

**TIDEWATER COLLEGIATE ACADEMY
AT VIRGINIA WESLEYAN UNIVERSITY (TCA)
PERSONNEL POLICIES
Employees/Volunteers/Interns/Contractors/Mentors
*Updated September 2018***

OVERVIEW

This document is designed to generally clarify the employer/employee relationship; it should not be considered an employment contract nor should it be considered a guarantee of employment. The employer/employee is an “at will” relationship. Employees are free to leave their employment for any and/or no reason, employer may terminate employment for any and/or no reason. Furthermore, nothing in this document is intended to constitute an offer, statement, or confirmation of any guaranteed terms or conditions of employment. Notwithstanding any other term or provision of this statement of Personnel Policies to the contrary, any employee whose employment is terminated for “cause” by Wendy Scott DBA Tidewater Collegiate Academy at Virginia Wesleyan University (TCA) shall be entitled to receive compensation earned through the effective date of termination. “Cause” shall mean termination on account of: (a) failure to comply with any of the terms or requirements of these Personnel Policies or any other rule, regulation or requirement of Tidewater Collegiate Academy at Virginia Wesleyan University or by which Tidewater Collegiate Academy at Virginia Wesleyan University is bound; (b) conviction of a felony or any crime of moral turpitude; or (c) failure to perform the duties assigned to the employee from time to time.

VOLUNTEERS/INTERNS

Interns, volunteers, mentors, or those who work in exchange for reimbursement of goods or services, such as tuition, experience, etc., are expected to adhere to all policies, in the same manner as an employee.

EQUAL EMPLOYMENT OPPORTUNITY

Tidewater Collegiate Academy at Virginia Wesleyan University (TCA) is an equal employment opportunity employer and does not discriminate against employees or job applicants on the basis of race, religion, color, sex, age, national origin, disability, veteran or family status, or any other status or condition protected by applicable state or federal laws, except when a bona fide occupational qualification applies. The required Federal and State labor law postings are posted.

PAY

Staff will be paid as outlined in the employee’s agreement.

TIME OFF

Staff hours are outlined in the employee’s agreement. All time off is unpaid unless specified in employee agreement.

Leave-Planned: Ideally, staff should schedule planned leave (such as medical appointments, school obligations, etc) as part of their time off/days off, coordinated with their supervisor. All planned leave must have the prior permission of the Director. Staff are expected to arrange coverage for their duties.

Leave-Emergencies/Unplanned: In the event of an emergency where an employee must leave school when it is not their scheduled time off, they are expected to notify the Director as soon as possible. Staff are expected to arrange coverage for their duties.

ILLNESS & INJURY

Work-Related Injury

Employees are expected to maintain their own personal insurance. Due to the current number of employees under state law, Tidewater Collegiate Academy at Virginia Wesleyan University (TCA) is not required to provide Worker's Compensation for work-related injuries/illness. However, employees are responsible for reporting ANY injuries that occur on the job, regardless of severity, to the Director within 24 hours of their occurrence.

Blood borne Pathogens Exposure

Staff are required to follow universal precautions and adhere to infection-control procedures that minimize the risk of exposure when handling blood and/or bodily fluids. In order to minimize exposure, staff are required to use protective equipment and controls, such as biohazard bags, gloves, pocket masks, and sharps container.

Employees who believe they have been exposed to blood/body fluids in the course of performing the duties of their job are required to report the incident immediately to the Director. The Director will consult with a physician, and upon their recommendation if applicable, employee will be sent to a medical care provider for the appropriate medical evaluation and follow-up. If deemed necessary, post exposure prophylaxis will be initiated. When possible, the source of exposure will be determined. If source is known, the Director will notify the source and treating physician as soon as possible. If source is a student, their parent will also be notified. Tidewater Collegiate Academy at Virginia Wesleyan University (TCA) will work with the treating physician in terms of requesting appropriate testing. If source refuses testing/parent of source refuses to have their child tested, no testing can be performed.

