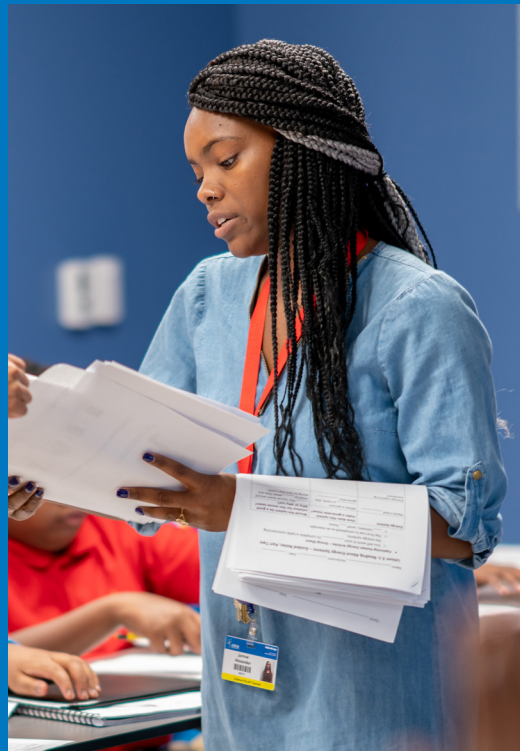


IPS

ENTERPRISES, INC

EMPLOYEE HANDBOOK

2022 - 2023



FLORIDA EDITION

WELCOME TO IPS ENTERPRISES, Inc

Dear Team & Family Member:

Welcome to the IPS Enterprises network. IPS's charter school network consists of several inter-related entities and affiliated nonprofit organizations. IPS Enterprises (the Charter Management Organization) is a wholly controlled nonprofit created by IPS Public Schools, established in 2016 to enable expansion outside of Texas. IDEA Florida Inc. is the not-for-profit entity that holds the charters for the IDEA Florida schools, employs the Florida Principals and has an agreement with IPS to manage the Florida Schools. Your employment (including pay and benefits) for work done on behalf of the IPS network is through the CMO. This handbook applies to all Florida employees of IPS or IDEA Florida. You are the most important part of helping us achieve our mission – to prepare all students for success by gaining admission to and graduating from a four-year college or university of their choice. “IPS” terminology refers to IDEA FL employees if unspecified.

This handbook contains information about IPS Enterprises/IDEA Florida employment policies and practices. We have designed our employment policies and practices not only to comply with federal and state employment laws, but also to attract, develop, and reward talented educators, administrators, support staff, and leaders.

This handbook supersedes all previously issued handbooks and is a valuable reference for understanding your job at IPS Enterprises. Each employee is expected to read this handbook carefully and know and abide by the policies outlined herein as revised over time, throughout your employment. No oral statement or representations can change the provisions of this handbook. IPS Enterprises reserves the right to revise, delete, and add to the provisions of this handbook. Nothing in this handbook creates an employment contract, constitutes a legally binding agreement, or alters your contractual or “at will” status of employment in any way.

If you have any questions, regarding the contents of this handbook or any other policy or procedure, please contact your principal, supervisor, or the Human Resources department. This Employee Handbook can also be accessed via the Human Resources HUB page.

Please sign the acknowledgement form in Tyler-Munis Employee Self-Service indicating that you agree to read and abide by the policies and procedures outlined in this handbook. This acknowledgement will also provide IPS with a record that each employee has been provided access to an online version of this handbook and/or has received instructions on how to obtain a printed copy of the handbook.

Sincerely,

Martin Winchester
Chief Human Assets Officer



ACKNOWLEDGEMENT OF RECEIPT OF HANDBOOK

All IPS/IDEA FL staff will complete electronic acknowledgement of the 2022-2023 Handbook in Tyler-Munis Employee Self-Service certifying the following:

I hereby acknowledge receipt of the IPS Enterprises Employee Handbook. I agree to read the handbook and abide by the standards, policies, and procedures defined or referenced in this document. An electronic version of the Employee Handbook can be accessed online on the Human Resources HUB page.

I hereby certify that I understand that it is my responsibility to read the electronic version of the Employee Handbook and understand the information contained within. I further understand it is my responsibility to notify the Human Resources department or my direct manager and request a printed copy of the Employee Handbook, should access to the electronic version not be personally accessible.

The information in this Employee Handbook is subject to change. I understand that changes IDEA policies or procedures may supersede, modify, or render obsolete the information summarized in this Employee Handbook. As IPS Enterprises provides updated policy information, I accept responsibility for reading and abiding by the changes. The most current version of this Employee Handbook and the one then in effect will always be posted on the Human Resources HUB page.

I understand that this Employee Handbook does not create an employment contract or a legally binding agreement, and that no modifications or alterations of my at-will employment relationship are intended or effectuated by this Employee Handbook. Additionally, in the event of any inconsistency between the information, policies, and benefits described in this Employee Handbook and my employment agreement, the terms described in my employment agreement shall control.

I understand that I have an obligation to timely inform Human Resources of any changes in personal information, such as phone number, address, etc. I also accept responsibility for contacting my supervisor or the Human Resources department if I have any questions or concerns or need further explanation concerning the contents of this Employee Handbook or my employment.

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PART 1. ORGANIZATION INFORMATION

1.1 History

IDEA Academy in Donna, Texas was founded in 1998 as an after-school program to combat educational deficiencies seen in the Rio Grande Valley. The program saw quick success, and the state granted a charter to IDEA in 2000.

Success and expansion in the Rio Grande Valley followed, and in August 2012, IDEA took its mission beyond the RGV and launched schools in Austin and San Antonio. IDEA has since established schools in El Paso, Tarrant County, the Permian Basin, Houston, Southern Louisiana, and Florida. Another regional launch will occur this year in Cincinnati, Ohio. Currently, IDEA serves more than 70,000 college-bound students, has been recognized as a Great Place to Work®, and has received national rankings on *The Washington Post* and *U.S. News & World Report's* Top High Schools lists.

1.2 Organizational Values

Mission

IPS Public Schools prepares students from underserved communities for success in college and citizenship.

Vision

To ensure students reach their potential, IPS Public Schools will become the region's largest creator of college graduates.

Core Values

Our drive to translate our mission and vision into reality is based upon the following core values:

- We achieve **Academic Excellence**
- We deliver **Results**
- We ensure **Equity**
- We build **Team & Family**
- We act with **Integrity**
- We bring **Joy**
- We **Sweat the Small Stuff**

1.3 IPS Headquarters Information

2115 W. Pike Blvd.
Weslaco, TX 78596
956.377.8000

1.4 Handbook Priority

This Employee Handbook and Code of Conduct shall supersede all other campus or department handbooks or codes of conduct, but if anything in this handbook is contrary to Florida or Federal law, the applicable law will control.

PART 2. EMPLOYMENT PRACTICES

2.1 Equal Employment Opportunity

IPS Enterprises is an equal opportunity employer and makes employment decisions based on merit and in accordance with applicable Florida and federal law. IPS policy prohibits unlawful discrimination on the basis of race, color, national origin, religion, gender, sexual orientation, gender identity and expression, disability, military or veteran status, genetic information, or age in its employment practices as required by Titles VI and VII of the Civil Rights Act of 1964, as amended; Title IX of the Education Amendments of 1972; Title I and Title V of the Americans with Disabilities Act of 1990, as amended (“ADA”); the Age Discrimination in Education Act of 1975, as amended (“ADEA”); Section 504 of the Rehabilitation Act of 1973, as amended; the Genetic Information Nondiscrimination Act of 2008 (“GINA”); and any other legally-protected classification or status protected by federal, state, or local law, including, but not limited to, sickle cell trait and tobacco use. Additionally, IPS does not discriminate against an employee or applicant who acts to oppose such discrimination or participates in the investigation of a complaint related to an alleged discriminatory employment practice.

IPS promotes a positive, productive work environment within which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal opportunity and prohibits unlawful discriminatory practices for any reason. It is the responsibility of every employee to conscientiously follow this policy.

Employees can raise concerns and make reports without fear of reprisal. Employees with questions or concerns relating to equal employment opportunity, including discrimination and disability accommodations, are encouraged to bring these issues to the attention of an IPS administrator, or the Compliance Coordinator designated below.

As required by Title IX, IPS does not (and is required not to) discriminate on the basis of sex in its educational programs or activities. This non-discrimination requirement applies to admission to and employment with IPS. Inquiries into issues related to Title IX may be referred to IPS’s Title IX Coordinator (identified below), to the Assistant Secretary for Civil Rights of the Department of Education, or both.

IPS has designated the following person as the Title IX Coordinator, who is responsible for receiving and overseeing investigations of alleged discrimination on the basis of sex, including sexual harassment: Jessica Neyman, VP Human Resources, 2115 W. Pike Blvd., Weslaco, Texas 78596, (956) 337-8000, titleixconcern@IPSPublicSchools.org.

IPS has designated the following person as the ADA / Section 504 Coordinator, who is responsible for receiving and investigating complaints of alleged discrimination or harassment on the basis of disability: Jessica Neyman, VP Human Resources, 2115 W. Pike Blvd., Weslaco, Texas 78596, (956) 337-8000, Jessica.neyman@ideapublicschools.org.

IPS has designated the following person as the Title VII/ADEA Coordinator, who is responsible for receiving and investigating complaints of alleged discrimination or harassment on the basis race, color, religion, gender, sex, national origin, or age: Jessica Neyman, VP Human Resources, 2115 W. Pike Blvd., Weslaco, Texas 78596, (956) 337-8000, jessica.neyman@ideapublicschools.org.

All other complaints regarding equal employment opportunity may be directed to: Jessica Neyman, VP Human Resources, 2115 W. Pike Blvd., Weslaco, Texas 78596, (956) 337-8000, Jessica.neyman@ideapublicschools.org.

Federal and State Worksite Postings

Required state and federal postings are found at each IDEA facility. The following postings can be found in an area common to all employees at their facility: Federal Minimum Wage, Federal Polygraph, Family Medical Leave Act, Equal Employment Opportunity, Uniformed Services Employment and Reemployment Rights Act, Florida Unemployment Security Law, Earned Income Credit Posting, Independent Contractor, Minor Labor Law Placard, Age Discrimination, Employer Support of the Guard and Reserve Committee, Equal Opportunity, Genetic Discrimination, Florida Drugfree Workplace Policy, Out-of-State Motor Vehicles, Sickle Cell Trait Discrimination, Timely Payment of Wages, Florida Reemployment Assistance Act, Workers' Compensation, Workers' Compensation Fraud, Florida Mandatory Abuse Reporting.

Immigration Law Compliance

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

Employees with questions or seeking more information on immigration law issues are encouraged to contact Senior VP of Talent Acquisition Emily Nielson at emily.nielson@IPSpublishschools.org. Employees may raise questions or complaints about immigration law compliance without fear of reprisal.

Nondiscrimination Based on Religion

IPS does not discriminate on the basis of any aspect of religious observance, practice, or belief unless IPS demonstrates that it is unable to reasonably accommodate the religious observance or practice of an employee or applicant without undue hardship to IPS's business.

Nondiscrimination Based on Military Service

IPS will not deny initial employment, reemployment, retention in employment promotion, or any benefits of employment on the basis of membership in a uniformed service, performance in a uniformed service, application for uniformed service, or obligation to a uniformed service.

IPS will not take adverse employment action or discriminate against any person who takes action to enforce protections afforded by the Uniformed Services Employment and Reemployment Rights Act of 1994 ("USERRA") and/or the Military Service Relief Act.

Americans with Disabilities Act (ADA)

IPS is committed to complying fully with the ADA, as amended, and ensuring equal opportunity in employment for qualified persons with disabilities (which includes life-threatening illnesses, HIV, and AIDS). All employment practices and activities are conducted on a non-discriminatory basis.

Hiring procedures have been reviewed and provide persons with disabilities meaningful employment opportunities. Pre-employment inquiries are made only regarding an applicant's ability to perform the duties of the position.

Reasonable accommodation is available to all qualifying disabled employees, where their disability affects the performance of job functions, in accordance with the ADA.

Qualified individuals with disabilities shall not be discriminated against on the basis of disability in regards to recruitment, advertising, job application procedures, hiring, upgrading, promotion, demotion, transfer, layoff, termination, right of return from layoff, rehiring, rates of pay, or any other form of compensation and changes in compensation, benefits, job assignments, job classifications, organizational structures, position descriptions, lines of progression, seniority lists, leaves of absence, sick leave, any other leave, fringe benefits available by virtue of employment, selection and financial support for training, school-sponsored activities, including social and recreational programs, and any other term, condition, or privilege of employment.

IPS does not discriminate against qualified employees or applicants because they are related to or associated with a person with a disability.

Nondiscrimination Based on Genetic Information (GINA)

IPS will not deny initial employment, reemployment, retention in employment promotion, or any benefits of employment on the basis of genetic information including information about an individual's genetic tests and the genetic tests of an individual's family members, as well as information about the manifestation of a disease or disorder in an individual's family members.

2.2 Application for Employment

Anyone seeking employment with IPS can visit the IPS Public Schools website at www.IPSpublicschools.org. Applications will remain active for one year from the application date. Applicants will be required to reapply after their application has been on file for a year.

Without changing the at will status of employees, IPS reserves the right to terminate any employee or decline to employ an applicant if the person falsifies any information on the application or on any other employment related documentation or fails to disclose any criminal conviction or plea or misrepresents information regarding any such conviction or plea on an employment application.

2.3 Fair Credit Reporting Act

IPS may utilize reports – e.g., credit, criminal, employment references and Florida Department of Law Enforcement reports to assist in making employment decisions. In addition, IPS may conduct annual driving record checks to verify that the licenses and driving records of those employees required to drive IPS-owned vehicles are valid and acceptable to our insurance carrier.

Where required by applicable law, prior to running any of the above-mentioned checks/records, each employee will be provided any required notice form(s) and must sign an authorization form at the time of the job application or prior to being extended an offer of employment. Refusal to sign such authorization is grounds for disqualification from employment with IPS. Continued employment is also expressly conditioned on satisfactory results from legally authorized or required record and background checks.

In the event IPS relies on a “consumer report” as defined by the Fair Credit Reporting Act for an “adverse action” as defined by the Fair Credit Reporting Act and regulation – i.e., denying a job application, reassigning or terminating an employee, or denying a promotion – IPS will take the following action(s):

Step 1: Before taking adverse action, the employee will be provided a pre-adverse action disclosure that includes a copy of the individual's consumer report and a copy of "A Summary of Your Rights Under the Fair Credit Reporting Act" – a document prescribed by the Federal Trade Commission.

Step 2: After taking an adverse action, the employee will be provided notice – either orally, in writing, or electronically – that the action has been taken. This notice will include:

- The name, address, and telephone number of the Credit Reporting Agency ("CRA") that supplied the report;
- A statement that the CRA supplying the report did not make the decision to take the adverse action, and cannot give specific reasons for it; and
- A notice of the individual's right to dispute the accuracy or completeness of any information the agency furnished, and his or her right to an additional free consumer report from the agency upon request within 60 days.

The employee will be given a reasonable time period to refute the information. However, it is ultimately the decision of IPS as to what action is taken.

2.4 Fingerprinting and Criminal Background Checks

Florida Statutes §1012.315 requires public schools, including charter schools, to not employ individuals until they have been fingerprinted and have passed a background check, and to dismiss employees who have been convicted of certain offenses. In accordance with this legal authority, criminal history reviews of employees may be obtained at any time before or during employment.

All new-hires are required to submit to a fingerprint-based criminal background check prior to beginning the first day of work. Human Resources will supply new hires with fingerprint instructions on how to submit. Fees charged by the vendor taking the fingerprints will be the responsibility of IPS rather than the new hire.

Criminal history records must also be obtained and reviewed prior to the employment of any driver for student transportation. Criminal history checks of a bus monitor or bus aide employed through a commercial service must be obtained. Pursuant to Florida law, IPS may not hire or continue to employ an individual with a criminal record of certain felonies or misdemeanors set out in Florida Statutes §1012.315.

Additionally, an individual may not be employed as an employee of a charter school if the individual is on the disqualification list maintained by the Department of Education pursuant to s. 1001.10(4)(b), and or has been terminated or resigned in lieu of termination for sexual misconduct with a student. If the prohibited conduct occurs while employed, a charter school must report the individual and the disqualifying circumstances to the department for inclusion on the disqualification list maintained pursuant to § 1001.10(4)(b).

Any hearing required to be provided before an employee is submitted for placement on the disqualification list shall be conducted as a Division of Administrative Hearings (DOAH) hearing.

2.5 Prohibition Against Employing Individuals Convicted of Certain Offenses

IPS shall discharge or refuse to hire an employee or applicant for employment if the employee or applicant has been convicted of a disqualifying crime as set out in Florida Statutes §1012.315.

Except as required by state or federal law, IPS does not prohibit employment or refuse to consider an

application for employment solely on the grounds that an applicant/employee has a prior criminal record. IPS does not prohibit employment or refuse to consider an application for employment based solely on the grounds that the applicant/employee has been arrested.

In accordance with Title VII, it is the policy of IPS, except when Florida law requires otherwise, prior to any exclusion of an applicant for employment or continued employment of an employee that has a criminal record, to conduct an individualized assessment of the criminal conduct at issue. In conducting such an assessment, IPS shall carefully consider appropriate factors, including the following, in order to determine that any exclusion based on criminal conduct is job-related to the position in question and consistent with the business necessity of IPS:

- The nature and gravity of the offense(s) or conduct;
- The time that has passed since the offense(s), conduct, and/or completion of the sentence(s); and
- The nature and responsibilities of the job held or sought.

Upon consideration of the above or other appropriate factors, IPS shall inform the applicant/employee that he or she may be excluded because of prior criminal conduct and provide the individual an opportunity to demonstrate that the exclusion does not properly apply to him or her and the position in question. IPS shall consider the additional information provided by the applicant/employee that demonstrates that the criminal conduct is not job related and is consistent with business necessity of IPS prior to making any final determination. Such additional information may include:

- The facts or circumstances surrounding the offense or conduct;
- The number of offenses for which the individual was convicted;
- Age at the time of conviction, or release from prison;
- Evidence that the individual performed the same type of work, post-conviction, with the same or a different employer, with no known incidents of criminal conduct;
- The length and consistency of employment history before and after the offense;
- Rehabilitation efforts, e.g., education/training;
- Employment or character references regarding fitness for the particular position; and
- Whether the individual is bonded under a federal, state or local bonding program.

IPS reserves the right to annually (or more frequently) perform criminal history record checks on current employees.

2.6 Arrest and Conviction Occurring After Employment Begins

All IPS employees shall notify their principal or immediate supervisor within 48 hours of any arrest, indictment, conviction, no contest or guilty plea, or other adjudication of the employee for any felony or misdemeanor.

The requirement to report a conviction or deferred adjudication shall not apply to minor traffic offenses. Criminal traffic violations are not minor and must be reported. Failure to timely report an arrest, indictment, charge, plea, conviction, or adjudication may result in disciplinary action, up to and including termination. Such report shall be made within 48 hours of the arrest, conviction, or another adjudicatory action. When handling sealed and expunged records disclosed under this rule, the school shall comply with the confidentiality provisions of Sections 943.0585(4) (c) and 943.059(4) (c), Florida Statutes.

Unless required by Florida law, conviction of a crime shall not be an automatic basis for termination. IPS shall

consider the following factors, unless Florida law requires termination, in determining what action, if any, should be taken against an employee who is convicted of a crime during employment with IPS:

- The nature of the offense;
- The date of the offense;
- The relationship between the offense and the position to which the employee is assigned; and
- The best interests of IPS and its students.

2.7 Reporting an Employee's Misconduct to the State

If allegations arise against an employee who is certified under s. 1012.56 and employed in an educator-certificated position charter school the school shall file in writing with the department a legally sufficient complaint within 30 days after the date on which the subject matter of the complaint came to the attention of the school, regardless of whether the subject of the allegations is still an employee of the school. A complaint is legally sufficient if it contains ultimate facts that show a violation has occurred as provided in s. 1012.795 and defined by rule of the State Board of Education. The school shall include all known information relating to the complaint with the filing of the complaint. A school described in this paragraph shall immediately notify the department if the subject of a legally sufficient complaint of misconduct affecting the health, safety, or welfare of a student resigns or is terminated before the conclusion of the school's investigation.

Additionally, educational support employees, instructional-personnel, and administrative personnel, as defined in s. 198 1012.01, are disqualified from employment in any position that requires direct contact with students if the employees or personnel are ineligible for such employment under s. 1012.315 or have been terminated or resigned in lieu of termination for sexual misconduct with a student. If the prohibited conduct occurs while employed, the charter school must report the employees or personnel and the disqualifying circumstances to the department for inclusion on the disqualification list maintained by the department pursuant s. 1001.10(4)(b).

2.8 Procurement Violation

As permitted by law, rule, policy or regulation, IPS shall pursue appropriate legal, administrative or disciplinary action against an employee, officer, director, volunteer, vendor or vendor's agent who is alleged to have committed, has been convicted of or pled no contest to a procurement-related infraction. If said person has been convicted, disciplined or pled no contest to a procurement violation, said person shall be removed from any further responsibility or involvement with grants management, procurement actions or bids, consistent with school board, state or federal policy.

2.9 At-Will Employment

All types of employment, regardless of certification, are on an at-will basis. At-will employment means IPS has the right to terminate employment at any time, with or without advance notice and with or without cause.

Nothing in this handbook is to be construed as creating an employment contract or agreement. No one other than the Chief Executive Officer (CEO) has the authority on behalf of IPS to alter an employee's at-will employment arrangement, to enter into an non at-will agreement for employment for a specified period of

time, or to make any agreement contrary to this policy, and any such agreement must be in writing and must be signed by the CEO.

Given its entrepreneurial nature, IPS maintains a highly flexible culture, and so an employee's position, job responsibilities, and/or position description may be subject to reassignment by his or her supervisor at any time and for any reason. Nothing in this handbook is intended to change this policy.

2.10 Minimum Qualifications for Principals and Teachers

IPS employs principals, teachers, and instructional staff members who are properly credentialed and qualified as required by state and federal law. Employment is contingent upon and subject to the employee submitting all required documentation in a timely and accurate manner and meeting all other employment requirements of IPS. IPS will provide this information upon request from a parent.

2.11 Verification of Employment Eligibility

IDEA shall confirm the employment eligibility of all new hires by examination of documents identified by the Employment Eligibility Verification Form I-9 sufficient to establish identity and employment authorization. Employees are responsible for providing documentation sufficient for IDEA to verify employment eligibility.

Employees whose immigration status, employment authorization, or employment authorization documents have expired, must present new documents that show current employment authorization. Employees should file the necessary application or petition sufficiently in advance to ensure they maintain continuous employment authorization or valid employment authorization documents. Contact Human Resources if you have any questions regarding reverification of employment and authorization.

Former employees who are rehired must also complete the form if they have not completed an I-9 with IDEA within a timeframe established by Human Resources (generally three years after the date of hire or one year after employment is terminated, whichever is later), or if their previous I-9 is no longer retained or valid.

2.13 Pre- and Post-Offer Medical Testing

Employees may be required to submit to certain medical tests before beginning employment with IPS. In compliance with the Drug-Free Workplace Policy, employees must submit to drug testing before employment.

