



*MIDWAY STAR ACADEMY*

*Employee Handbook*

*Approved 5/23/2025 MIDWAY STAR ACADEMY*

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## **ADMINISTRATION PHILOSOPHY**

*MIDWAY STAR ACADEMY* pledges that to the best of our abilities and efforts, the following principles will govern our actions with employees and students.

*Midway Star's* employees and student's welfare is very important to the success of our schools. Every employee is considered a member of our team. The success of our School and the students is built on the recognition of the skills and efforts made by each staff member. It is our policy to work with all members of our team in a fair and friendly manner and to treat each team member with dignity and respect.

The administration of *Midway Star Academy* will work continually for the benefit of our staff, students, parent(s) or guardian(s), and our community.

General conditions such as safety, cleanliness, and employee accommodations will be evaluated periodically for possible improvement and will always compare favorably with good industry practice. We will be pleased to meet with any employee to discuss suggested improvements in working conditions.

We will devote our best effort to conducting a well-run School system that creates an atmosphere of harmony for the staff, students, parent(s) or guardian(s) and the community and provides positive role models to the children.

## **SECTION I: INTRODUCTION**

### **1.1 FOREWARD**

We believe in keeping employees fully informed about Midway Star Academy its policies, procedures, practices, and benefits, what employees can expect from the School and the obligations assumed as an employee of *Midway Star Academy*. This practice is designed to provide fair treatment for employees. All employees are expected to become familiar with the policies, procedures, practices, and benefits of *Midway Star Academy*. This handbook is intended to provide employees with this information. The policies and practices described in this handbook reflect a great deal of concern for the people who make it possible for *Midway Star Academy* to exist . . . **its employees.**

Nothing contained in this handbook is intended to create a contract (express or implied), or otherwise to create legally enforceable obligations on the part of *Midway Star Academy* or its employees.

Because *Midway Star Academy* is a growing, changing school, the administration reserves full discretion to add, modify, or delete provisions of this handbook at any time without advance notice. For this reason, employees should check with the administration to obtain current information regarding the status of any particular policy, procedure, or practice. No individual other than the School Directors and/or Board of Directors of *Midway Star Academy* has the authority to enter into an employment agreement or any agreement that modifies the School policy. Any such modification must be in writing and must be signed by the Directors of *Midway Star Academy* and approved by the Board.

All employment at *Midway Star Academy* is *at will*. No one other than the School Directors and Board of Directors of *Midway Star Academy* has the authority to alter this policy for a specified period of time, or to make any agreement contrary to this policy. Any alterations and any such agreement must be in writing and must be signed by the Directors and approved by the Board of Directors of *Midway Star Academy*.

Descriptions of various fringe benefits (such as group insurance) are only summaries. Should the descriptions in this handbook differ with any formal agreement or document involved, the formal agreement or document shall be considered correct.

The policies and procedures described herein supersede all prior policies and procedures.

### **1.2 AUTHORIZATION AND DISTRIBUTION OF HANDBOOK**

Midway Star Academy Employee Information Handbook is available to all personnel in the School. It may not be distributed to companies or non-personnel of *Midway Star* without the approval of the administration or as required by law.

MIDWAY STAR ACADEMY

### **1.3 MISSION STATEMENT**

The mission of *Midway Star Academy* is to create a learning environment that incorporates the cultural experiences of its students by enriching their personal and innate characteristics while setting high expectations and infusing personalized learning into the curriculum to improve student engagement and achievement. As a public charter elementary school, *Midway Star Academy* is open to all students, but our program is inclusively designed to meet the unique needs international students and their families have in a culturally sensitive environment.

### **1.4 SCHOOL BACKGROUND AND GOALS**

Midway Star Academy (MIDWAY STAR ACADEMY), recognized as District 4153, is a public charter School located in Saint Paul, Minnesota. MIDWAY STAR ACADEMY was originally established in 2005 in Minneapolis by a passionate group of community leaders, parents, volunteers, and educational advocates who believed that every child deserves a quality education regardless of their zip code, race, or socioeconomic status.

Currently, the school enrolls and serves 400 students (Grades K-8); MIDWAY STAR ACADEMY prepares students for academic readiness and success in a college or university, in a safe learning environment and small class sizes. Teachers hold high expectations of their students and do what it takes to have a student not only succeed but also excel.

Many of the current students come from Saint Paul and Minneapolis or beyond and make the commitment to travel to our school. The school has consistently had high attendance and parent involvement. As required by charter school law, the board is made up of teachers, parents, and community members. The school is authorized by Pillsbury United Communities.

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## **II: EMPLOYMENT POLICY AND PROCEDURES**

### **2.1 EQUAL EMPLOYMENT OPPORTUNITY POLICY**

*Midway Star Academy* hereby affirms its conviction that all persons are entitled to equal employment opportunities, and for no reason will applicants for employment or employees be discriminated against on the basis of their race, color, creed, religion, age, national origin or ancestry, sex, sexual orientation, disability, veteran status, marital status, familial status, status with regard to public assistance, activities in a local commission, or any other protected class defined by applicable law. In addition, we hereby declare that the School's policy of non-discrimination shall prevail throughout every aspect of the employment relationship, including recruitment, selection, placement, training, compensation, promotion, transfer, layoff, recall, discipline, and termination.

In addition, *Midway Star Academy* does not discriminate against any substitute teacher or independent contractor in work assignments for the School.

Further, we will not retaliate against anyone who has opposed employment practices, which may be illegal under the equal opportunity affirmative action laws, because they have testified or participated in any proceeding relating to the unlawful discrimination or harassment.

Any employee who is found to have violated any of these policies will be subject to disciplinary action, up to and including discharge. Employees who believe they have been subjected to discrimination or harassment must contact the Directors of *Midway Star Academy* or the School Board Chair directly. The Schools cannot investigate and take appropriate action against, or be responsible for, the unlawful conduct unless notified/contacted.

### **2.2 COMMITMENT TO EQUAL EMPLOYMENT OPPORTUNITY POLICY**

*Midway Star Academy* was built upon teamwork and equal opportunity. We will continue to be successful when people are treated fairly and allowed to advance and achieve their full potential. We are proud of the fact that we extend equal employment opportunities to all qualified employees and applicants for employment without regard to race, color, religion, sex, age, national origin, disability or other conditions protected by law. Disabilities requiring accommodation will be reasonably accommodated as required by law.

We work hard at *Midway Star Academy* to promote the fulfillment of *Midway Star Academy* potential and equal employment. We will take action to ensure that all qualified protected class individuals are given the opportunity to know of openings, are encouraged to seek promotions, are considered for promotion opportunities and, when qualified, are hired or promoted.

All phases of employment including, but not limited to, recruiting, hiring, selection for training, promotion, demotion, discipline, rates of pay or other compensation, transfer, layoff, termination, recall, use of all facilities and participation in all Schools-sponsored activities, will be administered so as to further the principle of equal employment opportunity.

### **2.3 EMPLOYMENT AT WILL**

Employment with the School is at-will. This means that the employee may resign at any time and The School retains a similar right. No manager, supervisor, or representative of the School other than the Director has authority to enter into any agreement to the contrary. No such agreement may be made, nor is valid unless in writing signed by the Director. This handbook does not modify or limit the employment at-will relationship.

### **2.4 EMPLOYMENT PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT (ADA)**

Title I of the *Americans with Disabilities Act* prohibits discrimination in any terms or conditions of employment for qualified individuals with a disability.

The *Americans with Disabilities Act* requires that employment decisions be based on the ability of a person to perform the essential functions of a job and not the person's disability or limitations.

Further, it requires administration to reasonably accommodate individuals with disabilities when necessary.

To comply with the employment provisions of the *Americans with Disabilities Act*, *Midway Star Academy* will:

- Identify the essential functions of a job,
- Determine whether a person with a disability, with or without accommodation, is qualified to perform the duties; and,
- Determine whether a reasonable accommodation can be made for a qualified individual.
- Employees requiring reasonable accommodations should contact the ADA Coordinator.

### **2.5 NURSING MOTHERS, LACTATING EMPLOYEES, and ACCOMMODATIONS**

Pregnant employees have the right to request and receive reasonable accommodations, which may include, but are not limited to, more frequent or longer breaks, seating, limits to heavy lifting, temporary transfer to another position, temporary leave of absence or modification in work schedule or tasks. An employer cannot require an employee to take a leave or accept an accommodation.

