing board.

600.100 TRAINING: CAMPUS ADMINISTRATION & BUSINESS OFFICERS

The governing body (“Board”) of New Frontiers Charter School Inc. adopts the following policy which shall be effective on the date that the policy is adopted by the Board.

Campus administration and business officers shall comply with and keep accurate records concerning his or her compliance with the commissioner of education rules governing training requirements.

600.120. IMMUNITIES

The governing body (“Board”) of New Frontiers Charter School Inc. adopts the following policy which shall be effective on the date that the policy is adopted by the Board.

SECTION 1. Exhaustion of Administrative Claims

Prior to filing a lawsuit against a professional employee hired by New Frontiers Charter School, Inc. potential claimants shall exhaust administrative remedies in accordance with state law.

Administrative remedies must be pursued through the Board’s grievance process set forth in Board Policy 300.120.

SECTION 2. Written Notice of Legal Claims

Written notice of a potential legal claim against a professional employee of the New Frontiers Charter School, Inc. shall be provided in accordance with state law and shall be mailed or hand-delivered to the employee’s attention at the charter school’s administrative office at the following address:

1313 SE Military Dr., Suite 117
San Antonio, TX 78214

600.140 RETIREMENT AND HEALTH BENEFITS

The governing body (“Board”) of New Frontiers Charter School Inc. adopts the following policy which shall be effective on the date that the policy is adopted by the Board.

SECTION 1. Compliance

The Director of Human Resources and/or designee shall administer this policy in compliance with all applicable laws and shall ensure that school records pertaining to each employee’s retirement and health benefits are current and accurate.

SECTION 2. Health Benefits

New Frontiers Charter School Inc. elects to provide health benefits through a private carrier. All health claims and coverage decisions are final as determined by the school’s selected carrier.

SECTION 3. COBRA Notification

The Director of Human Resources and/or designee shall notify employees of their potential rights under COBRA upon separation from employment with the school, whether for voluntary or involuntary reasons.

SECTION 4. Local Benefits

New Frontiers Charter School Inc. offers the following additional employment benefits for its employees: Please see the current Employee Handbook for details.

SECTION 5. Workers Compensation Benefits

It is the policy of New Frontiers Charter School Inc. to provide workers' compensation insurance. The Director of Human Resources and/or designee shall notify employees of its coverage decisions in accordance with state law.

600. 160. TEACHER CREDENTIALS & QUALIFICATIONS

The governing body ("Board") of New Frontiers Charter School Inc. adopts the following policy which shall be effective on the date that the policy is adopted by the Board.

SECTION 1. Compliance

The Director of Human Resources and/or designee shall ensure that each teacher employed by the New Frontiers Charter School Inc. is properly credentialed and qualified as required by state and federal law. Further, the School Principal shall ensure that the appropriate notices are sent to parents concerning the credentials and qualifications of the student's teachers.

SECTION 2. Local Requirements for Teaching Credentials and Qualifications

In addition to the federal and state requirements, the Board directs the Chief Executive Officer to hire/make a good faith effort to hire teachers with the following credentials and qualifications:

- (a) State Certification appropriate for the subject areas being taught by the teacher.
- (b) Texas Certified Teacher and Highly Qualified under NCLB standards.

600. 180. EMPLOYEE LEAVES AND ABSENCES

The governing body ("Board") of New Frontiers Charter School Inc. adopts the following policy which shall be effective on the date that the policy is adopted by the Board.

SECTION 1. Definition

For purposes of this policy, "instructional staff" includes full time employees who work as campus principals, classroom teachers, teacher aides, counselors, and providers of special education services.

SECTION 2. Administration and Compliance

The Director of Human Resources and/or designee shall administer this policy in compliance with all applicable laws and shall ensure that school records pertaining to each employee's leaves and absences are current and accurate.

SECTION 3. Family Medical Leave

Section 3.1. 12-Month Period

For purposes of FMLA leave, the 12-month period for leave is determined as the 12 month period following the employee's employment anniversary date.

Section 3.2. Concurrent Use of Leave

It is the policy of New Frontiers Charter School Inc. for an employee’s paid leave, and/or workers’ compensation leave to be used concurrently with FMLA leave.

