



## **Cape Fear Center for Inquiry Policy and Procedure Manual**

### **Series 500          Personnel**

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## **505 Standards of Professional Conduct**

Cape Fear Center for Inquiry employees hold positions of public trust and serve as role models for students. Through ethical behavior, employees promote a vision of high expectations and continuous improvement for themselves as well as for students. Employees' conduct should be as such to protect their integrity and/or reputation and that of CFCI. Employees shall be responsible for the integrity and consequences of their own actions. Employees engaging in any activity concerning the school, particularly in relationships with students, parents, other employees, the public, vendors, and suppliers must exhibit the highest standards of honesty, integrity, and fairness. All employees shall perform their jobs in a competent and ethical manner without violating the public trust, applicable law, policies, and regulations. They shall not knowingly be a party to or condone any illegal or improper activity. See Policy 510 for other expectations regarding ethical behavior.

It is neither practical nor possible to delineate all of the situations that could fall within the guidelines of this Policy; however, all employees shall follow the standards of professional conduct listed in both the Code of Ethics for North Carolina Educators and The Standards of Professional Conduct for North Carolina Educators. The absence of law, policy, regulation or practice does not relieve an employee from the responsibility to exercise the highest ethical standards at all times.

# **510 Ethics Policy for CFCI Faculty, Administration and Board of Directors**

**Purpose:** Cape Fear Center for Inquiry (CFCI) hereby adopts this ethics policy in the belief that a shared statement of ethical values will strengthen the overall quality of the CFCI professional community.

## **A. General Policy**

CFCI is committed to maintain the highest professional standards in all of its academic and administrative operations; promoting ethical practices among its administrators, faculty, staff, parents, and students; and ensuring a level of accountability appropriate for a public institution. Individuals are expected to obey all federal, state, and local laws including, but not limited to, those pertaining to equal opportunity, nondiscrimination, harassment, ethics and lobbying.

## **B. Intellectual Honesty**

Personal interactions among CFCI community members should be characterized by truthfulness, openness to new ideas, civility, and consideration for the rights of others. Each member of the professional community should respect the right of others to freedom of thought, opinion, speech, and association.

## **C. Professional Conduct**

**Teachers, staff members, administrators, and Board Members of CFCI shall:**

1. Adhere to all CFCI policies and procedures, and uphold the mission and vision of CFCI.
2. Annually sign and adhere to the community communication agreement. Follow the steps of the Resolution Policy if there is a concern about another community member's conduct.
3. Use professional language when addressing any member of the CFCI community.
4. Annually sign the CFCI Confidentiality Agreement in order to protect student confidentiality.
5. Dress professionally. All Board members, Faculty, Staff, and Employees of CFCI serve as role models for the students with whom they work, and as leaders in the community. Consistent with these roles, they shall dress in a manner and have an appearance that is appropriate and professional in light of the environment in which they work, the duties of their jobs, and the impressionable youth they serve. The administrative team is authorized to interpret professional dress, keeping in mind the style of learning and teaching at CFCI.

**Teachers, staff members, and administrators of CFCI shall:**

1. Be on time for school days and workdays. Teachers should be at school from 8:00 a.m. until no longer needed to supervise students. Workdays are 9:00 until 4:00 – unless otherwise announced - with a one-hour lunch break. Teachers who are planning to work at home on workdays need to inform front office staff, loop-level colleagues, and/or an administrative team member of their contact information. Staff members, administrators, part-time employees and contracted employees shall work the hours that are specific in their contracts/job descriptions.
2. Be on time for morning care duty, carpool pick-up, faculty meetings, and other assigned duties.
3. Fill out a leave form when absent due to sickness, vacation, or personal reasons. The form should be submitted to the director for notification purposes, who forwards the form to the business office. If leave is denied for any reason - by the director or by the business office – reasons should be shared with the employee. If an employee is requesting professional leave, the form should first be submitted to the Life-long Learning Committee (L3), which evaluates the request and then forwards the form to the business office.
4. Attend faculty meetings. Teachers and administrators should plan on attending all faculty meetings barring unforeseen circumstances. Staff members do not have to attend, but may attend anytime they like, or need to share or request information.

**Teachers at CFCI shall:**

1. Prepare two days of emergency lesson plans and have them readily accessible and available for substitute teachers. Information about the location of these plans should be posted next to the teacher's emergency kits on backs of classroom doors.
2. Serve on at least one standing committee unless teacher is a BT (Beginning Teacher), or a first year teacher at CFCI.
3. Supervise students in their charge – in classrooms, hallways, on campus, or on the playground – at all times. If a teacher has to step away from his/her students, that teacher should request that an adult supervise the class until the teacher returns.

**Administrators at CFCI shall:**

1. Implement all policies and procedures as outlined by the CFCI Board of Directors.
2. Support teachers by helping to supervise students when needed.
3. Ensure that teachers and parents work together for the best interest of students by facilitating open, honest, and respectful dialogue.
4. Redirect parents who have concerns with a teacher to take the concerns to the teacher, as per our communication agreement.. If administrators find it necessary or prudent to meet with parents without the teacher present, they should inform the teacher as soon as possible, and invite the teacher, whenever appropriate, to sit in on future meetings in an effort to problem-solve as a team.

**Teaching Assistants at CFCI shall:**

1. Carry out the duties assigned by the teachers whom they are assisting.
2. Maintain student confidentiality.
3. Respect the teacher's autonomy in the classroom. If an assistant feels that a teacher is not speaking or acting in the best interest of his/her students, the assistant should speak with the teacher, and follow the communication agreement and resolution policy.

**Part-time Employees at CFCI shall:**

1. Attend faculty meetings at least once per month.
2. Adhere to the same standards for behavior management, lesson planning, and classroom record-keeping as all CFCI teachers.

**D. Concerns About Professional Conduct**

If one member of the CFCI community has concerns about the professional conduct of another member, that person should talk directly with the other person about the concern, as per the CFCI communication agreement. If the issue is not resolved, then the person should follow the steps laid out in the CFCI Grievance Committee (Policy 250).

## **512 Use of Social Media**

Social networking sites focus on building lines of communication between people who share similar interests and activities or who are interested in exploring the interests and activities of others. Most sites are internet based and typically provide e-mail, photograph, and instant messaging services. Though such sites are becoming engrained in the social fabric of our society, the Board believes few reasons exist for teachers, school administrators and all other employees to communicate with students on personally administered pages of social networking sites. The Board also believes that numerous other preferred mediums of communication exist for teachers, administrators and all other employees to use to communicate with students rather than the use of social networking sites.

All communication between employees and students should be appropriate in nature and shall follow all policies and ethical standards established for the proper communication between an employee and a student. Therefore, teachers, administrators and all other employees should not communicate directly with currently enrolled students on personally administered pages of social networking sites, unless the student is the employee's child, stepchild, grandchild, sibling, cousin, niece or nephew or unless the interaction is approved by the Director. The Director may limit social media interactions and communications between teachers, administrators, and all other employees, and currently enrolled students, when the Director or designee believes such action is warranted.

Approved 3-19-2013

## **515 Hiring Policy and Procedure**

At the time that a position is known to be created or notice of an impending vacancy has been given:

1. The Director is authorized to begin a search process. The Director and/or the Human Resources Coordinator (HRC) will create or update the position requirements and advertise as necessary.
2. The Director will create an ad hoc Interview Panel consisting of faculty members from the grade levels or specialty areas most connected to the position vacancy. The Director and/or HRC may also sit on the panel.
3. Following the deadline for applications, the HRC will review all applications for minimum criteria. If the opening exists for a specialty area, a current employee from that area will be asked to review criteria as well (i.e. Exceptional Children).
4. The HRC will contact selected applicants to schedule interviews and an interview schedule will be given to all members of the Interview Panel.
5. At the end of all scheduled interviews, the Interview Panel will make a recommendation for hire or continuing the search to the Director.
6. The Director may contact the recommended candidate for a follow up meeting as needed.
7. The Director and/or the HRC will meet with the recommended candidate to discuss salary, benefits, transfer of leave, job expectations and start date. Any offer of employment and terms will be contingent upon approval of the Board of Directors.
8. The Director will make a formal recommendation for hiring to the Board of Directors either at the next Board meeting or via polling the Board through the Board secretary depending on the timeframe
9. Upon approval by the Board, the HRC will contact the prospective employee to officially offer the position and arrange for completion of pertinent hiring paperwork, and contact with the appropriate parties for orientation.
10. The HRC will contact all other candidates interviewed to inform them the position has been filled once the selected candidate begins work.