Lactating employees have the right to reasonable paid break times to express milk at work unless they are expressing milk during a break that is not usually paid, such as a meal break. Employers should provide a clean, private and secure room that is not a bathroom near the work area that includes access to an electrical outlet for employees to express milk.

It is against the law for an employer to retaliate, or to take negative action, against a pregnant or lactating employee for exercising their rights under this law. Employees who believe their rights have been violated under this law can contact the Minnesota Department of Labor and Industry's

Labor Standards Division at [dli.laborstandards@state.mn.us](mailto:dli.laborstandards@state.mn.us) or 651-284-5075 for help.  
Midway Star Academy

## **2.6 HARASSMENT POLICY AND PROCEDURES**

The policy of *Midway Star Academy* is to ensure and maintain a working environment free of all forms of harassment, intimidation, coercion, violence, or any form of harassment that creates a hostile work environment. The administration will ensure that all supervisors and other personnel carry out this policy. No applicants, employees, students, administrators, board members, subcontractors, or volunteers will be harassed or intimidated based on race, color, creed, religion, age, national origin, sex, sexual orientation, disability, marital status, familial status, status with regard to public assistance, activities in a local commission, or any other protected class defined by applicable law. Any individuals who are found to have violated any of these policies will be subject to disciplinary action, up to and including discharge.

Harassment includes, but is not limited to:

**Verbal harassment**, such as making a joke, derogatory comment, epithets, vulgar or profane words and expressions, slurs that refer to a certain ethnic group, race, sex, nationality, age, disability, sexual orientation, religion, or belief, marital status, status with regard to public assistance, or activities in a local commission.

**Physical harassment**, such as assault and blocking, threats or acts of violence, intent to inflict bodily harm, impairing or otherwise physically interfering with an individual's normal work or movement.

**Visual forms of harassment**, such as derogatory posters, cartoons, drawings; or

**Sexual harassment**, such as unwelcome sexual advances or requests for sexual favors, verbal, visual, or physical conduct of a sexual nature. These acts may consist of name-calling, obscene jokes, sexually suggestive comments or insulting sounds; graphic or verbal comments of a sexual nature about a person's anatomy; or displaying sexually suggestive objects, posters drawings, or pictures.

**Cyber harassment** refers to online harassment. Cyber harassment or bullying is the use of email, instant messaging, and derogatory websites to bully or otherwise harass an individual or group through personal attacks. Cyber harassment can be in the form of flames, comments made in chat rooms, sending of offensive or cruel e-mails, or even harassing others by posting on blogs or social networking sites.

## REPORTING PROCEDURES

Any person who believes he or she has been the victim of harassment or violence by a student, parent(s) or guardian(s), employee, Administrator, Board member, subcontractor, or vendor should report the alleged acts immediately to an appropriate School official designated by this policy. The School encourages the reporting party or complainant to use the report form available from the Director of each School or available from the School office, but oral reports shall be considered complaints as well. Nothing in this policy shall prevent any person from reporting harassment or violence directly to the School Rights Officer or Directors.

Midway Star Academy Resources is the primary person responsible for receiving oral or written reports of religious, racial, or sexual harassment or violence at the building level. Alternatively, reports

may be given to a Counselor or the Director. Any School personnel who receive a report shall inform the Director(s) immediately.

Upon receipt of a report, a Director must notify the School Board chair. A written statement of the alleged facts will be prepared as soon as practicable by the Director. If the report was given verbally, the director shall personally reduce it to a written form within 24 hours. If the complaint involves the Director, the complaint shall be made or filed directly with the School Board chair.

The Board hereby designates the Director(s) as the School Midway Star Academy rights officer(s) to receive reports or complaints. If the complaint involves the Directors, the complaint shall be filed directly with the Board chair.

The School shall conspicuously post the name of the Midway Star Academy Human Rights Officer(s), including mailing addresses and telephone numbers.

All complaints of harassment will be investigated promptly and when necessary, corrective action will be taken. Any investigation of such complaints will be treated as confidentially as possible. No individual will be punished or suffer any adverse action as a result of bringing any good-faith harassment complaint to the School's attention.

The use of formal reporting forms is not mandatory.

Any supervisor, administration official, Board member, staff member, parent(s) or guardian(s), student, vendor, or any other person in connection with your employment who is found to have engaged in harassment or retaliation against an employee for exercising rights protected by this policy will be subject to appropriate discipline, up to, and including discharge.

The School will respect the privacy of the complainant, the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the School's legal obligations to investigate, take appropriate action, and conform to any discovery or disclosure obligations.

The School cannot investigate and take appropriate action unless the appropriate individuals have been directly advised in detail of all incidents believed to be unlawful harassment. Failure to notify the appropriate personnel will delay or preclude any responsibility of *Midway Star Academy* to take appropriate action or be responsible for unlawful conduct.

## INVESTIGATION

By authority of the School Board, the Midway Star Academy Human Rights Officer, upon receipt of a report or complaint alleging harassment, violence, or any form of harassment that creates a hostile work environment, shall immediately undertake or authorize an investigation. The investigation may be conducted by School officials or by a third party designated by the Schools.

The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged

incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator.

In determining whether alleged conduct constitutes a violation of this policy, the School should consider the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved, and the context in which the alleged incident occurred. Whether a particular action or incident constitutes a violation of this policy requires a determination based on all of the facts and surrounding circumstances.

The investigation will be completed as soon as practicable. The director shall make a written report to the School Board chair upon completion of the investigation. If the complaint involves the Director, the report may be filed directly with the School Board chair. The report shall include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy.

#### SCHOOL ACTION

Upon receipt of a report, the School will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, or termination. School action taken for violation of this policy will be consistent with requirements of applicable Minnesota and federal law and Board and School policies.

The results of the School investigation of each complaint filed under these procedures will be reported in writing to the complainant by the School in accordance with the Privacy Act of 1974.

#### REPRISAL / RETALIATION PROHIBITED

The School will discipline or take appropriate action against any student, parent(s) or guardian(s), staff member, administrator, Board member, subcontractor, vendor, or volunteer who retaliates against any person who makes a good faith report for alleged harassment, acts of violence, or any action(s) that creates a hostile work environment, or any person who testifies, assists or participates in an investigation, or who testifies, assists or participates in a proceeding or hearing relating to such harassment or violence. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment.

#### RIGHT TO ALTERNATIVE COMPLAINT PROCEDURES

These procedures do not deny the right of any individual to pursue other avenues of recourse which may include filing charges with the Minnesota Department of Human Rights, initiating civil action, or seeking redress under the state criminal statutes and/or federal law.

### **2.7 HARASSMENT OF VIOLENCE AS ABUSE**

Under certain circumstances, alleged harassment or violence may be possible abuse under Minnesota law. If so, the duties of mandatory reporting under Minn. Stat. 626.556 may be applicable.

Nothing in this policy will prohibit the School from taking immediate action to protect the victims of alleged harassment, violence, or abuse.

## **2.8 ORIENTATION**

Each year when the School term resumes all employees will receive orientation that will provide information such as benefits, job duties, and areas of responsibility, policies and procedures. This is a time to change or adjust personal information, benefits, or to get any of your questions answered. A copy of the *Employee Handbook* will be made available to each employee to read and review.

After reviewing the handbook, each employee will be required to sign an Acknowledgement of Receipt and Understanding. The signed/witnessed copy of the *Acknowledgement of Receipt and Understanding* will become part of the employee's personnel file.

The *Employee Information Handbook* is the property of *Midway Star Academy* and information contained within cannot be shared or leave the premises without the authorization of the Director(s).

## **2.9 EVALUATION PERIOD**

*Midway Star Academy* believes the employee is given an opportunity to evaluate whether their progress and the employment relationship should continue. Evaluations are done according to a scheduled evaluation process in alignment with MN State Statute 122A.40 (Subd. 8) for licensed professionals employed by the school. All non-licensed employee's evaluations will be done on an annual or as needed basis.

The completion of an evaluation should not be considered a guarantee of full-time employment or an increase of wage. *Midway Star Academy* evaluates employees on a continuing basis to review performance standards, rules of conduct, and adherence to the philosophy and beliefs of *Midway Star Academy*.