Medication Policy for All Staff

Staff are expected to manage any medications brought on site in a manner which prevents access by students. Staff will be held responsible for any incidents/accidents that occur as a result of students gaining access to staff medications including misuse, overdose, or other reactions, accidental or intentional.

STAFF CONDUCT

General Conduct Expectations

In accepting employment, employees/volunteers accept an obligation to conduct themselves on and off the job in such a manner as to create a favorable impression in the minds of the general public toward Tidewater Collegiate Academy at Virginia Wesleyan University (TCA), its programs, and staff/volunteers.

In order to maintain proper practices and set the appropriate tone in school, staff are to model the types of behaviors which are expected to be practiced by students. Staff are expected to make good decisions about personal behavior and to ensure behavior and conversation is always appropriate to be observed by students.

Cursing, making gestures toward, or verbally abusing/insulting anyone for any reason, including race, religion, gender, personal or physical attributes, disabling condition, intellectual ability, matters related to

sexuality, creed, or national origin is NOT acceptable. Fighting, assault, threatening, intimidating, theft, willfully damaging property, or the endangering the well being of self or others will NOT be tolerated. Involvement in inappropriate discussion with and/or within hearing range of students is unacceptable and may be grounds for dismissal.

Discipline of Students

Use of physical (corporal) punishment, restraint, rough handling of students, or deprivation of basic needs is prohibited! This includes, but is not limited to, spanking, hitting, slapping, kicking, shaking, or touching a child's body in any forceful manner, using items to restrain a student, or using, or threatening, any other type of physical harm. The use of name-calling, profanity or any venue for disciplining a child that includes humiliation is prohibited. Any employee who uses any such punishment(s) will be subject to immediate dismissal and will be referred to local authorities.

Sexual Conduct

Sexual displays, intimate contact, sexually suggestive behaviors, or sexually explicit language of any kind by and/or between staff is prohibited. Sexual advances made by staff in any way towards students is strictly prohibited and any staff found in violation will be subject to immediate dismissal, and will be reported to local law authorities.

Personal Contact with Students After School Hours

In the best interests of protecting the welfare of both students and staff, employees and volunteers are discouraged from initiating or maintaining personal contact outside of school with students. Staff may not provide students with personal contact information, including, but not limited to email addresses, personal website addresses, or other personal contact that uses the web/internet, such as social networking sites.

Appearance

Staff/volunteers are expected to present a neat, clean, and conservative appearance in both clothing and manner of grooming, and dress in a manner that presents a positive image in the minds of the public. Displaying of any apparel, jewelry, accessory, tattoo, or manner of grooming, which by virtue of its color, arrangement, or any other attribute denotes membership in gangs/ groups that advocate illegal or disruptive behavior, is prohibited. Apparel, jewelry, or accessories, including tattoos that depicts and/or promotes the use of illegal substances, alcohol, or tobacco products, and/or that depicts obscene, illegal, or suggestive symbols is not acceptable. Inappropriate tattoos must remain covered at all times.

DRUG AND ALCOHOL POLICY

Tidewater Collegiate Academy at Virginia Wesleyan University (TCA) is committed to promoting parent-confidence, providing a drug-free workplace, and an environment that is safe and conducive to attaining high work standards.

No employee/volunteer shall manufacture, ingest, use, possess, transport, sell or distribute any controlled substance or paraphernalia while at Tidewater Collegiate Academy at Virginia Wesleyan University (TCA), while engaged in work for Tidewater Collegiate Academy at Virginia Wesleyan University (TCA).

No employee/volunteer shall report for, commence, or continue to work while under the influence of controlled substances, inhalants or alcohol or while controlled substances, inhalants or alcohol are in his/her

system, except when the use of a controlled substance or inhalant is pursuant to the instructions of a licensed medical practitioner.

Providing illegal drugs or alcohol to other staff, customers, or students, will result in immediate dismissal and staff may be turned over to the legal authorities.