In the event that a vacancy is created and there is a staff member who is under contract, serving in an Interim Position or as a Long Term Substitute for at least 3 months, the Director may recommend that staff person for the vacancy without going through the procedure outlined in steps 1-7.

**REVISED 7-17-2012**

## **517 Conditions of Employment – Background Checks**

As required by G.S. 115C-238.29F(e1), the Cape Fear Center for Inquiry will follow the New Hanover County School Policy regarding Criminal Background Checks. The Policy is located in the 6000 series of the New Hanover County School Policy Manual and is Policy number 6133.

Policy Referenced: <http://www.nhcs.net/policies/series6000/6133.pdf>

**Approved 5-15-15**



## **NHCS POLICY 6133 CONDITIONS OF EMPLOYMENT – BACKGROUND CHECKS**

The New Hanover County Board of Education believes that a safe and secure learning and working environment should be provided for all students and staff. The Board further believes that employees and independent contractors involved in our schools should be positive role models for students. Therefore, all information provided to the Division of Human Resources by an applicant for employment or by an employee must be true, accurate, and complete to the best of the applicant's or employee's knowledge. Presenting information to the school system which is intended to defraud, falsify, materially misrepresent or conceal the truth will be considered just cause for terminating the application process or grounds for disciplinary action up to and including dismissal of the employee.

### **Criminal Record Check Required**

In reviewing applications for employment with New Hanover County Schools, inquiry or investigation shall be made regarding an applicant's criminal history. All applicants for employment must grant the school system written permission to procure a criminal history report. The criminal histories of an independent contractor's employees are also required to be checked by the contractor, as stipulated in the language of their contractual agreement with New Hanover County Schools and meet the criteria for employment as described in this Policy, before they are allowed to work on school premises or with students.

### **Employment Standards**

"Criminal history" as used in this Policy means a guilty plea, conviction, no contest plea, prayer for judgment continued, arrest without conviction, deferred prosecution, charge with no disposition or pending charge for a misdemeanor or felony.

Traffic offenses that are not felonies and are not related to and did not involve driving while intoxicated or under the influence of a drug or intoxicating beverage and offenses that have been "waived" will not be considered in making employment decisions except that traffic offenses will be considered if the person is applying for a position as a bus driver. If the criminal history check or other information shows that the applicant has failed to disclose a guilty plea, conviction, no contest plea, prayer for judgment continued, or pending charge on his/her application, the applicant will not be offered employment, or if an offer has been made, the offer will be withdrawn or the employee's employment will be terminated. If the criminal history check or other information shows that the applicant has been convicted, pled guilty, or pled no contest to a felony that is listed in NCGS §115C-332(a)(1), or to a comparable federal law felony or felony from another state, the applicant will not be offered employment, or if a conditional offer has been made, the offer will be withdrawn or the

employee's employment will be terminated. If the criminal history check or other information shows that the applicant has been convicted, pled guilty, or pled no contest to felonies other than those listed in NCGS §115C-332(a)(1), or to misdemeanors, the factors listed below will be considered in making the determination of whether the nature of the offense or offenses indicates that the person may pose a threat to the safety of students or personnel or whether the offense or offenses indicate that the person may not have sufficient honesty, integrity, or morality to fulfill the duties of the position for which the person applied.

Factors that weigh against the applicant being hired or his/her employment being continued include:

- The victim of the offense was a child;
- There were drugs or narcotics involved in an offense;
- The offense was sexual in nature;
- The offense involved a violent act or the threat of violence against a person;
- The offense involved deception, dishonesty or fraud;
- There was a pattern of offenses or multiple offenses;
- The offense was a felony;
- The offense was within the last seven (7) years; or
- The applicant is a registered sex offender.

Factors that indicate that the applicant might be employed in spite of his or her criminal history check include

:

- The applicant has had no convictions, guilty pleas, or pleas of no contest for at least seven (7) years;
- There was only one (1) offense;
- The applicant was less than 21 years old at the time of the offense;
- The offense was a misdemeanor not included in the articles listed in NCGS §115C-332(a)(1); and
- There is evidence of rehabilitation.

### **Pending Charges**

If the charge is for a felony listed in NCGS §115C-332(a)(1), the applicant shall not be hired, or his/her employment continued, until the charges are resolved. If the applicant is convicted, pleads guilty, pleads no contest, or receives a prayer for judgment the applicant will not be hired. If the applicant is found not guilty or the charges are dismissed, then the charge will not be considered when making the hiring decision, but evidence of the applicant's underlying behavior may be considered. The applicant shall not be hired or employment continued if the charge is for an offense other than a felony listed in NCGS §115C-332(a)(1) unless the determination is made that, even if the applicant is guilty, the conviction would not indicate that the person poses a threat to the

safety of students or personnel or that the person does not have sufficient honesty or integrity to perform the job duties of the position for which the person applied. If that determination is not made, the applicant shall not be hired, or employment continued, until the charges are resolved and, if the applicant is convicted, pleads guilty, pleads no contest, or receives a prayer for judgment the applicant will not be hired. If the applicant is found not guilty or the charges are dismissed, then the charges will not be considered when making the hiring decision, but evidence of the applicant's underlying behavior may be considered.

### **Notice Requirement**

If New Hanover County Schools receives any indication of a positive criminal history as a result of a criminal history check by a private contractor, the applicant will be notified and provided a copy of his/her criminal history in accordance with the Fair Credit Reporting Act listed in 15 USC§1601.

### **Offers of Employment**

All offers of employment are conditional until the results of the criminal history check, until any indicated additional investigation has been completed, and until any other stated conditions have been satisfied. Thus, no person has a contract of employment until these conditions are satisfied. A person who receives a conditional offer of employment may be rescinded without a hearing until all conditions are satisfied. If an applicant has a verified positive criminal history, a final offer of employment may be made only with the approval of the Superintendent or designee.

### **Criminal History Check of Current Employees**

All employees must report to the Division of Human Resources any criminal arrests, misdemeanor or felony charges, convictions, guilty pleas, pleas of no contest, prayers for judgment continued, or deferred prosecutions, except for traffic offenses other than felony traffic offenses and DWI charges. The employee must make the report within five (5) business days after the employee receives notice of the charge or disposition. Failure to make a timely disclosure of a criminal arrest, charge, or disposition that is later disclosed by the employee will result in discipline up to and including suspension without pay. If a verified criminal history check or another source shows that an employee has failed to disclose a criminal charge or disposition, then the employee's employment may be terminated. The Division of Human Resources may conduct criminal history checks using private contractors on current employees if it is determined by the Assistant Superintendent for Human Resources or designee that cause exists to complete such a review.

## **Required Record Keeping**

If an applicant is denied employment based, in part, on the information contained in the applicant's criminal history, a written record shall be made of the reason(s) for the decision not to offer employment. The record shall be maintained for a minimum of three (3) years. If an applicant is offered a position of employment and the applicant has a record of a conviction, a written record shall be made of the reason(s) for the decision to offer employment. The record shall be maintained for a minimum of three (3) years. If the applicant has no record of convictions, no determination need be made but a copy of the criminal history report shall be maintained for a minimum of three (3) years. Copies of criminal histories obtained by the New Hanover County Schools shall be provided to the State Board of Education as required by NCGS §115C-332(e) and State Board of Education Policy. All criminal history information received by the New Hanover County Schools from the N. C. Department of Justice or a contracted reporting agency is considered privileged information and is not a public record. The school system may destroy the information after it is used for the purposes authorized by NCGS §115C-332.

## **Immunity from Suit**

Under the provisions of NCGS §115C-332 (g), there shall be no liability for negligence on the part of the Board or its employees arising out of any act taken or omission by any individual in carrying out the provisions of NCGS §115C-332. However, this immunity does not extend to or include gross negligence, wanton conduct, or intentional wrongdoing.

## **Non-Compliance**

Failure of an applicant to disclose records of conviction(s) or to provide a valid social security number shall be grounds for disqualification for employment consideration or for immediate dismissal in the event an individual is employed on a temporary basis contingent on the completion of the criminal records check. In compliance with federal laws, New Hanover County Schools administers all educational programs, employment activities and admissions without discrimination because of race, religion, national or ethnic origin, color, age, military service, disability or gender, except where exemption is appropriate and allowed by law.

LEGAL REFS: NCGS §115C-332  
15 USC §1601  
Adopted: 09/02/08  
Revised: 06/07/11

## **520 Long Term Substitutes and Interim Positions**

The Director may recommend to the Board of Directors to employ a Long Term Substitute and to employ persons on Interim Contracts as needed. The following guidelines shall govern such recommendations.