## **2.10 ATTENDANCE**

Regular and on-time attendance is expected for efficient operations at *Midway Star Academy*. Excessive absenteeism and tardiness are not only inconvenient but also causes costly problems, affects team morale and places students at risk. While it is recognized that an occasional illness or extenuating personal reasons may cause unavoidable tardiness or absence from work, regular on-time attendance is required for continued employment.

**Employees must contact** Human Resources prior to 6:00am on the date of the absence. Sending a text notification maybe sufficient. However, send absence-related messages to [timeoff@midwaystar.org](mailto:timeoff@midwaystar.org). This allows time for arrangements to be made to redistribute work, if necessary. Employees must continue calling Office Manager or Director(s) until they reach someone 'in-person'. *Midway Star* encourages employees to stay home when sick.

Unacceptable attendance such as leaving during your prep without signing out, tardiness, being away from your assigned work stations, or unexcused absences are subject to disciplinary action.

If an employee is absent from work without informing the School for 48 hours, it is considered job abandonment and employment will be considered terminated as of the last day worked by the employee.

## **2.11 EMPLOYEE CONCERNS**

*Midway Star Academy* believes in open communication. If an employee has a suggestion or concern, administration wants to know about it. In most cases, an employee will get satisfaction by discussing the matter with the Director. However, the School recognizes that not all complaints will be satisfactorily resolved between an employee and the Director.

For complaints, which cannot be resolved informally, the following procedure has been established to ensure a fair and impartial review. All complaints will be given prompt and objective consideration in an atmosphere of mutual assistance.

### Informal Complaint Process for School Staff about School Staff/Board Members/Policy

**Step 1:** If you have an issue or concern with another staff member, you should initially discuss the problem with the person involved. If you have a concern regarding a school policy, you should initially discuss it with the Director(s).

**Step 2:** If a resolution of these issues is not reached through Step 1 or the two involved parties are not willing or able to discuss the issues, your next step is to involve one of the following as a third party, Director(s) or board chair.

**Step 3:** If a resolution of these issues is not reached through Step 2, your next step is to begin the formal complaint process. Although this process will be confidential, identity cannot be withheld from the person accused.

### Formal Complaint Process for School Staff about School Staff/Board Members/Policy

**Timelines:** The formal complaint procedure is set up to take no more than 40 working days. To have a remedy under the formal complaint process, complaints must be filed within 30 days of the incident. Complaints filed more than 30 days after the incident will not be accepted.

**Step 1:** You will obtain a formal complaint form from the school Office Manager. Complete the form and return to the director(s). If one of the directors is the subject of the complaint, return form to the Board Chair.

**Step 2:** The recipient of the formal complaint will be the judicial advisor and conduct an investigation. The judicial advisor will send notification in writing to the accused within 5 working days of receiving the complaint.

**Step 3:** The judicial advisor will notify the complainant and the accused of their findings. Notification of findings will be sent within 15 working days of the complaint being filed. The complainant will receive the results of the investigation in writing. The complainant will review

the findings and decide if they are satisfied with the results. If they are not satisfied with the results, they may proceed to Step 4.

**Step 4:** The complainant may appeal the ruling by notifying the judicial advisor in writing within five days. The judicial advisor may refer the appeal to a hearings committee at their discretion. The hearings committee consists of the following people: director(s), counselor, and a staff member appointed by the directors. If the complaint involves one of the directors, the board chair will replace them on the hearings committee. If the complaint involves a board member, another board member will replace the staff member on the committee and the board chair will replace the directors.

**Step 5:** A final decision is made. The judicial advisor will make the final decision on the appeal and notify the complainant and the accused in writing within 10 working days.

This complaint reporting procedure does not apply directly to complaints of harassment which are more specifically discussed in *Harassment Policies and Procedures*.

## **2.12 PERSONNEL FILES**

*Midway Star Academy* will maintain a file on each employee. An employee's personnel file begins with his/her completed employment application form. From time to time, information will be added to this personnel file regarding an individual's employment status with the School. Personnel files are the property of *Midway Star Academy* and will be treated the same as any other confidential School information.

All employees should notify Human Resources of any changes in status, i.e., marital status, exemptions, dependents, address, telephone number, beneficiaries, emergency contact, etc. Personnel files are the property of the Company. Employee personnel files include the following: job application, job description, résumé, records of participation in training events, salary history, records of disciplinary action and documents related to employee performance reviews and recognition.

Only those with direct need-to-know status are allowed access to individual personnel records. Access will normally be limited to Human Resources, the supervisor and members of the leadership team with a need to know.

In the state of Minnesota, employees have various legal rights and remedies related to the contents of their personnel files. As an employee these rights extend to you and include:

- the opportunity to review the contents of your personnel file, upon written request to Human Resources, once every six months as an active employee and once each year after termination of your employment for as long as the record(s) are maintained. Requests will be honored within five (5) business days.
- the opportunity to receive a copy of the contents of your personnel file, upon written request to Human Resources and,
- The opportunity for you to dispute information that is contained in your file and request that the information be removed. If we do not agree with your request to have the

information removed, you have the opportunity to include a statement that outlines your position.

The School also has obligations associated with this law and may not:

- use information from your personnel file that was intentionally omitted during your review in a civil or administrative proceeding and,
- Retaliate against you for exercising your rights with respect to your personnel file.
- The Minnesota Department of Labor and Industry enforces this law. If it is determined that the School has not acted in good faith in complying with the provisions of this law, various remedies for violations and retaliation may be available to you.

The following provisions apply with respect to the School's standards for establishing, maintaining and handling employee personnel files:

- All official records concerning an employee will be kept up to date, insofar as possible, and all employees shall promptly report all pertinent personal information and data changes to administration.
- Employees will be permitted to review their personnel files and request a free copy (if desired) as permitted by applicable laws.
- The personnel file of an employee terminating employment will be maintained in accordance with applicable state and federal laws.

Employee personnel files may include the following:

- Offers of employment
- Work Agreement
- Job Description
- Performance appraisal reports
- Disciplinary action notices
- Special commendation information
- Educational achievement records
- Status changes affecting employee's work and salary history
- Payroll information
- Transcripts/Licenses
- Benefit information relevant documents as determined by the supervisor

Employees may request to review their personnel file provided the following provisions apply:

- If an employee makes a request to review their personnel file, the Director and/or the Human Resources Generalist will have the responsibility of coordinating that review.
- The Director and/or the Human Resources Generalist must be present while the employee reviews his/her personnel file.
- The employee may take notes, but may not remove, deface, or otherwise make notations

on the documents in his/her personnel file.

- Upon a written request from the employee, the School will provide a copy of any item(s) in the employee's personnel file.

All information in employee personnel files is considered confidential. This information will only be available to the employee, senior administration personnel, supervisors or supervisors who are responsible for the employee and appropriate professional advisors, or consultants to the School on an as “need to know basis”.

## **2.13 SOCIAL SECURITY**

The cost of Social Security is shared between employees and the School. For every dollar an employee puts into Social Security, *Midway Star Academy* matches that dollar.

Social Security provides benefits for employees and their families as specified by law in the event of retirement, hospitalization after age 65 (Medicare), total and permanent disability before age 65, and death. Contact the local Social Security Office for details.

## **2.14 UNEMPLOYMENT COMPENSATION**

Unemployment compensation is another form of insurance, which is paid for entirely by *Midway Star Academy*. Unemployment compensation helps employees meet a loss of income resulting from unemployment beyond their control by paying certain benefits while they are out of work. This form of protection is in addition to group insurance, Social Security, and Workers' Compensation.

## **2.15 RULES OF CONDUCT**

It is the policy of *Midway Star Academy* to expect all employees to abide by certain work rules and display professional conduct at all times. The regulations governing employee conduct and responsibilities have been established in the best interest of the School, its employees, students, and the community.

Accordingly, a violation of these regulations constitutes misconduct on the part of the employee and appropriate disciplinary action will be initiated. **These rules are guidelines only and are not all-inclusive.** Disciplinary action may include, but is not limited to, verbal reprimand, written notice, and suspension from work with or without pay, and immediate termination of employment. Administration reserves the right to terminate or discipline any employee of *Midway Star Academy* it considers necessary and is based on individual circumstances.

## **2.16 POLICIES ON MISCONDUCT**

All schools face the risks that come from misconduct. As with all business exposures, we must be prepared to manage these risks and their potential impact in a professional manner.