Employees/volunteers who take over-the-counter or prescribed medication are responsible for being aware of any adverse effect the medication may have on the performance of their duties, and must promptly report to their supervisor if the use of the medication might impair their ability to perform the job safely and effectively. It is a violation of this policy for any employee to take over-the-counter or prescribed medication contrary to its proper use.

Employees who are convicted of any criminal drug violation must inform Tidewater Collegiate Academy at Virginia Wesleyan University (TCA) within five (5) days of the conviction.

Smoking/Tobacco Products

Smoking or the use of tobacco products within view of students is prohibited. Staff/volunteers may smoke in designated areas only!

GRATUITIES

Employees/volunteers may not accept money or gifts exceeding nominal value from students' parents during employment.

PETS

Staff and volunteers may not bring pets to school unless they are approved therapy animals.

WEAPONS

Possession of firearms or other weapons, including but not limited to look-alike guns, switchblades, box cutters, nun-chucks, fighting chains, objects with points or blades (such as throwing stars), ammunition, or any other object used with the intent of threatening or harming any individual are prohibited.

CELL PHONES

Cell phones may not be used for personal use during on-duty periods, except in an emergency. Cell phones may not be used for personal use in the presence of students.

USE & PUBLICATION OF PHOTOS/VIDEO/VOICE

Tidewater Collegiate Academy at Virginia Wesleyan University (TCA) is committed to protecting the identity, security, and physical and emotional safety of its students, as well as protecting the reputation of the school.

Photographs/Video/Voice of Staff

Tidewater Collegiate Academy at Virginia Wesleyan University (TCA) retains the right for the use, publication or dissemination of any photograph, video, or voice recording of an employee/volunteer taken while working at school.

Use of Photographs/Video/Voice of Student Participants by Staff

Tidewater Collegiate Academy at Virginia Wesleyan University (TCA) is granted written permission for the use, publication or dissemination of any photograph, video, or voice recording of a student taken during school hours. However, this permission is *exclusive* to the school's specific use only, and is not extended to staff for personal use.

Staff may not use, publish and/or disseminate any photograph, video or voice recording of a student taken during a session for any purpose (except when the student is the child of the staff member). This includes, but is not limited to, posting photos or videos of students on websites, social networking sites (such as Facebook, YouTube, etc.), blogs, other internet venues, etc.

HARASSMENT

Tidewater Collegiate Academy at Virginia Wesleyan University (TCA) is committed to a work environment free from all forms of harassment by anyone, including supervisors, co-workers, or participants. Employees/volunteers who violate this policy may be subject to disciplinary action, up to and including dismissal.

Harassment includes, but is not limited to, words or actions concerning an individual's race, creed, color, sex, national origin, religion, age, disability, or marital status, repeated offensive or unwelcome sexual flirtations, advances, or propositions, abuse of a sexual nature, requests for sexual favors, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, the display in the workplace of sexually suggestive objects or pictures, or other verbal or physical abuse of a sexual nature where employment decisions are based on an employee's submission to or rejection of such conduct; or such conduct creates an intimidating, hostile, or offensive workplace.

All staff should be treated with courtesy and respect at all times. Any conduct in the workplace that may create an offensive work environment whether it is in the form of physical or verbal harassment, and regardless of whether committed by supervisory or non-supervisory personnel is prohibited.

No employee/volunteer shall threaten or insinuate, either explicitly or implicitly, that an employee's submission to or rejection of sexual advances will in any way influence any personnel decision regarding that employee's treatment, employment, wages, advancement, assigned duties, shifts, or any other condition of employment or development.