### **LONG TERM SUBSTITUTES**

1. The teacher requiring the substitute must be out on an approved leave of absence of at least four weeks.
2. The substitute must have (or be eligible to obtain) a North Carolina teaching license.
3. The substitute will receive a daily rate of \$140 per day.
4. The substitute will be expected to perform all the duties and responsibilities of the teacher who is out on leave.
5. There will be no written or verbal assurance given that the long term substitute will fill the entire term of the leave of absence.
6. If, in the judgment of the Director, the long term substitute is not performing at an adequate and acceptable level, the Director will replace the long term substitute immediately.

### **INTERIM POSITIONS**

1. The teacher requiring the interim teacher must be out on an approved leave of absence of at least 12 weeks.
2. The interim teacher must have (or be eligible to obtain) a North Carolina teaching license.
3. The interim teacher will receive a daily rate equal to an amount that corresponds to the Appropriate step on the NC Teacher Salary Schedule. This is based on years experience, Degrees and certifications. If and when the teacher on leave is no longer receiving benefits, then the interim teacher will also receive full benefits.
4. If the teacher on leave is to be out the entire school year, the interim teacher will be signed to a standard teacher contract with full benefits. The teacher who is out on leave of absence for an entire school year will not be eligible for any benefits during the leave.
5. The interim teacher will be expected to perform all the duties and responsibilities of the teacher who is out on leave.
6. There will be no written or verbal assurance given that the interim teacher will fill the entire term of the leave of absence.
7. If, in the judgment of the Director, the interim teacher is not performing at an adequate and acceptable level, the Director will replace the interim teacher immediately.

**Approved 3-15-2011**

## 530 Position Descriptions

### Faculty Members-Roles and Responsibilities

The roles and responsibilities of all CFCI employees are designed to meet the mission of the school and the instructional needs of the students. More detailed Position Descriptions are available from the Human Resources Coordinator.

1. **Classroom Teachers** are appropriately licensed educators (or working toward licensure) who are responsible for the educational growth of a designated group of students.
2. **Specialized Teachers** are appropriately licensed educators (or working toward licensure) who are responsible for the school-wide instruction of their particular content area.
3. **Teacher Assistants** are individuals who act in a capacity of support personnel for students and teachers. Teacher Assistants schedules are managed by the HRC.
4. **Exceptional Children's Teachers** are appropriately licensed educators (or working toward licensure) who are responsible for facilitating evaluation, supporting instruction, contributing to the assessment of students with unique needs, and meeting state and federal guidelines.
5. **School Director** is an appropriately licensed educator (or working toward licensure) responsible for leading the Administrative Support Team in supporting the faculty. The Director is accountable for the financial, operational and educational performance and improvement of CFCI.
6. **Curriculum Coordinator** is an appropriately licensed educator (or working toward licensure) who ensures the faculty has the resources and support they need to meet the mission, vision and focus of CFCI as well as serves as testing coordinator.
7. **Exceptional Children's Coordinator** is an appropriately licensed educator (or working toward licensure) who is responsible for overseeing the EC Department and all of the duties associated with EC Data Manager and EC Instructor.
8. **Business Operations Coordinator** manages all finance, budget, facility and safety functions for CFCI as well as acts as liaison to accounting firm.
9. **Human Resources Coordinator** facilitates and helps maintain a workplace environment that is productive, proactive and which supports the mission and vision of CFCI.
10. **Administrative Assistant** is responsible for the day-to-day operation of the front office including check-in and checkout of students, attendance records reporting, answering of phone and maintaining student records and supporting the Administrative team.

All employees are responsible for the following:

- Understanding the purpose, functions, and operations of Charter Schools
- Communicating with parents, staff members, Board members, and other employees in a positive, collaborative manner
- Sharing responsibility and participating in decision making committees
- Contributing to school-wide programs, activities, and initiatives
- Other responsibilities as assigned by the Board of Directors

All educators are responsible for the following:

- Providing a safe, caring, and effective classroom climate/environment
- Meeting the instructional needs of the students through an inquiry-based curricula
- Assessing and reporting student educational and social growth
- Participating in professional development and on-going self-assessment activities
- Completion of a mid-year self evaluation and a Professional Inquiry Project including peer review

Teacher Assistants roles and responsibilities may include the following:

- Monitoring activities and behavior of students in the absence of the classroom teacher
- Assisting teachers in supervision of learning activities and providing learning support to students
- Preparing or assisting in the preparation of instructional material, such as copying materials, laminating items, creating bulletin boards, and student work displays
- Assisting the teachers by managing paperwork and record keeping such as checking student's work, filing paperwork and/or documentation
- Collaborating with teachers in planning and preparing learning activities for students
- Other responsibilities assigned by the classroom teacher

## **535 Salaries**

### **Teachers**

Teachers at CFCI are paid according to the North Carolina Certified Teacher Salary Schedule, plus a supplement of 8%. In the event that a CFCI teacher earns National Board Certification, he/she will receive a one-time bonus of \$1000. Mentor pay is designated by the Board each year.

### **Part time Employees**

Part-time Employees are paid a set hourly rate or prorated salary amount, based on job description. Part-time Employees are not eligible for benefits.

### **Contracted Employees**

Contract Employees are paid a set hourly rate, based on the New Hanover County Pay Scale for Contract Personnel working in a public school setting, or as negotiated.

### **Staff**

Staff is paid according to the corresponding North Carolina Salary Schedule. The CFCI Administrative Assistant is paid according to the Office Support Schedule.

### **Director and Administrative Positions**

The CFCI Director and Administrative Positions' salaries are based on North Carolina School Salary Schedules or as negotiated.

### **Substitutes**

CFCI pays substitutes \$70.00 for a full day of substituting and \$35.00 for a half day.

### **ABC Bonus**

All qualified personnel receive ABC incentive pay according to the state law. CFCI will provide additional funds to insure that all Teacher Assistants receive a full share as designated by the NC DPI for that class of employee.

### **Non Licensed Teachers**

Teachers who are hired prior to receiving a NC license and who do not hold a license from another state or have an expired NC license will be paid substitute teacher pay until a NC license is issued. Once licensed, the teacher will receive back pay from start date based on experience and certification. License must be received prior to last day of contract for back pay to be paid, unless extenuating circumstances are found to exist.

### **Changes in Salary During the Year**

If a teacher earns National Board Certification during the school year, the teacher will receive a lump sum payment of the increase in monthly salary retroactive to the start of the school year. The increase in monthly salary will then begin with the next monthly payroll. If a teacher earns a degree or certification that merits a salary increase according to the North Carolina Certified Teacher Salary Schedule, that increase will begin with the next monthly payroll after official notification of the earning of the degree or certification.



**Revised 9-15-2018**

## **537 Director Compensation, Evaluation and Contract**

The Cape Fear Center for Inquiry Board of Directors' objective for Director compensation includes the following:

- To attract and retain a qualified, experienced, motivated, and high performing Director who is committed to the Board's overarching goal of delivering high-quality public charter education experience for our students

### Procedure:

The CFCI Board of Directors will review the Director's compensation and employment contract on an annual basis after completion of the Director's annual evaluation. The Board of Directors may delegate all or some of this process to the Executive Committee in preparation for consideration and action at the full Board. The decision to grant a salary increase is at the sole discretion of the Board.

All or some of the following sources of information will be reviewed and considered by the Board regarding the Director's annual salary:

- Current salary and other compensation
- Director's annual performance evaluation
- North Carolina Department of Public Instruction Salary Tables:
  - Superintendent I
  - Teachers
- Available charter school salary information from Acadia Northstar, LLC
- Other available and relevant sources
- CFCI budget (current and projected)
- Internal salary equity

The Director will be evaluated using the most current North Carolina Principal's Evaluation Instrument.

The Director's Contract for Employment with the annual salary offered will be presented to the Director after approval of the annual evaluation and no later than the regularly scheduled board meeting in June. The Director will have two weeks from receipt of the Contract to respond to the Board of Directors in one of the following ways:

- Sign and return the Contract to accept the Contract
- Notify the Board of the desire to negotiate the salary or other terms of the Contract; all contract negotiations must be finalized by June 30.
- Notify the Board of decision to not accept the Contract (resignation)

**-Revised 2-19-2013**

## 540 Work Schedule

The designated school day for CFCI full-time faculty is minimally set at 7:55 am until 3:30 pm (unless the faculty member has morning duty, in which case the faculty member should be at school and ready for duty at 7:30 am). This time should be at the school location and include days that students are in attendance. The hours for designated teacher workdays and staff development days are 9:00am to 4:00pm. The designated school day for part-time faculty is determined by scheduling needs. Individual's schedules should be filed with the Director and Human Resources Coordinator. Any difference in time worked should be submitted to the HRC on the appropriate form.