Our goal is to establish and maintain an environment of fairness, ethics, and honesty for our staff, students, vendors, and the community. To maintain such an environment requires the active assistance of every staff member every day.

Our School is committed to the deterrence, detection and correction of misconduct. The discovery, reporting, and documentation of such acts provides a sound foundation for the protection of innocent parties, the taking of disciplinary action against offenders up to and including dismissal where appropriate, the referral to law enforcement agencies when warranted by the facts, and the recovery of assets.

The purpose of these policies is to communicate to the staff the definitions of misconduct and the specific instructions for investigation and action if case of suspected violations.

## **2.17 EXAMPLES OF MISCONDUCT**

The following are only examples of misconduct for which an employee may be subject to discipline up to and including termination. These examples do not constitute a complete list of the circumstances for which discipline will be warranted.

Absenteeism that exceeds the sick time or personal time specified in the work agreement with the exception of FMLA (Family Leave).

- **Tardiness that exceeds 7 days per school term.**
- Falsification of any records or reports i.e., absence from work, claim pertaining to injuries occurring on School premises, claims for any benefits provided by the School, communications or records including personnel and production records. Forgery or alteration of documents.
- Fraud and other unlawful acts.
- Restricting output, or persuading others to do so, or promoting, encouraging, agitating, engaging in or supporting suspension of work, slowdowns or any other interruptions of production.
- Sabotage or subversive activity of any kind.
- Misuse or removal from the premises, without authorization, of any of the School's property or possession of any property removed from the School's premises without proper authorization.
- Being under the influence of, having in possession, transporting, selling, or promoting alcohol, any intoxicant, any narcotic, any barbiturate, any amphetamine, any hallucinogen, or any other stimulating or depressing drug during the course of the workday or on School's premises at any time.
- Fighting or other unacceptable immoral conduct while on the School's premises. Violence, threats of violence, or attempts at physical violence while on the job.

- Bringing weapons onto the premises. (Refer to Weapons Policy)
- Willful abuse or deliberate destruction of School property, tools or equipment, or of any property on the School premises.
- Gross insubordination “a willful and deliberate refusal to follow reasonable orders given by a supervisor or member of administration”.
- Violation of the School’s *Equal Employment Opportunity Policy* or *Policy on Harassment*.
- Sleeping during assigned work time.
- Gaining unauthorized access to the School’s records and files.
- Failure to immediately report to administration any work-related injury or accident.
- Refusal to perform duties in the job description or continuous performance of substandard work both in quality and quantity after having been instructed in proper procedure and technique.
- Idle gossip or dissemination of confidential information within the School without a business needs to know, such as personal, business, or financial information.
- Engaging in horseplay, practical jokes, gambling, selling merchandise, solicitation, or general loitering while on the School’s property.
- Using profane language on School property, which in administration's opinion is offensive to visitors, students, and other staff members.
- Planning, directing, encouraging, or aiding any students to engage in hazing activities.
- Failure to follow School policies and procedures or acts which violate the School’s mission or core values.

The School specifically prohibits these and any other illegal activities in the actions of its staff, board members, volunteers and other individual responsible for caring out the School’s activities.

## **2.18 REPORTING PROCEDURES**

It is the responsibility of every employee, supervisor, administrator, and Board member to immediately report suspected misconduct or dishonesty to the director of the School. Anonymous reports to the director are acceptable. Any reprisal against any employee or other reporting individual because that individual, in good faith, reported a violation is strictly forbidden.

## **2.20 REDUCTION OF WORKFORCE**

In the event that a reduction in the School's workforce becomes necessary, administration will determine the number of employees needed to perform the available work. In determining those employees to be retained, consideration will be given to the quality of each employee's past performance, the need for the position held by the employee, and with all other factors being equal, the length of service of each employee.

If feasible, but not as a vested right, employees subject to termination will be given a notice prior to the anticipated termination. Upon such termination applicable insurance benefits will be extended under Section 10002 (d) of COBRA.

## **2.21 IMMIGRATION LAW COMPLIANCE**

Midway Star Academy employs only United States citizens and those non-U.S. citizens authorized to work in the United States in compliance with the Immigration Reform and Control Act of 1986.

Each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed an I-9 within the past three years or if their previous I-9 is no longer retained or valid. If an individual cannot verify his/her right to work within three days of hire, Midway Star Academy must terminate employment.

## **2.22 EDUCATOR PROTECTION**

Schools cannot discriminate against or discipline a teacher or principal on the basis of:

- Incorporating contributions\* of persons in a federally protected class or stateprotected class into curriculum

\*Contributions must be in alignment with state academic standards and benchmarks.

## **2.23 MALICIOUS AND SADISTIC CONDUCT POLICY**

Midway Star Academy prohibits malicious and sadistic conduct and sexual exploitation by a school staff member, independent contractor, or student enrolled in the school against a staff member, independent contractor or all student in all contexts. Malicious and Sadistic conduct means creating a hostile learning environment by acting with the intent to cause harm by intentionally injuring another without just cause or reason or engaging in extreme or excessive cruelty or delighting in cruelty. Midway Star Academy prohibits malicious and sadistic conduct involving race, color, creed, national origin, sex, age, marital status, status regarding public assistance, disability, religion, sexual harassment, and sexual orientation and gender identity as outlined in the Minnesota Human Rights Act (Minnesota Statutes, Chapter 363A)

Disciplinary measures for each violation of the policy will be guided by Student Discipline Policy in conformance with Pupil Fair Dismissal Act (Minnesota Statutes, 121A.41-56).

## SECTION III: WAGES AND BENEFITS

### 3.1 EMPLOYMENT STATUS

Employment status is divided into the following categories for the purpose of compensation and benefits. Some School policies and benefits may apply differently to employees hired in different categories. The term "eligible employee(s)" refers to full-time employee(s) unless otherwise designated. Each employee will be advised of the status of his/her position when he/she is hired or if the status changes.

- **Full-time** - Employees hired full-time (35 hours or more) per week for a School term or per year are considered full-time employees for all compensation and benefits purposes.
- **Part-time** - Employees whose work schedule is less than full-time (less than 30 hours) per week for a School term or per year are considered part-time employees for all compensation and benefits purposes. Part-time employees are eligible for some benefits by specific reference only.
- **Temporary** - Temporary employment consists of an obligation to work 40 hours or less per week, for a term that is generally limited to less than one year. Temporary employees are not eligible for any holiday, vacation, sick leave, or any other paid absence benefits.
- **Non-exempt (hourly employees)** - Non-exempt employees are expected to confine their work to the normal workday and workweek unless overtime is authorized in advance by the director. Non-exempt employees will be paid hourly overtime at one and a half (1 ½ times) their regular pay rate for all authorized hours in excess of the forty (40) per week.
- **Exempt** - Employees who are employed in an administrative, executive, or professional category are specifically exempted from the Federal Wage and Hour Law. The hours worked by these exempt employees are often irregular and begin and end outside the normal workday. Exempt employees are excluded from the overtime provisions of the Federal Wage and Hour Law and do not receive overtime pay.

### 3.3 PAY PERIOD AND PAYMENT OF WAGES

Midway Star Academy operates on a 24-pay period plan. The pay period is semi-monthly. Personnel are normally paid on the 15<sup>th</sup> and the 30<sup>th</sup> of each month for work performed for the pay period. If the pay day falls on a weekend, the payday is the Friday before.

### 3.4 TIME RECORDS

Government regulations under FLSA Act 29 CFR 516.2, require that employers keep an accurate record of hours worked by **all employees**. Non-exempt employees are required to log in their hours each day on a School Time Log. Exempt employees are required to check if they are at work each day. The Administration and Human Resources will log any PTO time used. Human Resources will turn the time logs into payroll.

For any missed work time, employees are required to submit a time off request in SMART ER upon returning to work in the event of an illness or unforeseen emergency. In the event of personal time or vacation time for qualified employees, a time off request in Smart ER should be completed no later than one-week prior to the absence. Employees requesting personal, banked time usage, FMLA, or vacation time, will be notified if the leave is approved or denied.

Failure to report accurate time information may result in the loss of pay.

If an employee has a question concerning his/her time, he/she should discuss the matter with the Administration and Human Resources.

### **3.5 PAYROLL INFORMATION**

Following the acceptance of employment, each new employee will be given federal and state tax forms to complete. The completed forms and information regarding starting pay, starting date, and any other pay or benefit information will be forwarded to the payroll department. Any change in employee marital status, tax deductions, address, phone number, or other pertinent payroll information must be reported to the payroll department immediately.