All harassment should be reported as soon as possible to the Director. This includes harassment by employees as well as harassment by customers, vendors, solicitors, or other members of the public. Tidewater Collegiate Academy at Virginia Wesleyan University (TCA) will investigate all reports of harassment. The identity of the individual making a report will be protected as much as is practical. In order to maintain the integrity of its investigation, Tidewater Collegiate Academy at Virginia Wesleyan University (TCA) may suspend employees, with or without pay, pending investigation. Tidewater Collegiate Academy at Virginia Wesleyan University (TCA) may also, at its option, discipline or terminate the offending employee, terminate or suspend business relationships with, reassign job duties, or initiate criminal prosecution of the person(s) involved.

CRIMINAL RECORDS & REFERENCE CHECKS

In order to safeguard the well-being of the students served, Tidewater Collegiate Academy at Virginia Wesleyan University (TCA) will investigate the accuracy of the information provided on the application and references provided. This investigation may include, but not be limited to, reference checks with past employers, the military, educational institutions, volunteer organizations, civic groups, and law-enforcement agencies. No employee/volunteer will be employed who has a conviction of sexual abuse or child abuse on their record. Employee/Volunteer signature on application will verify that they have never been convicted of a crime that involved sex related or child abuse related offenses. The contract for employment may be terminated if reference forms or subsequent reference checks indicate that staff is not suitable to work with, or around, children.

BACKGROUND CHECK POLICIES FOR EMPLOYEES AND VOLUNTEERS

Tidewater Collegiate Academy at Virginia Wesleyan University (TCA) is committed to the physical and emotional safety of its students. Screening employees and volunteers is critical in the process to hire appropriate persons who have contact with/access to children, including identification of potentially abusive individuals. Policies apply, but are not limited, to Owners, Directors, Managers, volunteers, mentors, all full-time employees, and all part-time employees (regardless of number of hours worked).

Background checks are required for all employees and volunteers age 18+ of Tidewater Collegiate Academy at Virginia Wesleyan University (TCA). Employees and volunteers are required to obtain and submit a background check. Background checks are transferable. Voluntary Disclosure Statement and a check of the National Sex Offender Public Registry is required annually for all employees and volunteers of any age of Tidewater Collegiate Academy at Virginia Wesleyan University (TCA).

RECORD KEEPING

Reports on applicants, employees, and volunteers are kept with the employee records, stored in the office. Access to records is limited to the owner(s), Director, and supervisor(s). An employee or volunteer may request to see and/or have a copy of their own background check information. The original document must remain with the employees file. Background check information is retained for a minimum of two years after an employee departs/is terminated, or as otherwise required by applicable law.

DISQUALIFYING BACKGROUND

Tidewater Collegiate Academy at Virginia Wesleyan University (TCA) is an “at will” employer. Employees are free to leave their employment for any and/or no reason, just as Tidewater Collegiate Academy at Virginia Wesleyan University (TCA) may terminate employment for any and/or no reason. When the background check of an individual is unsatisfactory, an Applicant/Employee/Volunteer is considered to have a disqualifying background, and may not be employed/volunteer.

Employment/Volunteering Will Be Denied for Any of the Following Reasons:

- Tidewater Collegiate Academy at Virginia Wesleyan University (TCA) becomes aware that the individual has a disqualifying background.
- Applicant/Employee/Volunteer has any felony conviction within the last 5 years.
- Applicant/Employee/Volunteer has a conviction for use, possession, being under the influence, the manufacture, distribution, or sale of illegal drugs.
- Applicant/Employee/Volunteer is the subject of a founded complaint of child abuse or neglect, within or outside the Commonwealth of Virginia.