Leave forms must be completed every time a faculty member uses his or her leave to cover absences from work. Absences covered by annual leave built into the school calendar do not have to be recorded using the Leave form. (e.g. Christmas break, spring break). Annual leave, personal leave and professional leave should be reported as early as possible (at least one week in advance) for record keeping purposes. Leave forms should be completed for teacher workdays if the employee will not be working that day. Scheduled sick leave (e.g. doctor's appointments) should be completed in advance. Sick leave days should be reported immediately upon return to work.

If there is a reason why an employee's schedule is to vary from the stated schedule, he or she is expected to complete a leave form whether a substitute is needed or not. The employee is to:

1. Contact the Director prior to 8:00am on the day leave will apply.
2. Make arrangements for a substitute teacher for that day if applicable.
3. Complete a leave form, in advance if possible. If advance notice is not possible, the leave form should be completed the first day back to work.
4. Have all professional leave days pre-approved by the Curriculum Coordinator and/or Life-long Learning Committee.

If there is reason for an employee to work at a location other than the school site, a written request should be submitted to the Director one week prior to the event. The request must include reason for work away from school building and a means of contact.

It is the responsibility of the faculty member to keep an accurate record of his or her time and to ensure the timely completion and submission of forms to the Director for leave records. If leave forms are not submitted, it will be assumed that the leave is without pay.

## 545 Employee Benefits

**a. School Design and Function** - A benefit to CFCI employees is the right to be involved in decisions related to school function, limited only by issues of confidentiality. As well as being a right, it is a contractual responsibility for faculty to participate in the decision-making processes that establish policy for the school. Employees also serve as members and/or liaisons to standing Board committees, being responsible to facilitate communication regarding relevant issues between Board and faculty.

**b. Child Placement** - Children of any full time employees of CFCI receive priority placement ahead of siblings in the lottery process for admission.

**c. Federal/State Income Tax & Social Security** - CFCI withholds federal and state income taxes for full and part time employees, as per each employee's W4 and NC4 information. Employees must complete a W4 and NC4 upon employment, with a new form completed each calendar year. Employees also contribute a set amount each month to the Social Security System. For more information, contact the federal or state department of revenue or the local Social Security Office.

**d. Leave** - The leave policy addresses various types of leave, accrual rates and usage guidelines for those types of leave, as well as rights and responsibilities of the Board and employees regarding leave. The leave policy is under a separate heading in the Faculty Handbook.

**e. Retirement** - Full time employees of Cape Fear Center for Inquiry participate in the North Carolina State Employees Retirement System. Employees who were members of this retirement system in LEA's where previously employed will have continued membership in the system. Upon completion of forms at CFCI, new hires will be enrolled upon employment and are responsible for completing an enrollment form.

Contributions to individual retirement accounts are made as a benefit to the employee by Cape Fear Center for Inquiry at a rate set by the State of NC. Employee contributions are also as set by the State of NC. Guidelines for the use and distribution of retirement funds are available by contacting the retirement system administrator. An employee is assigned an active retirement account number upon enrollment. Contact the retirement system at 9197334191.

### **f. Health Insurance**

Cape Fear Center for Inquiry provides health insurance for all full time employees through Blue Cross/Blue Shield of North Carolina Teachers' and State Employees' Comprehensive Major Medical Plan. The annual premium for the 70/30 Basic Plan is paid for by Cape Fear Center for Inquiry for the employee only. Coverage for the 80/20 Standard Plan and additional family members is available for an additional premium through payroll deduction.

### **f. Health Insurance (cont.)**

An employee may choose not to participate in the health insurance plan, however, the employee will not retain the right to the yearly premium if he/she opts out. Upon employment, it is the employee's responsibility to complete the enrollment form. The employee's social security number serves as his or her membership number unless otherwise indicated by the member.

Additional information on specific coverage of the health insurance is published in Your Health Benefits. Contact the health insurance provider at 8004224658 or visit the website at [WWW.shpnc.org](http://WWW.shpnc.org)

**g. Workers' Compensation**

Cape Fear Center for Inquiry retains a Workers' Compensation insurance policy. This policy ensures that employees injured on the job are provided compensation in accordance with the Workers' Compensation Act. An employee is entitled to medical benefits and compensation for occupational injury or disease as defined and provided for in the policy and by law.

**h. Supplemental Insurance (Cafeteria Benefits Program)**

Supplemental insurance with employee paid premiums is available through a cafeteria benefits program. The employee may enroll upon employment. Employees who wish to change enrollment status must make changes during the change period, as set each year.

**i. Supplemental Retirement/Annuity Option**

403(b), pre-tax annuities, is an option for employees of CFCI. A contribution to an annuity is taken out of your pay before taxes and sent to your 403(b) plan administrator. Any company approved by the Board of Directors can administer 403(b) programs for CFCI employees. Participation in the NC 401(k) program is also an option for employees. Participation in either a 403(b) or the NC 401(k) is entirely employee funded, no employer matching funding is provided.

To enroll in either a 403(b) or the NC 401(k), you must contact the program representative and complete appropriate paperwork with that representative. A copy of this paperwork should be given to the Human Resource Coordinator for processing.

**j. Credit Union Membership Option**

Employees of CFCI have the option to become members of North Carolina State Employees Credit Union. To become a member, the employee must show verification of state employment (your check stub and insurance card), and must comply with the credit unions membership requirements.

**k. Direct Deposit**

Employees can have their monthly check deposited directly into the account and bank of choice. A direct deposit form must be completed and can be obtained from the Human Resources Coordinator.

Revised 7-15-2014

## 550 Leave General Information

### Definitions

#### **Full-time Employee**

A full-time employee is one whose regular work week is the number of hours set as full time in his or her class of work, but not less than 30 hours per week. Full-time employees earn leave at the rates indicated below.

#### **Part-time Employee**

A part-time employee is one whose regular work week is the number of hours indicated for his or her class of work, but not more than 29 hours per week. Leave options will not be made available to part-time employees.

#### **Teacher Interns**

Student teachers are not employees of CFCI and therefore, leave options are not made available to them.

### Recording Leave Units

Leave may be recorded in one half days or whole days. A leave record for each employee will be maintained in the Human Resources Coordinator office.

### Eligibility and Rate of Earning

All full-time employees who work or are paid leave (including paid holidays and workers' compensation) for one half or more of the workdays in a monthly pay period are entitled to earn annual vacation leave at the same rate provided for State employees.

The rate of earning is based on the length of State service as follows:

<b>Years of State Service</b>	<b>Days Per Month Earned</b>
Less than 5 years	1.17
5 but less than 10 years	1.42
10 but less than 15 years	1.67
15 but less than 20 years	1.92
20 years or more	2.17

**Revised 10-18-2011**

## **552 Annual Vacation Leave**

### **Purpose**

The purpose of paid annual vacation leave is to allow and encourage all employees to renew their physical and mental capabilities and to remain fully productive.

### **Use of Annual Vacation Leave**

- a. All annual vacation leave taken must have advance notice via a leave request form. This request will be approved by the Director.
- b. Annual vacation leave may be used in one half days or whole days.
- c. Classroom teachers may take up to two annual leave days per school year during the time that students are scheduled to be in attendance without incurring the personal cost of a substitute. Additional days may be incurred in the event of catastrophic illness of the employee or leave for new parents – under the respective leave categories. Instructional personnel who do not require a substitute may, with prior approval, take annual vacation leave on any day school is in session.
- d. Annual vacation leave may be used in lieu of sick leave. Instructional personnel who require substitutes are subject to the restrictions set forth in paragraph C above.
- e. Employees may elect to use annual vacation leave for absences due to adverse weather conditions only on days when students are not required to attend school due to the adverse weather conditions.

### **Accumulation/Conversion to Sick Leave**

Annual vacation leave may be accumulated without any applicable maximum until June 30 of each calendar year. On June 30 accumulated annual vacation leave in excess of 30 days will be converted to sick leave so that only 30 workdays of annual vacation leave are carried forward to July 1 of each year.

### **Transfer of Annual Vacation Leave**

Employees transferring from other LEAs or state agencies should request a lump sum payout of all accumulated Annual Leave from that LEA or agency. CFCI will not accept, credit or transfer in any Annual Leave.