The administration will meet twice a year in August and January to approve any new documentation such as licensures, certificates, or degrees that would modify an employee's salary. All documentation needs to be given to Human Resources before August 10<sup>th</sup> to reflect the August 30<sup>th</sup> payroll or before January 1<sup>st</sup> to reflect the January 31<sup>st</sup> payroll.

### **3.6 PAYROLL DEDUCTIONS FROM GROSS PAY**

The Schools will make arrangements for payroll deductions for the following:

- Federal income taxes
- State income taxes
- Social Security taxes
- Medicare taxes
- Past due taxes
- Garnishments (including child support) or other court-ordered wage deductions
- Employee's portion of group insurance premiums
- Minnesota Teachers Retirement Association "TRA"
- Public Employee Retirement Account "PERA"
- If elected, deductions for health care

The employee must authorize any deductions (other than statutory deductions). No other deductions will be made unless specifically authorized in writing by the employee. Total deductions will be shown on the employee's paycheck stub. Questions regarding payroll deductions should be directed to the payroll department.

#### **EXEMPT EMPLOYEE REDUCTION OF SALARY**

In accordance with the Fair Labor Standards Act regulations, exempt employees who are required to be paid on a salary basis may not have their pay reduced for variations in the quantity or quality of work performed. According to FLSA, their salary may be reduced only in the following circumstances:

Employees who are absent from work for at least a full day for personal reasons other than sickness or disability will not be paid for that day unless they have the appropriate accrued leave time under Midway's approved leave policies or receive written permission from the Director. Their salary will not be reduced for less than a full day.

Employees who are absent from work for at least a full day for sickness or disability will not be paid for that day unless they have the appropriate accrued leave time under Midway's approved leave policies or receive written permission from the Director.

Employees who work less than forty hours per week may be paid a proportionate part of their full salary for the time actually worked.

Employees who take leave under the Family Medical Leave Act will not be paid for that time unless they have accrued leave time available to them under Midway's applicable leave policies. Their salary will be reduced by the hours missed, even if it is for less than a full day.

### **3.7 ERROR IN PAY**

The Schools take precautions to ensure that employees are paid correctly; however, if an error does occur, the employee should notify the payroll department. The School will make every attempt to adjust the error no later than the employee's next regular pay period.

### **3.8 GARNISHMENT OF WAGES**

Garnishments are court orders requiring an employer to withhold specified amounts from an employee's wages for payment of a debt owed by the employee to a third party. State law requires the School to honor garnishments of employee wages (including child support) as a court or other legal judgment may instruct. The law also provides for an administrative fee to be charged when a garnishment occurs. Garnishments are effective the first pay period after the garnishment is served.

### **3.9 DISTRIBUTION OF PAYCHECKS**

Paychecks will be disbursed in each employee's mailbox on payday or via direct deposit. If an employee is absent on payday his/her paycheck will **NOT** be released to a third party. This policy protects both the employee and the School.

### **3.10 INSURANCE**

*Midway Star Academy* provides a well-balanced benefits program for eligible employees. The insurance becomes available on the day of hire for all employees working 35 hours per week.

At the present time, *Midway Star Academy* pays 100% of the employee and dependent monthly premiums for dental, short- and long-term disability, life, and accidental death and dismemberment insurance. *Midway Star Academy* pays a portion (defined in the benefit booklet) of the employee health premium. All other offered coverages are the responsibility of the employee.

Any questions concerning costs, benefits, and/or insurance claim information should be directed to Human Resources or information can be found in the annual benefit booklet.

*Midway Star Academy* or its insurers will review these benefits periodically to ensure that they keep pace with area practice and are subject to change at any time. Administration and Human Resources will notify employees of open enrollment deadlines for all benefits.

All employee insurance coverage and benefits will terminate on the last day of the month of their last day of work. For example, if your last day of work is June 10<sup>th</sup>, your benefits will go through June 30<sup>th</sup> of that year.

### **3.11 INSURANCE**

Please refer to your benefit package for details on plan coverage and co-payments. If you have questions, please contact Human Resources.

### **3.12 DENTAL INSURANCE**

*Midway Star Academy* provides a dental insurance option to eligible employees and their dependents through Health Partners. Please refer to your benefit package for details on plan coverage and co-payments. If you have questions, please contact Human Resources.

### **3.13 DISABILITY INSURANCE**

*Midway Star Academy* provides you with short-term and long-term disability coverage. Please refer to your benefit package for details on plan coverage. If you have questions, please contact Human Resources.

### **3.14 LIFE INSURANCE**

*Midway Star Academy* also provides you with life insurance, accidental death, and dismemberment coverage. Please refer to your benefit package for details on plan coverage. If you have questions, please contact Human Resources.

*Midway Star Academy*

### **3.16 RETIREMENT SAVINGS PLANS**

Under Minnesota law, you will be automatically enrolled in a retirement program that you will be required to contribute to. Percentages subject to change:

Teachers – Minnesota Teachers Retirement Association “TRA

Non-Teaching Staff – Public Employment Retirement Act “PERA”.

### **3.17 PROFESSIONAL DEVELOPMENT REIMBURSEMENT**

*Midway Star Academy* places great value in the continued professional development of its staff. Full Time employees who may be granted up to \$1000/year for pre-approved professional development activities. These may include but are not limited to: graduate and/or under graduate level coursework, professional conferences or workshops. Prior approval is required noting that professional development activities will be evaluated on a case-by-case basis. A compelling argument for requested time off/activity should be presented and the staff member should be prepared to share learnings upon return to school. PTO days may be used for approved time away.

### **3.18 HOLIDAYS**

*Midway Star Academy* recognizes the following holidays: Labor Day, Eid al-Fitr, Eid Adha, Thanksgiving, Thanksgiving Friday, Winter Break (which includes Christmas Eve, Christmas Day, New Year's Eve and New Year's Day), Martin Luther King's Day, President's Day, Spring Break, Good Friday, and Memorial Day. For specific dates, please refer to the School's calendar.

### **3.19 CONTINUATION OF HEALTH INSURANCE UNDER COBRA**

Under the Consolidated Omnibus Budget Reconciliation Act of 1985, better known as COBRA, if an employee terminates employment with the School, the employee is entitled to continue participating in the School's group health plan for a prescribed period of time, usually 18 months. (In certain circumstances, such as an employee's divorce or death, the length of coverage period may be longer for qualified dependents.)

Under the Uniformed Services Employment and Reemployment Rights Act of 1994, better known as USERRA, an employee who is out on a military leave of absence will retain their health insurance coverage for the first 31 days of uniformed service. Employees out on a military leave of absence that extends beyond 31 days will be eligible for COBRA benefits for up to 24 months.

If a former employee chooses to continue group benefits under COBRA, he or she must pay the total applicable premium. Coverage will cease if the former employee fails to make premium payments as scheduled, becomes covered by another group plan that does not exclude pre-existing conditions, or becomes eligible for Medicare.

For detailed information or questions on COBRA, employees are requested to check with the School Director or Human Resources Representative.

## SECTION IV: TIME OFF/LEAVES

### 4.1 PAID TIME OFF

*Midway Star Academy* recognizes that employees need time away from normal work duties for their personal well-being or that of a family member Paid Time Off (PTO) leave may be used by the employee for any reason. The benefit of PTO is that it promotes a flexible approach to time off. Employees are accountable and responsible for managing their own PTO hours to allow for adequate reserves if there is a need to cover vacation, illness or disability, appointments, emergencies, or other needs that require time off from work.

The School grants time off with pay to employees who meet service requirements.

The School reserves the right to request an explanatory note from the employee's provider should absences become excessive or extend beyond accrued time off due to a non-job-related illness or injury. **The request will be made by the school should time off coincides with a calendar-approved non-work day including holidays, 3-day weekends, and breaks.** A note from the employee's provider is required if the employee is absent from work for three (3) or more days.

The school makes the final determination if the absence is considered excused or unexcused based on policy.

**Returning Full-time, school-year employees** scheduled 30 or more hours per week will accrue **10 days** of PTO at the beginning of each school year. There is no carryover.

**Mid Year Hires:** Employees hired after September 1<sup>st</sup> will accrue 4 hours per pay period(excluding the 6/30,7/15, and 7/30 payroll) and unused PTO will carryover(will switch to front loaded system at the beginning of the next accrual year).