2.14 First Aid, CPR, and AED Certification

Certain employees (i.e., physical education teachers and coaches) who are involved in physical activities for students must maintain and submit to the Human Resources department proof of current certification in first aid, cardiopulmonary resuscitation (CPR), and the use of an automated external defibrillator (AED). Certification must be issued by the American Red Cross, the American Heart Association, or another organization that provides equivalent training and certification. Employees subject to this requirement must submit their certification to the Human Resources department at the start of each school year and each time the employee is re-certified.

2.15 Name and Address Changes

Employment records must be kept up to date. Employees must notify the Human Resources department via Tyler Munis Employee Self-Service if there are any changes or corrections to their name, address, telephone number, and emergency contact information. Name change notifications must be submitted along with the employee's new social security card depicting the employee's new name.

2.16 Personnel Records

IPS maintains a personnel file for each employee. These files are the property of IPS and access to such files is restricted to the extent permitted by law. Any request for information contained in the personnel files must be directed to Human Resources. Only Human Resources is authorized to release information about current or former employees (*including in relation to references; see section 2.27 below*).

Subject to the above, all information in an employee's personnel file will be made available to the employee or his or her representative. Employees who wish to review their own personnel file should contact Human Resources.

Many personnel records of school-level employees may also be public information and must be released upon request in accordance with Florida law. Certain information for some employees is exempt from public disclosure, and you will be required to certify as part of your hiring process whether you meet the statutory requirements for exemption.

2.17 Conflicts of Interest

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. This section of the handbook establishes only the framework within which IPS wishes to operate. IPS's framework is also guided by applicable state and federal law governing conflicts of interest and nepotism applicable to Florida charter schools and nonprofit tax-exempt entities. The purpose of these guidelines is to provide general direction so that employees can seek further clarification on issues related to the subject of acceptable standards of operation and to ensure that IPS meets its goal of protecting the integrity and reputation of IPS, the Board, and all IPS employees, volunteers, and programs.

Contact Human Resources for more information or questions about conflicts of interest.

An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of IPS's business dealings and operations.

No "presumption of guilt" is created by the mere existence of a relationship with an employee, contractor or vendor that may be a potential conflict of interest. However, if employees have any influence on transactions involving purchases, contracts, or leases, it is imperative that they disclose to their immediate supervisor or the Business Office, as soon as possible, the existence of any actual or potential conflict of interest, so that safeguards can be established to protect all parties.

Personal gain may result not only in cases where an employee or relative has a significant ownership in a firm with which IPS does business, but also when an employee or relative receives any benefit, including but not

limited to a kick-back, bribe, substantial gift, or special consideration, as a result of any transaction or business dealings involving IPS.

An employee with reason to believe that an actual or potential conflict of interest exists must bring that concern to the attention of that employee's immediate supervisor or to the principal.

Nothing in this policy is meant to interfere with IPS's desire to encourage staff members to take part in civic, church, and other public services where opportunities to exhibit good citizenship are present.

Employment of Relatives

IPS is committed to providing equal employment opportunities to its employees. Intimate relationships have the potential to interfere with IPS's ability to provide equal employment opportunities for its employees, and in some instances, may constitute sexual harassment or other unlawful discrimination. To minimize potential conflicts of interest, IPS strongly discourages its employees from entering into intimate relationships with other employees for which they have professional supervisory responsibility.

IPS cannot employ relatives of board members and will also refuse to hire or assign a relative in a position where the appearance of or potential for favoritism or conflict exists or where otherwise prohibited by law. Employees shall also refrain from making hiring, firing or other decisions impacting the terms or conditions of employment of relatives. Where hardship exists, employees may appeal to the Chief Human Assets Officer in accordance with IPS's nepotism policy. For the purposes of this section, a "relative" is any person who is related by blood or marriage as defined in IPS's nepotism policy.

2.18 Non-Disclosure

The protection of confidential business information and trade secrets is vital to the interests and the success of IPS. Such confidential information may include-, but is not limited to, the following:

- Information related to IPS's financial, regulatory, personnel, or operational matters;
- Information related to IPS's clients, customers, beneficiaries, suppliers, donors, or business associates and partners;
- Trade secrets, know-how, curriculum, inventions, discoveries, techniques, processes, methods, formulae, IPSs, technical data and specifications, testing, methods, research and development activities, and computer programs and designs;
- Student course work that is proprietary to IPS and/or its partners;
- Pending projects and proposals;
- Business strategy and operations such as business plans, methods, and marketing strategies; and
- Other similar non-public information that is furnished, disclosed, or transmitted to an employee or to which an employee is otherwise given access to during the course of employment.

An employee who improperly uses or discloses trade secrets or confidential business information belonging to IPS will be subject to disciplinary action, up to and including termination of employment and legal action, even if the employee does not actually benefit from the disclosed information. In addition, employees in certain positions may be required to sign a separate non-disclosure and confidentiality agreement further outlining IPS's expectations with respect to protecting proprietary information and/or trade secrets. Please keep in mind that those employees who are not asked to complete a separate non-disclosure and confidentiality agreement are still responsible for complying with this section of the handbook. This section does not apply to information that is

subject to public disclosure based upon Florida Law.

2.19 Transfers

Employees who are considering transferring to another campus or department must first notify their current supervisor. Employees must be in good standing for the transfer to be approved. “Good standing” is defined as not actively being on any type of professional growth plan and/or not receiving any formal disciplinary actions in the 90 days prior to the transfer request. Employees must submit a transfer request during the transfer window to be considered.

Principals or hiring managers may request an interview and/or sample teaching lesson before a transfer request is approved. Employees selected for a transfer will receive notification from the hiring manager. The employee’s current manager must submit the transfer, once approved by the receiving manager, in Tyler Munis by the named deadline.

Requests for transfer during the school year will be considered only when the change will not adversely affect students and after a replacement has been found. All transfer requests will be coordinated by the Human Assets department and must be approved by the sending and receiving hiring manager.

2.20 Work Calendars

Work calendars are set by IPS on an annual basis but may be adjusted from time to time as needed by IPS. A school calendar is adopted each year designating the workdays for employees. Notice of work calendars including start and end dates and scheduled holidays will be distributed each year and are subject to change based on unforeseen circumstances (e.g., weather) or other needs of IPS.

2.21 Breaks for Expression of Breast Milk

IPS supports the practice of expressing breast milk and makes reasonable accommodation for the needs of employees who express breast milk. A place, other than a multiple user bathroom, which is shielded from view and free from intrusion by other employees and the public where the employee can express breast milk will be provided. A reasonable amount of break time will be provided when the employee has a need to express milk. Employees should meet with their supervisors to discuss their needs and arrange break times.

2.22 Outside Employment and Tutoring

All employees must recognize that they owe a duty of loyalty to IPS. At all times when on duty, without regard to time or place, employees should devote their full attention to IPS’s business and their duties. Additionally, employees should not be engaged in outside employment that provides or could give rise to a conflict of interest or directly interferes with the employee’s performance. For purposes of this prohibition, “employment” includes employment with another organization, consulting, or self-employment, whether on a voluntary basis or for pay.

All employees are required to disclose in writing to their immediate supervisor any outside employment and, if a potential or actual conflict of interest is present, obtain written permission from their immediate supervisor to engage in the outside employment. At all times, employees are expected to maintain a satisfactory level of performance in their job at IPS. Teachers are not allowed to privately tutor any students who they are currently

providing direct instruction to for compensation of any kind.

2.23 Performance Appraisal

Performance reviews are part of an on-going, year-round process in which supervisors and employees discuss progress toward performance and professional goals. IPS, supervisors, and employees set goals on an annual basis. Performance reviews may be formal and/or informal, verbal and/or written. IPS will make best efforts to encourage that employees receive written performance evaluations against progress toward goals a minimum of twice a school year, and in compliance with Florida law. The IPS performance evaluation cycle includes three rounds in which managers and employees engage in comprehensive evaluative conversations surrounding performance, competencies, and progress towards goals. During performance evaluation conferences, employees are encouraged to discuss any issues raised, as well as any opportunities for advancement or career development with IPS.

2.24 Professional Development

IPS is committed to the professional development of all its employees. For educators, IPS provides training before the start of the school year, on-site coaching and modeling throughout the school year, day-to-day instructional leadership, and access to external workshops. IPS also provides training on appropriate relationships, boundaries, and communications between educators and students, in accordance with state law. For non-instructional staff, IPS provides technical training before the start of the school year and throughout the year. In addition, all employees are encouraged to pursue external professional development opportunities in the form of workshops or additional certification. Employees should talk with their supervisors about additional development opportunities and specific career paths. Supervisors must approve professional development before it is taken if time off will be required to attend the session/course.

2.25 Performance Improvement and Disciplinary Action

In light of IPS's balanced approach of both accountability and support, under normal circumstances, supervisors first informally coach and support employees to help increase performance or address misconduct before instituting a formal performance improvement plan or disciplinary action. An employee with a performance or behavior issue is typically given a warning so they have an opportunity to correct the problem. If further coaching is necessary, a supervisor may elect to develop a written performance improvement plan in order to help the team member improve performance. Failure to satisfy the requirements of a performance improvement plan may result in termination of employment. However, these steps of informal coaching or written performance plans may be bypassed if an employee's misconduct warrants immediate termination. As an at-will employer, IPS has no obligation to follow any progressive process.

IPS may use progressive discipline at its discretion. Disciplinary action may include, but is not limited to, any of the following:

1. Verbal warning
2. Conference with direct supervisor and/or the principal or department manager
3. Written warning
4. Suspension with or without pay
5. Termination of employment
6. Disqualification for bonuses or pay increases

The progression of these steps depends upon the severity of the problem and the number of occurrences. And, as noted above, there may also be circumstances when one or more steps are bypassed or in which IPS may proceed directly to termination.

2.26 Suspension

Professional employees may be suspended with pay or placed on administrative leave by their immediate supervisor or designee during an investigation of alleged misconduct by the employee or at any time the immediate supervisor or designee determines that IPS's best interest will be served by the suspension or administrative leave.

At-will employees may be suspended with or without pay, as allowed by the Fair Labor Standards Act, during an investigation of alleged misconduct by the employee, when an employee has violated safety rules of major significance, or at any time the immediate supervisor or designee determines that IPS's best interest will be served by the suspension or administrative leave.

Any employee who is suspended or placed on administrative leave will be expected to comply with the terms and conditions of the suspension/administrative leave. Failure to do so may result in immediate disciplinary action, up to and including termination of employment.

2.27 Employment References

All requests for employment references must be directed to the Human Resources department. No one other than Human Resources is authorized to release references for current or former employees on behalf of IPS. It is generally IPS's policy, although not mandatory, to disclose only the dates of employment, the title of the last position held, and rehire eligibility of former employees, unless otherwise required by Florida law. IPS, or any of its employees, may not enter into a confidentiality agreement regarding terminated or dismissed instructional personnel or school administrators, or personnel or administrators who resign in lieu of termination, based in whole or in part on misconduct that affects the health, safety, or welfare of a student, and may not provide instructional personnel or school administrators with employment references or discuss the personnel's or administrators' performance with prospective employers in another educational setting, without disclosing the personnel's or administrators' misconduct.

As provided in Florida Statutes s. 768.095, an employer who discloses information about a former or current employee to a prospective employer of the former or current employee upon request of the prospective employer or of the former or current employee is immune from civil liability for such disclosure or its consequences unless it is shown by clear and convincing evidence that the information disclosed by the former or current employer was knowingly false or violated any civil right of the former or current employee protected under chapter 760.

PART 3. EMPLOYEE BENEFITS

IPS offers an array of medical and supplemental options employees can elect to enroll in. The information found in this section of the handbook is only a summary of what is offered, and additional details can be found through

the IPS Employee Benefits Guide or Plan Summaries located on the [Compensation & Benefits](#) HUB page.

This handbook does not change or otherwise interpret the terms of the official plan documents. If there is any conflict or difference between the information in this handbook and the plan documents, the plan documents will govern. IPS reserves the right to change or end these benefits at any time and for any reason, consistent with all laws. Additionally, benefit eligibility is dependent upon a variety of factors, including employee classification, length of employment, hours regularly scheduled to work, and employment status. If employees would like additional information related to any benefits offered by IPS, please contact the Benefits department at benefits@IPSPublicSchools.org.

Temporary employees may be eligible for the benefits described in this section in accordance with the Patient Protection and Affordable Care Act and other applicable rules and regulations governing IPS's benefit plans.

IDEA Florida Inc. employees are also eligible to participate in these IPS benefit plans.

3.1 Medical Insurance

McGriff Insurance, Broker of Record, is responsible for analyzing the performance of the medical plans each year and negotiating rates with carriers. In some instances, a Request for Procurement/Quotes process will be followed to ensure we are complying with federal requirement and orchestrating a medical program that is competitive from a plan design and cost perspective. The medical insurance options offered at IPS are administered through the insurance carrier. Changes and recommendations for premium sharing are presented to senior leadership team and the Board each year. Once a decision is made regarding how much IPS will contribute towards the premiums for each plan and level of coverage the information is published in the Employee Benefits Guide.

Benefit eligibility is dependent upon a variety of factors, including employee classification, length of employment, hours regularly scheduled to work, and employment status. If employees would like additional information related to any benefits offered by IPS, please contact the Benefits department at benefits@IPSPublicSchools.org.

Employees can make changes to their benefits elections each year during the annual benefits open enrollment period. Employees lock in their elections each year and can make changes to their plan elections if they experience a qualifying life event ("QLE") during the Benefits Plan Year. Qualifying Life Events include gaining/losing other coverage, marriage/divorce, birth/adoption of a child, etc. Employees will be required to provide proof of the QLE that has taken place for changes to be approved. A detailed description of insurance coverage, employee cost, and eligibility requirements is provided to all employees separately in the IPS Employee Benefits Guide published each year or the [Compensation & Benefits](#) HUB page.

3.2 Ancillary/Supplemental Insurance Benefits

IPS offers ancillary/supplemental plans to cover a variety of items not covered fully through the medical or other health plan options. These types of benefits are offered to lessen the employee's financial exposure. Employees may enroll in additional supplemental plans offered through our Benefits Program during the annual open enrollment period or during the first thirty (30) days of their official start date. The plans elected by the employee will be 100% paid by the employee and will be payroll deducted each pay period.

Our Broker of Record, McGriff Insurance, evaluates our plan offerings, rates, and plan design each year. All claims are handled through each carrier independently.

3.3 Cafeteria Plans (Section 125)

Employees may be eligible to participate in a Cafeteria Plan (Section 125). This plan enables eligible employees to contribute a portion of their paycheck to a medical/flexible spending account on a pre-tax basis. Employees are not able to drop their coverage if their plan is tax-sheltered unless they experience a qualifying life event during the year.

New staff members must complete enrollment during their first thirty (30) days of employment. All eligible employees are given an opportunity to accept or reject this benefit on an annual basis during the specified period of open enrollment.

3.4 Termination of Insurance Coverage upon Separation of Employment

For employees who either voluntarily or involuntarily separate from employment with IPS before the last day of their specified annual work calendar, all benefit insurance coverage will be terminated at the end of the month in which the employee was separated from employment. For example, if an employee separates from employment on December 13th, all coverage will end on December 31st. Employees participating in the Health Reimbursement Account will have access to use their funds until their last day of active employment. Any unused balance will be forfeited upon the employee's exit date.

The Consolidated Omnibus Budget Reconciliation Act (COBRA) is a federal statute that provides certain former employees, retirees, spouses, former spouses, and dependent children with the right to temporarily continue health plan membership after losing their coverage eligibility because of certain qualifying events. IPS and/or the appropriate insurance carrier will notify employees of their right to continue their health coverage within thirty (30) days of the date the employee's coverage eligibility ends. Employees then have sixty (60) days to elect to continue their health coverage. If the health plan is through an insurance company or HMO, any subsequent administrative responsibilities are handled by the company or HMO. IPS is not required to continue contributing a share of health plan costs for members who elect to continue coverage after leaving employment. During the continuation period, the full amount of the plan premium becomes the member's obligation and responsibility. Additional premiums needed to provide continuation benefits or added coverage for family members to cover costs or an enhanced medical plan may be deducted from the resigning employee's final paycheck, but payment arrangements must be made to provide for continuation of benefits in accordance with COBRA.

Supplemental third-party benefits (vision, dental, supplemental life, cancer, etc.) will end on the last day of the month in which employee leaves employment. Employees will be responsible for contacting the respective insurance provider(s) to continue coverage for up to eighteen (18) months after employment separation in accordance with federal and state law and the plan documents. COBRA notices and Certificate of Coverage will be automatically mailed directly from the insurance carrier to the employee separating from employment, if applicable.

3.5 Health/Pharmacy Identification Cards

All identification cards for medical, pharmacy, dental, Flexible Spending and/or Health Reimbursement Accounts

will be mailed to the employee's home address on file with IPS. Each carrier will mail respective cards directly to the employee. New employees should receive their medical insurance cards within thirty (30) days from when they completed enrollment. Existing employees should receive their insurance cards within thirty (30) days from when they made changes to their benefit elections due to a qualifying life event or after the annual open enrollment period. An employee may order additional cards by contacting each of the carriers and making their request.

Please reference the [Compensation & Benefits](#) HUB page for information and details on how to access care when you do not have a card available.

3.6 Claim Forms

Claim forms may be obtained directly from the respective insurance carrier. You can find contact information through the IPS Employee Benefits Guide, or you can visit the [Compensation & Benefits](#) HUB page to access claim forms.

3.7 403(b) Supplemental Retirement Plans

All eligible IPS employees and IDEA Florida Inc. employees are automatically enrolled in a 403(b) supplemental plan and set to make voluntary contributions of 4%. The first contribution will begin on the employee's first scheduled paycheck. Additionally, employees participating in the plan will receive an employer match of up to 4%. While employees will be automatically enrolled in the plan, employees do have the option to make changes to their contributions by either increasing, decreasing, or opting out of participation. Should the employee decide to decrease or opt-out of participation, an opt-out form must be completed and filed. The employer match will be set in accordance with the employee's contributions up to 4%.

A 403(b) supplemental retirement plan allows eligible employees to invest tax-deferred income in fixed annuities, variable annuities, and/or mutual funds while earning tax-deferred interest. Distributions are available upon termination of employment, retirement, disability, death, or certain types of hardships. Early disbursement penalties may exist in accordance with federal and state laws. The 403(b) Supplemental Retirement Plan is administered by TCG Services, IPS reserves the right to change or end these benefits at any time and for any reason, consistent with all laws.

Visit the Compensation and Benefits HUB site for more information, enrollment instructions, FAQs, and more or-email the Benefits team at benefits@IPSPublicSchools.org.

3.8 Reemployment Compensation Insurance

Terminated employees may be eligible for unemployment compensation benefits under the Florida Reemployment Assistance Act (Chapter 443 Florida Statutes). Employees provided with a notice of reasonable assurance of returning to service are not eligible for unemployment benefits during regularly scheduled breaks in the school year or summer months. Employees with questions about reemployment benefits should contact the Risk Management Department.

3.9 Workers' Compensation

An employee who has sustained a work-related injury or illness must notify their supervisor and Risk Management's Workers Compensation Team immediately. Employee responsibilities relating to an employee's work-related injury/illness are identified in the Workers' Compensation protocol, which can be found in the Workers' Compensation packet on the Risk Management HUB site.

Employees must submit medical certification to Risk Management-Workers Compensation Team if they are unable to work or have been placed on any restrictions as a result of a work-related injury/illness. Documentation that includes the employee work status must be submitted to Risk Management-Workers Compensation Team immediately after each medical appointment.

Employees who are released by the medical provider are expected to report to work immediately or in accordance with their work schedule. Failure of an employee to report to work upon release from a workers' compensation leave within three days, may lead to further disciplinary actions up to and including termination.

How to contact the Workers Compensation Department

Email – workerscompensation@IPSPublicshcool.org

Toll Free Number – 1-855-919-4165

Request for Leave

Any employee whose job-related injury or illness will prevent them from reporting to work following the initial injury or accident should contact their supervisor and Risk Management Services immediately to ensure their absence is reported in accordance with their worker's compensation claim.

Return to Work Program

Upon release from workers' compensation for regular or accommodated duty, the employee must communicate with Risk Management's Workers Compensation Team and provide a medical release prior to returning to work in order to be reinstated. The medical release should certify the employee's fitness to return to work. If the release is for an accommodated-duty position, the return to work shall be coordinated by Risk Management-Workers Compensation Team in collaboration with the employee's immediate supervisor.

IPS Public Schools full Return to Work Program Policy details the process whereby an employee can return to duty with or without limitations. For more details on this process please contact Risk Management-Workers Compensation Team at workerscompensation@IPSPublicschools.org

Denial of Workers Compensation Insurance Benefits:

Except as otherwise required by state law, injuries not covered by workers' compensation insurance include those where the employee:

- Was intoxicated on alcohol or drugs.
- Was in the process of committing a felony (and has been convicted).

- Was participating in a social or recreational activity off-duty that was not directly related to his or her work.
- Was commuting to or from work unless doing so under the direct control or orders of IPS on IPS-related business.
- Caused the injury intentionally or committed suicide.
- Was “horsing around” or fighting on the job.
- Violated a school safety policy or procedure

If the workers’ compensation insurance carrier denies a claim, the employee may contest the decision in accordance with the provisions of the workers’ compensation laws of the State of Florida.

Employee Assistance and Ombudsman Office Hotline: 1-800-342-1741

Injured worker e-mail inquiries: wceao@MyFloridaCFO.com

Customer Service: (850) 413-1601

Fraudulent Claims for Workers’ Compensation

Filing a false or fraudulent claim is a violation of law and IPS policy. Fraudulent claims are punishable by law and may result in disciplinary employment action, including termination of employment.

PART 4. COMPENSATION

Employees are paid in accordance with administrative guidelines and a pay structure established for each position. IPS’s compensation plan is reviewed by the administration periodically and may be adjusted at will and without notice as needed.

Employees who perform extracurricular or supplemental duties may receive additional compensation in addition to their salary according to extra-duty and stipend pay schedules.

Employees should contact the Payroll department for questions around pay schedules at payroll@IPSPublicSchools.org and contact the Compensation department for questions around pay amounts and determination at compensationsupport@IPSPublicSchools.org.

4.1 Annualized Compensation

IPS exempt and bi-weekly extended employees are compensated over a 12-month period based upon the academic/work calendar for their role. True hourly staff will not have an annualized pay calculation. Employees working their full academic/work calendar for the given fiscal year will receive their full salaries/pay over the given 12-month period. Employees starting after the first day of the academic/work calendar will have their salaries/pay prorated in accordance with IPS pay policies and applicable law. The proration is based upon the number of paid days remaining in the academic/work calendar in proportion to the full academic/work calendar to determine the

remaining pay for the academic/work year. The resulting proration is paid out in equal monthly payments throughout the remaining paychecks in the academic/work year.

Employees who separate from employment will receive their final paycheck on the next scheduled pay date, or within fifteen (15) days of separation, whichever occurs first, in accordance with state law. This final paycheck will include a pro-rated portion of any unpaid, earned wages scheduled to have been paid at a time when the employee was not required to report to duty. Please note that due to the pay schedule, some employees may be overpaid at the time of termination. In these cases, employees will not receive a final paycheck, and overpaid wages may be recouped.

4.2 Pay Procedures

IPS follows all federal, state, and local Pay Day laws. An employee's method of pay may be changed at any time, with or without notice. Pay due will include earnings per clock submission for non-exempt employees for all work performed through the end of the previous payroll period and, for exempt employees, per the exempt work agreement period.