### **Separation from Employment**

- a. Lump Sum Payment: An employee must be paid in a lump sum for accumulated annual vacation leave earned while an employee of CFCI, not to exceed a maximum of 30 days or 240 hours, upon separation from service from CFCI. Separation from service includes resignation, dismissal, reduction-in-force, death, service retirement, beginning long-term disability benefit, or change to temporary status.

- b. Leave deficit: If an employee separating from service is overdrawn with respect to annual vacation leave, a deduction in the appropriate amount must be made from the employee's final paycheck.
- c. Retirement: A deduction for retirement must be made from all lump sum payments of annual vacation leave. Receipt of lump sum leave payment and retirement benefits is not considered to be dual compensation.
- d. Claims on behalf of deceased employee: In the case of a deceased employee, unused annual vacation leave up to a maximum of 30 days or 240 hours must be paid to the deceased employee's administrator or executor upon the establishment of a valid claim. The claim must be made to the Clerk of Superior Court in the county of the deceased employee's residence.

### **Catastrophic Illness**

Instructional personnel who require substitutes may take annual vacation leave at a time when students are scheduled to be in attendance if the leave is due to a catastrophic illness of the employee and if all the employee's available sick leave has been exhausted.

The leave is available only for the employee's personal illness.

The Director and Human Resources Coordinator shall determine whether an illness is catastrophic by considering such factors as:

- The debilitating nature of the condition;
- The life threatening potential of the condition;
- The duration of the condition;
- The monetary hardship incurred because of the condition;
- The expected length of the leave; and
- Other options available to the employee, such as State disability.

The Director will inform the CFCI Board of Directors when it has been determined that an employee qualifies for use of annual leave for catastrophic illness.

### **Annual Vacation Leave for New Parents**

- a. A teacher may use annual vacation leave, personal leave, or leave without pay to care for a newborn child or for a child placed with the teacher for adoption or foster care. Use of annual vacation leave for this purpose is not limited to days when students are not scheduled to be in attendance.
- b. The leave must be for consecutive workdays during the first 12 months after the date of the birth or placement of the child, unless the teacher and Board of Directors agree otherwise.

Revised 12-15-2009



## **554 Sick Leave**

### **Eligibility and Rate of Earning**

- a. All permanent, full-time employees working or on paid leave (including paid holidays and workers' compensation) for one half or more of the workdays in any monthly pay period earn one sick day per month or the number of hours worked daily by a full-time employee in that class of work up to a maximum of eight hours.
- b. Sick leave must be used in one half days or whole days. Only sick leave taken on an employee's workday shall be deducted from the employee's sick leave balance.
- c. Sick leave may be accumulated indefinitely.

### **Purposes for Which Sick Leave May Be Used**

Sick Leave may be used for:

- a. Any actual period of temporary disability caused by or contributed to by personal illness or injury which prevents an employee from performing his or her usual duties. Sick leave due to pregnancy, miscarriage, abortion, childbirth, or postnatal recovery must be treated in the same manner as any other temporary disability. Sick leave may be used during the 60day-waiting period for short-term disability or in lieu of short-term disability benefits.
- b. Medical appointments of the employee.
- c. Illness in the immediate family and medical appointments related to the illness that necessitates the employee's attendance.

Immediate family defined for using sick leave includes the employee's spouse; children; parents; and dependents living in the employee's household. Also included are brothers, sisters, grandparents and grandchildren and step relationships.

- d. Death in the immediate family, which is defined for this purpose as the employee's spouse; children; parents; brother; sister; grandparents; and grandchildren. Also included are step, half and in-law relationships.
- e. The length of leave granted for illness or death in the immediate family is determined by the local administrative unit based on individual employee need.
- f. Whenever possible, employees should give 30 days advance notice of plans to take sick leave for elective medical or surgical procedures or for childbirth.

### **Limitations on Sick Leave**

Sick leave may not be used while on leave without pay or on holidays and annual vacation leave days scheduled in the school calendar. An absence covered by workers' compensation is not considered to be a leave without pay.

Sick leave may be used on any workday or student day including the first day employees in permanent positions report to work.

### **Advancement of Sick Leave**

An employee may have advanced to his or her credit during the school year the number of days of sick leave to which he or she is entitled for that school year.

### **Reinstatement Following Sick Leave**

When the period of temporary disability does not exceed 30 working days, the employee shall be reinstated to his or her position at the termination of the period of temporary disability. When the period of temporary disability exceeds 30 working days, the Board of Directors shall determine when/where the employee is to be reinstated based on a consideration of the welfare of the students and the need for continuity of instruction.

### **Transfer of Sick Leave and Personal Leave**

Unused Sick Leave and Personal Leave **IS NOT** transferable from other LEAs or state government agencies to CFCI, with the exception of e. below.

Under G.S. 115C-238.29F(e)(3), if a teacher leaves a LEA or other state agency to work at a charter school, any accumulated Sick Leave and Personal Leave balances are held by the local board of education or agency for 60 months from the date of separation/resignation.

- a. If the teacher returns to work with a NC traditional public school during the 60 months, the sick and personal leave will be reinstated.
- b. If the teacher retires in the Teachers' and State Employees Retirement System during the 60 months, the sick leave is recovered and applied as State service for retirement.
- c. If the teacher goes to work for a State agency during the 60 months, that State agency may accept all, some or none of the sick leave balance.
- d. After 60 months from the date of separation, the sick leave and personal leave balances cease to exist.
- e. If a teacher has been with CFCI for 5 years and has a sick leave balance at another LEA that will cease to exist, CFCI will accept up to 30 days of that sick leave balance to be credited to their sick leave balance at CFCI.

### **Sick Leave and Personal Leave Upon Separation**

- a. In the event an employee separates from service before earning sick leave or personal leave that has been advanced, a deduction will be made from the final salary check for the total unearned sick leave and personal leave used.

- b. Accumulated sick leave and personal leave earned while at CFCI **CANNOT BE** transferred to other LEAs or state agencies
- c. Accumulated sick leave earned while at CFCI does count as creditable service towards retirement. The retiring employee must request CFCI to provide the verification of accumulated sick days to the state retirement system. One month of credit is allowed for each 20 days of unused sick leave upon retirement. One more month is allowed for any part of 20 days left over. The maximum number of sick days that can be added at retirement is 12 days for each year of membership service. Sick leave converted from excess annual vacation leave is also creditable, subject to the maximum of 12 days for each year of service.
- d. At separation, accumulated sick leave and personal leave earned while at CFCI will be held by CFCI for a period of 60 months from the date of separation. If a teacher returns to service at CFCI during the 60 months, the sick leave and personal leave balances will be reinstated. If a teacher retires during the 60 months, the accumulated sick leave can count as creditable service. The retiring employee must request CFCI to provide the verification of accumulated sick days to the state retirement system.
- e. After 60 months from separation from CFCI, the sick leave and personal leave balances cease to exist.

#### **Payout of Sick Leave**

There is only one payout of sick leave allowed. Prior to receiving long-term disability benefits, an employee approved for long-term disability must be paid in lump sum for any accumulated, unused sick leave.

No other payout of sick leave is allowed. At retirement, unused sick leave is credited to retirement service.

#### **Extended Sick Leave**

Permanent fulltime personnel, who are absent due to their own personal illness or injury in excess of their accumulated sick leave may request extended sick leave of up to 20 workdays throughout the regular term of employment. Leave will be granted at the discretion of the Board of Directors.

Revised 9-15-2018

## **556 Personal Leave**

### **Personal Leave Earned**

Classroom teachers and school specialists classified as permanent full-time employees earn Personal Leave. All such permanent full-time instructional personnel earn personal leave at the rate of .20 days for each full month of employment not to exceed two (2) days per year.

### **Limitations on Personal Leave**

- a. Personal leave shall not be allowed in excess of the number of days earned and should be used with due and proper consideration given to the welfare of the students and teachers alike and shall not be advanced.
- b. When an employee resigns or separates from service, personal leave will not be paid out.
- c. Personal leave may be used only upon the authorization of the Director or designee. A teacher shall not take personal leave on the first day the teacher is required to report for the school year, on a required teacher workday, or on days scheduled for State testing, unless the request is approved by the Director. On all other days, if the request is made at least five days in advance, the request shall be automatically granted subject to the availability of a substitute teacher, and the teacher cannot be required to provide a reason for the request.

### **Personal Leave Increments**

Leave is to be used in one half or whole day units.

### **Accumulation**

Personal leave may be accumulated for a maximum of five days. Thereafter, earnings will cease to be accumulated until the employee reduces the leave balance through use.

### **Deduction for Substitute**

When used on a pupil attendance day, employees receive full salary less the appropriate substitute pay. . If, however, no substitute is hired for the teacher, no substitute deduction will be taken from the teacher's pay. When used on a non pupil attendance day, such as a teacher workday, no deduction for a substitute will occur.