**PTO Payout:** Only applies School Year Employees: Any unused PTO days will be paid out at a rate of \$60/day. This payout will occur on the June 30<sup>th</sup> payroll.

**Returning Full-time, year-round employees are allotted 30 days of PTO.** PTO may be used at any time of the year at the Director's discretion. PTO days are eligible for use for one year from the start of the employment agreement– there is no vacation time carryover or PTO payout.

**Mid Year Hires:** Employees Hired after September 2<sup>st</sup> will accrue 10 hours per pay period, and will carryover up to 80 hours(will switch to a front loaded system at the beginning of the next accrual year).

**Requests for PTO-** Employees who need to request PTO, must request it at least a week in advance, if possible. Prior approval for any PTO needs to be obtained from Administration and/or Human Resources. Any days taken off from work in excess of days earned will not be paid.

If the time requested off exceeds four (4) or more hours, the employee must take a full day (8

hours) off. If the requested time off is under four (4) hours, the employee must take a half-day (4 hours) off. Employees who require a substitute for when they are absent must take a full day off unless arrangements can be prearranged within the building and approved by the Administration. A half day is considered at 11 am.

Generally speaking, personal days will not be granted after May 1<sup>st</sup> and requests are discouraged

Personal days should not be requested before or after vacation periods or long weekends. The Director may choose not to grant PTO if the absence of the employee would be detrimental to the educational program for the School or create an unnecessary hardship on the other School personnel (unless it complies with Safe and Sick Time law).

State and local laws also provide earned sick and safe time, which allows PTO to be provided to an associate for the following reasons:

- An absence resulting from an employee's own mental or physical illness, injury, or health condition; to accommodate the employee's need for diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or an employee's need for preventive care;
- To allow the employee to provide care for a family member with a mental or physical illness, injury, or health condition; care for a family member who needs diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or care for a family member who needs preventive care.
  - *Family member is defined as including children (adopted, adult, foster and step-children, child-in-law), parents, parents-in-law, step-parents, foster parent, spouses, registered domestic partners, grandchildren, foster grandchildren, step-grandchild, grandparents, step-grandparent, siblings, step-sibling, sibling-in-law, wards, niece, nephew, a sibling of the parents of an employee, any child to whom the employee stand(s) in place of a parent, any parent who stood in place of a parent for the employee, other individuals related by blood or affinity, including any of the family members listed above for an employee's spouse or registered domestic partner, and up to one individual annually designated by the employee.*
- An absence due to domestic abuse, sexual assault, or stalking of the employee or employee's family member, provided the absence is to:
  - Seek attention related to physical or psychological injury or disability caused by domestic abuse, sexual assault, or stalking;
  - Obtain services from a victim-services organization;
  - Obtain psychological or other counseling;
  - Seek relocation due to domestic abuse, sexual assault, or stalking; or
  - Seek legal advice or take legal action, including preparing for or participating in any civil or criminal legal proceeding related to or resulting from domestic abuse, sexual assault, or stalking.
- When determined by a health authority or health care professional that the employee or a family member is at risk of infecting others with a communicable disease.
- The closure of the employee's place of business by order of a public official to limit exposure to an infectious agent, biological toxin or hazardous material or other public health emergency.
- To accommodate the employee's need to care for a family member whose school or place of care has been closed by order of a public official to limit exposure to an infectious agent, biological toxin or hazardous material or other public health emergency.
- To accommodate the employee's need to care for a family member whose school or place of care has been closed due to inclement weather, loss of power, loss of heating, loss of water, or other unexpected closure.
- Absence due to business closure for the employee or for a family member's schools,

day care closure due to weather or a public emergency.

This plan complies with Minnesota's ESST ordinance.

## **4.2 PARENTAL LEAVE**

All employees are eligible for and are entitled to 12 weeks of unpaid parental leave, regardless of the amount of time they have worked for the school. This leave is provided to a natural or adoptive parent for the birth or adoption of a child.

Provide advance notice of the start of leave and your anticipated date of return. Leave may be taken at any time within 12 months after the birth or adoption of the child.

If the leave is more than one month, employees must notify the School Director at least two weeks prior to returning from such leave.

Employees are entitled to employment in their former position or one with comparable duties, hours, and pay. Employees are also entitled to the same benefits and seniority they had before the leave. Employees may return to part-time work during the leave without forfeiting the right to return to full-time work at the end of the leave. The school requires the employee to cover their benefits while on leave.

### **4.3 TRACKING**

All employees are required to indicate on the sign-in sheet or clocking in/out the SMART ER Systems Time Tracker when they are present and when using PTO, professional development, or funeral time. This is mandatory under the Fair Labor Standards (FSLA) Act 29 CFR 516.2, which requires employers to keep a record of all hours worked by employees. The omission of such information will be grounds for disciplinary action or could result in loss of pay. HR/ Administration will maintain an attendance log on each employee recording this information as received.

### **4.4 SCHOOL CLOSINGS**

*Midway Star Academy* is closed for winter break and spring break. The school may be open for those students taking the MCA during break.

### **4.5 PROFESSIONAL DAYS**

Employees may request to be absent from work to pursue professional opportunities related to their work at the School. Such days must be approved in advance by the administration and will be paid.

### **4.6 CIVIC LEAVE**

When an employee is required to serve as a juror or is subpoenaed to serve as a witness on School business, time off up to 30 days with pay will be granted as follows:

- The employee must notify the administration upon receipt of the summons.
- A document from the courts which shows the time spent by the employee and the amount paid to the employee minus travel allowances must be submitted to the Accounting Department.
- The School will pay the difference between what the court pays the employee and the employee's regular rate of pay.
- Verification of an employee being seated on a jury, being detained in a jury pool, or subpoenaed as a witness is required.

- ❑ An employee who is subpoenaed to serve as a witness for reasons not related to School business take the time off as unpaid leave.
- ❑ If the court dismisses the jury early, the employee is expected to return to work as soon as possible (and complete a regular workday comprised of civic time and time on the job.)
- ❑ Should the employee's work duties with the School be vital to its operation, the School may ask the court to excuse the employee from jury duty.

#### **4.7 VOTING LEAVE**

Employees are entitled to take time off to vote at a regularly scheduled state primary or general election, of an election to fill a vacancy in the U.S. Congress or in the office of state senator or state representative or of a Presidential primary, unless the election is conducted by mail, without penalty. Time off to vote is time off without deduction from wages.

#### **4.8 FUNERAL LEAVE**

In the event of a death in an employee's immediate family, the employee will be allowed up to five (5) days off with pay in order to assist with arrangements or to attend the funeral. If additional time is necessary, sick time may be used. Immediate family is considered to be spouse, domestic partner, parent(s) or guardian(s), in-laws, child, stepchild, and brother/sister. Three (3) days will be provided for grandparent(s) or guardian(s) and grandchildren. One (1) day will be provided for aunts, uncles, nieces, and nephews.

Prior approval for any funeral leave must be obtained from your supervisor. If prior approval is not obtained, the employee will not be paid for the funeral leave.

Payment will not be made under this policy when a death occurs during an employee's vacation or School closing such as: winter break, spring break, summer break, if the employee is on a Family Leave or absent due to a work-related injury and receiving workers' compensation benefits.

The School reserves the right to request substantiation of any death in an employee's immediate family and/or confirmation of an employee's attendance at a funeral.

#### **4.10 FAMILY MEDICAL LEAVE OF ABSENCE**

Regular full-time and part-time employees who have been employed by the School for at least 12 months and have worked at least 1,040 hours during the 12-month period immediately preceding the commencement of the leave may be entitled to a maximum of 12 work weeks of unpaid family or leave during a 12-month period, with the exception of birth or adoption of a child where the employee qualifies immediately under MN Parental Leave (see Parental Leave policy). This 12-month period is measured backward from the current date of leave. Leave may be taken for one or more of the following reasons in accordance with applicable law:

- ❑ Birth of the employee's child;
- ❑ Placement of an adopted or foster child with the employee;

- To care for the employee's spouse, son, daughter, or parent with a serious health condition; and/or
- A serious health condition that makes the employee unable to perform the functions of the employee's job.

A "serious health condition" typically requires either inpatient care or continuing treatment by or under the supervision of a health care provider, as defined by applicable law. Family and Leave generally is not intended to cover short-term conditions in which treatment and recovery are very brief.