Exempt employees are paid monthly, and non-exempt employees are paid bi-weekly. Please see the section labeled "Fair Labor Standards Act – Exempt versus Non-Exempt Classification" for information about this classification. If a scheduled payday falls on a weekend or holiday, employees will be paid on or before the day preceding the weekend or holiday.

An employee's payroll statement contains detailed information including pay amounts, deductions, withholding information, leave balances and year-to-date totals. All pay statements are available through Employee Self Service in Tyler Munis. Employees should contact the payroll department with any questions pertaining to pay procedures and pay dates.

The schedule of pay dates for the current school year will be posted at each campus in a common area along with federal and state mandated posting requirements. This schedule can also be found on the Payroll HUB page.

4.1 Paychecks

IPS does not pay staff through the issuance of a live, paper check. All pay is issued through electronic means. More information can be found in the section below.

4.2 Automatic Payroll Direct Deposit

All IPS employees are paid through electronic direct deposit to an employee's account of their choice or through an IPS provided pay card. IPS has partnered with Wisely Pay by ADP to offer employees without bank accounts to provide a pay card for those employees without an account with a financial institution. Employees interested in signing up for this service should contact Payroll.

Any changes regarding an employee's designated bank account should be submitted ten (10) days prior to the next scheduled payroll distribution to avoid delays in processing and receiving payroll deposits.

Please note that some banks may deposit employee pay into bank accounts prior to the actual check date. The Payroll team cannot guarantee employee pay until the check date listed on the Pay Day Calendar. You may access these calendars through the Payroll HUB page. Any issues related to not receiving pay before the actual check date cannot be resolved by the Payroll team, in any manner. You must reach out to your bank for further information.

4.3 Payroll Deductions

Automatic payroll deductions for federal income tax, FICA, and Medicare are required for all employees.

Other payroll deductions, authorized in writing by the employee, include the employee's share of premiums for health and supplemental insurance and annuities or savings through the employee's choice of banking institution. Court ordered garnishments and child support will be withheld involuntarily in accordance with applicable federal, state, and local laws. Employees may also contribute to the Give Me 5 program through a payroll deduction.

In accordance with applicable law, payroll deductions may also be specifically authorized in writing and made for any monies due to IPS for repayment for loss or damage to cell phones, laptops, or any other IPS-issued property or used but unearned leave. A signed payroll deduction authorization form must be on file with the Payroll department before any monies will be withheld from an employee's check, regardless of the deduction type. The only exception to this requirement is for court ordered garnishments such as child support. If a non-exempt employee's gross income is insufficient to maintain compliance with wage and labor laws regarding effective minimum wage, the deduction will be adjusted accordingly.

For questions related to benefit deductions from pay, please contact the Benefits department at benefits@IPSPublicSchools.org. For questions related to taxes or involuntary deductions from pay, please contact the Payroll department at payroll@IPSPublicSchools.org.

4.4 Fair Labor Standards Act – Exempt vs. Non-Exempt Classification

All employees are classified as either exempt or non-exempt, according to job duties as determined by the provisions of the federal Fair Labor Standards Act ("FLSA"). Non-exempt employees are paid on an hourly basis and are covered by the overtime provisions of the FLSA and by Florida wage and hour laws. Non-exempt employees are required to fill out timesheets accounting for all hours worked in a pay period. Altering, overstating, or falsifying time records may result in disciplinary action up to and including termination.

Exempt employees are salaried and classified based on specific tests as mandated by the FLSA. Thus, exempt status applies to the position and not the employee. Meeting these qualifications exempts them from overtime provisions of the FLSA. Exempt employees are paid a fixed salary determined by the duties to be performed rather than the number of hours worked. However, any full days of absence taken in excess of the employee's allotment/service record accumulation of paid time off will result in an employee payroll deduction calculated on a pro-rated daily rate. Deductions for less than full-day absences may be made for exempt teaching positions.

IPS's positions are reviewed and assigned an FLSA (exempt or non-exempt) status that is maintained on a master record by the Payroll department. An employee's exempt or non-exempt classification may be changed only upon written notification by IPS, and in accordance with applicable federal law. Employees may obtain this

information from the Payroll department upon request.

4.5 Full-Time, Part-Time and Temporary Classification

CLASSIFICATION	SCHEDULED HOURS PER WEEK	DURATION OF EMPLOYMENT	HEALTH BENEFITS ELIGIBLE	PAID TIME OFF ELIGIBLE
FULL TIME (PERMANENT)	32+	4 ½ Months or more	Yes	Yes
PART TIME (PERMANENT)	20 – 31.9	4 ½ Months or more	Yes	No
FLEX HOURS (PERMANENT)	Less than 20 hours	4 ½ Months or more	No	No
FULL TIME (SEASONAL)	32+	4 ½ Months to 1 year	Yes	Yes (pro-rated)
TEMPORARY	Varies	Less than 4 ½ Months	No	No

Full-time permanent employees are those who are regularly scheduled to work at least 32 hours per week. Full-time permanent employees are eligible for benefits and paid time off.

Part-time permanent employees are non-exempt employees who are regularly scheduled to work less than 32 hours per week but more than 20 hours per week. Part-time permanent employees eligible for most benefits except Flex Credits.

Flex-hour permanent employees are regularly scheduled to work less than 20 hours per week. Flex-hour employees are not eligible for benefits or paid time off.

Full-time seasonal employees are those who are regularly scheduled to work at least 32 hours per week for a period between 4 ½ months and 12 months. This position type is eligible for most benefits except Flex Credits. This position type is eligible for pro-rated paid time off. This position is not guaranteed for more than one year and employees will need to re-apply each year to continue employment with IPS.

Temporary employees are those who are hired on a temporary basis for a period of 4 ½ months or less. This position type is not eligible for benefits, TRS contributions, or paid time off. Employees in this position type must transition to another full-time or part-time role after 4 ½ months to continue employment with IPS.

4.6 Overtime Compensation

IPS Enterprises compensates overtime for non-exempt employees in accordance with the Fair Labor Standards Act (FLSA). Only non-exempt employees are entitled to overtime compensation.

Overtime is defined as all hours worked in excess of forty (40) hours in a workweek, not including leave, holiday, or vacation time. Non-exempt employees are not authorized to work beyond their normal work schedule without advance approval from their supervisor. Non-exempt employees are compensated for overtime at a rate of time-and-a-half their normal rate.

4.7 Timekeeping

Federal and state laws require IPS to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties and includes

working remotely. Employees are not authorized to estimate future hours and include them on their timecard.

Non-exempt employees must accurately record the time they begin and end their work, as well as the beginning and ending time of each meal period. They should refrain from performing work during meal periods, or else count the meal period as paid work time. Managers must pre-approve any time worked outside of the agreed upon schedule, including meal periods and breaks. If pre-approval is not obtained, then they will still be paid (including overtime when applicable) but may also receive discipline for failure to obtain pre-approval. They must also record the beginning and ending time of any split shift or departure from work for personal reasons. This work log should be recorded as it takes place – not several hours or days later. Failure to follow this policy could result in disciplinary action, up to and including termination of employment.

Non-exempt employees should report to work no more than fifteen (15) minutes prior to their scheduled starting time nor stay more than fifteen (15) minutes after their scheduled stop time without expressed, prior authorization from their immediate supervisor.

Non-exempt employees should use the approved attendance system (“Frontline”) to record time for all work-related activities. Sick leave, personal leave, and all days off without pay must be clearly marked.

Employees must certify the accuracy of their time sheets. Altering, falsifying, tampering with time sheets, or recording time on another employee’s time record may result in disciplinary action, up to and including termination of employment. Managers and supervisors are required to approve timesheets through Frontline for their direct reports on a weekly basis and by the established deadline to help ensure pay accuracy.

4.8 Wage Overpayment & Underpayment

IPS takes all reasonable steps to ensure that employees receive an accurate paycheck paid promptly on scheduled paydays.

In the unlikely event that there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of the Payroll department so any corrections can be made as quickly as possible. If the employee has been underpaid, IDEA will pay the employee the difference as soon as possible. If the employee has been paid in excess of what he or she has earned, the employee will need to return the overpayment to IDEA as soon as possible. No employee is entitled to retain any pay or leave benefits in excess of the amount he or she has earned or accrued according to the agreed-upon rate of pay or accrual. IDEA will pursue all legal means to recover overpayments and will also retroactively adjust miscalculated leave balances, as allowed by applicable law.

4.9 Wage and Tax Statements

All employees will receive a Wage and Tax Statement (Form W-2) from IPS showing their annual earnings and the amounts deducted for Social Security, Medicare, and federal and state income taxes. Additional earnings and deductions that may be included, if applicable, are social security tips, allocated tips, advance earned income credit, and dependent care benefits. W-2 forms will be prepared by the Payroll department and distributed on or before deadlines established by federal and state law.

4.10 Unclaimed Pay

If wages remain unclaimed for a period of no less than that required by state statute, this pay will be escheated to the state agency based upon the last known residential address for the employee in the Tyler Munis system. Individuals will need to reach out to the State's corresponding unclaimed property agency in that state for more information on how to obtain escheated funds.

4.11 Pay Increases

Pay increases are for meeting and exceeding performance goals and for continued service to IPS. If given, pay increases for ALL EMPLOYEES are implemented to coincide with the start of the new fiscal year. IPS reserves the right not to issue pay increases to employees due to lack of merit or budgetary reasons.

Full-time employees must have worked in the same position for a minimum of six months to be eligible for a pay increase, unless otherwise provided in law, and part-time employees must have worked in the same position for a minimum of 12 months to be eligible for a pay increase. Employees who have received an increase in pay or received a promotion resulting in a higher salary within six months of the annual pay increase will be ineligible for a pay increase.

4.12 Additional Pay

Stipends	
Stipend Amounts & Disbursement	Terms are reviewed annually and may change based on organizational priorities and state, private, or local funding
Stipend Eligibility	Actively employed with IPS when stipends are paid to receive the stipend. Employees who cease employment with IPS prior to the date stipends are paid are not eligible to receive payment. Eligible, active employees should notify the Payroll department accordingly if they do not receive a stipend.
Stipend Proration	Prorated for an eligible employee that begins employment after the first day of their work calendar. Reference stipend schedule
Stipend for Extra Duties	(i.e., grade team leader, mentor principal, extracurricular sponsor) are paid based on work completed. Stipend proration applies for any eligible employees who go on leave during the term of the stipend.
Approved Additional Pay	
Additional pay considerations are approved based off the board approved compensation plan and board approved budget on an annual basis and published on IPS's Hub Site. Please view the Compensation and Benefits Team Web Page for approved stipends and stipend guidelines.	

4.13 After School Pay

After school pay for teachers is set by IPS at \$27.50 per hour. Principals determine which teachers teach/tutor after school at their campus. Teachers who do not receive an expected after school payment should notify the Payroll department.

4.14 Saturday School Pay

All schools that conduct Saturday school compensate teachers at the rate of \$27.50 per hour for hours worked on Saturday. Principals determine which teachers teach Saturday school at their campus. Teachers who do not receive an expected Saturday school payment should notify the Payroll department.

4.15 Summer School Employment

Summer school employment will be offered to IPS employees at the respective campus that will be hosting a summer school program. Should a campus need to fill a summer schoolteacher or co- teacher position, employees from other IPS campuses will be given preferential treatment over external candidates being recruited to fill those vacancies. Upon approval to consider the employment of an external candidate, the summer school principal must abide by the standard selection processes.

The Academic Services team will oversee summer school programs. Any questions pertaining to summer school programming may be directed to the Academic Services team. Questions related to payment schedules may be made to the Payroll department.

4.16 Continuing Education

IPS supports the pursuit of advanced degrees by its employees and is committed to working with employees to assist in fulfilling their educational goals. While we wish to be flexible with staff so they can attend classes, we also must ensure the functions of the job are being met and employees are fulfilling their position-specific responsibilities. When possible, an employee should enroll in classes that occur after normal business hours. If a class conflicts with business hours, an employee must gain approval from the supervisor before enrollment in a class that would require time off from their regularly scheduled workday.

4.17 Travel and Reimbursement

IPS employees will be reimbursed for reasonable travel expenses incurred in connection with official IPS business. IPS employees must avoid expenditures that appear to be extravagant or lavish, personally enriching, abusive, and wasteful. Importantly, ALL IPS employees must use discretion when making travel arrangements to ensure the conservation of IPS's limited financial and other resources.

IPS shall only reimburse expenses that conform with applicable travel requirements pertaining to maximum allowable rates for reimbursements and that are reasonable and necessary.

IPS employees are responsible for adequately and clearly stating the business purpose of the trip and the nature of the expenditures. IPS employees and their supervising managers are responsible for ensuring that all expenses are appropriate and in compliance with this policy and applicable law. IPS employees traveling on official business will be reimbursed for appropriate expenses incurred.

IPS employees must submit their travel reimbursement requests within ten (10) calendar days after the date they return from conducting official business on behalf of IPS.

Any expenses incurred while traveling on behalf of IPS that are not associated with official IPS business will not be reimbursed. An example of such an expense is illegal parking tickets and speeding tickets. Additionally, IPS

may not pay the travel expenses of spouses and other persons who have no responsibilities or duties to perform for IPS when they accompany employees to IPS activities, events, and functions.

Travel by Vehicle

Employees must receive approval from their supervisor before electing to drive their own vehicle to conduct IPS business. The preferred method of transportation is for an employee to reserve an IPS vehicle. If an IPS vehicle is not available, the employee must then secure pre-approval from his or her supervisor for reimbursement.

Employees will be reimbursed for mileage accumulated when using a personal vehicle while traveling on IPS-related business with prior approval. When at all possible, more than one employee should travel together.

When traveling to a school site instead of home offices, employees will only be reimbursed for mileage should the mileage be more than the employee's travel to their home office each day (based on the city in which the employee lives). Employees will be reimbursed the difference between the travels from home office to the city the employee is traveling.

Mileage reimbursement must be submitted to the Business Office using Concur.

Travel by Commercial Airline

IPS employees shall travel via a common, commercial airline in coach-class accommodations. When booking travel, IPS employees must make travel arrangements at the lowest available non-refundable coach airfare at least fourteen (14) calendar days before traveling or on the date that the employee is directed to travel to conduct official IPS business. Certain exceptions to this policy apply and can be reviewed in Board Policy, Policy Group 5 – Fiscal Management.

PART 5. LEAVES AND ABSENCES

IPS offers eligible employees paid and unpaid leaves of absences based upon qualifying events. This handbook describes the basic types of leave available and related restrictions. Employees who expect to be absent for an extended period of more than five (5) days, or intermittently for more than an average of one (1) day per month, should notify both their manager and the Human Resources department for information about applying for applicable leave benefits, options for insurance premium payments, and requirements for communicating with IPS during an approved period of leave.

5.1 Attendance

IPS depends heavily upon its employees to serve students and schools. IDEA expects employees to be available full-time during scheduled working hours. Dependability, attendance, and punctuality are essential at all times.

Excessive absenteeism, tardiness, and leaving work prior to the designated time constitute grounds for disciplinary action, up to and including termination of employment. Exceptions may only be approved by Human Resources in accordance with applicable laws and IDEA policy.

As described further in Section 9.3 of this Handbook, failure to provide notice of an absence to a supervisor for three (3) consecutive workdays (unless prevented by circumstances beyond the employee's control) may be considered job abandonment and voluntary resignation on the last day worked, in accordance with applicable federal and state law.

Blackout Dates

There are times when all teachers and campus personnel are needed to be in attendance, and time off is prohibited. The following is a list of "blackout dates" in which requests for time off will be denied. However, if employee requests time off during these "blackout dates" as a result of unforeseen circumstances, the request will be reviewed on a case-by-case basis and the supervisor will make the final decision for approval. In the event an employee is absent during the stated "blackout days" and approval was not given by the supervisor, the employee may be subject to disciplinary action, up to and including termination of employment. There shall be no dock in pay if an employee is out during the "blackout dates" unless the employee has no paid leave available.

- The first 10 days of school
- The last 10 days of school
- The day before or after a school holiday
- Professional or staff development days (in person attendance required unless supervisor pre-approves remote participation)
- Days scheduled for local exams
- Days scheduled for state testing

Unforeseen circumstances may result in additional days being added to the list.

Limitations on Leave

Regardless of accrued paid leave available to an employee, use of paid time off (PTO) must **not** exceed **ten (10) days in a school year for non-year-round staff** and **fifteen (15) days annually for year-round staff**, unless an

application is received and approved by Human Resources for additional protected leave time under applicable laws or policies.

Accrued and unused leave carries over from year to year, but employees generally cannot use carried over leave to exceed the limits on PTO discussed in this section. Exceptions shall be approved by Human Resources to allow paid leave during an unexpected extended leave in accordance with applicable law (e.g., FMLA, as discussed in detail below).

All staff must use paid leave **prior to** unpaid leave and must receive Human Resources' written approval to go into unpaid leave status. Staff are encouraged to accumulate total leave balances that would provide paid leave for unforeseen circumstances (e.g., a 60-day, HR-approved FMLA leave for their own health or the health of a family member), plan for paid time off under FMLA following birth or adoption of a child, etc.

Neutral Absence Control Policy

With the exception of leaves of absence for military duty or approved medical leave, an employee who accumulates more than **five (5) days of absence** after exhausting all available paid and unpaid leave will be separated due to unavailability for work, subject to any reasonable accommodation duties IPS may have under the ADA or similar law. Any employee separated for unavailability for work following exhaustion of all available leave will be eligible for rehire and can apply for any vacancies that may exist at any given time, depending upon qualifications and availability of job openings.

5.2 Paid Time Off

IPS provides Paid Time Off (PTO) to all full-time employees to provide them with the flexibility to attend to their personal and medical time-off needs. PTO allocations are given on the first day of the employee's annual work calendar. A day of leave is equivalent to an assigned workday.

There is no limit on the accumulation of PTO. However, staff must comply with all aspects of the Limitations on Leave policy below.

Upon separation of employment, whether voluntary or involuntary, the employee will not be paid for any unused PTO.

Exempt (salaried) employees must take PTO in full or half day increments. Non-exempt (hourly) employees must take PTO in hourly increments in agreement with the number of hours of the absence.

PTO entitlement is determined according to the employee's annual work calendar as described below.

- Year-round employees: Fifteen (15) days per year
- Non-year-round employees: Ten (10) days per year

Year-round employees are defined as those employees who work an open calendar and therefore are scheduled to work 232 days or more per year. Conversely, non-year-round employees are those employees who are scheduled to work less than 232 days per year.

Employees beginning work after the first day of the work calendar for their role will have their PTO entitlement prorated in accordance with applicable law and IPS Public Schools payroll policies & procedures.

PTO earned through employment with IPS is to be used for the following reasons:

- Employee illness.
- Illness in the employee's immediate family.
- Family emergency (i.e., natural disasters or life-threatening situations).
- Death in the immediate family, defined as an employee's parent, stepparent, child, stepchild, sibling, grandparent, aunt, uncle, or cousin.
- Active military service, in conjunction with any applicable military leave of absence.
- Absence for other personal reasons.

Employees requesting to use PTO must notify their supervisor as soon as possible and, in no event, later than three hours before their scheduled starting time. Teachers and instructional staff are required to request PTO directly with the principal. Operations staff members are required to request PTO directly with the Assistant Principal of Operations (APO). All employees requesting PTO must advise their supervisor of their anticipated return date and the need for work coverage. All leave requests and approvals must also comply with the Limitations on Leave policy below and Human Resources (not a principal or manager) must approve in writing all requests for extended protected leave time to ensure compliance with applicable laws and policies.

PTO requests must be reported via Frontline regardless of whether a substitute is needed. Teachers and Co-Teachers must request a substitute via Frontline (formerly AESOP), the automated substitute finder system.

5.3 Paid Holidays

Holidays observed by IDEA are: New Year's Day, Martin Luther King, Jr. Day, Memorial Day, Juneteenth, Independence Day (in conjunction with week-long paid summer break for year-round staff), Labor Day, Indigenous Peoples Day (formerly Columbus Day), Thanksgiving Day and Christmas Day.

Part-time hourly positions are paid for hours worked according to Frontline or time sheets that may only be used in rare circumstances in accordance with the Business Office's pay accuracy guidelines. Part-time hourly employees do not receive holiday pay.

Full-time employees and part-time administrative professionals are eligible for holiday pay on designated holidays that fall within their normal work schedule as designated by the work calendar.

Holiday pay is paid at the employee's normal hourly rate. Employees on a leave of absence are ineligible for holiday benefits.

Paid holidays occurring during an eligible employee's scheduled leave will be paid as holiday pay rather than PTO.

5.4 Sick Leave Bank (Catastrophic Leave)

IPS is pleased to provide HR-approved catastrophic leave days to employees suffering from extended catastrophic illnesses or injuries that satisfy the applicable IRS definition and who have exhausted all available leave. These days will be provided by other IDEA Team & Family members who wish to donate days to a sick leave bank. Donated days may not be used for routine illnesses or injuries; this ensures compliance with IRS guidelines to

prevent potential tax liability for employees donating leave. Guidelines for annual donations to the Sick Leave Bank and eligibility to receive days may be found on the Human Resources' HUB site [here](#).

Eligibility to Receive Donated Days

To qualify to receive donated days, an employee shall:

- Have exhausted all available PTO;
- Have been out of work at least five (5) consecutive days;
- Have a catastrophic mental or physical illness or injury as defined below; and
- Made the minimal annual donation of at least eight (8) hours to the Sick Leave Bank.

Donated leave days may only be used for the employee's personal catastrophic illness or injury and may not be used for leave due to an illness or injury of a family member. Employees who believe they are eligible to receive donated days must contact Human Resources to complete an application and receive approval.

Catastrophic Illness or Injury Defined

"Catastrophic illness," for the purpose of donated leave, is defined as an acute or prolonged illness, surgery, or injury of a serious nature that is usually considered life threatening or with the threat of serious residual disability, not a passing disorder or temporary ailment. A catastrophic illness must require the services of a certified and licensed medical practitioner for a prolonged period of time and must result in the employee's incapacity to perform his or her job functions for an extended period of time and require an extended absence from work for treatment or recovery. Pregnancies without complications and routine surgeries with no serious complications are not to be considered catastrophic illness.

Donation of Days

Full time employees (32 or more hours per week), who have earned at least three days of leave, are eligible to donate unused leave to the sick leave bank. Donations must be made in 4-hour increments and cannot exceed 40 hours per year. Employees wishing to donate days to the sick leave bank can do so via the [HR HUB site](#) during the specified enrollment period.

Confidentiality

All contributions shall be voluntary and confidential. Employees violating this provision shall be considered in violation of policy and shall be subject to disciplinary action.

5.5 Using Paid Leave at Exit

Staff members may only use up to 10 PTO days during their last two months at IPS, assuming they give at least 90 calendar days' notice and have leave remaining to cover the request. Staff members may only use up to 5 PTO days during their last two months at IPS if they give 60 calendar days' notice. Staff members may not use PTO during their last two weeks if they give less than 60 calendar days' notice. Campus blackout dates still apply.