SECTION 4. Local Leaves and Absences

Section 4.1. Local Vacation Leave

Paid vacation leave shall be awarded by the following classes of charter school employees schedule set forth below. An employee shall use local vacation leave while using unpaid extended leave such as FMLA leave.

Vacations days per year:

12 Month Employees 0 – 5 years of service	10
12 Month Employees 5 – 10 years of service	15
12 Month Employees 10 + years of service	20

Section 4.1.1. Limit on Vacation Leave

All vacation days awarded by May 31st in one school year must be used by July 31st. Vacation leave does not accumulate beyond these limits, unless previously approved by the Board.

Section 4.1.2. Pre-Approval Required

Use of vacation leave must be preapproved by the employee’s supervisor.

Section 4.1.3. Vacation Leave ordinarily may not be taken on the first day of school, on the last of school, during the administration of state assessments, during the administration of local benchmarking assessments, on days immediately before or after Spring Break, or on days immediately before or after Winter Break, but each employee’s supervisor is authorized to make exception to this policy as he or she determines appropriate to accommodate the employee without compromising the interests of the students.

Section 4.2. Local Personal Days

Each employee is entitled to 6-8 days of paid personal days per year. Personal leave may be used for illness, illness of an employee’s family member, personal and family medical appointments, and other personal reasons as determined by the employee. Personal leave does not accumulate.

Personal days:

12 Month Employees	6
10 Month Employees	8

Section 4.3. Other Leave

The charter school offers the following additional types of leave for its employees: Please see current Employee Handbook for details.

SECTION 5. Extended Absences from Duty

Section 5.1. Abandoning Work

An employee who misses three days of work without directly notifying the employee's supervisor is considered to have abandoned the employee's position and will be terminated from employment unless extenuating circumstances exist as determined by the Chief Executive Officer and/or designee.

Section 5.2. Returning to Work from Extended Leave

Section 5.2.1. Reinstatement

The reinstatement of an employee returning from extended leave such as family medical leave, military leave, or workers' compensation leave is a high priority for New Frontiers Charter School Inc.

Reinstatement to an equivalent position will be determined on a case-by-case basis by the CEO/Superintendent and/or designee based on the following factors relating to the best interests of the school and its students:

- a. the applicable laws, policies, and practices governing the employee's absence from duty;
- b. for instructional positions, the time of year, the students' academic and behavior progress, the proximity of school and/or student holidays, the proximity of student testing, and additional similar factors relating to the academic and behavioral success of the students;
- c. whether the employee is a key employee;
- d. the school's legal obligations to other employees;
- e. the employee's ability to perform the essential functions of the job with or without reasonable accommodation;
- f. whether reinstatement will cause economic or undue hardship to the school; and
- g. the impact of reinstatement on the academic, fiscal, or other operations of the school.

Section 5.3. Pay Increases

Employees returning to their prior employment positions from extended leave such as family medical leave or workers' compensation leave are entitled to any cost of living increases that were awarded during the employee's absence from duty. Unless legally required otherwise, returning employees will be entitled to any pay increases that were awarded based on seniority, length of service or work performance.

600. 200. COMPLAINTS BY SCHOOL EMPLOYEES

The governing body (“Board”) of New Frontiers Charter School Inc. adopts the following policy which shall be effective on the date that the policy is adopted by the Board.

SECTION 1. Process for Employee Complaints

Employees of New Frontiers Charter School Inc. who have a complaint about their terms or conditions of work are encouraged to resolve their concerns informally with their co-workers and/or supervisors at the lowest level possible. If the employee is not satisfied with the outcome of the informal resolution, then the employee may file a formal complaint in accordance with the grievance process set forth in Board Policy Section 300.120.

SECTION 2. Exception for Sexual Harassment Complaints

All formal complaints by charter employees must be pursued in accordance with the process set forth in Board Policy 300.120 unless the complaint is a sexual harassment complaint filed by an employee against the employee’s supervisor. Under these circumstances, the employee shall present his or her Level 1 complaint to the school’s Principal and/or designee who will designate another supervisory level employee to hear and respond to the Level 1 grievance. If the Principal and/or designee does not reach a decision that is satisfactory to the employee, then the employee may appeal the decision to Levels 2 and 3 as delineated in Board Policy Section 300.120.