Depending on the type of leave, intermittent or reduced schedule leave may be granted at the discretion of the School or when medically necessary. However, part-time employees are only eligible for a prorated portion of leave to be used on an intermittent or reduced schedule basis, based on their average hours worked per week. Where an intermittent or reduced schedule leave is foreseeable based on planned treatment, the School may transfer the employee 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, and which has equivalent pay and benefits.

If an employee requests a leave for the serious health condition of the employee or the employee's spouse, child, or parent, the employee will be required to submit sufficient certification, in such a case, the employee must submit the certification within 15 days from the date of the request or as soon as practicable under the circumstances.

If the School has reason to doubt the validity of a healthcare provider's certification, a second opinion at the School's expense may be required. If the opinions of the first and second healthcare providers differ, the School may require certification from a third healthcare provider at the School's expense. An employee may also be required to present a certification from a healthcare provider indicating that the employee is able to return to work.

Employees must give 30 days' written notice of a leave of absence where practicable. Employees are expected to make a reasonable effort to schedule leaves resulting from planned treatment so as not to disrupt unduly the operations of the School, subject to the approval of the healthcare provider. During the period of a leave permitted under this policy (which does not exceed a total of 12 work weeks in the applicable 12-month period), the School will maintain health insurance under its Group health plan under the same conditions coverage would have been provided had the employee not taken the leave. The employee will be responsible for payment of the employee contribution to continue Group health insurance coverage during the leave.

Failure to make necessary and timely contributions may result in termination of coverage. Employees returning from a leave permitted under this policy (which does not exceed a total of 12 work weeks in the applicable 12-month period) are eligible for reinstatement in the same or an equivalent position as provided by applicable law. However, the employee has no greater right to reinstatement or to other benefits and conditions of employment than if the employee had been continuously employed during the leave. In addition, reinstatement may not be guaranteed for "key employees."

Employees are required to use available sick time / PTO for portions of the leave not covered by the short-term disability policy.

For more information about family/leave, contact Human Resources.

#### **4.11 MILITARY LEAVE**

It is the School's policy to grant a leave of absence without pay to employees who participate in U. S. Armed Forces Reserve or National Guard in accordance with the provisions of the Uniformed Services Employment and Reemployment Rights Act of 1994.

**Military Caregiver Leave** - (also known as covered service member leave) to care for an ill or injured service member.

- This leave may extend to up to 26 weeks in a single 12-month period for an employee to care for a spouse, son, daughter, parent, or next of kin covered service member with a serious illness or injury incurred in the line of duty on active duty. Next of kin is defined as the closest blood relative of the injured or recovering service member.

**Qualifying exigency leave**- for families of members of the National Guard and Reserves when the covered military member is on active duty or called to active duty in support of a contingency operation.

- An employee whose spouse, son, daughter, or parent either has been notified of an impending call or order to active military duty or who is already on active duty may take up to 12 weeks of leave for reasons related to or affected by the family member's call-up or service. The qualifying exigency must be one of the following: 1) short-notice deployment, 2) military events and activities, 3) child care and school activities, 4) financial and legal arrangements, 5) counseling, 6) rest and recuperation, 7) post-deployment activities and 8) additional activities that arise out of active duty, provided that the employer and employee agree, including agreement on timing and duration of the leave.

The leave may commence as soon as the individual receives the call-up notice. (Son or daughter for this type of FMLA leave is defined the same as for child for other types of FMLA leave except that the person does not have to be a minor.) This type of leave would be counted toward the employee's 12-week maximum of FMLA leave in a 12-month period.

**School Leave** - *Midway Star Academy* allows employees to take up to 16 hours of time off to attend parent- teacher conferences or other School activities. Time taken off must be in increments of 8 hours. The employee may choose to use PTO or unpaid leave.

#### **4.12 MINNESOTA SCHOOL CONFERENCE AND ACTIVITIES LEAVE**

An employer must grant an employee leave of up to a total of 16 hours during any 12-month period to attend school conferences or school-related activities related to the employee's child, provided the conferences or school-related activities cannot be scheduled during non-work hours. If the employee's child receives childcare services, or attends a pre-kindergarten regular or special education program, the employee may use the leave time provided in this section to attend a

conference or activity related to the employee's child, or to observe and monitor the services or program, provided the conference, activity, or observation cannot be scheduled during non-work hours. When the leave cannot be scheduled during non-work hours and the need for the leave is foreseeable, the employee must provide reasonable prior notice of the leave and make a reasonable effort to schedule the leave so as not to disrupt unduly the operations of the employer. The leave is not paid; except that an employee may substitute any accrued paid vacation leave or other appropriate paid leave for any part of the leave under this section.

#### **4.13 MINNESOTA BONE MARROW DONATION LEAVE**

Employees who work an average of 20 or more hours per week and want to donate bone marrow may receive a paid leave of absence for that purpose. The school reserves the right to require verification by a doctor of the purpose and length of each leave. Combined bone marrow leave may not exceed 40 hours. The employee will receive regular pay, in accordance with Minnesota State law, up to 40 hours.

#### **4.14 MISCELLANEOUS LEAVE**

Administration will only approve a leave of absence request based upon the circumstances of the request, e.g., employee disability, military obligations, family crisis, unusual circumstances, the twelve (12) weeks allowed under the FMLA, and workers' compensation. During any leave of absence, the following provisions apply:

- A leave of absence other than FMLA is a qualifying event for COBRA; therefore, the employee is responsible for the payment of all insurance premiums for his/her individual coverage and dependent health insurance coverage (if applicable).
- The employee will retain his/her original employment data showing no interruption in service except for group insurance purposes.
- The employee will retain his/her membership in the school's Retirement Savings plan up to the amount of time allowed in the plan.
- If an employee accepts other employment, all of his/her benefits with the School will be terminated.
- Any sick time must be applied toward a leave of absence. Time off in excess of eligible sick and personal time is without pay.

#### **4.15 WORKERS' COMPENSATION**

If an employee is injured on the job and collecting workers' compensation insurance payments, they are ineligible to accrue or draw salary during the recovery period. PTO or salary may be applied to any period of time not covered under workers' compensation for a work-related injury depending on the circumstances.

Time off work for a workers' compensation injury is included in the twelve weeks allowed under the Family Leave Act "FMLA".

All accidents, injuries, potential safety hazards, safety suggestions, and health and safety-related issues must be reported within 24 hours to the School Director and/or Human resources representative so that appropriate attention can be given.

The employee must comply with instructions from their physician, including follow-up appointments. documentation from each appointment must be provided to the School Director or Human Resources representative.

The School is covered under the Occupational Safety and Health Administration (OSHA) and statutory state Workers' Compensation Laws. Should a work-related injury or illness occur, the employee should immediately notify the School Director or human resources representative so it can be properly documented as required and workers' compensation benefits can be requested.

No matter how insignificant an injury may seem at the time of occurrence, the incident should be reported. This ensures that the School can help obtain appropriate treatment. An employee's failure to follow this procedure may result in the appropriate workers' compensation report not being filed timely in accordance with the law, which may delay or jeopardize the right to benefits in connection with the injury or illness.

In the case of an emergency, the employee should go immediately to the nearest hospital emergency room for treatment.

#### **4.16 WOMEN'S ECONOMIC SECURITY ACT (2014)**

##### **Wage Disclosure Protection**

This provision of the new law applies to both men and women. The law gives employees the right to discuss their wages and prohibits employers from taking any adverse action against employees for discussing their or other employees' wages. The law recognizes, however, that employees are still bound to maintain an employer's confidential information and does not allow disclosure to the employer's competitors.

## **SECTION V: GENERAL RULES AND INFORMATION**

### **5.1 ADDITIONAL POLICIES & PROCEDURES**

In addition to the policies and procedures outlined in this portion of the employee handbook, employees are also subject to follow all State and Federal guidelines pertaining to school employees including the Mandatory Reporting Act. Employees of *Midway Star Academy* are also required to follow all school board-adopted policies found on the website and in the school board policy manual located in the main office, with any school board member or the school director and/or additional procedures found in this handbook's subsections.

### **5.2 FAMILY EMERGENCY**

In the event the office receives word of an emergency related to a member of an employee's family, the employee will be notified as soon as reasonably possible. Should the employee be at a location away from his/her normal workplace, arrangements will be made to contact the employee, and if necessary, arrange for the employee to return home immediately.