NOTICE GIVEN	LEAVE ALLOWED
90 CALENDAR DAYS	Up to 10 days in last 2 months
60 CALENDAR DAYS	Up to 5 days in last 2 months
LESS THAN 60 CALENDAR DAYS	No leave in last two weeks

5.7 Military Leave of Absence

IPS is committed to protecting the rights of employees absent on military leave and complying with all employment and reemployment rights granted under the Uniformed Services Employment and Reemployment Rights Act of 1994 (“USERRA”) and corresponding state military leave rights. Specifically, IPS will not deny employment, reemployment, retention, promotion, or any benefit of employment based on an individual’s membership, or application for membership, in the uniformed services. Furthermore, no person will be subjected to retaliation or adverse employment action because such person has exercised his or her rights under USERRA and corresponding state law. If any employee believes that he or she has been subjected to discrimination in violation of this provision, the employee should immediately contact Human Resources.

Temporary (Two-Week) Military Leave

In addition to the rights and benefits provided to employees taking Extended Military Leave (as described in this handbook), eligible employees who must be absent from their job for a period of not more than ten working days each year in order to participate in temporary military duty are entitled to as many as ten days’ unpaid military leave. All benefits will continue during an employee’s temporary military leave.

All Other (Extended) Military Leave

Employees directed to participate in extended military duties in the U. S. Armed Forces that exceed ten (10) working days will be placed on an unpaid military leave of absence status for a period of as long as five years, except as otherwise required by USERRA, and the employee will be entitled to the rights and benefits described in this handbook and in accordance with IPS’s policies and procedures.

To request a temporary or extended military leave of absence the employee should, unless prevented from doing so by military necessity, notify Human Resources and complete and submit the appropriate form. An employee on temporary or extended military leave may elect, at his or her option, to use PTO available; the remainder of military leave will be unpaid.

5.5 Family and Medical Leave Act (FMLA)

The FMLA provides employees who meet certain eligibility criteria with unpaid leave for certain family and medical reasons during a 12-month period. During this leave, eligible employees are entitled to continue group health plan coverage as if they had continued to work. At the conclusion of the leave, subject to some exceptions, eligible employees generally have the right to return to the same or an equivalent position and equivalent pay, benefits, and working conditions.

NOTE: The following FMLA provisions and all references to FMLA in this handbook and in school policy are applicable only to employees eligible for FMLA.

Eligibility Requirements

To be eligible for FMLA leave, an employee must have been employed by IPS:

- For at least 12 months (which need not be consecutive) and for at least 1,250 hours during the 12-month period immediately preceding the commencement of the leave; and
- At a worksite with 50 or more employees located within 75 miles of the employee’s worksite.

Employees who have not yet been employed by IPS for at least 12 months, and therefore are not eligible

to take FMLA leave, may apply for approval by Human Resources to take a Medical Leave of Absence for up to thirty (30) days per year for their own serious health condition that meets the same definition found in FMLA. In addition, staff who have been employed for a year or more and plan to start or extend a family by adoption or birth may apply for approval by Human Resources for IPS's paid family leave as outlined in [this Paid Family Leave policy](#).

Events that may Entitle Employees to FMLA Leave

Eligible employees can take up to a total of up to 12 weeks of unpaid, job-protected leave in a 12-month period for one or more of the following reasons:

- The birth of a child or placement of a child for adoption or foster care;
- To bond with a child (leave must be taken within one year of the child's birth or placement);
- To care for the employee's spouse, child, or parent, who has a qualifying serious health condition;
- For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job; or
- For qualifying exigencies related to the deployment or military service of a family member who is the employee's spouse, child, or parent.

An eligible employee who is a covered servicemember's spouse, child, parent, or next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period to care for the servicemember with a serious injury or illness.

An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule, subject to IPS's approval as allowed under the FMLA.

Employees may choose, and IPS may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes paid leave for FMLA leave, the employee must comply with IPS's normal paid leave policies.

Benefits and Protections

While employees are on FMLA leave, IPS must continue health insurance coverage as if the employees were not on leave. However, in some instances, coverage may be terminated if an employee fails to make their employee contributions to the premiums for their health benefit plans.

Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions.

IPS may not interfere with an individual's FMLA rights or retaliate against someone for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves inpatient care or continuing treatment by a health care provider. The FMLA does not apply to routine medical examinations, such as a physical, or to common medical conditions, such as an upset stomach, unless complications develop.

For all conditions, “incapacity” means inability to work, including being unable to perform any one of the essential functions of the employee’s position, or inability to perform other regular daily activities due to the serious health condition, treatment of the serious health condition, or recovery from the serious health condition. The term “treatment” includes but is not limited to examinations to determine if a serious health condition exists and evaluations of the condition.

Service Member Family Leave

An employee may be eligible for up to 26 weeks of “Service Member Family Leave” if the employee’s spouse, child, parent (not parents-in-law), or next of kin, is a current member of the active duty Armed Forces (including National Guard or Reserves), or a member of the Armed Forces (including National Guard or Reserves) on the Temporary Disability Retired List, who is recovering from a serious injury or illness incurred in the line of duty, while on active duty for which he or she is undergoing medical treatment, recuperation, therapy, in outpatient status, or otherwise on the Temporary Disability Retired List. (This does not include former members of the Armed Forces, former members of the National Guard and Reserves, and members on the Permanent Disability Retirement List).

With respect to both Qualified Exigency and Service Member Family leave, employees may take the leave intermittently or on a reduced leave schedule. However, if an employee has PTO available, he or she must substitute any qualifying PTO for unpaid leave first. “Qualifying paid leave” is leave that would otherwise be available to eligible employees for the purpose for which FMLA leave is taken. The remainder of the 26 workweeks of leave, if any, will be unpaid leave. Any paid leave used for an FMLA-qualifying reason will be charged against an employee’s entitlement to FLMA leave. This includes leave for disability or workers’ compensation injury/illness, provided that the leave meets FMLA requirements. The substitution of paid leave for unpaid leave does not extend the 26-workweek leave period.

Qualifying Exigency Leave

An employee may be entitled to Qualifying Exigency FMLA leave if the employee’s spouse, child, or parent is in the National Guard, is a Reservist, or is retired military and is called to active duty or has been notified of an impending call or order to active duty in support of a contingency operation as defined by federal law. The time spent in several specific activities, defined by law as “Qualifying Exigencies,” may also be considered FMLA time. This does not include those on the Permanent Disabled Retired List or Active-Duty Military.

Certification of Leave

The first time an employee requests Qualifying Exigency leave, IPS will require the employee to provide a copy of the covered military member’s active-duty orders or other documentation issued by the military that indicates that the covered military member is on active duty, or has been called to active duty status in support of a contingency operation, and the dates of the covered military member’s active duty service.

In addition, each time an employee first requests leave for one of the Qualifying Exigencies, IPS may require certification of the exigency necessitating leave. Certification supporting leave for a Qualifying Exigency includes: appropriate facts supporting the need for leave, including any available written documentation supporting the request; the date on which the Qualifying Exigency commenced or will commence, and the end date; where leave will be needed on an intermittent basis, the frequency and duration of the Qualifying Exigency; and appropriate contact information if the exigency involves meeting with a third-party.

Post-Deployment Activities

An employee may be entitled to take Qualifying Exigency leave for certain qualifying post-deployment exigencies,

including reintegration activities, for a period of 90 days following the termination of the covered military member's active-duty status. State calls to active duty are not covered unless under order of the President of the United States.

Maximum Amount of FMLA Leave within a 12-Month Period

Except as provided above, an employee is entitled to up to 12 workweeks of unpaid leave during a 12-month period for any FMLA qualifying reason(s). The 12-month period is a rolling period measured by looking back over the last 12 months from the date of the request and subtracting the amount of FMLA time taken during the previous 12 months from the employee's 12-week leave allotment. [This Department of Labor publication](#) explains the "roll-back method" for calculation of available FMLA leave and includes a visual illustration. An eligible employee who is eligible for Service Member Family Leave may take a maximum of only 26 weeks during a rolling 12-month period, even if the employee also qualifies for FMLA leave for a reason other than Service Member Family leave.

Limitations on FMLA Leave

Leave to care for a newborn, or for a newly placed adopted or foster child, must conclude within 12 months after the birth or placement of the child. When both spouses are employed by IPS, they are entitled to a combined total of twelve 12 workweeks of FMLA leave within the designated 12-month period for the birth, adoption, or foster care placement of a child, for aftercare of the newborn or newly placed child, and to care for a parent (but not in-law) with a serious health condition. Each spouse may be entitled to additional FMLA leave for other FMLA-qualifying reasons, but not more than a total of 12 workweeks per person. For example, if each spouse took six weeks of leave to care for a newborn child, each could later use an additional six weeks due to his or her own serious health condition or to care for a parent or child with a serious health condition.

Intermittent or Reduced Schedule Leave

FMLA leave may be taken intermittently or on a reduced leave schedule under certain circumstances. "Intermittent leave" is FMLA leave taken in separate blocks of time due to a single qualifying reason. A "reduced leave schedule" is a leave schedule that reduces an employee's usual number of working hours per workweek, or hours per workday.

Intermittent or reduced schedule leave is appropriate when there is a medical need for such leave for an employee's own serious health condition, to care for a spouse, parent, son, or daughter with a serious health condition, or to care for a covered servicemember with a serious injury or illness. An employee may also be entitled to use intermittent or reduced schedule leave for qualifying exigencies. An employee *is not* entitled to take intermittent leave for the birth and care of a newborn child or for the placement of a child for adoption or foster care.

Additionally, if employee needs leave intermittently or on a reduced schedule for planned medical treatment for his or her own serious health condition or for that of a qualifying family member, the employee should make a reasonable effort to schedule the treatment so as to not unduly disrupt IPS's operations.

Transfer to an Alternative Position

If an employee requests intermittent or reduced schedule leave that is foreseeable based on planned medical treatment, IPS may require the employee to transfer temporarily to an available alternative position for which the employee is qualified, and which better accommodates recurring periods of leave than does the employee's regular position.

Calculating Leave Use

When an employee takes leave on an intermittent or reduced schedule, only the amount of leave actually taken may be counted toward the employee's leave entitlement. IPS must account for intermittent or reduced schedule leave using an increment no greater than the shortest period of time that it uses to account for use of other forms of leave, provided the increment is not greater than one hour.

Request for FMLA Leave

Any absence of five days or more for an illness or medical condition may be designated FMLA leave and will require appropriate documentation. Failure to apply for FMLA and provide appropriate documentation shall not prevent IPS from designating as FMLA leave against employee's total annual balance if otherwise eligible, and IPS will notify employee of such designation. Employees should request FMLA leave by notifying their appropriate supervisor and submitting a completed Leave form to the Human Resources department within fifteen (15) days of the qualifying event.

Employees must provide 30 days' advance notice of the need to take FMLA leave when the need is foreseeable. When such notice is not possible, the employee must provide notice as soon as practicable, and must comply with the school's call-in procedures unless incapacitated. Failure to follow procedures may result in disciplinary action up to and including termination.

Employees must provide sufficient information to Human Resources to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information must be provided on IPS's designated forms and approvals are not final until Human Resources issues a written designation notice. Employees also must inform the Human Resources department if the requested leave is for a reason for which FMLA leave was previously taken or certified.

Required Documentation for Birth, Adoption, or Health-Related FMLA Leave

When leave is taken to care for a family member, IPS will require employees to provide documentation or a statement of a family relationship (birth certificate or court document). The employee is required to submit medical certification from a health care provider on IPS's form to support a request for FMLA leave for his or her or a family member's serious health condition. Medical certification forms are available from Human Resources and must be returned to Human Resources within fifteen (15) calendar days of the employee's receipt.

If IPS deems the medical certification to be incomplete or insufficient, Human Resources will specify, in writing, what information is lacking, and the employee will have seven calendar days to cure the deficiency. It is the employee's responsibility to provide a complete and sufficient certification. Such failure to provide complete and sufficient certification, despite the opportunity to cure any deficiency, may lead to denial of FMLA leave. IPS may (a) have a designated health care provider or the Human Resources department (but in no case the employee's supervisor) contact the employee's health care provider in an effort to clarify or authenticate the initial certification if IPS has reason to doubt an employee's initial certification; and/or (b) require the employee to obtain a second opinion by an independent provider at IPS's designation and expense. If the initial and second certifications differ, IPS may, at its expense, require the employee to obtain a third, final and binding certification from a jointly selected health care provider.

During FMLA leave, IPS may request that the employee provide recertification of a serious health condition, at intervals, in accordance with the FMLA. In addition, during FMLA leave, the employee must provide IPS with periodic reports regarding his or her status and intent to return to work. If the employee's anticipated return to work date changes, and it becomes necessary for the employee to take more or less leave than originally

anticipated, he or she must provide IPS with reasonable notice (within two business days) of such changed circumstances and new return to work date. If the employee gives notice of such intent not to return to work, he or she will be considered to have voluntarily resigned.

Before an employee returns to work from FMLA leave for his or her own serious health condition, the employee will be required to submit a fitness-for-duty certification from his or her health care provider with respect to the condition for which the leave was taken, stating that the employee is able to perform the essential functions of his or her job. Where a reasonable job safety concern exists, IPS may require a fitness-for-duty certification before an employee's return to work from intermittent leave.

FMLA leave or return to work may be delayed or denied if the appropriate documentation is not provided in a timely manner. Also, a failure to provide requested documentation of the reason for an absence from work may lead to termination of employment.

Use of Paid and Unpaid Leave

FMLA provides eligible employees with up to 12 workweeks of unpaid leave, except as described above. However, if an employee has available PTO, he or she must substitute any qualifying paid leave for unpaid FMLA leave first. Substituted paid leave will run concurrently with the unpaid FMLA leave. "Qualifying paid leave" is leave that would otherwise be available to an employee for the purpose for which FMLA leave is taken. The remainder of the 12 workweeks of leave, if any, will be unpaid leave. Any paid leave used for an FMLA-qualifying reason will be charged against the employee's entitlement to FMLA leave. This includes leave for disability or workers' compensation injury/illness, provided that the leave meets FMLA requirements. The substitution of paid leave for unpaid leave does not extend the 12-workweek period. During the period that an employee takes a leave of absence, including FMLA, he or she is not eligible to receive additional PTO. Accruals will resume upon the employee's return to work.

Designation of Leave

Human Resources will notify an employee that his or her leave has been designated as FMLA leave within five (5) business days of receiving the employee's certification by a health care provider, absent extenuating circumstances. If an employee has not notified IPS of the reason for the leave, and desires that leave be counted as FMLA leave, he or she must notify the Human Resources department within two (2) business days of returning to work that the leave was for an FMLA reason.

Special Rules for Instructional Employees

Special rules may apply to certain employees of charter schools. These special rules affect leave taken intermittently or on a reduced schedule or taken near the end of an academic term (semester) by instructional employees.

"Instructional employees" are those whose primary job duty is to teach and instruct students in a class, a small group, or an individual setting. This term includes not only teachers and co-teachers, but also athletic coaches, driving instructors, and special education assistants such as signers for the hearing impaired. It does not include teacher assistants or aides who do not have as their primary job actual teaching or instructing, nor does it include personnel such as counselors, psychologists, or curriculum specialists. It also does not include cafeteria workers, maintenance workers, or bus drivers.

Failure to Provide Notice of Foreseeable Leave

If an instructional employee does not give required notice of foreseeable leave to be taken intermittently or on a

reduced schedule, IPS may require the employee to take leave of a particular duration or to transfer temporarily to an alternative position. Alternatively, IPS may require the employee to delay the taking of leave until the notice provision is met.

Twenty Percent (20%) Rule

If an eligible instructional employee needs intermittent leave or leave on a reduced leave schedule to care for a family member with a serious health condition, to care for a covered service member, or for the employee's own serious health condition; the leave is foreseeable based on planned medical treatment; and the employee would be on leave for more than 20% of the total number of working days over the period the leave would extend, IPS may require the employee to choose:

- To take leave for a period or periods of a particular duration, not greater than the duration of the planned treatment; or
- To transfer temporarily to an available alternative position for which the employee is qualified, which has equivalent pay and benefits, and which better accommodates recurring periods of leave than does the employee's regular position.

"Periods of a particular duration" means a block or blocks of time beginning no earlier than the first day for which leave is needed and ending no later than the last day on which leave is needed and may include one uninterrupted period of leave. If an employee chooses to take leave for "periods of a particular duration" in the case of intermittent or reduced schedule leave, the entire period of leave taken will count as FMLA leave.

Leave at the End of a Semester

As a rule, IPS may not require an employee to take more FMLA leave than the employee needs. The FMLA recognizes exceptions where instructional employees begin leave near the end of a semester. As set forth below, IPS may, in certain cases, require the employee to take leave until the end of the semester.

The school semester, or "academic term," typically ends near the end of the calendar year and the end of spring each school year. In no case may a school have more than two academic terms or semesters each year for purposes of the FMLA.

If IPS requires the employee to take leave until the end of the semester, only the period of leave until the employee is ready and able to return to work shall be charged against his or her FMLA leave entitlement. Any additional leave required by the school to the end of the semester is not counted as FMLA leave; however, IPS shall maintain the employee's group health insurance and restore the employee to the same or equivalent job, including other benefits, at the end of the leave.

More Than Five Weeks Before the End of the Semester

IPS may require an instructional employee to continue taking leave until the end of the semester if:

- The employee begins leave more than five weeks before the end of the semester;
- The leave will last at least three weeks; and
- The employee would return to work during the three-week period before the end of the semester.

During Last Five Weeks of the Semester

IPS may require an instructional employee to continue taking leave until the end of the semester if:

- The employee begins leave during the last five weeks of the semester for any reason other than the employee's own serious health condition or a Qualifying Exigency;
- The leave will last more than two weeks; and

- The employee would return to work during the two-week period before the end of the semester.

During Last Three Weeks of the Semester

IPS may require an instructional employee to continue taking leave until the end of the semester if the employee begins leave during the three-week period before the end of the semester for any reason other than the employee's own serious health condition or a qualifying exigency.

Maintenance of Health Benefits

During FMLA leave, employees are entitled to continue group health plan coverage under the same conditions as if they had continued to work. To the extent that FMLA leave is paid, the employee's portion of health insurance premiums will be deducted from their salary. For the portion of FMLA leave that is unpaid, an employee's portion of health insurance premiums must be paid in accordance with IPS's rules for leave without pay. If payment of health insurance premiums is more than 30 days late, IPS may discontinue health insurance coverage upon notice to the employee and following satisfaction of any legally required grace periods.

Salary Action

The length of the leave will delay any planned, but not implemented, salary increase for a period equal to an employee's leave of absence, including FMLA.

Performance Evaluation

The length of the leave will extend an employee's normal performance evaluation date by the length of the leave of absence, including FMLA.

Return from FMLA Leave

Upon return from FMLA leave, the employee will be placed in the same position he or she held before the leave, or an equivalent position with equivalent pay, benefits, and other employment terms.

Limitations on Reinstatement

An employee is entitled to reinstatement only if he or she would have continued to be employed had FMLA leave not been taken. Thus, an employee is not entitled to reinstatement if, because of a layoff, reduction in force or other reason, he or she would not be employed at the time job restoration is sought.

IPS reserves the right to deny reinstatement to salaried, FMLA-eligible employees who are among the highest paid 10% of employees employed within 75 miles of the employee's worksite, if such denial or reinstatement is necessary to prevent substantial and grievous economic injury to IPS's operations.

Failure to Return to Work Following FMLA Leave

If an employee does not return to work following the conclusion of FMLA leave, he or she will be considered to have voluntarily resigned. IPS may recover from the employee such portion of health insurance premiums that were paid on the employee's behalf during any unpaid FMLA leave. Recovery may be made through deductions from any outstanding sums due to the employee, except where prohibited by federal or state law, or through legal action against the employee.

For further information or clarification about FMLA leave, please contact Human Resources.

For information or to file a complaint with the U. S. Department of Labor (DOL), you may by contact the DOL at 1-866-487-9243 or by visiting www.wagehour.dol.gov.

5.6 Bereavement Leave

Employees may use available PTO for absences due to a death in the immediate family, which is defined as an employee's parent, stepparent, spouse, child, stepchild, sibling, grandparent, or grandchild. IPS will provide up to ten days of unpaid bereavement leave in the event of a death in the immediate family.

Bereavement leave days should be taken consecutively, within a reasonable time from the date of the death or day of the funeral and may not be split or postponed.

5.7 Jury Duty and Grand Jury Service

IPS may not discharge, threaten to discharge, intimidate, or coerce an employee because the employee serves as a juror, or for the employee's attendance or scheduled attendance in connection with jury service in any court in the United States. Additionally, IPS may not terminate the employment of an employee because the employee serves as a juror or grand juror.

IPS will provide paid leave, at an employee's regular daily or hourly rate, for any employee absence due to service on a jury or grand jury.

An employee on jury or grand jury duty is expected to report to work any day he or she is excused from such duty. An employee summoned for jury or grand jury duty must notify his or her supervisor immediately, provide a copy of the jury notice, and upload the notice into the Frontline system upon entering his or her absence.

5.8 Other Court Appearances

Employees will be granted paid leave to comply with a valid subpoena to appear in a civil, criminal, legislative, or administrative proceeding. Employees must submit documentation of their need for leave for court appearances to their manager and the Human Resources department. IPS will not discharge, discipline, or otherwise penalize an employee because he or she complies with a valid subpoena to appear in a civil, criminal, legislative, or administrative proceeding.

5.9 Voting Leave

Any employee who does not have two consecutive non-work hours while the polls are open on election day will be given up to two hours off with pay in order to vote, unless more time is required by state law. The employee should notify the appropriate supervisor before Election Day if time off is needed, so that the timing of the employee's absence can be pre-arranged.

5.10 Volunteer First Responders Leave

Any employee who volunteers in activities involving first responders (including but not limited to medical personnel, emergency and medical technicians, volunteer firemen, auxiliary law enforcement officers, and members of the Civil Air Patrol) are entitled to time off from work when responding to a state of emergency prior to or during the time the employee is to report to work, consistent with state and federal law. An employee who is absent from work as a result of being a first responder to a designated state of emergency is still subject to the terms and conditions of IPS's policies regarding leaves of absence and must report back to

work no more than 72 hours after being released from first responder duty. Employees will be reinstated to their previous position or a comparable position to the extent it is not impossible, unreasonable, and will not impose an undue hardship on IPS. Employees who are disabled while serving as a first responder may seek a reasonable accommodation in accordance with state law.

PART 6. EMPLOYEE CONDUCT AND WELFARE

6.1 Standards of Conduct

All employees are expected to work together in a cooperative spirit to serve the best interests of IPS and its schools and to be courteous to students, one another, and the public. Employees are expected to observe the following standards of conduct:

- Express concerns, complaints, or criticism through appropriate channels and the chain of command.
- Know and comply with department and school policies and procedures.
- Maintain confidentiality in all matters relating to students and coworkers, as required by applicable law.
- Observe all safety rules and regulations and report injuries or unsafe conditions to a supervisor immediately.
- Recognize and respect the rights of students, parents, other employees, and members of the community.
- Report to work according to the assigned schedule.
- Use IPS time, funds, and property for authorized IPS business and activities only.
- Refrain from use of any IPS resources for personal reasons, including but not limited to counseling and clinic staff and resources

6.2 Code of Ethics

All employees must comply with the following Code of Ethics and the Florida Principles of Professional Conduct, Florida Administrative Code, Rule 6A-10.081:

Ethical Conduct in General

The IPS employee shall comply with standard practices and ethical conduct toward students, professional colleagues, school officials, parents, and members of the community and shall safeguard academic freedom. The IPS employee, in maintaining the dignity of the profession, shall respect and obey the law, demonstrate personal integrity, and exemplify honesty and good moral character. The IPS employee, in exemplifying ethical relations with colleagues, shall extend just and equitable treatment to all members of the profession. The IPS employee, in accepting a position of public trust, shall measure success by the progress of each student toward realization of his or her potential as an effective citizen. The IPS employee, in fulfilling responsibilities in the community, shall cooperate with parents and others to improve the public schools of the community.