### **Transfer of Personal Leave and Impact of Separation of Service**

See sections in Sick Leave for explanation of policies regarding this.

## 558 Holiday Leave

### **Paid Legal Holidays**

Permanent full-time employees will receive pay for the same number of legal holidays occurring within the period of employment as those designated by the Personnel Commission for State Employees. Paid holidays are granted only to employees who are in the position on the day on which the holiday is scheduled.

Note: This includes Independence Day for summer month's employment.

The Board of Directors determines when holidays are scheduled in the school calendar. The State Personnel Commission designates the following holidays for State Employees:

New Years Day

Martin Luther King, Jr.'s Birthday

Good Friday

Memorial Day

Independence Day

Labor Day

Veteran's Day

Thanksgiving Day – Two Days

Christmas – Two days when Christmas falls on Friday, Saturday, Sunday or Monday. Three days when Christmas falls on Tuesday, Wednesday, or Thursday.

### **Observance of Bona Fide Religious Holidays**

Absence from school for bona fide religious holidays may be allowed for a maximum of two days within any one school year with prior approval from the Board of Directors. Days designated may not be already scheduled as vacation or other holidays in the school calendar. Absence for these religious holidays will be with full pay.

The employee must agree to make up the amount of time for which her or her absence has been excused. The time must be made up at a time agreed upon by the employee and the school Director.

When a substitute is employed on these holidays, payment must be made from the same source of funds as the employee's salary.

## **560 Professional Leave**

### **Eligibility**

Only full-time employees are eligible for professional and educational leave. Educational leave may be granted at the discretion of the Board of Directors.

### **Professional Leave with Deduction**

Permanent public school employees who have professional responsibilities or who need to attend meetings of professional associations may be absent with pay minus a salary deduction for substitute teachers.

### **Professional Leave Without Deduction**

Permanent public school employees attending meetings or performing duties as a member of the State Board of Education (SBE), the Board of Governors, or the Professional Review Committee shall receive full salary. Permanent public school employees completing assignments for, or serving on a commission or committee appointed by the Governor, the SBE, or the General Assembly, shall receive full salary. Substitutes for these persons will be paid from state funds. Permanent public school employees who have professional responsibilities or who need to attend meetings of professional associations may be absent with pay at the discretion of the Board. Employees who must be away from school to attend matters at the request of the Board shall receive full pay.

### **Officers of Professional Organizations**

Upon the recommendation of the Board of Directors, leave with pay may be granted for elected officers of professional organizations, provided the organization pays the full salary and all benefit costs for the employee on leave. During such leaves with pay, the employee will earn sick, personal, and annual vacation leave and receive paid holidays. Employees will be eligible to use leave as they would when in active status with the school.

## **561 Education and Travel Extended Leave Policy**

From time to time, school employees may desire an extended leave of absence from their duties at CFCI. Extended leave includes but may not be limited to pursuit of a graduate degree; travel; writing a book; conducting research; or teaching at another school.

Employees wishing to take an extended leave of absence from CFCI must submit their request in writing to the Director 4 months prior to the start date of requested leave. The Director, after careful review of the request, will make a recommendation to the Board of Directors.

**The following criteria must be met and should be addressed in the request for leave:**

1. The employee will show that this opportunity cannot be fulfilled while still maintaining their employment at CFCI (i.e., graduate school in another state, travel to a foreign country, etc.)
2. The employee will show that the CFCI community will benefit from his/her participation in the activity and how that will be accomplished.
3. The employee will explain why this leave of absence is desired.
4. The employee has been at CFCI for a minimum of two years. Teachers must have a minimum of 5 years teaching experience (according to their license), but only the two most recent must be at CFCI.
5. The employee has not taken extended leave from CFCI within the last five years, per this policy.
6. The employee must be able to document that their job performance at CFCI has been successful in accordance with established policies.
7. Only one employee per loop level or similarly grouped job designation may be on leave per year.
8. If leave is granted, all personal property must be removed from the school and all school property must remain. The school is not responsible for any property left behind.
9. The employee will submit a written update of the leave connected activities every three months.

The employee must inform the Director of the purpose and length of the leave and the benefit from the experience to CFCI.

If extended leave is granted by the Board of Directors, an interim employee will be hired to fill the absent employee's position. The absent employee will sign a contract stating that their position will be available to him/her upon return as long as the leave is no longer than one year and all criteria of the leave are met.

During the extended leave time, no salary or benefits will be continued for the absent employee. No vacation leave, sick leave, or personal days will be accrued or can be cashed in. Retirement will not be contributed to during the absence and no health insurance premiums will be paid by CFCI.

If at any time during the leave the absent employee chooses not to fulfill the purpose of the leave, he/she forfeits the right to return to CFCI.

**Approved 8-18-09**



## **562 Civic Responsibility/Service Leave**

### **Community Responsibility**

Upon approval of the Director, full-time or part-time employees may be granted leave to represent the school at community functions such as the funeral of a school child or his/her parent. Employees absent for these reasons shall retain full salary during days absent. Satisfactory arrangements shall be made to ensure the proper continuation of the employee's regular work.

### **Jury Duty**

Full-time or part-time salaried employees retain full salaries when absent from work to serve on a jury. The employee is entitled to their regular compensation in addition to payment for jury duty. Substitutes employed for these absences shall be paid from the same source as the employee's salary. Hourly employees are not included in this provision.

### **Court Attendance**

- a. Attendance by duty or subpoena: Employees retain full salary for absences from school due to court attendance related to their official duty. The employee also will receive full salary when subpoenaed, except as noted in section (b). Out-of-state subpoenas are not binding on North Carolina residents, unless that state and North Carolina have an interstate subpoena agreement.
  
- b. Attendance for personal reasons: Employees who are absent for appearance in court as plaintiffs or defendants for personal matters, even if subpoenaed, shall not be entitled to receive any salary payment for those days, unless they are using appropriate, approved earned leave.

## **564 Child Involvement Leave**

Any full-time employee who is a parent, legal guardian or custodian or who has a school aged child may take up to four hours of paid leave per fiscal year to attend or otherwise be involved in that child's school.

The employee must use child involvement leave in one of the following settings:

A public school

A private church school, church or religious charter, or nonpublic school described in Parts 1 and 2 of Article 39 of Chapter 1 15C of the General Statutes that regularly provide a course of grade school instruction

Preschool

Child day care facility as defined in G.S. 11086(3)

Leave for involvement in child's school shall be granted under the following conditions:

That leave should be requested 48 hours in advance, if possible, of the time that the employee wishes to take the leave.

The Director must approve the leave.

Each employee shall be entitled to a maximum of four hours of leave, regardless of the number of school-aged children.

The employee may be requested to furnish written verification from the child's school for the time they attended or were otherwise involved at the school during the time of the leave.

Child involvement leave not taken within the fiscal year of employment shall be forfeited.

The employee shall not be entitled to payment for unused child involvement leave upon separation from the school.

## **566 Leave of Absence Without Pay**

### **Family and Medical Leave Act of 1993**

FMLA entitles an “eligible employee” to take job protected unpaid leave, or to substitute appropriate leave if the employee has earned or accrued it for up to a total of 12 workweeks in any 12 months for any one, or more, of the following reasons:

- To care for the employee’s child after birth, or placement for adoption or foster care;
- To care for the employee’s spouse, son or daughter, or parent who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee’s job.

An “eligible employee” is an employee who has been employed for at least 12 months and has been employed 1,250 hours during the 12 month period immediately preceding the commencement of the leave.

An employee shall be notified when they request leave that the leave will count against their annual FMLA leave entitlement. To determine the annual “12 month period” in which the 12 weeks of leave entitlement occurs a “rolling” 12 month period will be used. A “rolling” 12 month period is measured backward from the date an employee uses any FMLA leave.

While on FMLA leave the employee is entitled to continuation of employer paid benefits contributions for the 12 workweeks. The employee will continue to be responsible for employee costs and will receive written notification of costs due. Employees who fail to pay their applicable costs within the allowable 30day grace period can have coverage discontinued. The school may recover employer paid benefits contributions if the employee does not return to work for a reason other than the serious health condition of the employee or the employee’s immediate family member, or another reason beyond the employee’s control.

A 30day advance notice is required where possible. An employee must provide medical certification from a health care provider to substantiate that the leave is due to the serious health condition of the employee or the employee’s immediate family member. Failure to comply with these requirements may result in a delay in the start of the FMLA leave.