- Applicant/Employee/Volunteer has been the subject of a founded complaint of child abuse or neglect even if his/her record has been purged from the Child Abuse and Neglect Central Registry system.
- Applicant/Employee/Volunteer is identified of founded child abuse/neglect investigations as an involved caregiver with a founded disposition of a child abuse/neglect.
- There is knowledge that the individual has a founded disposition in Virginia or elsewhere.
- Applicant/Employee/Volunteer has criminal convictions that include prior adult convictions and juvenile convictions or adjudications of delinquency based on a crime that would be a felony if committed by an adult within or outside the Commonwealth of Virginia.
- Applicant/Employee/Volunteer has a conviction for the abuse and/or neglect and/or cruelty to animals.
- Employee/Volunteer/Applicant has a criminal conviction for any of the following barrier crimes: murder, manslaughter, malicious wounding, abduction (for any purposes), assault and bodily wounding, robbery, carjacking, threats of death or bodily injury, felony stalking, sexual assault, arson, drive by shooting, any use of any type of firearm in the commitment of a crime, pandering, any and all types of sexual crimes against children, abuse or neglect of children, failure to seek medical attention for a child, possession/manufacture/distribution of child pornography, abuse or neglect of incapacitated adults, employing or permitting a minor to assist in a criminal act, delivery of drugs to prisoners, escape from jail, felonies while a prisoner, burglary, any felony violation relating to possession or distribution of drugs, or any other criminal conviction that is a barrier crime, as identified by the Code of Virginia for Background Checks for Licensed Child Day Centers.
- Additionally, an employee may not be hired in a position that includes either the direct supervision of children, and/or driving, when Applicant/Employee/Volunteer has a history, record, and/or conviction for being under the influence of alcohol while operating a motor vehicle.

TERMINATION

There are unfortunate occasions when it may be necessary for Tidewater Collegiate Academy at Virginia Wesleyan University (TCA) to terminate the employment/volunteer relationship. Listed below are *examples* of the sort of problems that may lead to termination. This list is illustrative, not exhaustive, and does not alter or impact the “at will” relationship in any way; employees/volunteers may be terminated/released for reasons other than those set forth below:

- Failure to abide by *Personnel Policies*, or charges in violation of *Background Check Policies*.
- Failure to carry out assigned responsibilities in a manner consistent with standards.
- Misconduct outside of Tidewater Collegiate Academy at Virginia Wesleyan University that negatively reflects upon the image of TCA.
- Use of physical punishment, rough handling, or sexual involvement with a student.
- Misrepresentation of information on job application, resumes, or references.
- Student enrollment that is insufficient to support employment.
- Conduct that endangers the well-being of self or others.
- Any other act or circumstance which, in the judgment of management requires termination in the best interest of Tidewater Collegiate Academy at Virginia Wesleyan University.

In the event a staff member resigns or is terminated from employment

Employee will be paid based on days/weeks worked, up to and including the day of dismissal.

GRIEVANCE POLICY

It is a priority to ensure that all staff, volunteers, mentors, and interns feel respected and safe in our learning environment. If an employee has a grievance, they should immediately let the director know through an informal conversation. If the employee is unsatisfied after the conversation, he/she should put their grievance in writing and submit to the director. The director will respond to the written grievance within 5 working days in writing. At that time the decision is final.

Tidewater Collegiate Academy at Virginia Wesleyan University

CERTIFICATION OF RECEIPT OF PERSONNEL POLICIES

NAME OF EMPLOYEE _____

POSITION _____ YEAR _____

I have received a copy of the Tidewater Collegiate Academy at Virginia Wesleyan University (TCA) Personnel Policies. I have read it carefully and certify that I am familiar with the provisions contained therein. I agree to comply with all policies and procedures set forth therein.

Furthermore, I hereby consent to tests to determine the presence or use of illegal and/or unauthorized drugs and/or alcohol. I consent to the release of the test results and other relevant medical information for appropriate review. I understand that positive test results or refusal to consent to these tests may result in the termination of my employment. I agree to hold Tidewater Collegiate Academy at Virginia Wesleyan University (TCA), directors, supervisors, employees, and agents harmless from any and all liability in connection with the testing and results of the tests mentioned above. Furthermore, I understand that my consent to this policy does not in any way alter my at-will employment status, under which Tidewater Collegiate Academy at Virginia Wesleyan University (TCA) may terminate my employment and I may quit for any reason at any time.

AGREED TO:

Signature of Employee/Volunteer

Date