Training Requirements

The governing board of a charter school shall adopt policies establishing standards of ethical conduct for instructional personnel and school administrators. The policies must require all instructional personnel and school administrators, as defined in s. 1012.01, to complete training on the standards; establish the duty of instructional personnel and school administrators to report, and procedures for reporting, alleged misconduct by other instructional personnel and school administrators which affects the health, safety, or welfare of a student; and include an explanation of the liability protections provided under ss. 39.203 and 768.095.

Professional Ethical Conduct, Practices and Performance:

- Standard 1.1. An IPS employee shall not intentionally, knowingly, or recklessly engage in deceptive practices regarding official policies of IPS and educator preparation programs.
- Standard 1.2. An IPS employee shall not knowingly misappropriate, divert, or use monies, personnel,

- property, or equipment committed to his or her charge for personal gain or advantage.
- Standard 1.3. An IPS employee shall not submit fraudulent requests for reimbursement, expenses, or pay.
 - Standard 1.4. An IPS employee shall not use institutional or professional privileges for personal or partisan advantage.
 - Standard 1.5. An IPS employee shall neither accept nor offer gratuities, gifts, or favors that impair professional judgment or are used to obtain special advantage. This standard shall not restrict the acceptance of gifts or tokens offered and accepted openly from students, parents of students, or other persons or organizations in recognition or appreciation of service.
 - Standard 1.6. An IPS employee shall not falsify records, or direct or coerce others to do so.
 - Standard 1.7. An IPS employee shall comply with state regulations, written local school board policies, and other state and federal laws.
 - Standard 1.8. An IPS employee shall apply for, accept, offer, or assign a position or a responsibility on the basis of professional qualifications.
 - Standard 1.9. An IPS employee shall not make threats of violence against IPS employees, school board members, students, or parents of students.
 - Standard 1.10. An IPS employee shall be of good moral character and be worthy to instruct or supervise the youth of this state.
 - Standard 1.11. An IPS employee shall not intentionally or knowingly misrepresent his or her employment history, criminal history, and/or disciplinary record when applying for subsequent employment.
 - Standard 1.12. An IPS employee shall refrain from the illegal use, abuse, or distribution of controlled substances and/or abuse of prescription drugs and toxic inhalants.
 - Standard 1.13. An IPS employee shall not be under the influence of alcohol or consume alcoholic beverages on school property or during school activities when students are present.
 - Standard 1.14. An IPS employee shall not assist another educator, school employee, contractor, or agent in obtaining a new job as an educator or in a school, apart from the routine transmission of administrative and personnel files, if the educator knows or has probable cause to believe that such person engaged in sexual misconduct regarding a minor or student in violation of the law.

Ethical Conduct Toward Professional Colleagues

- Standard 2.1. An IPS employee shall not reveal confidential health or personnel information concerning colleagues unless disclosure serves lawful professional purposes or is required by law.
- Standard 2.2. An IPS employee shall not harm others by knowingly making false statements about a colleague or the IPS system.
- Standard 2.3. An IPS employee shall adhere to written policies and state and federal laws regarding the hiring, evaluation, and dismissal of personnel.
- Standard 2.4. An IPS employee shall not interfere with a colleague's exercise of political, professional, or citizenship rights and responsibilities.
- Standard 2.5. An IPS employee shall not discriminate against or coerce a colleague on the basis of race, color, religion, national origin, age, gender, disability, family status, or sexual orientation.
- Standard 2.6. An IPS employee shall not use coercive means or promise of special treatment in order to influence professional decisions or colleagues.
- Standard 2.7. An IPS employee shall not retaliate against any individual who has filed a complaint with any oversight body or who provides information for a disciplinary investigation or proceeding under applicable laws or regulations.
- Standard 2.8. An IPS employee shall not intentionally or knowingly subject a colleague to sexual

harassment.

Ethical Conduct Toward Students

- Standard 3.1. An IPS employee shall not reveal confidential or personally identifiable information concerning students unless disclosure serves lawful professional purposes or is required by law.
- Standard 3.2. An IPS employee shall not intentionally, knowingly, or recklessly treat a student or minor in a manner that adversely affects or endangers the learning, physical health, mental health, or safety of the student or minor.
- Standard 3.3. An IPS employee shall not intentionally, knowingly, or recklessly misrepresent facts regarding a student.
- Standard 3.4. An IPS employee shall not exclude a student from participation in a program, deny benefits to a student, or grant an advantage to a student on the basis of race, color, gender, disability, national origin, religion, family status, or sexual orientation.
- Standard 3.5. An IPS employee shall not intentionally, knowingly, or recklessly engage in physical mistreatment, neglect, or abuse of a student or minor.
- Standard 3.6. An IPS employee shall not solicit or engage in sexual conduct or a romantic relationship with a student or minor.
- Standard 3.7. An IPS employee shall not furnish alcohol or illegal/unauthorized drugs to any person under 21 years of age unless the educator is a parent or guardian of that child or knowingly allow any person under 21 years of age unless the educator is a parent or guardian of that child to consume alcohol or illegal/unauthorized drugs in the presence of the educator.
- Standard 3.8. An IPS employee shall maintain appropriate professional educator-student relationships and boundaries based on a reasonably prudent educator standard.
- Standard 3.9. An IPS employee shall refrain from inappropriate communication with a student or minor, including, but not limited to, electronic communication such as cell phone, text messaging, email, instant messaging, blogging, or other social network communication. Factors that may be considered in assessing whether the communication is inappropriate include, but are not limited to:
 - the nature, purpose, timing, and amount of the communication;
 - the subject matter of the communication;
 - whether the communication was made openly, or the educator attempted to conceal the communication;
 - whether the communication could be reasonably interpreted as soliciting sexual contact or a romantic relationship;
 - whether the communication was sexually explicit; and
 - whether the communication involved discussion(s) of the physical or sexual attractiveness or the sexual history, activities, preferences, or fantasies of either the educator or the student.

6.3 Financial Ethics

IPS prohibits fraud and financial impropriety in the actions of its directors, employees, vendors, contractors, consultants, volunteers, and others seeking or maintaining a business relationship with IPS.

Fraud and financial impropriety shall include but not be limited to:

- Forgery or unauthorized alteration of any document or account belonging to IPS;
- Forgery or unauthorized alteration of a check, bank draft, or any other financial document;
- Misappropriation of funds, securities, supplies, or other school assets, including employee time;
- Impropriety in the handling of money or reporting of IPS's financial transactions;

- Profiteering as a result of insider knowledge of school information or activities;
- Unauthorized disclosure of confidential or proprietary information to outside parties;
- Unauthorized disclosure of investment activities engaged in or contemplated by IPS;
- Accepting or seeking anything of material value from contractors, vendors, or other persons providing services or materials to IPS, except as otherwise permitted by law or IPS policy;
- Inappropriately destroying, removing, or using records, furniture, fixtures, or equipment;
- Failure to provide financial records required by state or local entities;
- Failure to disclose conflicts of interest as required by law or IPS policy; or
- Any other dishonest act regarding the finances of IPS.

Any person who suspects fraud or financial impropriety shall report the suspicions immediately to any supervisor, the Superintendent or designee, the Board President, or local law enforcement.

Reports of suspected fraud or financial impropriety will be treated as confidential to the extent permitted by law. Limited disclosure may be necessary to complete a full investigation or to comply with law. All employees involved in an investigation shall be advised to keep information about the investigation confidential.

Neither the Board of Directors nor any IPS employee shall unlawfully retaliate against a person who in good faith reports perceived fraud or financial impropriety.

If an employee is found to have committed fraud or financial impropriety, the Superintendent, CEO, or designee or the Board of Directors shall take or recommend appropriate disciplinary action, which may include termination of employment and, when circumstances warrant, referral to appropriate law enforcement or regulatory authorities.

6.4 Unacceptable Employee Conduct

Employees are expected to follow all laws, policies, regulations, terms and conditions of employment and directives of IPS. IPS expects its employees to act in a mature, professional, and responsible manner. The following is a non-exclusive list of prohibited employee conduct. Employees who engage in any conduct listed below are subject to disciplinary action up to and including termination. This is not intended to be a complete list, and it does not alter the at-will employment relationship between employees and IPS.

1. Dishonesty, falsification, or misrepresentation on an application for employment or other work records; falsifying reasons for leave of absence or other data requested by IPS and/or alteration of IPS's records or documents.
2. Engaging in a romantic, sexual, or otherwise inappropriate relationship with a student, regardless of whether the relationship is consensual.
3. Engaging in an act of sabotage; willful or with negligence causing the destruction or damage of IPS property, or the property of fellow employees, volunteers, contractors, or visitors, in any manner.
4. Engaging in inappropriate electronic communications with students, as described in Part 10.8 of this handbook.
5. Engaging in malicious gossip, spreading rumors, or otherwise engaging in behavior designed to create discord and lack of harmony or otherwise interfere with the job performance of fellow employees or service providers.
6. Engaging in rudeness, disrespectful, or unprofessional behavior toward scholars, employees, parents, and school contractors or vendors.
7. Fighting or threatening violence toward anyone on IPS property or when representing IPS, including

“horseplay” or provoking a fight between others.

8. Giving to other schools, organizations, or persons information made confidential by law and/or proprietary IPS information that is obtained from IPS’s files or records in the course of employment.
9. Information relating to IPS employees and/or students that is obtained from IPS’s files or records in the course of employment.
10. Insubordination or other disrespectful conduct (including refusal to follow the lawful directives of a supervisor or the Superintendent).
11. Intoxication or being under the influence of controlled substances while at work or representing IPS.
12. Negligence or any careless action that endangers the life or safety of another person, or damage to or destruction of IPS property.
13. Possession of firearms, weapons, or explosives on IPS property, while on duty or while representing IPS.
14. Smoking in prohibited areas.
15. The use, possession or sale of a controlled substance, alcohol, or tobacco as further described in Parts 6.5, 6.6, and 6.7 of this handbook.
16. Theft of IPS-owned property or the property of fellow employees, students, contractors, or visitors.
17. Threatening, intimidating or coercing fellow employees on or off IPS property, at any time, for any reason.
18. Unauthorized possession or removal of any IPS property, including documents, from the premises without prior permission from a supervisor.
19. Unauthorized use of IPS equipment or property, including using such equipment for personal use or profit.
20. Unsatisfactory performance or conduct.
21. Violations of IPS’s expectations for employee conduct, including but not limited to those set out in Parts 6.2, 6.3, and 6.4 of this handbook, or as otherwise distributed to employees by IPS.
22. Violations of the standards for employee use of IPS’s technology and information resources as set out in Part 10 of this handbook, or as otherwise distributed to employees by IPS.
23. Violation of the rules affecting the health and safety of students and the efforts of IPS to operate efficiently and effectively.

6.1 Drug-Free Workplace Requirements

IPS intends to provide a safe and drug-free work environment for our students and employees. With this goal in mind, we have established [this Drug-Free Workplace Policy](#) for all Florida employees. For all employees it is a condition of employment for an employee to refrain from reporting to work or working with the presence of drugs or alcohol in his or her body and, if an injured employee refuses to submit to a test for drugs or alcohol, the employee forfeits eligibility for medical and indemnity benefits.

IPS explicitly prohibits:

- The unlawful manufacture, distribution, dispensation, possession, or use of narcotics or other illegal drugs, alcohol, or prescription medication without a prescription on IPS premises or while attending an IPS-sponsored or school-related activity.
- Being impaired or under the influence of legal or illegal drugs or alcohol away from school property, if such impairment or influence adversely affects the employee’s work performance, the safety of the employee or of others, or puts at risk IPS’s reputation.
- Possession, use, solicitation for, or sale of legal or illegal drugs or alcohol away from IPS property, if such activity or involvement adversely affects the employee’s work performance, the safety of the employee or others, or puts at risk IPS’s reputation.
- The presence of any detectable amount of prohibited substances in the employee’s system while at work, on IPS property, or while attending a school-sponsored or school-related activity. “Prohibited substances”

include illegal drugs, alcohol, or prescription drugs not taken in accordance with a prescription given to the employee.

Employees who violate this policy may be referred to drug counseling programs, drug rehabilitation programs, employee assistance programs, or may be disciplined or terminated from employment.

An employee who refuses to comply with a directive to submit to testing based upon reasonable suspicion shall be subject to disciplinary action, up to, and including termination.

All reports by IPS regarding drug or alcohol testing results shall be kept strictly confidential but may be used as the basis for disciplinary action or other action regarding employment status.

If an employee is tested for drugs or alcohol outside of the employment context and the results indicate a violation of this policy, or if an employee refuses a request to submit to testing under this policy, the employee may be subject to appropriate disciplinary action, up to and possibly including termination. In such a case, the employee will be given an opportunity to explain the circumstances prior to any final employment action becoming effective.

IPS will conduct drug and/or alcohol testing under any of the following circumstances:

For-Cause Testing

IPS may ask an employee to submit to a drug and/or alcohol test at any time it has reason to suspect that the employee may be under the influence of drugs or alcohol, including, but not limited to, the following circumstances: evidence of drugs or alcohol on or about the employee's person or in the employee's vicinity; unusual conduct on the employee's part that suggests impairment or influence of drugs or alcohol; negative performance patterns; or excessive and unexplained absenteeism or tardiness.

Random Testing

IPS may conduct random drug and alcohol testing of employees in safety-sensitive positions to further IPS's interest in ensuring the physical safety of students, school employees, and the community.

Testing procedures shall be minimally invasive. For purposes of such testing, safety-sensitive positions shall not be limited to, but shall include, positions in which an employee:

1. Drives an IPS vehicle;
2. Transports students in IPS vehicles; and
3. Performs manual trades or handles potentially dangerous machinery or hazardous substances in an environment that may be occupied by a large number of students or staff.

An employee will not be requested to undergo random testing on more than two occasions during a school year.

Post-Accident Testing

Any employee involved in an on-the-job accident or injury under circumstances that suggest possible use or influence of drugs or alcohol in the accident or injury event may be asked to submit to a drug and/or alcohol test. This includes not only the employee who was or could have been injured, but also any employee who potentially contributed to the accident or injury event in any way.

Pre-Employment Testing

IPS shall perform pre-employment drug or alcohol testing after a conditional offer of employment is made and

accepted. IPS shall also perform drug or alcohol testing following three (3) or more months on a leave of absence.

Employees with Assigned Driving Duties

Any employee whose duties require a commercial driver's license (CDL) is subject to drug and alcohol testing. This includes all drivers who operate a motor vehicle designed to transport 16 or more people, counting the driver; drivers of large vehicles; or drivers of vehicles used in the transportation of hazardous materials. Teachers, coaches, or other employees who primarily perform duties other than driving are subject to testing requirements when their duties include driving.

Drug testing will be conducted before an individual assumes driving responsibilities. Alcohol and drug tests will be conducted at random when reasonable suspicion exists, and as a follow-up measure.

Testing will be conducted following accidents. Return-to-duty and follow-up testing will be conducted if an employee who has violated the prohibited alcohol conduct standards or tested positive for alcohol or drugs is allowed to return to duty.

Employees with questions or concerns relating to alcohol and drug policies and related educational material should contact the Human Resources department. The Transportation Department handbook policies supersede policies stated in this text.

Any appeals beyond those conducted by the medical review officers shall be conducted as a Division of Administrative Hearings (DOAH) hearing.

6.2 Alcohol and Tobacco Use and Possession

IPS maintains an alcohol-, smoke-, and tobacco-free work environment on IPS property, in IPS vehicles, or during IPS-related or IPS-sanctioned activities, on or off campus. Any violation of this policy may result in immediate termination.

6.3 Electronic Cigarettes

IPS prohibits the use of any "e-cigarette," meaning an electronic cigarette or any other device that simulates smoking by using a mechanical heating element, battery, or electronic circuit to deliver nicotine or other substances to the individual inhaling from the device, at all times on IPS property, at any school events or activities (whether or not on school property), or in school vehicles. This prohibition also includes any and all vapors, inhalants, electronic cigarette devices, or other devices or paraphernalia used with vapors, other inhalants, or chemicals. All personnel shall enforce this policy on IPS property.

6.4 Weapon & Firearms Possession

Florida Statutes §790.115 prohibits the possession of firearms and dangerous weapons on the physical premises of a school, any grounds or building on which an activity sponsored by a school is being conducted, or school transportation vehicle. Any violation of this policy by an IPS employee may result in immediate termination. To ensure the safety of all persons, employees who observe or suspect a violation of this prohibition should report it immediately to their supervisor.

6.5 Inspections and Searches

IPS reserves the right to conduct searches to monitor compliance with rules concerning safety of employees, security of IPS and personal property, drugs and alcohol, and possession of other prohibited items. “Prohibited items” include illegal drugs, alcoholic beverages, prescription drugs or medications not used or possessed in compliance with a current valid prescription, weapons, any items of an obscene, harassing, demeaning, or violent nature, and any property in the possession or control of an employee who does not have authorization from the owner of such property to possess or control the property. “Control” means knowing where a particular item is, having placed an item where it is currently located, or having any influence over its continued placement. In addition to the school’s premises, IPS may search employees, their work areas, lockers, personal vehicles (if driven or parked on school property), and other personal items such as bags, purses, briefcases, backpacks, lunch boxes, and other containers. In requesting a search, IPS is by no means accusing anyone of theft, some other crime, or any other variety of improper conduct.

There is no general or specific expectation of privacy in the workplace, either on IPS property or elsewhere while on duty. In general, employees should assume that what they do while on duty or on IPS premises is not private. All employees and all of the areas listed above are subject to search at any time; if an employee uses a locker or other storage area at work, including a locking desk drawer or locking cabinet, IPS will either furnish the lock and keep a copy of the key or combination, or else allow the employee to furnish a personal lock, but the employee must give IPS a copy of the key or combination. The areas in question may be searched at any time, with or without the employee being present. As a general rule, with the exception of items relating to personal hygiene or health, no employee should ever bring anything to work or store anything at work that he or she would not be prepared to show and possibly turn over to school officials and/or law enforcement authorities.

All IPS employees are subject to this policy. However, any given search may be restricted to one or more specific individuals, depending upon the situation. Searches may be done on a random basis or based upon reasonable suspicion. “Reasonable suspicion” means circumstance suggesting to a reasonable person that there is a possibility that one or more individuals may be in possession of a prohibited item as identified above. Any search under this policy will be conducted in a manner protecting employee privacy, confidentiality, and personal dignity to the greatest extent possible. IPS will respond severely to any unauthorized release of information concerning individual employees.

An employee who refuses to submit to a search requested by IPS will face disciplinary action, up to and including immediate termination of employment.

Employees who are found to be in possession of prohibited materials in violation of this policy or in violation of other IPS policies contained in this handbook, will be subject to discipline, up to and including termination.

6.6 Reporting Suspected Child Abuse and Neglect

All IPS officers, employees, agents, and volunteers who have cause to believe that a child’s physical or mental health or welfare has been adversely affected by abuse or neglect by any person are required by make a report as required by law. Abuse is defined by Florida law as indicated below and includes but is not limited to any sexual conduct involving an educator and a student or minor. Reports to the Department of Child and Family Services can be made to the Child Protection hotline at 1-800-96-Abuse (1-800-962-2873). Under state law, any person reporting or assisting in the investigation of reported child abuse or neglect is immune from liability unless the report is made in bad faith or with malicious intent.

If any IPS officer, employee, agent, or volunteer has cause to believe that a child has been or may be abused, maltreated, or neglected, that person shall immediately make a report after the person first suspects the abuse or neglect. The person may not delegate to or rely on another individual to make the report. An individual who knowingly fails to make a report as required by law may be subject to criminal prosecution. Waiting even twenty-four hours may be a violation of Florida's mandatory reporting laws.

A report should reflect the reporter's belief that a child has been or may be abused or neglected or has died because of abuse or neglect. The reporter shall identify the following information, if known:

- The name and address of the child;
- The name and address of the person responsible for the care, custody, or welfare of the child; and
- Any other pertinent information concerning the alleged or suspected abuse or neglect.

All reports of abuse shall be reported to the principal or designee contemporaneous to the report mandated by law. In addition, employees must cooperate with child abuse and neglect investigators. Reporting the concern to the principal does not relieve the employee of the requirement to report to the appropriate state agency. Interference with a child abuse investigation by denying an interviewer's request to interview a student at school or requiring the presence of a parent or school administrator against the desires of the investigator is prohibited.

Please note: any IPS employee's failure to report suspected child abuse may result in prosecution for the commission of a felony, in accordance with Florida Statutes 39.205. In addition to the duty to report described above, a person or professional shall make a report if he or she has cause to believe that an adult was a victim of abuse or neglect as a child and the person or professional determines in good faith that disclosure of the information is necessary to protect the health and safety of another child. Such a report must be made expeditiously, and the duty to make a report cannot be delegated.

IPS may not suspend or terminate the employment of because of the employee's reporting, or otherwise retaliatorily discriminate against, an employee who, in good faith:

- Reports child abuse or neglect to:
 - The employee's supervisor,
 - An administrator of the facility where the employee works,
 - A state regulatory agency,
 - A law enforcement agency; or
- Initiates or cooperates with a governmental investigation or proceeding relating to an allegation of child abuse or neglect.

Employee Training

IPS shall provide training for all new and existing employees on awareness of issues regarding sexual abuse and other maltreatment of children, including prevention techniques for and recognition of sexual abuse and all other maltreatment of children.

6.7 Computer Technician Reports of Child Pornography

Any computer technician employed by IPS who, in the course and scope of employment or business with IPS, views an image on a computer that is or appears to be child pornography must immediately report the discovery to a local or state law enforcement agency or the Cyber Tip-line at the National Center for Missing and Exploited

Children. The report must include the name and address of the owner or person claiming a right to possession of the computer, if known, and as permitted by federal law.

Except in a case of willful or wanton misconduct, a computer technician may not be civilly liable for reporting or failing to report the discovery of an image. A computer technician who intentionally fails to report an image may be subject to criminal prosecution.

6.8 Non-Fraternization

While IPS encourages amicable relationships between members of management and their subordinates, it recognizes that involvement in a romantic relationship may compromise or create a perception that compromises a member of management's ability to perform his or her job. Any involvement of a romantic nature between an IDEA FI/IPS manager or supervisor and anyone he or she supervises, either directly or indirectly, is prohibited. Violation of this policy will lead to corrective action up to and including termination of the management individual involved in the relationship.

Unless otherwise approved by the Superintendent, if two employees marry, become relatives of each other, or enter into an intimate relationship, they should not remain in a professional supervisory relationship. IPS will, at its discretion, attempt to identify other available positions, and allow one or both of such employees to apply for reassignment, or IPS may reassign the employees at its discretion. If no alternate position is available, IPS may terminate either of the employees at its discretion.