A certification of fitness to return to work may be required when the absence from work was caused by the employee’s serious health condition.

The employee will generally return to the same position or an equivalent position with equivalent pay, benefits, and working conditions at the conclusion of the leave. The school may deny job restoration to salaried eligible employees if such denial is necessary to prevent substantial and grievous economic injury to the operations of the school; or may delay restoration to an employee who fails to provide a “fitness for duty certificate” to return to work.

An eligible employee may choose to substitute paid leave for FMLA leave. If an employee does not choose to substitute accrued paid leave, the Board may require the employee to use vacation or personal leave for birth, adoption or providing foster care for a child and additional sick leave for serious health condition of self or spouse, son, daughter, or parent during the required 12 workweek period.

### **Family Leave (without pay)**

A regular employee may be granted a leave of absence up to one calendar year at the birth or adoption of a child. Written requests shall carry the written approval of the Board of Directors and be received at least 30 days in advance. Any exceptions must be shown to be due to unforeseeable circumstances.

When the dates for family leave requests are made, employees are encouraged to consider the welfare of the students and the needs for continuity of instruction to the extent possible.

When family leave is granted, an effort will be made to return the employee to a position comparable to the one he/she left.

### **Medical Leave (without pay)**

Medical leave may be granted upon written request and supporting documentation from a physician licensed to practice medicine. Approval from the Board of Directors is required.

### **Leave of Absence for Entire School Year**

If an employee is granted a leave of absence that is for an entire school year:

1. The employee will not be signed to any contract.
2. The person hired to fill the vacancy will be signed to a standard contract for that position.
3. The employee on leave will not be eligible for any benefits during the leave.
4. Any accrued leave balances that the employee on a year long leave has will be held until the employee returns to work.
5. The employee on year long leave is not eligible to request early return.
6. The employee on year long leave will retain the employee privilege priority in the enrollment lottery while out on leave.

**Revised 3-15-2011**

## **568 Voluntary Shared Leave**

### **Purpose**

The purpose of voluntary shared leave is to provide economic relief for employees who, by reason of prolonged absence or frequent short term absences, caused by serious medical conditions, are likely to suffer financial hardship.

### **Eligibility**

- a. Only permanent employees who have exhausted all accumulated paid leave (sick leave and annual vacation leave, if applicable) are eligible to receive donated leave. An employee need not exhaust personal leave to be eligible for voluntary shared leave.
- b. An employee who is receiving benefits from Disability Income Plan is not eligible to receive donated leave. Shared leave may be used during the required waiting period.
- c. The Board of Directors shall approve or disapprove all requests for receipt of donated leave.

### **Application**

An employee, who, due to a serious medical condition of self or his/her immediate family, faces a prolonged or frequent absence from work, may apply to the Board of Directors for donated leave. Application may also be made by a third person acting on the employee's behalf. The term "immediate family" as used herein means only the employee's spouse, children, (including step relationships) parents, or any other dependents residing in the employee's household.

- a. A doctor's statement must be attached to the application.
- b. A prospective recipient may make application for shared leave at such time as medical evidence is available to support the need for leave beyond the employee's available accumulated leave.

### **Donation of Leave**

- a. All leave donations must be to a designated employee approved by the Board of Directors for receipt of donated leave.
- b. All donations shall be in writing and signed by the donating employee. The employee to receive the donation of leave shall be named and the amount and type of leave donated shall be specified. For the purposes of voluntary shared leave, all leave donated will be credited to the recipient's sick leave account.
- c. The minimum amount to be donated is one half day.

- d. Any eligible employee may donate annual leave to any other employee of the school. A donating employee may not donate annual leave in an amount in excess of the amount that could be earned in one year. Additionally, the amount donated must not reduce the donor's annual leave balance below the amount needed to cover all Annual Leave days remaining in the current year.
- e. Sick leave may be donated only to an employee who is a member of the family of the donor. The term "family" as used herein means the employee's spouse, children, parents, including step relationship and any other dependents residing in the employee's home. A family member donor may not reduce his or her sick leave below one half of what that person could earn in a year.
- f. The donating employee may not receive compensation in any form for the donation of leave. Any employee found guilty of giving or receiving compensation may be subject to dismissal.
- g. An employee receiving pay from Workers' Compensation may use donated leave during the required waiting period.

#### **Length of Leave**

- a. The Board of Directors will determine the length of the leave. The leave granted may not exceed the maximum described below in (b). Under no circumstances may the use of voluntary shared leave exceed the employee's period of treatment and recovery.
- b. An employee may normally receive no more than 130 workdays of donated leave, either continuously or for the same condition on a recurring basis. After 130 workdays have been used, the Board of Directors may extend this limit on a month-to-month basis until the maximum number of workdays occurring between the first day of use of donated leave and twelve months have been used.

#### **Earning Leave While Using Voluntary Shared Leave**

- a. Holidays occurring while the employee is using donated shared leave will be paid. Annual vacation and sick leave will continue to be earned by the employee while he or she is using donated leave. Available earned leave accrued during the period must be used by the employee prior to continued use of any voluntary shared leave.
- b. An employee receiving pay from workers' compensation may use donated leave during the required waiting period and to supplement the workers' compensation.

#### **Unused Leave**

At the expiration of the period approved for voluntary shared leave as determined by the Board of Directors, any donated leave in excess of 40 hours must be returned on a pro rata basis to the donors.

**Revised 7-21-09**

## **569 Negative Leave Balances**

Leave balance refers to an employee's total accrued leave days, minus leave used for various reasons. A negative leave balance occurs when an employee has used more leave than he or she earned through the course of a year.

If a negative leave balance is obtained through no fault of the faculty member (i.e. based on start date, or a medical emergency for the employee or an immediate family member), CFCI will work with the individual regarding his or her balance. For negative balances due to start date, an adjustment will be made so that the negative leave balance does not exist.

However, if a balance is negative due to excess use of days, a payroll deduction will be made for each day's leave taken over that which is earned. This correction will be made at the end of the school year.

## 570 Licensure

CFCI requires that all teachers and the Director hold a valid teaching license from the NC Department of Public Instruction, or be actively seeking licensure in appropriate areas. In the event that a teacher is hired with a valid teaching license from another state, CFCI requires that he or she apply for and receive a NC license within three years of hire. Also, in the event that a teacher with a lapsed NC license is hired; he or she will also have three years to obtain a valid teaching license. Pursuant to No Child Left Behind legislation, licensure and ‘highly qualified teacher’ status will be considered in employee status.

The questions and answers provide below are based on best available information. Licensure rules, regulations, expectations and guidelines change regularly. The Human Resource Coordinator is available to help with questions and to provide assistance with licensure issues.

### **How do I qualify for a North Carolina license?**

The standard basis for licensure is the completion of an approved education program at an accredited college or university. Most out-of-state applicants qualify through reciprocity plans that allow educators from outside North Carolina to establish eligibility for licensing in North Carolina.

North Carolina recognized four teacher education and reciprocal licensing approaches:

1. Completion of an education program accredited by the National Council for Accreditation of Teacher Education (NCATE)
2. Completion of an education program that follows National Association of State Directors of Teacher Education and Certification (NASDTEC) standards
3. Reciprocity based on interstate agreements (North Carolina has reciprocal contracts with Alabama, Alaska, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Guam, Hawaii, Idaho, Illinois, Indiana, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Dakota, Ohio, Oklahoma, Oregon, Penn., Rhode Island, South Carolina, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wyoming).
4. Completion of a state-approved program not accredited by NCATE, approved through the interstate agreement, or based on NASDTEC guidelines.



### **How does reciprocity work?**

### **Am I eligible for the same areas of licensure that I hold in a reciprocal state?**

Reciprocity applies to the extent that out-of-state education programs are equivalent to the standards and guidelines of North Carolina's approved education programs. Reciprocity does not guarantee that all areas of licensure will transfer directly from one state to another, but you will be awarded the closest comparable North Carolina areas. In some cases, North Carolina grade levels differ from those on the license you hold from a reciprocal state, and such a difference may be reflected on your license. Certain requirements specific to North Carolina, such as the Praxis Series testing requirement, are not covered by reciprocity and must be met before a clear North Carolina license can be issued.

### **Will my North Carolina license ever have to be renewed?**

Continuing North Carolina licenses are valid for five years. To maintain a current license, the holder must earn ten semester hours or fifteen Continuing Education Units (CEU) of renewal credit during each five-year cycle, with all credit earned by the expiration date of the license. If the license expires, the same requirement for renewal or reinstatement applies: ten semester hours or fifteen units of renewal credit earned within a five-year period. A unit of renewal credit is equivalent to one quarter hour or one in-service credit from a North Carolina public school system.