If two employees start dating, they are required to inform Human Resources so that a determination can be made if there is any potential conflict of interest or violation to any of the stated policies within this handbook. In other cases where a conflict or the potential for conflict arises between an employee and another employee, even if there is no professional supervisory responsibility involved, the parties may be separated by reassignment to another position or terminated from employment, at the discretion of IPS.

Under no circumstances should a manager supervise a relative or someone they are dating as a direct report (regardless of first-, second-, or third-degree relationship as stated in this handbook). All IPS employees must also comply with the Nepotism in Hiring Policy at all times.

6.9 Prohibition of Discrimination, Harassment, and Retaliation

IPS prohibits discrimination, including harassment, of a co-worker based upon race, color, national origin, religion, sex or gender, sexual orientation, gender identity and/or expression, disability, veteran status, age, genetic information, or any other basis prohibited by law. IPS also prohibits retaliation against anyone involved in the complaint process. While acting in the course of their employment, employees shall not engage in prohibited discrimination or harassment of other persons including Board members, vendors, contractors, volunteers, or parents. Discrimination or harassment become unlawful where:

1. Enduring the offensive conduct becomes a condition of continued employment; or
2. The conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.

Petty slights, annoyances, and isolated incidents (unless extremely serious) will not rise to the level of prohibited discrimination or harassment. To be unlawful, the conduct must create a work environment that would be

intimidating, hostile, or offensive to reasonable people.

Prohibited and offensive conduct can include, but is not limited to, offensive jokes, slurs, epithets, or name-calling; physical assaults or threats; intimidation; ridicule or mockery; insults or put-downs; offensive objects or pictures; and/or interference with work performance. Harassment can occur in a variety of circumstances, including but not limited to the following:

1. The harasser can be the victim's supervisor, a supervisor in another area, an agent of the school, a co-worker, or a non-employee.
2. The victim does not have to be the person harassed but can be anyone affected by the offensive conduct.
3. Unlawful harassment may occur without economic injury to, or discharge of, the victim.

Retaliation

IPS strictly prohibits retaliation against a student, parent, or an employee who in good faith reports or complains about discrimination, harassment, or other prohibited conduct, or who serves as a witness or otherwise participates in an investigation. Employees who take part in any retaliatory action will be subject to discipline, up to and including termination. Retaliation may include, but is not limited to: demotion, denial of promotion, poor performance appraisals, transfer, and assignment of demeaning tasks or taking any kind of adverse actions against a person who complains about discrimination or harassment.

An employee who intentionally makes a false claim, offers false statements, or refuses to cooperate with an IPS investigation regarding harassment or discrimination is subject to appropriate discipline, up to and including termination.

Reporting Procedures

An employee who believes that he or she has experienced prohibited discrimination or harassment, retaliation, or believes that another employee has experienced such prohibited conduct, should follow the "Employee Complaints and Grievances Regarding Harassment and Discrimination" process outlined in Section 8.2 of this Handbook. The process for making formal complaints regarding sexual harassment is discussed in "Sexual harassment Prohibited," Section 6.13 of this Handbook.

Reports of prohibited discrimination or harassment shall be made as soon as possible after the alleged act or knowledge of the alleged act. Failure to promptly report may impair IPS's ability to investigate and address the prohibited conduct.

Any supervisor who receives a report of prohibited discrimination or harassment shall immediately notify the appropriate Compliance Coordinator listed above, and take any other steps required by IPS policy.

Any allegation of prohibited harassment of employees shall be investigated and addressed. IPS will immediately undertake or direct an effective, thorough, and objective investigation of the harassment allegations.

If IPS determines that prohibited harassment or other conduct that violates an IPS policy has occurred, the organization will take effective remedial action commensurate with the circumstances. Appropriate action will also be taken to deter any future harassment. If a complaint of prohibited conduct is substantiated, appropriate disciplinary action, up to and including immediate termination, will be taken.

6.10 Sexual Harassment Prohibited

IPS prohibits discrimination on the basis of sex, including sexual harassment, by an employee, volunteer, or student.

Sexual harassment means conduct on the basis of sex that satisfies one or more of the following:

1. A school employee conditioning the provision of aid, benefit, or service of IPS on an individual's participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to IPS's education program or activity; or
3. Sexual assault, dating violence, domestic violence, or stalking (as those offenses are defined in the Clery Act, 20 U.S.C. § 1092(f), and the Violence Against Women Act, 34 U.S.C. § 12291(a)).

Examples of sexual harassment may include, but are not limited to, touching private body parts or coercing physical contact that is sexual in nature; sexual advances; jokes or conversations of a sexual nature; sexually-motivated physical, verbal, or nonverbal conduct; or other sexually motivated conduct, communications, or contact.

Romantic or inappropriate social relationships between students and school employees are prohibited. Any sexual relationship between a student and a school employee is always prohibited, even if consensual.

General Definitions

A "complainant" means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

A "respondent" means an individual who is reported to be the perpetrator of conduct that could constitute sexual harassment.

A "formal complaint" means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that IPS investigate the allegation of sexual harassment.

"Supportive measures" means non-disciplinary, non-punitive individualized services offered appropriate and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to IPS's educational program or activity without unreasonably burdening either party, including measures designed to protect the safety of all parties or IPS's educational environment, or deter sexual harassment. Examples of supportive measures include, but are not limited to, counseling, extensions of deadlines or other course-related adjustments, modifications of class schedules, mutual restrictions on contact between the parties, and other similar measures.

Reporting Sexual Harassment

Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by email, using the contact information listed for the Title IX Coordinator in Section 2.1 of this Handbook, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such a report may be made at any time, including during non-business hours, by using

the telephone number or email address, or by mail to the office address, listed for the Title IX Coordinator.

IPS's response to a report of sexual harassment must treat complainants and respondents equitably by offering supportive measures and by following a grievance process before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent.

After a report of sexual harassment has been made, the Title IX Coordinator must promptly contact the complainant to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint.

Notice of Allegations

Upon receipt of a formal complaint, IPS must provide the following written notice to the parties who are known:

- Notice of IPS's grievance process, including any informal resolution process.
- Notice of the allegations of sexual harassment, including, to the extent known, the identity of the parties, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident.
- Notice that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made known at the conclusion of the grievance process.
- Notice that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney.
- Notice that the parties may inspect, and review evidence related to the complaint.
- Notice that IPS prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

If, during an investigation, IPS decides to investigate allegations about the complaint or respondent that are not included in the initial notice of the complaint, IPS must provide notice of the additional allegations to the parties whose identities are known.

Grievance Process

At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of IPS.

The following guidelines apply when IPS receives a formal complaint of sexual harassment. This process is designed to incorporate due process, principles, treat all parties fairly, and to assist IPS in reaching reliable responsibility determinations.

- IPS will require an objective evaluation of all relevant evidence – including both inculpatory and exculpatory evidence – and credibility determinations may not be based on a person's status as a complainant, respondent, or witness.
- Any individual designated by IPS as a Title IX Coordinator, investigator, decision-maker, or to facilitate an informal resolution process must not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. IPS will ensure that Title IX Coordinators, investigators, decision-makers, and anyone who facilitates an informal resolution process receive appropriate training related to the requirements of Title IX and IPS's sexual harassment policy.
- IPS recognizes a presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the complaint process.

- IPS shall attempt to complete an investigation of reported sexual harassment within 60 calendar days of receiving a complaint. However, the investigation process may be delayed or extended for a limited time for good cause with written notice to the complainant and the respondent of the delay or extension. Good cause may include considerations such as absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.
- Employees found to have engaged in sexual harassment are subject to disciplinary consequences, which range from a verbal warning to termination of employment, as allowed under IDEA's standards for employee conduct.
- Students found to have engaged in sexual harassment are subject to disciplinary action, which range from a verbal warning to recommendation for expulsion, as allowed under the Student Code of Conduct
- IDEA shall employ the preponderance of the evidence standard to determine responsibility when reviewing formal complaints.
- IDEA may not require, allow, rely upon, or otherwise use questions of evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

Consolidating Formal Complaints

IPS may consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.

Dismissal of Formal Complaints

Upon receipt of a formal complaint, the Title IX Coordinator or designee shall determine whether the allegations, if proven, would constitute sexual harassment as defined by Title IX.

IPS must dismiss a formal complaint if the conduct alleged in the formal complaint:

- Would not constitute sexual harassment, even if proved;
- Did not occur in IPS's education program or activity; or
- Did not occur against a person in the United States.

IPS may dismiss a formal complaint or any allegations therein if, at any time during the investigation:

- A complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;
- The respondent is no longer enrolled or employed by IPS; or
- Specific circumstances prevent IPS from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon a dismissal, IPS must promptly send simultaneous written notice to the parties of the dismissal and the reason(s) for the dismissal. Dismissal of a Formal Complaint does not preclude IPS from conducting an investigation under the school's policy concerning non-sexual harassment discrimination or any other policy that may apply to the alleged conduct.

Investigating Formal Complaints

The following guidelines apply during the investigation of a formal complaint and throughout the grievance process.

- IPS will ensure the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on IPS and not on the parties.
- IPS cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless IPS receives that party's voluntary, written consent to do so.
- IPS will provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.
- IPS will not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.
- IPS will provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisory of their choice, and not limit the choice or presence of an advisor for either the complainant or respondent in any meeting or grievance proceeding. IPS may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties.
- IPS will provide to a party whose participation is invited or expected written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings with sufficient time for the party to prepare to participate.
- IPS will provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the recipient does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation.
- Prior to completing an investigative report, IPS must send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least 10 calendar days to submit a written response, which the investigator will consider prior to completing the investigative report.
- IPS must create an investigative report that fairly summarizes relevant evidence and, at least 10 calendar days prior to a determination regarding responsibility, send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for review and written response.
- After sending the investigative report to the parties and before reaching a determination of responsibility, the decision-maker(s) must afford each party the opportunity to submit written relevant questions that a party wants asked of any witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The decision-maker(s) must explain to the party proposing the questions any decision to exclude a question as not relevant.

Determination Regarding Responsibility

The decision-maker(s) making a determination regarding responsibility cannot be the same person(s) as the Title IX Coordinator or the investigator(s). The decision-maker(s) must review the investigation report and make a

written determination, based on the preponderance of the evidence standard, regarding responsibility. The written determination must include:

- Identification of the allegations potentially constituting sexual harassment;
- A description of the procedural steps taken from receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, or methods used to gather other evidence;
- Findings of fact supporting the determination;
- Conclusions regarding application of IPS's Code of Conduct to the facts;
- A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions imposed on the respondent, and whether remedies designed to restore or preserve equal access to IPS's education program or activities will be provided to the complainant; and
- IPS's procedures and permissible bases for the complainant and respondent to appeal.

IPS must provide the written determination to the parties simultaneously. The determination becomes final either on the date IPS provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

The Title IX Coordinator is responsible for effective implementation of any remedies.

Appeals

IPS will offer both parties an appeal from a determination regarding responsibility, and from IPS's dismissal of a formal complaint or any allegations therein, on the following bases:

- Procedural irregularity that affected the outcome of the matter;
- New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
- The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

As to appeals, IPS will ensure that the decision-maker(s) for the appeal is not the same person as the decision-maker(s) that reached the determination regarding responsibility or dismissal, or the investigator(s), or the Title IX Coordinator. IPS will provide both parties a reasonable equal opportunity to submit a written statement in support of, or challenging, the outcome.

The decision-maker(s) for the appeal will issue a written decision, based on the preponderance of the evidence standard, describing the result of the appeal and the rationale for the result, and provide the written decision simultaneously to both parties.

A party who is dissatisfied with the appeal decision may file an appeal to the Superintendent through the process outlined in IPS's grievance procedures.

Emergency Removals

IPS is able to remove a respondent from IPS's education program on an emergency basis, provided that IPS undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health

or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal. IPS's ability to do so may not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504, or the Americans with Disabilities Act.

Informal Resolution

At any time prior to reaching a determination regarding responsibility, IPS may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication. However, IPS may not require as a condition of enrollment or continuing enrollment, or employment or continued employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal complaints. Additionally, IPS may not require the parties to participate in an informal process and may not offer an informal resolution process unless a formal complaint is filed.

Prior to facilitating an informal resolution process, IPS must:

- Provide to the parties a written notice disclosing the allegations and the requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations. The notice must also inform that, at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint, as well as of any consequence resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.
- Obtain the parties' voluntary, written consent to the informal resolution process.

IPS may not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

Retaliation Prohibited

Neither IPS nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation or proceeding under this policy.

Examples of retaliation may include, but are not limited to, intimidation, threats, coercion, or discrimination.

Complaints alleging retaliation may be filed according to the grievance procedure described above.

Confidentiality

IPS must keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by FERPA or as required by law, or for purposes related to the conduct of any investigation, hearing, or judicial proceeding arising under the Title IX regulations.

Non-Sexual Harassment Sex Discrimination

The formal complaint investigation and resolution process outlined above in this Section 6.14 applies only to formal complaints alleging sexual harassment as defined by Title IX, but not to complaints alleging sex

discrimination that do not constitute sexual harassment. Complaints of non-sexual harassment sex discrimination may be filed with the Title IX Coordinator and will be handled under the process described in Section 8.2 of this Handbook.

6.11 Bullying

IPS prohibits bullying of students, as well as retaliation against anyone involved in the complaint process.

Bullying means a single significant act or a pattern of acts by one or more students directed at another student that exploits an imbalance of power and involves engaging in written or verbal expression, expression through electronic means, or physical conduct that:

- (1) has the effect or will have the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm to the student's person or of damage to the student's property,
- (2) is sufficiently severe, persistent, or pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student,
- (3) materially and substantially disrupts the educational process or the orderly operation of a classroom or school, or
- (4) infringes on the rights of the victim at school.

The definition of bullying includes "cyberbullying," which means bullying that is done through the use of any electronic communication device, including through the use of a cellular or other type of telephone, a computer, a camera, electronic mail, instant messaging, text messaging, a social media application, an Internet website, or any other Internet-based communication tool.

Examples of bullying may include, but are not limited to, hazing, threats, taunting, teasing, confinement, assault, demand for money, destruction of property, theft of valued possessions, name calling, rumor spreading, and ostracism.

Employees who observe students engaged in bullying or who suspect that a student has engaged in or is the victim of bullying, must report the fact or suspicion to the principal. The principal or designee shall conduct an investigation into the allegations. A failure to report may impair IPS's ability to promptly investigate and address the prohibited conduct.

Discipline for a student who receives special education services for conduct meeting the definition of bullying or cyberbullying must comply with applicable requirements under federal law, including the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.). IPS may not impose discipline on a student who, after an investigation, is found to be a victim of bullying, based on that student's use of reasonable self-defense in response to the bullying.

The principal or designee, may make a report to the local police department if after an investigation is completed, the principal has reasonable grounds to believe that such a report is necessary.

6.12 HIPAA

The Health Insurance Portability and Accountability Act of 1996 ("HIPAA") established rules for protecting

individual Personal Health Information (“PHI”). HIPAA provides individuals certain rights regarding their PHI and requires employers and other individuals to adhere to restrictions on how PHI is disclosed in limited circumstances described below. Regardless of specific HIPAA applicability every employee should respect the rights of others and only disclose PHI about themselves and others to those with a need to know. Disclosure of PHI without the written approval of the individual is a violation of federal law under certain circumstances for students and employees described below.

HIPAA Applicability to Student Information

HIPAA rules apply to electronic transactions for payment as Medicaid providers in the SHARS Program. Any processing of Medicaid and other medical claims for third parties may require IDEA to be considered a health care clearinghouse for purposes of HIPAA. Student PHI in school records is covered by the Family Educational Rights and Privacy Act (FERPA).

HIPAA Applicability to Employee Information

IDEA may be a covered entity under HIPAA as a health plan when self-insured for employee insurance. HIPAA does not apply to information held by an employer about an employee. There are other laws that protect employee information.

6.13 Visitors in Workplace

All visitors are expected to enter any IPS facility through the main entrance and sign in or report to the building’s main office. Authorized visitors will receive directions or be escorted to their destination. Employees who observe an unauthorized individual on IPS premises should immediately direct him or her to the building office or contact the administrator in charge.

IPS may establish an electronic database for the purpose of storing information concerning school visitors. Such database may only be used for purposes of school security and may not be sold or otherwise disseminated to a third party for any purpose, unless required by Florida Law. IPS may also verify whether any visitor to a campus is a sex offender registered with the computerized central database maintained by the Florida Department of Law Enforcement, or any other database accessible by IPS.

6.14 Copyrighted Materials

All IPS employees are required to abide by and comply with all state and federal laws governing copyright, trademarks and other intellectual property. Federal copyright law protects “original works of authorship fixed in any tangible medium of expression.” Protected works include, but are not limited to:

- Literary works;
- Musical works, including any lyrics;
- Dramatic works, including any musical accompaniment;
- Sound recording; and
- Pictorial, graphic and sculptural works.

If employees use a protected work in an inappropriate manner, the action may constitute an “infringement” of federal copyright law. Infringement is similar to theft, and there are both civil and criminal penalties for such action. The use of copyrighted material may require the permission of the copyright owner. The absence of a copyright notice or symbol on a work does not mean it is not copyrighted. Under what is called the Fair Use Doctrine, school employees may use portions of copyrighted works without the owner’s permission if the use

“serves a public purpose.”

6.15 Work Product

Instructional materials or other written materials, documents, or products developed or written while in the employment of IPS are the property of IPS and must be left with IPS when an employee leaves employment. These works will be “works for hire” and shall be the sole and exclusive property of IPS, including any copyright, patent or trademark or application thereof. Employees hereby assign and transfer to IPS all right, title, and interest in such works and creations, including without limitation, all patent, trademark, and copyright rights that now exist or may exist in the future. Employees further agree that at any reasonable time upon request, and without further compensation or limitation, they will execute and deliver any and all papers, applications, or instruments that in IPS’s opinion may be necessary or desirable to secure IPS’s full enjoyment of all rights, title interests, and properties herein assigned. Employees agree not to charge IPS for use of their copyrighted, trademarked, and patented material. A copy of materials developed while in the employ of IPS may be permitted to be taken by the employee only upon the written authorization of the Chief Executive Officer.

6.16 Proprietary Information

Proprietary information includes all information relating in any manner to the business of IPS and its schools, students, parents, consultants, customers, clients, and business associates obtained by IPS employees during the course of their work. Occasionally, in the service of IPS’s mission, IPS may choose to share otherwise proprietary information (e.g., best practices) with outside parties. Such documents will be prepared specifically for publication and dissemination. If an individual employee receives a request from an outside party for either paper or electronic copies of IPS documents, that employee should direct the request to Headquarters or seek approval from IPS’s Chief Operating Officer before disseminating documents. Employees who improperly share or disclose proprietary information belonging to IPS are subject to appropriate disciplinary action, up to and including termination. This does not include disclosure of otherwise proprietary information in accordance with the Florida Public Records requirements or other applicable law or regulation.

6.17 Confidential Information

Confidential information is any information regarding IPS and its employees, students, and agents that is not known generally to the public. For example, student lists, student cumulative files, student health files, student Individual Education Plans, personnel files, computer records, financial and marketing data, and research plans are considered confidential in nature. In addition, in the case of student information, federal law provides that information may not be disseminated except under certain limited conditions. Employees who obtain access to such confidential information as part of their employment are expected to maintain the confidentiality of this information to the extent required by law and applicable policy. Employees will be subject to appropriate disciplinary action, up to and including termination, for knowingly or unknowingly revealing information of a confidential nature that is obtained during the course of employment. This does not include disclosure of otherwise confidential business information or trade secrets in accordance with the applicable federal or state law.

6.18 Political Expression / Dress Code

As employees of a public school system, IPS employees should be mindful that their workspaces are often visible to others. This applies to all workplace décor, posters, signs, banners, flags, photographs, souvenirs or any other

item an employee displays in their workspace. Teachers, in particular, should consider their classrooms, their walls, their desks and any other work areas to be extensions of IPS's curriculum and what they are responsible for teaching. Items that are not an extension of the curriculum cannot be displayed.

IPS employees are permitted to incorporate reasonable items of personal expression into their workplace attire, provided they remain in compliance with IPS's staff dress code. Wearable items include jewelry, socks, and lapel pins.

Displays of personal expression that include hate speech, endorsement of illegal activity, drugs, alcohol, gangs or violence, sexually explicit imagery or language, or any reference to political candidates, parties, or measures are prohibited in both employee attire and workspace décor. Furthermore, employees are also not permitted to wear or display items that are likely to cause distractions or disruptions in the work and school environment. If displays of personal expression in employee dress or workspace/classroom décor, or body modifications such as tattoos, interfere with school operations or student learning, IPS reserves the right to direct employees to remove displays of personal expression.

We endeavor to maintain a pleasant, healthy, and professional working environment always and dress for success at IPS! The dress and grooming of IPS's employees shall be clean, neat, in a professional manner appropriate for their assignments. Dressing for success helps model behaviors expected of our students and helps to foster academics, prevent disruption, avoid safety hazards, provide a socially safe, secure, and stable school climate. The appearance of ALL staff reflects the high standards and culture of our schools.

Dress for the week:

- Staff ID cards are to be always worn in a visible location while at an IPS Location.
- Staff may wear business casual, as defined below, or a student uniform if preferred.
- For campus instructional staff and leaders, jeans should not be worn, except on Fridays.
- Spirit, college, or IDEA shirts may be worn on Fridays.
- Head Coverings - Head coverings that honor religions and/or culture and hats or head coverings necessitated by a medical issue are permitted.

Business Casual is defined as:

- Dress shirts, blouses, and polo shirts
- Slacks or dress pants
- Skirts and dresses
- Blazers and cardigans
- Dress and athletic shoes are allowed.

Unallowable clothing:

- Strapless, halter or spaghetti strap tops/dresses
- Shorts (Coaches are allowed to wear athletic attire)
- T-shirts with logos or advertising, other than IDEA
- Sheer, transparent fabric or fabric with holes
- Clothes that reveal cleavage, stomach, back or thighs are not acceptable

- Flip-flops

Additional role-specific guidelines are available from the following functional teams directly:

- CNP (Child Nutrition Program)
- Transportation
- Facilities
- Health Services

6.19 Social Media

IPS has policies that govern use of its own electronic communication systems, equipment, and resources which employees must follow. Employees have a right to participate in social networking sites, blogs, forums, etc. as individuals in the community. However, employees should not post anything that would violate student confidentiality, or the professional and ethical conduct expected of IPS employees. Inappropriate communications, even if made on one's own time using one's own resources, may be grounds for disciplinary actions up to and including termination. Employees are encouraged to adhere to the following guidelines when engaging in activity on social media:

1. Be respectful of the privacy and dignity of your co-workers, and do not post student photographs without appropriate authority.
2. Do not "friend" students on your personal social media page, or engage in online gaming activities with them, unless you have an appropriate out-of-school relationship with the student, such as a family relationship, church affiliation, scouts, or other activity that would be appropriate for such informal communications.
3. Do not create a link from your blog, website, or other social networking site to an IPS website without identifying yourself as an IPS employee.
4. Do not infringe on IPS's logos, taglines, slogans, trademarks, or other symbols.
5. Employees shall limit use of personal electronic communication devices to send or receive calls, text messages, pictures, and/or videos to breaks, meal times, and before and after scheduled work hours, unless there is an emergency or the use is authorized by a supervisor to conduct school business.
6. Harassing, obscene, defamatory, threatening, or other offensive content must be avoided.
7. If an employee's use of social media violates state or federal law or IPS policy or interferes with the employee's ability to effectively perform his or her job duties, the employee is subject to disciplinary action, up to and including termination of employment.
8. Maintain the confidentiality of IPS trade secrets and private or confidential information concerning IPS employees, students, and/or agents that is obtained from IPS's files or records in the course of employment. Do not post internal reports or other business-related confidential communications.
9. Respect all copyright and other intellectual property laws. For IPS's protection, as well as your own, it is critical that you show proper respect for the laws governing copyright, fair use of copyrighted material owned by others, trademarks, and other intellectual property, including IPS's own copyrights, trademarks, and brands.

Electronic Communications with Students

"Electronic Communication" includes any communication facilitated by the use of any electronic device, including a cellular telephone, computer, computer network, personal data assistant, or pager, and includes e-mail, text message, instant message, online gaming, and any communication made through an internet website,

including a social media website or social networking website.

Employees shall not engage in inappropriate electronic communications with students. Employees are encouraged to not “friend” students on their personal social media pages unless they have an appropriate out-of-school relationship with the student through relatives, church, scouts, or other activity that would be appropriate for such informal communication. Employees may elect not to disclose to a student the employee’s personal telephone number or e-mail address.

Employees shall immediately notify the appropriate school administrators concerning an incident in which a student engages in improper communications with an employee. A report should include a summary of the student’s communication, as well as the time, date, and method of communication.

6.20 Student Issues: Non-Discrimination

IPS does not discriminate on the basis of race, religion, color, national origin, sex, disability, academic, artistic, or athletic ability, sexual orientation, pregnancy, marital status, or in providing educational services, activities, and programs, including vocational and career technology programs, in accordance with Title VI of the Civil Rights Act of 1964, as amended; Title IX of the Educational Amendments of 1972; and Section 504 of the Rehabilitation Act of 1973, as amended.

6.21 Student Issues: Student Records

Student records are confidential and protected from unauthorized inspection or use. Employees with access to student information and/or performance data will consistently and uniformly maintain the privacy and confidentiality of this information in accordance with the Federal Educational Rights and Privacy Act (“FERPA”), and in accordance with Florida state law. Employees will often learn personal information about students and their families in the course of employment with IPS. Employees are not to discuss students or their families, their conduct, their academic achievement or academic failings or personal information with anyone unless the employee needs to share the information with another employee or someone working with IPS for a reason related to the child’s education or compelled by law enforcement or a lawfully executed subpoena after consultation with a manager, who in turn shall consult with IPS’s legal counsel.

6.22 Student Issues: Administration of Medication and Unauthorized Food & Drink

Unless otherwise authorized or described below, school employees and volunteers are prohibited from administering medications and serving unauthorized food and drink to students, including vitamins and food supplements. Medication should be administered outside of school hours, if possible. If necessary, medication can be administered at school under the following circumstances:

- Nonprescription medication brought to school must be submitted to the school by a parent along with a written request. The medication must also be in the original and properly labeled container.
- Prescription medications administered during school hours must be prescribed by a physician or advanced nurse practitioner (“ANP”) and filled by a pharmacist licensed in the State of Florida.
- Prescription medications must be submitted in a labeled container showing the student’s name, name of the medication, reason the medication is being given, proper dosage amounts, the time the medication must be taken, and the method used to administer the medication. Medications sent in plastic bags or unlabeled containers will NOT be administered.

- If the substance is herbal or a dietary supplement, it must be provided by the parent and will be administered only if required by the student's Individualized Education Program ("IEP") or Section 504 plan for a student with disabilities.
- Only the amount of medication needed should be delivered to the school, i.e., enough medication to last one day, one week, etc. In cases of prolonged need, send in the amount for a clearly specified period. Extra medication will not be sent home with the student.
- In certain emergency situations, the school may administer a nonprescription medication to a student, but only in accordance with the guidelines developed by the school's medical advisor and when the parent has previously provided written consent for emergency treatment.

6.23 Student Issues: Psychotropic Drugs and Psychiatric Evaluations or Examinations

No school employee may:

- Recommend that a student use a psychotropic drug;
- Suggest any particular diagnosis; or
- Preclude a student from attending class or participating in a school-related activity if the parent refuses to consent to the administration of a psychotropic drug to a student

"Psychotropic drug" means a substance that is used in the diagnosis, treatment, or prevention of a disease or as a component of a medication and intended to have an altering effect on perception, emotion, or behavior.

6.25 Student Issues: Parental Rights in Education

A school may not adopt procedures or student support forms that prohibit school personnel from notifying a parent about his or her student's mental, emotional, or physical health or well-being, or a change in related services or monitoring, or that encourage or have the effect of encouraging a student to withhold from a parent such information. School personnel may not discourage or prohibit parental notification of and involvement in critical decisions affecting a student's mental, emotional, or physical health or well-being. This subparagraph does not prohibit a school district from adopting procedures that permit school personnel to withhold such information from a parent if a reasonably prudent person would believe that disclosure would result in abuse, abandonment, or neglect, as those terms are defined in s. 39.01. See Section 1001.42(8)©(2) Florida statutes.

PART 7. GENERAL PROCEDURES

7.1 Work Cancellation Days

When a state of emergency is imminent or has been declared, the Superintendent or designee shall notify all employees through communication channels of such a declaration. Even if a public announcement of closures or suspension of services is issued, no one shall be excused from work until the Superintendent authorizes employees to leave through designated administrators. Employees must return to work in accordance with notification by the Superintendent or designee, as provided herein.

During an emergency closure, all employees shall continue to be paid for their regular duty schedule unless otherwise provided by Board action.

After authorization by resolution or other Board action and in accordance with such authorization, employees who are required to work during an emergency closing for a disaster, as declared by a federal, state, or local official or the Board, shall be paid either a hardship stipend or paid at the rate of one and one-half times their regular rate of pay for all hours worked up to 40 hours per week.

7.2 Security and Emergency Procedures

IPS is committed to providing a safe environment for both employees and students. IPS has numerous safety procedures in place, including sign-in procedures requiring visitors to sign in and out at the schools. In addition, all employees and volunteers are required to submit to and pass a criminal background check.

The organization has developed and promotes a comprehensive program to ensure the safety of its employees, students, and visitors. The safety program includes guidelines and procedures for responding to emergencies and activities to help reduce the frequency of accidents and injuries. To prevent or minimize injuries to employees, coworkers, and students, and to protect and conserve organization equipment, employees must comply with the following requirements:

- Observe all safety rules.
- Keep work areas clean and orderly at all times.
- Immediately report all accidents to your supervisor.
- Operate equipment or machines only for which you have training and authorization.

Employees should report any threats made by a student, rumors of violence or criminal type activities to the principal or nearest available campus administrator. Everyone is expected to report any real or perceived safety or security related observations.

IPS has developed procedures and forms for various types of security and emergency related issues including:

- Lock down drill procedures
- Reporting serious incidents
- Employee accident/injury reporting
- Preparing for and responding to severe weather issues

These procedures and forms have been provided to campus administrators. All related incidents/accidents issues will be reported immediately to your principal or Assistant Principal of Operations.

Additionally, Risk Management monitors insurance related issues, works with the insurance provider to resolve claims, and conducts periodic safety audits.

All employees should become familiar with the evacuation diagrams posted in their area. Fire, tornado, and other emergency drills will be conducted to help familiarize employees and students with evacuation procedures.

Fire extinguishers are located throughout all IPS buildings. Employees should be familiar with how to use them and the location of the extinguishers nearest their place of work.

Employees should be aware that IPS does not assume any liability for damages or loss to personally owned vehicles parked in IPS parking spaces unless it involves an IPS owned vehicle. As such, any related incidents should be reported to the appropriate law enforcement agency.

Employees with questions or concerns relating to safety programs and issues can contact the Regional Director of Operations.

7.3 HIV-AIDS and Other Life-Threatening Illnesses

Individuals infected with HIV and individuals with life-threatening illnesses have the same rights and opportunities as other individuals.

Employees are not required to reveal their HIV status to employers. All medical information that an HIV-infected employee provides to medical or management personnel is confidential and private. Employers may not reveal this information without the employee's knowledge and written consent, except as provided by law. Those with access to confidential information must maintain strict confidentiality and privacy, separating this information from employees' personnel records. Individuals who fail to protect these rights commit a serious offense, which may be cause for litigation resulting in both civil and criminal penalties and may result in disciplinary action, up to and including termination.

Employees who have concerns of a co-worker or student infected with HIV or a life-threatening illness should contact Human Resources for appropriate information and reference materials. Employees do not have the right to refuse to work with someone who has HIV or AIDS or any disability. An employee who refuses to work with co-workers or students who have a disability shall be subject to disciplinary or corrective action, up to and including termination. Employees who desire assistance concerning a disability or a life-threatening illness should contact Human Resources.

7.4 Asbestos Management Plan

The Asbestos Hazardous Emergency Response Act created by the Environmental Protection Agency requires IPS to develop and maintain an Asbestos Management Plan. A copy of the complete management plan is located in the Business Office. If you have any questions regarding IPS's Asbestos Management Plan, please contact the Business Office.

7.5 Workplace Violence Prevention

IPS is committed to preventing workplace violence and to maintaining a safe work environment. Given the increasing violence in society in general, IPS has adopted the following guidelines to deal with intimidation, harassment, or other threats of (or actual) violence that may occur during business hours or on school property.

All employees, including supervisors and temporary employees, should be treated with courtesy and respect at all times. Employees are expected to refrain from fighting, "horseplay," or other conduct that may be dangerous to others. Firearms, weapons, and other dangerous or hazardous devices or substances are at all times prohibited without proper authorization.

Conduct that threatens, intimidates, or coerces another employee, student, or member of the public at any

time, including off-duty periods, will not be tolerated. This prohibition includes all acts of harassment.

All threats of (or actual) violence, both direct and indirect, should be reported as soon as possible to your supervisor or any other member of management. This includes threats by employees, students, vendors, solicitors, or other members of the public. When reporting a threat of violence, please be specific and as detailed as possible. All suspicious individuals or activities should be reported as soon as possible to a supervisor. Do not attempt to interfere in a disturbance unless it is reasonably safe to do so.

IPS will promptly and thoroughly investigate all reports or threats of violence and suspicious individuals or activities. The identity of the individual making a report will be protected as much as is practical. In order to maintain workplace safety, and the integrity of its investigation, IPS may suspend employees, either with or without pay, pending investigation. Anyone determined to be responsible for threats of (or actual) violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination of employment.

7.6 Accident Reporting

Employees shall report any on-the-job injury or accident immediately to their supervisor. Supervisors must notify Risk Management Services within 24 hours of notification of an occurrence. The employee's supervisor and/or the appropriate management personnel shall conduct a thorough investigation, involving the employee and any witnesses that observed the injury or accident. The employee's supervisor and/or appropriate management personnel will ensure corrective action is taken to avoid a recurrence of the accident.

7.8 IPS Property and Purchases Made with IPS Funds

All employees are responsible for taking proper care of IPS-owned property, including vehicles, buildings, furnishings, equipment, tools and supplies. Proper care and maintenance of IPS-owned vehicles is also required. Employees must return all IPS-owned property that is in their possession or control in the event of termination of employment, resignation, or layoff immediately upon request.

IPS employees shall not use school public property for any purpose not described in IPS's open-enrollment charter, except that employees may use local telephone service, IPS-issued cellular phones, electronic mail, Internet connections, and similar property for incidental personal use, if, as determined by IPS administration, such does not:

- Result in any direct cost paid with state funds, or the charter holder is reimbursed by the employee within five business days for any direct cost incurred; or
- Impede charter school functions as determined by IPS administration.

This does not authorize incidental personal use of public property for private commercial purposes. Any such incidental use of public property is a privilege not a right, and IPS's administration may remove or rescind such privilege from time to time on a case-by-case basis for any employee, or all employees.

All requests for purchases must be submitted to the Business Office on an official requisition form with the appropriate approval signatures. No purchases, charges, or commitments to buy goods or services for IPS can be made without a Purchase Order number issued by the Business Office. IPS will not reimburse employees or assume responsibility for purchases made without authorization. Additionally, employees are not permitted to purchase supplies or equipment for personal use through IPS's purchasing procedures. Only those administrators designated by the Board may sign contracts or negotiate grants on behalf of IPS.

7.9 IPS Vehicle Policy

IPS provides a limited number of company vehicles, other than buses, for designated IPS personnel and school purposes.

No employee will be allowed to use an IPS vehicle without a valid Florida Driver's License and insurance coverage with minimum state requirements. Drivers of IPS vehicles must be 21 years of age. Under no circumstances will IPS vehicles be used for personal business.

A request to use an IPS vehicle must be coordinated with the Transportation department. The Transportation department will keep a log of all usage. Vehicle reservations are dependent on availability and are not guaranteed. Employees should make reservations at least seven days before the date the vehicle is needed. All vehicle usage will be granted on a "first come, first served" basis. All cancellations must be made 24 hours prior to the reservation date.

Vehicles are housed at IPS and cannot be taken home by employees unless pre-approved. All possessions and trash must be removed from the IPS vehicle prior to returning it.

The Transportation department will be responsible for the scheduling of routine maintenance and cleaning of these vehicles. All IPS employees that utilize an IPS vehicle shall report any mechanical or cosmetic concerns to the Transportation department.

When IPS employees are assigned to attend out-of-town workshops or to fulfill other school-related responsibilities, every attempt will be made to secure a suitable IPS vehicle for those employees. If no IPS vehicle is available, approval may be given in which a personal car may be used, and reimbursement will be made using IPS's Mileage Reimbursement Policy. Reimbursement will not be paid unless the supervising administrator gave prior approval. Employees conducting school-related business in their personal vehicles are expected to be in compliance with all state laws related to vehicle insurance coverage requirements. If involved in an accident while on school-related business, personal vehicle insurance takes precedence.

All vehicle accidents and/or emergencies must be reported to the Transportation department as soon as possible. All traffic violations incurred through the use of IPS-provided vehicle and/or a personal vehicle while on school-related business are the financial responsibility of the employee.

PART 8. COMPLAINTS AND GRIEVANCES

8.1 Process for Filing General Employee Complaints and Grievances

The purpose of IPS's employee complaint process is to entertain employee views and to resolve employee complaints and workplace conflicts in an efficient and expeditious manner at the lowest possible administrative level. In using and applying the policy, all participants are expected to remain courteous

Informal Process

IPS encourages employees to discuss their concerns and complaints through informal conferences with their

supervisor, principal, or other appropriate administrator. Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.

Informal resolution is encouraged but will not extend any deadlines in this grievance process, except by mutual written consent.

Formal Process

An employee may initiate the formal grievance process described below by timely filing a written complaint form.

Even after initiating a formal complaint, employees are encouraged to seek informal resolution of their concerns. An employee whose concerns are resolved may withdraw a formal complaint at any time.

The grievance process described below shall not be construed to create new or additional rights beyond those granted by law or Board policy, nor to require a full evidentiary hearing or “mini-trial” at any level.

Freedom from Retaliation

Neither IPS nor any IPS employee shall unlawfully retaliate against an employee for bringing a concern or complaint in good faith.

Guidelines for General Employee Complaint Process

Definitions

For purposes of understanding the General Employee Complaints and Grievances Process, terms are defined as follows:

The terms “complaint” and “grievance” shall have the same meaning and may pertain to the following situations:

1. Grievances concerning an employee’s wages, hours, or conditions of work;
2. Specific allegations of unlawful discrimination in employment based on the employee’s sex (including allegations of sexual harassment and/or wage discrimination on the basis of sex), race, religion, national origin, age, veteran status, or disability, following completion of an investigation by the designated compliance coordinator or designee set by policy; or
3. Specific allegations of unlawful discrimination or retaliation based on the employee’s exercise of constitutional rights.

The term “day” shall be defined as a school business day, unless stated otherwise in this complaint process. In calculating timelines under these procedures, the day a document is filed is “day zero,” and all deadlines shall be determined by counting the following school business day as “day one.”

Filing

Complaint forms and appeal notices may be filed by hand-delivery, by electronic communication (including e-mail and fax), or by U.S. Mail. Hand-delivered filing shall be timely filed if received by the appropriate administrator or designee by the close of business on the deadline. Filings submitted by electronic communication shall be timely filed if they are received by the close of business on the deadline, as indicated by the date/time shown on the

electronic communication. Mail filing shall be timely filed if they are postmarked by U.S. Mail on or before the deadline and received by the appropriate administrator or designated representative no more than three days after the deadline.

Scheduling Conferences

IPS will make reasonable attempts to schedule conferences at a mutually agreeable time. If the employee fails to appear at a scheduled conference, IPS may hold the conference and issue a decision in the employee's absence.

Response

At Levels One and Two, "response" shall mean a written communication to the employee from the appropriate administrator. Responses may be hand-delivered, sent by electronic communication to the employee's e-mail address of record, or sent by U.S. Mail to the employee's mailing address of record. Mailed responses shall be timely if they are postmarked by U.S. Mail on or before the deadline.

If the administrator addressing the complaint determines that additional time is needed to complete a thorough investigation of the complaint and/or to issue a response, the administrator shall inform the grievant in writing of the necessity to extend the response time and a specific date by when the response will be issued.

A grievance official who fails to meet a time requirement, without providing written notice of an extended deadline, shall be considered to have denied the complaint as of the date of the missed deadline.

Representative

"Representative" means a person designated to represent him or her in the complaint process. An employee may designate a representative through written notice to IPS at any level of the grievance process. The representative may participate in person or by telephone / video conference. If the employee designates a representative with fewer than three days' notice to IPS before a scheduled conference or hearing, IPS may reschedule the conference or hearing to a later date, if desired, in order to include the school's counsel. IPS may be represented by counsel at any level of the process.

Consolidating Complaints

Complaints arising out of an event, or a series of related events shall be addressed in one complaint. Employees shall not file separate or serial complaints arising from any event or series of events that have been or could have been addressed in a previous complaint.

When two or more complaints are sufficiently similar in nature and remedy sought to permit their resolution through one proceeding, IPS may consolidate the complaints.

Untimely Filings

All time limits for an employee to file a complaint shall be strictly followed unless modified by mutual written consent. If a complaint form or appeal notice is not timely filed, the complaint may be dismissed, upon written notice to the employee, at any point during the complaint process.

Costs Incurred

Each party shall pay its own costs incurred in the course of the complaint.

Complaint and Appeal Forms

Complaints and appeals under this policy shall be submitted in writing on a form provided by IPS and made available by Human Resources for each grievance level.

Copies of any documents that support the complaint should be attached to the complaint form. If the employee does not have copies of these documents, they may be presented at the Level One conference. After the Level One conference, no new documents may be submitted by the employee unless the employee did not know the documents existed before the Level One conference.

A complaint or appeal form that is incomplete in any material aspect may be dismissed but may be re-filed with all the required information if the refiling is within the designated time for filing.

General Employee Complaint Process

Level One

Formal complaints must be filed:

1. Within 15 days of the date the employee first knew, or with reasonable diligence should have known, of the decisions or action giving rise to the complaint; and
2. With the employee's supervisor.

If the employee's supervisor does not have authority to remedy the alleged problem, IPS may accelerate the appeal to the appropriate level.

If the complaint is not filed with the appropriate supervisor, the receiving administrator will note the date and time the complaint form was received and immediately forward the complaint form to the appropriate supervisor.

The employee's immediate supervisor or designee will investigate as necessary and schedule a conference with the employee within ten days of receipt of the written complaint. The supervisor or designee may set reasonable time limits for the conference.

Absent extenuating circumstances, or if there is a need to gather additional information, the administrator who hears the employee's complaint shall provide a written response within ten days following the conference. The written response will set forth the basis of the decision. In reaching a decision, the administrator may consider information provided at the Level One conference and any other relevant documents or information the administrator believes will help resolve the complaint.

Level Two

If the complaint is not resolved to the employee's satisfaction at Level One or if the time for a Level One response has expired, or if the employee is directed to do so by IPS, the employee may submit a written appeal to Human Resources by completing and submitting the IPS Level Two Grievance Form. The appeal notice must be filed within ten days of the date of the written Level One response or, if no response was received, within ten days of the Level One response deadline.

A representative from Human Resources will hear the Level Two appeal and will schedule a conference with the employee within ten days after the appeal notice is filed. The Human Resources representative may set a reasonable time limit for the conference. The Human Resources representative will provide a written response within ten days following the conference. The written response will set forth the basis of the decision. In reaching a decision, the Human Resources representative may consider the Level One record, information provided at the Level Two conference, and any other relevant documents or information that may help resolve the complaint.

Level Three

If the complaint is not resolved to the employee's satisfaction at Level Two or if the time for a Level Two response has expired, the employee may submit a written appeal to the Vice President of Human Resources or designee by completing the IPS Level Three Grievance Form. The appeal notice must be filed within ten (10) days of the date of the Level Two response or, if no response was received, within ten (10) days of the Level Two response deadline.

Human Resources will inform the employee of the date, time, and place of a meeting with the VP of HR or designee; this meeting will take place within ten days after the appeal notice is filed. The VP of or designee may set reasonable time limits and guidelines for the presentation. The VP of HR or designee will provide a written decision within fifteen (15) days of the conference. The written response will set forth the basis of the decision. In reaching a decision, the VP of HR or designee may consider the Level One and/or Level Two record, information provided at the Level Two and/or Level Two conference, and any other relevant documents or information that may help resolve the complaint.

Level Four

If the complaint is not resolved to the employee's satisfaction at Level Three or if the time for a Level Three response has expired, the employee may submit a written appeal to the Board of Directors using the IPS Level Four Grievance Form. The appeal must be filed within ten days of the Level Three response or, if no response was received, within ten days of the Level Three response deadline.

The Human Resources department or designee will inform the employee of the date, time, and place of the meeting at which the complaint will be on the agenda for consideration by the Board of Directors ("Board"). The Board will consider the appeal and may, at its discretion, require the appearance of the employee and administration.

The Board will determine whether the appeal will be presented in open or closed meeting in accordance with applicable law. Generally, complaints involving the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the employee bringing the complaint may be heard by the Board in a closed meeting. Complaints involving a complaint or grievance against another IPS employee, director, or officer shall be heard in a closed meeting unless an open meeting is requested in writing by the employee, director, or officer against whom the complaint or grievance is brought.

After considering the appeal, the Board may subsequently take action or no action. If the Board takes action, it may make and communicate its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting. If the Board does not make a decision regarding the complaint by the end of the next regularly scheduled meeting, the lack of a response by the Board upholds the administrative decision at Level Three (or the last level prior to the Board's consideration of the appeal). A decision by the Board, if any, is final and may not be appealed.

8.2 Employee Complaints and Grievances Regarding Harassment and Discrimination

IPS takes allegations of harassment and discrimination very seriously and intends to investigate all official complaints. IPS will take appropriate actions for all substantiated allegations. Employees who believe they are being harassed or discriminated against are requested to take the following actions:

- In the event you feel you are a victim of harassment, you should contact your supervisor and/ or Human Resources immediately. In the event your supervisor is the alleged harasser, you should contact Human Resources. Complaints against a designated Compliance Coordinator may be submitted to the Chief Human Assets Officer.
- Any employees who are uncomfortable with face-to-face interaction may write down their complaints in a memo and submit the memo to their supervisor and/or Human Resources.
- Any IPS employee who receives a report of suspected harassment or discrimination is expected to immediately contact Human Resources.
- All complaints will be handled in a timely manner. Due to the need to investigate, absolute confidentiality may not always be possible. However, the complaint will be handled in as confidential a manner as possible. Except as required by law, under no circumstances will information concerning any employee's complaint be released by IPS to any third person or to anyone within IPS who is not involved in the investigation.