### **Each license holder is responsible for knowing and satisfying license renewal requirements. Failure to renew a license makes one ineligible for employment.**

You should remember the following information about renewal requirements:

- The Licensure Section cannot accept renewal credits in units of less than one credit per course. Course work must be directly related to license holders' professional responsibilities as public school educators (e.g., classes in computers; reading; exceptional children; sign language; drug, alcohol, or child abuse; CPR; first aid; classroom management; stress management; assertiveness training; Newspapers in the Classroom; education; effective teacher training; second languages; and AIDS education) or to their area(s) of licensure.
- License holders employed in a North Carolina public school unit (or a nonpublic school authorized to administer staff development programs) should contact their superintendent, headmaster, or designated staff development coordinator about all renewal questions and recording of credits earned. Local units establish official

procedures for planning in-service courses or workshops and also maintain records of renewal credit earned by their employees.

### **How are CEU's recorded and documented?**

Teachers are responsible for providing documentation of CEU's earned to the Human Resources Coordinator (HRC). Documentation might be a copy of certificate, transcript, or other verification provided by sponsoring agency. For CEU's earned at in school activities, the Curriculum Coordinator will provide a list of participants and hours to the HRC.

Individual teachers should keep copies of all CEU's documentation as a back up and in case of questions.

The HRC will maintain a data base of CEU's for each certified staff member. A printout of CEU's earned will be made available to the staff member upon request. New staff member should provide to the HRC a copy of CEU's earned at previous LEA. The HRC will attach this to the teacher's new CFCI CEU record.

### **If you have questions about renewing your license?**

DPI's Licensure Section is available to answer your questions.

- Phone: **1-800-577-7994** (callers within North Carolina) or **919-807-3310** (callers outside North Carolina)
- Visit the website at [www.dpi.nc.us](http://www.dpi.nc.us) and go to the Licensure Section.
- Ask the Human Resources Coordinator for help.

### **How do I get copies of any form I need?**

Visit the website at [www.dpi.nc.us](http://www.dpi.nc.us) and go to the Licensure Section, click on FORMS, or ask the Human Resources Coordinator for help

### **How do I upgrade the educational levels of an existing license?**

You will need the following:

- An evaluation fee of \$55.00. You may pay by personal check, money order, or certified check (made payable to the NC Department of Public Instruction) or by Visa or MasterCard. To pay by credit card, fill out the credit card payment form.
- Form V (Verification by Institution: Completion of Approved Education Program.) This form is to be filled out by the Dean of Education or Licensure Officer of the college/university where you completed your advanced degree
- Transcripts of any degree not already on file in DPI's Licensure Section. Original transcripts must show the type of degree and the date it was awarded.

### **How do I add an area of licensure to an existing license?**

- An evaluation fee of \$55.00. You may pay by personal check, money order, or certified check (made payable to the NC Department of Public Instruction) or by Visa or MasterCard. To pay by credit card, fill out: [Form for Paying Licensure Fees by Credit Card](#)
- Form V (Verification by Institution: Completion of Approved Education Program.) This form is to be completed by the college or university at which you finished your education program. If you hold an out-of-state license in the area to be added, you may submit a copy of that license instead of Form V. However, Form V is sometimes necessary in addition to an out-of-state license in order to establish eligibility.
- Transcripts of earned degrees or course work leading to eligibility for an additional area of licensure. If an additional degree was earned to add the area, transcripts must show the type of degree and the date it was awarded. (Send original transcripts.)
- Specialty area or subject assessment scores if a Praxis Test is required for the area being added. Individuals who complete an out-of-state education program may submit the application without a test score. You will be issued a temporary permit valid until June 30 of the school year in which the license is issued to meet testing requirements.

**Please mail the documents in a 9 x 12 envelope to:**

- Department of Public Instruction  
6365 Mail Service Center  
Raleigh, NC 27699-6365
- Have the HRC review forms and documents before mailing

## **574 Initial Licensure Program (ILP)**

### **North Carolina Beginning Teacher Induction Program**

#### **Introduction and Management of the Program**

The Beginning Teacher Support Program/Initial Licensure Plan (ILP) is a formalized support program and an assessment of novice teachers as required for professional licensure per NC State Board Policy QP-A-004. At the end of this initial licensure period, the beginning teacher is granted or denied a professional/continuing license based on performance. If continuing license is granted, it is issued with a five year dating cycle. The fundamental purpose of the ILP is to offer support for individual's professional growth during the first three years of employment at CFCI.

Teachers with fewer than three years of experience (normally considered to be public school experience) are issued an initial licensure and must participate in the ILP. Teacher from states not included in North Carolina reciprocity agreements must participate in an ILP regardless of their length of experience.

Each BT (Beginning Teacher) at CFCI is evaluated through four (4) formal observations. Three observations are completed by the building director/administrator and one may be held by the qualified administrator designee who is currently the Curriculum Coordinator. Each observation is to include pre-observation conference, data collection, and post-observation conference.

Below is a listing of the components of the CFCI Beginning Teacher Support Program/Initial Licensure Plan (ILP). A more detailed explanation and sample forms etc. can be found in the CFCI Staff Handbook or by consulting the Director or Curriculum Coordinator.

#### **Eligibility**

#### **Formal Orientation**

#### **Compliance with Optimal Working Conditions for BTs**

#### **Mentor Selection Criteria**

#### **Observations/Evaluation**

#### **IGP**

#### **Beginning Teacher Files**

#### **Services and Technical Assistance**

#### **Plan Evaluation**

## **576 Professional Development At CFCI**

Professional Development at CFCI has many different components. These components work together for the improvement of each individual teacher as well as the learning community as a whole. Teachers are respected as professional, reflective decision-makers and are encouraged to continue their education as life-long learners. Teachers attend workshops and conferences, conduct workshops, participate in studies of professional literature, write about their teaching and take part in professional discussions with colleagues.

The Life-Long Learning committee accepts the responsibility to review and endorse opportunity proposals to forward to the Business Operations Coordinator for funding. In order to receive funding and credit for these activities, staff members must complete Professional Development Opportunity Proposal Form and give it to the Life-Long Learning Committee in advance.

Professional Development Activities can include:

- Professional Inquiry Project (PIP)
- Personal Initiatives such as workshops
- Licensure completion including ILT and BT activities
- Professional Development System activities with UNCW
- Self Evaluations and Peer Observations
- Literature Studies
- Training provided at staff meetings and during workdays

## **580 Credit For Years of Experience for Teachers and Director**

NC DPI **does NOT** automatically credit teachers for years experience at a charter school. A Form E must be completed to have years at CFCI added to a license. It is recommended that this be done every five years as a part of license renewal OR at separation of service (resignation, termination or retirement). The Human Resources Coordinator can assist with this process.

Previous years of experience that are properly documented in an out of state school are creditable under the same criteria as experience in a NC school. A Verification of Experience Form E should be filled out and submitted to the NC Department of Public Instruction. Years of experience are granted based on the decision of the NC Department of Public Instruction.

## **587 ADMINISTRATIVE LEAVE WITH PAY and SUSPENSION WITHOUT PAY**

There are times in the operation of CFCI that immediate action needs to be taken to protect the safety, security and orderly functioning of the school. In order to effectively respond to such situations, the Board grants the following authority to the Director or Designee.

### **ADMINISTRATIVE LEAVE WITH PAY**

The Director can assign Administrative Leave to any employee WITH PAY for up to 5 work days. Written notice will be given to the employee within 5 days of the suspension that states the reason for the Administrative Leave and the length of the Administrative Leave with pay. During the period of Administrative Leave with pay the employee is not to come on school grounds. During the period of the Administrative Leave with pay the Director will conduct an investigation of the situation to determine if any other action is needed. The employee will be given the opportunity to submit a response in writing within 5 days of receiving the notice from the Director.

### **SUSPENSION WITHOUT PAY**

The Director can suspend any employee WITHOUT PAY for up to 20 work days. Written notice will be given to the employee that states the reason for and the length of the suspension without pay. During the period of suspension without pay the employee is not to come on school grounds.

The Director is required to provide a written report of the suspension without pay to the Board of Directors at least 5 days prior to the next regularly scheduled Board meeting if possible. The report will include the employee's name, dates, and reason for the suspension without pay. The report may also include any recommendations regarding future employment for the named employee. A copy of the report will be given to the named employee and the employee will be given an opportunity to submit a response in writing within 5 days of receiving the report. If the employee submits a response, that response will be forwarded to the Board.

Adopted 3-17-2020