The purpose of this provision is to maintain impartiality and confidentiality to the extent possible. The reporting individual, victim, and the accused have equal privacy rights under the law, and IPS must respond accordingly.

Retaliation against any person who in good faith reports or complains about harassment or discrimination is unlawful and will not be tolerated. Employees who take part in any retaliatory action will be subject to disciplinary action up to and including immediate termination from employment. Unlawful retaliation may include, but is not limited to, any of the following actions as a result of an employee's complaint or involvement in an investigation of harassment or discrimination:

1. Demotion;
2. Poor performance appraisals;
3. Transfers;
4. Assignment of demeaning tasks; or
5. Taking any kind of adverse action against a person who complains or is involved in an investigation of sexual harassment or discrimination.

In addition to using IPS's complaint process, an employee may file a formal complaint with the United States Equal Employment Opportunity Commission ("EEOC"). Additional information may be found by visiting: <http://www.eeoc.gov/employees/charge.cfm>.

The Chief Human Assets Officer has been designated as the compliance coordinator charged with receiving and investigating complaints of discrimination or harassment based on age, race, color, national origin, religion, disability, sex or gender (including sexual harassment), and any other category protected by law. Complaints may be submitted to the Chief Human Assets Officer at 2115 W. Pike Blvd., Weslaco, Texas 78596, or human.resources@IPSPublicSchools.org.

After receiving a complaint of prohibited discrimination or harassment, the compliance coordinator may, but

need not, require the complaining employee to prepare a written report. Oral complaints will be reduced to written form. Upon receipt of a complaint, the compliance coordinator or designee shall promptly undertake an investigation. Following completion of the investigation, the compliance coordinator or designee shall prepare a written decision regarding the complaint.

An employee who is dissatisfied with the outcome of the investigation may appeal through the “General Employee Complaints and Grievances” process described, beginning at Level Two

PART 9. SEPARATION FROM EMPLOYMENT

9.1 Terminations

All employees are At Will. At-will employment means that an employee may be terminated with or without cause, with or without prior notice, at any time, for any lawful reason or for no reason.

9.2 Resignations

Instructional and Administrative employees are requested to provide written notice to IPS of intent to resign at least 45 calendar days before the first day of instruction for the following school year.

Other employees are encouraged to provide at least 14 days' written notice of resignation to the employee's manager and Human Resources. Employees forfeit all PTO on the last day of employment with IPS.

9.3 Job Abandonment

Employees who fail to report to work without notice to, or approval by, their supervisor for three consecutive workdays may be considered to have abandoned or voluntarily resigned their employment on the last day worked in accordance with applicable federal and state laws.

9.4 Exit Interviews and Procedures

The Human Assets department will conduct an exit interview with employees who voluntarily leave IPS. In some cases, an exit interview may occur for employees who involuntarily leave IPS. The purpose of the exit interview is to gather information about the reason for leaving and for getting feedback for making IPS a better place to work.

Upon separation of employment, whether voluntary or involuntary, all IPS documents, computer records, and other tangible IPS property in the employee's possession or control must be returned to IPS. This includes but is not limited to IPS-issued laptops and cellular phones. In addition, any and all school supplies purchased with IPS funds are IPS property and must be returned to IPS.

IPS will provide information on final pay, continuation of benefits, release of information, and procedures for requesting references. Separating employees are asked to provide IPS with a forwarding address and telephone number.

9.5 At-Will Employment

Nothing in this handbook is intended to alter the at-will nature of any employee's employment with IPS. At-will employment means that an employee may be terminated with or without cause, with or without prior notice, at any time, for any reason or for no reason. Only a separate written agreement authorized by the CEO or Superintendent can alter the at-will employment relationship.

9.6 Termination Grievances (General Complaints)

A terminated employee may request a review of the dismissal decision. Termination grievances must be submitted in writing to the Regional Director of Human Resources (or National Director of HR if employee is not affiliated with a specific region) within five (5) calendar days of notice of termination. The Director of Human Resources or designee (e.g., Manager of HR) will schedule and hold a conference within five (5) business days of the request and shall issue a written decision within five (5) business days after the conference. A former employee wishing to appeal this decision may appeal through the “General Employee Complaint Process” outlined in Section 8.1 of this Handbook, beginning at Level Three. Termination decisions will not be deferred pending the outcome of a termination grievance.

PART 10. TECHNOLOGY AND INFORMATION RESOURCES

10.1 Technology Resources

IPS’s technology and information resources, including its networks, computer systems, email accounts, devices connected to its networks, and all IPS-owned devices used on or off school property, are primarily for administrative and instructional purposes.

Limited personal use is permitted if the use:

- Imposes no tangible cost to IPS;
- Does not unduly burden IPS’s technology resources; and
- Has no adverse effect on job performance or on student academic performance.

Email transmissions and other use of IPS’s technology resources **are not confidential** and can be monitored at any time to ensure appropriate use.

IPS may permit remote access to its network from the Internet on a limited basis for authorized staff. Users are expected to maintain the same security standards when operating IPS computers or accessing the IPS network remotely. Access procedures and passwords are not to be shared with anyone. All policies and rules regarding network use apply to remote access.

Employees who are authorized to use IPS’s technology and information resources are required to abide by the provisions of IPS’s acceptable use policy and administrative procedures. Failure to do so can result in suspension of access or termination of privileges and may lead to disciplinary and legal action. Employees with questions about technology and information resources can contact the IT department.

10.2 Network Acceptable Use Policy

IPS provides students, staff, volunteers, and Board members access to IPS’s electronic network. This network includes Internet access, email accounts, computer services, videoconferencing, computer equipment, and related equipment for educational and school-related purposes. This policy contains the rules and procedures for acceptable use of IPS’s electronic network. Where the term “user” appears, the policy applies to any network user.

The IPS electronic network has been established for a limited educational purpose and to allow the transaction of IPS-related business. The IPS electronic network has not been established as a public access service or a public forum. IPS has the right to place reasonable restrictions on material that is accessed or posted throughout the network.

Access is a privilege – not a right. It is presumed that users will honor this policy. IPS is not responsible for the actions of users who violate this policy. IPS reserves the right to monitor all activity on its electronic network. Users will indemnify IPS for damage caused by users' inappropriate use of the network. Users are expected to follow the same rules, good manners, and common-sense guidelines that are used with other daily school activities, as well as applicable law, in the use of IPS's electronic network.

General Unacceptable Behavior

While utilizing any portion of the IPS electronic network, unacceptable behaviors include, but are not limited to:

- Abusing network resources, such as sending chain letters or "spamming." Emails sent to "all staff" are reserved for the IT department and senior leadership. The use of the "all staff" group for other purposes must be approved by the IT department prior to sending.
- Attempting to access non-instructional systems, such as student information systems or business systems, without authorization.
- Attempting to circumvent web filtering through proxies or other means.
- Connecting any networkable device (either wired or wireless) to the IPS network without authorization. The use of a computer or device brought from home accessing the network in any way not designated as "guest access."
- Displaying, accessing, or sending offensive messages or pictures.
- Engaging in activity that may be considered "cyberbullying," including but not limited to threats of violence, extortion, obscene or harassing messages, harassment, stalking, child pornography, and sexual exploitation.
- Engaging in personal attacks, including prejudicial or discriminatory attacks.
- Gaining unlawful access to information or computer and communication resources.
- Generation, storage, transmission or other use of data or other matter, which is abusive, profane, pornographic, or offensive to a reasonable person.
- Illegal, fraudulent, or malicious activity or activity on behalf of organizations or individuals having no affiliation with IPS.
- Installation of any programs or software not approved by IPS.
- Intentional introduction of or experimentation with malicious code including but not limited to computer worms or viruses.
- Knowingly or recklessly posting false information about a person or organization.
- Personal use not related to the conduct of work on behalf of IPS.
- Posting information that could cause damage or danger of disruption.
- The intentional sending of messages that are likely to harm the recipient's work or system and any other types of use which could cause congestion of the IPS network or otherwise interfere with the work of others. Prohibited uses include, but are not limited to, peer-to-peer applications such as LimeWire, Bit Torrent, or any other file sharing applications, as well as large (>5MB) file transfers from Internet sites without prior permission.
- Transmission of material in violation of applicable copyright laws.
- Unauthorized disclosure, use, or dissemination of personal information regarding minors.
- Using criminal speech or speech in the course of committing a crime such as threats against others,

instructions on breaking into computer networks, child pornography, drug dealing, purchase of alcohol, gang activities, etc.

- Using IPS equipment, network, or credentials to threaten other users, or cause a disruption to the educational program.
- Using IPS equipment, network, or credentials to send or post electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal.
- Using IPS's electronic network for commercial purposes, or offering, providing, or purchasing products or services through the network.
- Using IPS's electronic network for political lobbying.
- Using speech that is inappropriate in an educational setting or that violates IPS's standards for employee conduct.

Additional Guidelines and No Expectation of Privacy

Employees who become aware of a user engaging in inappropriate use of IPS's electronic network or who receive any email containing inappropriate content should report the matter immediately to Information Technology (IT).

IPS email accounts should be used primarily for IPS-related purposes. Personal use of IPS email accounts is only permitted on a limited basis so long as such personal use does not impede school functions, does not result in any direct cost paid with state funds, is not for private commercial purposes, and does not involve more than incidental amounts of employee time (time periods comparable to reasonable coffee breaks during the day).

IPS owns the rights to all data and files stored on any computer, network, or other information system used at IPS and to all data and files sent or received using any IPS system, including email, to the extent that such rights are not superseded by applicable laws relating to intellectual property.

IPS owns any communication sent via email or that is stored on IPS equipment or its cloud accounts. IPS employees shall have no expectation of privacy in anything they store, send, or receive on IPS's email system or computer equipment or cloud accounts. All communications sent via email or stored on IPS equipment may also be subject to the Florida Public Information Act. IPS reserves the right to access and/or monitor any material in an employee's email account at any time, without prior notice, as well as any computer equipment used to create, view, or access email. Violations of this policy may lead to disciplinary action, up to and including termination, and could also lead to referrals to appropriate law enforcement authorities.

No IPS employee may access another employee's computer, computer files, or email messages without prior authorization from Human Resources or legal counsel designated to allow access to email accounts.

10.3 Use of Third-Party Platforms

On occasion, employees may find it useful to use third-party platforms not belonging to IPS to assist in the performance of their duties. This includes, but is not limited, to third-party platforms such as Google Docs, Google Classroom, Zoom, or other similar technology solutions.

Before using any third-party software platform or solution that has not previously been sanctioned by IPS, employees **must obtain written permission from IT** due to security and confidentiality concerns. Employees do not have authority to enter into service agreements with third-party platforms, or to install non-approved software or solutions on IPS's technology resources. Failure to obtain prior permission may result in disciplinary action, up to and including termination.

10.4 System Security

On occasion, IPS may need to access its information resources including computer files, electronic-mail messages, and voicemail messages. Employees should understand, therefore, that they have no right of privacy with respect to any messages or information created or maintained on IPS's electronic network, including personal information or messages. IPS may, at its discretion, inspect all files or messages on its electronic network at any time in order to determine compliance with its policies, for purposes of legal proceedings, to investigate allegations of misconduct, to locate information, or for any other business purpose.

Users are responsible for their individual accounts and should take all reasonable precautions to prevent others from being able to use them. Users must not provide their password(s) to another person. Users must immediately notify IT if they have identified a possible security problem. Users should not go looking for security problems, as doing so may be construed as an illegal attempt to gain access.

Users are responsible to maintain their passwords and are required to reset the password according to our Security Password Policy. They are also required to maintain the use of 2-factor authentication on all IPS applications as applicable.

Users will not attempt to gain unauthorized access to any portion of the IPS electronic network. This includes attempting to log in through another person's account or accessing another person's folders, work, or files.

Users will not make deliberate attempts to disrupt IPS's electronic network or computer system or destroy data by spreading computer viruses or by any other means.

Users will not attempt to access Web sites blocked by IPS policy, including the use of proxy services, software, or websites. Users will not use "sniffing" or remote access technology to monitor the network or other users' activity.

Users will not attempt to circumvent any of IPS's security controls set in place to protect all of IPS's data, systems, network or resources.

10.5 Software and Files

Software is available to users to be used as an educational resource or to conduct IPS business. Users may not install, upload, or download software without permission from the IT department. A user's account may be limited or terminated if a user intentionally misuses software on any IPS-owned equipment.

Files stored on the network are treated in the same manner as other school storage areas. Routine maintenance and monitoring of IPS's electronic network may lead to discovery that a user has violated this policy. Users should not expect that files stored on IPS servers are private. When sharing or storing sensitive information, users must utilize approved network storage devices and applications.

10.6 Technology Hardware

Hardware and peripherals are provided as tools to users for educational purposes and for school-related business. Users are not permitted to relocate hardware (except for portable devices), install peripherals, or modify settings to equipment without permission from the IT department.

IPS may permit the use of personally-owned computing devices on its network, at the discretion of IPS. All “guest” users must comply with administrative regulations governing the use of IPS’s technology resources and agree to allow monitoring of their usage and to comply with the regulations. Non-compliance may result in suspension of access or termination of privileges and other disciplinary actions consistent with IPS policy.

10.7 Vandalism

Any malicious attempt to harm or destroy data, the network, other network components connected to the network, hardware, or software will result in cancellation of network privileges. Disciplinary measures in compliance with IPS policy will be enforced.

10.8 Personal Use of Electronic Media

Electronic media includes all forms of social media, such as text messaging, instant messaging, email, web logs (blogs), electronic forums (chat rooms), video-sharing websites (e.g. YouTube), editorial comments posted on the Internet, and social network sites (e.g. Facebook, Twitter, Instagram, LinkedIn). Electronic media also includes all forms of telecommunications such as landlines, cell phones, and web-based applications.

As role models for IPS’s students, employees are responsible for their public conduct even when they are not acting as school employees. Employees will be held to the same professional standards in their public use of electronic media as they are for any other public conduct. If an employee’s use of electronic media interferes with the employee’s ability to effectively perform his or her job duties, the employee may be subject to disciplinary action, up to and including termination of employment. If an employee wishes to use a social network site or similar media for personal purposes, the employee is responsible for the content on the employee’s page. The employee is also responsible for maintaining privacy settings appropriate to the content.

An employee who uses electronic media for personal purposes shall observe the following:

- 5.5.1.1 The employee may not set up or update the employee’s personal social network page(s) using IPS’s computers, network, or equipment.
- 5.5.1.2 The employee shall limit use of personal electronic communication devices to send or receive calls, text messages, pictures, and videos to breaks, meal times, and before and after scheduled work hours, unless there is an emergency or the use is authorized by a supervisor to conduct IPS business.
- 5.5.1.3 The employee shall not use IPS’s logo or other copyrighted material of IPS without express written consent.
- 5.5.1.4 The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Code of Ethics, even when communicating regarding personal and private matters, regardless of whether the employee is using private or public equipment, on or off campus. These restrictions include:
 - Confidentiality of student information, including photos.
 - Confidentiality of health or personnel information concerning colleagues, unless disclosure serves lawful professional purposes or is required by law.
 - Confidentiality of IPS records, including educator evaluations and private e-mail addresses.
 - Copyright law.
 - Prohibition against harming others by knowingly making false statements about a colleague or the school system.

10.9 Use of Electronic Media and Electronic Communications with Students

Employees given approval by IPS may communicate through electronic media with students who are currently enrolled in IPS **for educational purposes only**. All other employees are prohibited from communicating with students who are enrolled in IPS through electronic media.

An employee is not subject to these provisions to the extent the employee has a social or family relationship with a student. For instance, an employee may have a relationship with a niece or nephew, a student who is the child of an adult friend, a student who is a friend of the employee's child, or a member or participant in the same civic, social, recreational, or religious organization.

The following definitions apply for the use of electronic media and electronic communications with students:

- 5.5.1.1 Electronic media includes all forms of social media, such as text messaging, instant messaging, electronic mail (e-mail), Web logs (blogs), wikis, electronic forums (chat rooms), video-sharing websites (e.g. YouTube), editorial comments posted on the Internet, and social network sites (e.g. Facebook, Twitter, LinkedIn, Instagram). Electronic media also includes all forms of telecommunication such as landlines, cell phones, and web-based applications.
- 5.5.1.2 Communicate means to convey information and includes a one-way communication as well as a dialogue between two or more people. A public communication by an employee that is not targeted at students (e.g. a posting on the employee's personal social network page or a blog) is not a communication; however, the employee may be subject to regulations on personal electronic communications. See Part 10.7 above. Unsolicited contact from a student through electronic means is not a communication.

An employee using electronic media to communicate with students shall observe the following:

- Employees should avoid sending text messages to students. Exceptions may apply for a teacher or other employee who has an extracurricular duty, and then only to communicate with students who participate in the extracurricular activity over which the employee has responsibility. An employee who communicates with a student using text messaging should attempt to include at least one of the student's parents or guardians as a recipient on each text message to the student so that the student and parent receive the same message. Additionally, for each text message addressed to one or more students, the employee must send a copy of the text message to the employee's IPS email address.
- Employees should avoid one on one video conferencing with students. A group setting is advised.
- Employees shall limit communications to matters within the scope of the employee's professional responsibilities (e.g. for classroom teachers, matters relating to class work, homework, and tests; for an employee with extracurricular duties, matters relating to the extracurricular activity).
- Employees are prohibited from knowingly communicating with students through personal social network pages.
- Employees shall not communicate directly with any student between the hours of 10:00 pm and 6:00 am, except when necessary to notify students about urgent scheduling or transportation issues. Employees may, however, make public posts to a social network site, blog, or similar application at any time.
- Employees do not have an absolute right to privacy with respect to communications with students and parents.
- Employees continue to be subject to applicable state and federal laws, local policies, administrative regulations, and the Code of Ethics including:
 - Compliance with FERPA, including retention and confidentiality of student records; and
 - Copyright law.
- Employees shall not solicit or engage in sexual conduct or a romantic relationship with a student.

- Upon request from IPS's administration, an employee will provide the phone number(s), social network site(s), or other information regarding the method(s) of electronic media the employee uses to communicate with any one or more currently enrolled student.
- Upon written request from a parent or student, an employee shall discontinue communicating with a student through email, text messaging, instant messaging, or any other form of one-to-one electronic communication.
- Employees shall refrain from inappropriate communications with students. Factors that may be considered in assessing whether the communication is inappropriate include, but are not limited to:
 - The nature, purpose, timing, and amount of the communication;
 - The subject matter of the communication;
 - Whether the communication was made openly or the employee attempted to conceal the communication;
 - Whether the communication could be reasonably interpreted as soliciting sexual contact or a romantic relationship;
 - Whether the communication was sexually explicit; and
 - Whether the communication involved discussion(s) of the physical or sexual attractiveness or the sexual history, activities, preferences, or fantasies of either the employee or the student.

10.10 Consequences

The guidelines for appropriate use are applicable to all IPS computers and refer to all IPS technology and information resources, whether individually controlled, shared, stand alone, or networked. Disciplinary action for staff and other users shall be consistent with IPS policy and administrative regulations. Violations may result in:

- Use of IPS's technology and information resources only under direct supervision.
- Suspension of access to IPS computers and network resources.
- Revocation of access privileges or user accounts; or
- Other disciplinary or legal action, up to and including termination, in accordance with IPS policies and applicable law.

IPS may also initiate law enforcement referrals for certain employee misconduct with respect to misuse of technology and information resources. Specific disciplinary measures will be determined on a case-by-case basis.

10.11 Incident Management Policy

Whenever a security incident such as a virus, worm, hoax email, discovery of hacking tools, altered data, etc. is suspected or confirmed, and the situation is deemed appropriate by IT the following incident management procedures must be followed:

- Employees are responsible for immediately notifying IT or their supervisor to initiate the appropriate incident management action.
- IT is responsible for determining the physical and electronic extent of the incident and will determine the need of an investigation of the incident.
- The appropriate technical employees from the IT department are responsible for monitoring that the damage from a security incident is repaired or mitigated and that the vulnerability is eliminated or minimized where possible.
- IT or other IPS administrators will determine if a widespread communication is required, the content of

the communication, and how to distribute the communication.

- The IT department is responsible for initiating, completing, and documenting the incident investigation and, in the case where law enforcement is not involved, the Chief Operations Officer or department manager will recommend disciplinary actions, if appropriate.

10.12 Damage to Technology Assets

Employees are responsible at all times for electronic equipment issued by IPS, and for taking responsible precautions to secure the equipment in such a manner that it will not be subject to theft or damage. Electronic equipment issued to employees may include, but is not limited to, cell phones, computers (desktop or laptop), wireless cards, Bluetooth headsets, projectors, document cameras, digital cameras, video cameras, or any other electronic device issued to an employee for work use.

Damaged, lost, stolen, or improperly working equipment must be reported immediately to the Assistant Principal of Operations or supervisor.

Employees are also responsible and will be held accountable for the security of protected information, including but not limited to information made confidential under FERPA, HIPAA, or other applicable law, which is accessed or maintained on electronic equipment issued by IPS. As such, equipment should not be left unattended in any unlocked area.

If any piece of electronic equipment issued to an employee is lost, stolen, or damaged due to an employee's intentional act, neglect, or abuse, or because of the employee's failure to follow IPS policies, rules, or guidelines, the employee may be responsible to reimburse IPS for the equipment's replacement cost. Such cost may be deducted from the employee's paycheck, in accordance with all applicable wage and payday laws. In no circumstance will a deduction take the employee's pay below minimum wage or, if the employee is assigned to an exempt position, reduce the employee's salary below its predetermined amount.

PART 11. MARKETING AND COMMUNICATIONS

11.1 Branding

The IPS brand includes its name, logo, slogans, mission statement, and the design layout associated with the organization. The logo, fonts, color schemes, symbols, sounds, and look are designed to convey our values, mission, vision, and personality. Through uniform communications, we can convey a professional image that is easily recognizable by the community.

11.2 Entity Name

IPS is the management organization for all IPS schools. For example, you might be a teacher for IPS Hope, which is an IPS Florida Public School managed by IPS. The campus is made up of the academy and college preparatory schools (e.g., IPS Hope). Academies serve students in grades Kinder - 5 (e.g., IPS Victory Academy). College Preparatory serves students in grades 6-12.

When referring to campuses and/or schools, it is very important to use the correct campus name, school name, or abbreviation. "Prep" may be used in lieu of "Preparatory" when speaking or in informal conversation; however, "Preparatory" must be used in all formal written communication. There are no commas, colons, periods, or dashes

used in the naming of IPS campuses or schools.

11.3 Logo Usage

The IPS/IPS logo is made up of the light bulb and the text that accompanies it. The IPS logo cannot, in any way, shape or form, be modified or changed without the prior written approval from the Marketing department. The logo should be visible on every piece of communication that goes out from the campus.

11.4 Working with Media

The Communications department is IPS's contact for the media. This allows IPS to deliver an appropriate message and avoid giving misinformation in response to any media inquiries. IPS requests that all employees forward media requests to the Communications department. All publicity requests for events should be sent to the Communications department.