### **5.3 DRESS CODE**

Every employee of *Midway Star Academy* contributes to the School's overall public image during working hours. The staff is expected to dress in a way that indicates a casual business environment and is culturally sensitive to all groups in our Schools. Shorts, short skirts, leggings, sleeveless attire, athletic clothing, jeans, leggings or revealing clothing are not allowed as they are not considered "business casual" by the administration of the School. Physical education teachers may wear athletic clothing as is appropriate. Employees may not wear hats of any sort unless it is a small black cultural cap that is woven in nature. No hoods, sandals, flipflops, ripped clothing, or open-toed shoes.

School ID Badges are to be worn at all times while in school.

**Workshop Week:** please feel free to wear jeans, t-shirts, and/or sweatshirts, if you wish. The restrictions regarding shorts, sleeveless, or revealing clothing are still in effect during workshop days.

**Fridays:** Denim is allowed as long as it is not blue.

**\*\*If an infraction in regard to dress code is noted, staff will be referred to the admin team for a write-up.**

### **5.4 PERSONAL CONDUCT**

The School expects that all of its employees will conduct themselves with the pride and respect associated with their positions towards fellow employees, students, parent(s) or guardian(s), Board members, vendors, etc. Employees should always use good judgment and discretion in carrying out the School's business. Employees of *Midway Star Academy* should always adhere to the highest standards of ethical conduct.

Improper conduct by and between employees, and/or by and business associates on the School

premises that adversely affects the School's work will not be tolerated. Any employee demonstrating improper conduct will be subject to disciplinary action including termination of employment.

## **5.5 CONFIDENTIALITY**

*Midway Star Academy* is engaged in a business, which requires that a strict code of confidentiality of information collected and maintained by the School other than data which is classified by statute or federal law as public and shall be accessible to the public, pursuant to the procedures established by the School.

As an employee of *Midway Star Academy*, employees must keep in strictest confidence any information with respect to internal affairs, financial status, and sensitive information of the School, students, or parents. No information may be directly or indirectly disclosed to any individual, School, school, or vendor including immediate family members.

As part of an employee's job duty with *Midway Star Academy*, many employees have access to the JMC School Software database. All information contained therein is considered intellectual property and is confidential. Confidential information may not be copied, faxed, e-mailed, or transmitted in any form for the purpose of removing this information from the School premises nor can said information be mutilated or destroyed unless specifically related to the employee's job responsibilities or without first obtaining consent of the Director(s). It is the responsibility of each individual to keep and faithfully account for all records and property, which the School may entrust the care and custody of such information during employment with the School.

As an employee of *Midway Star Academy*, employees who help administer state standardized testing for our students must maintain strict confidentiality to keep the integrity of the test at the highest level. Employees who receive testing results must conduct themselves in accordance with the laws of the Data Privacy Act. Strict security measures must be adhered to in regard to testing materials to maintain test integrity. Any breaches of security must be reported immediately to the MIDWAY STAR ACADEMY administration along with full cooperation of any investigation regarding a security breach.

All keys, security badges, and property which the School entrusts to an employee and in connection with employment at *Midway Star Academy* must be maintained in personal custody. No employee shall permit anyone else to have access to records entrusted to their care unless specifically related to the execution of their job responsibilities.

## **5.6 SMOKING POLICY**

*Midway Star Academy* is dedicated to providing a healthy, comfortable, productive work environment for our employees. This goal can only be achieved through ongoing efforts to protect non-smokers and to help employees adjust to restrictions on smoking. The Minnesota Clean Indoor Air Act (MCIAA) prohibits smoking in many indoor public places (Minn. Stat. §§ 144.411 to 144.417). Smoking is completely prohibited in all nonresidential health care facilities, daycare premises, and public/private schools.

It shall be a violation of this policy for any student, teacher, administrator, or other School personnel, to smoke any tobacco, e-cigarettes, or tobacco-related substances at *Midway Star Academy*. This prohibition extends to all facilities, whether owned, rented, or leased, and all vehicles that the School owns, rents, leases, contracts for, or controls. This prohibition includes all School property and all off-campus events sponsored by the School.

School administrators, students, and other school personnel who violate this tobacco-free policy shall be subject to school discipline procedures that may include suspension, termination of employment and an expulsion from school.

## **5.7 DRUG-FREE WORKPLACE**

It is the policy of Midway Star Academy to provide the best possible work by and for its employees with reliability, predictability and safety. In order to promote such a policy, the School has adopted a Drug-Free Workplace Policy which prohibits the use, possession, sale, or transfer of alcohol and all **legally regulated drugs** (including Cannabis) (i.e., "controlled substances") except pursuant to a doctor's prescription. This ban covers all employees of the School and all job applicants who have received a conditional job assignment offer, and it applies to the following physical locations: any premises under lease, ownership or control of the School, any parking lot, hallway, stairway, or other public or semi-public space adjacent to or used for access to the premises of the School, and all places where the employee's presence or performance is necessary or required to perform the work of the School. The term "use" includes the detectable presence of alcohol, any legally regulated drug (i.e., "controlled substance") or the metabolites of alcohol or any such drug and includes reporting to or being at work while impaired by or under the influence of any such drugs or alcohol, wherever such work is performed. Any violation of the Schools Drug-Free Workplace Policy is subject to disciplinary action, up to and including termination of employment, at the School's sole discretion.

## **5.8 WEAPONS POLICY IN THE WORKPLACE**

In order to protect the health and safety of everyone in the workplace, to meet Midway Star Academy students' needs, to protect property and to maintain a climate of respect and cooperation among employees, *Midway Star Academy* bans weapons on School property.

Therefore, it is against the School's policy to use or possess weapons, concealed or otherwise in the School or on the School's premises. This includes, but is not limited to, offices, School rooms, restrooms, hallways, entry, commons areas, lunch rooms etc., and parking areas but does not include private vehicles.

The policy applies at all times when individuals defined are on the premises of *Midway Star Academy*. This includes but is not limited to; before, during and after normal working hours, weekends, holidays, and while visiting *Midway Star Academy* premises when not on duty and/or as a visitor or customer. *Midway Star Academy* will not discriminate when enforcing this policy. This also includes all employees acting in the course and scope of employment, including those employees who work off-site.

Midway Star Academy defines weapon as any object, device, or instrument designed as a weapon or through its use is capable of threatening or producing bodily harm or which may be used to inflict self-injury including, but not limited to, any weapon, whether loaded or unloaded, air guns; pellet guns; BB guns; knives; blades; clubs; metal knuckles, num-chuks, throwing stars; explosives; fireworks; mace and other propellants, stun guns; ammunition; poisons, chains; arrows; and objects that have been modified to serve as a weapon. In addition, no person shall use articles designed for other purposes (i.e., lasers or laser pointers, belts, combs, pencils, files, scissors, etc.), to inflict bodily harm and/or intimidate. Such use will be treated as the possession

The School reserves the right to respond to any individual who does not follow this policy and demand compliance. Should the individual with the weapon refuse to comply, the School will notify the authorities immediately.

If the individual with the weapon is an employee, further corrective actions or discipline may take place, depending on the circumstances. This decision will be made by the Director(s).

## **5.9 PERSONAL BELONGINGS**

*Midway Star Academy* recognizes an employee's desire to display mementos pertaining to his/her family or other personal items. While *Midway Star Academy* can take no responsibility for the safekeeping of these items, it welcomes its employees to personalize their work areas for added comfort or pleasantness. However, several guidelines must be observed. They are as follows:

Safety comes first. No object can interfere with job safety as viewed by the School's administration.

Nothing can be displayed that would be considered to be derogatory to any person or system of beliefs.

Objects that are inappropriate or hinder work efforts will not be allowed and must be removed upon request.

The School will not be liable for loss or damage to the property of employees while on school premises (including the parking lot). This includes all personal property used in an employee's work area and all other personal property while anywhere on school premises, in school vehicles, or while being transported on school business. For this reason, employees should maintain appropriate insurance on valuable personal property, including but not limited to, cars or other motor vehicles.

## **5.10 ENERGY PRESERVATION AND WASTE PREVENTION**

Waste of energy and materials is costly to the School and ultimately results in losses, which must be paid for by other cost reduction actions. Employees are expected to:

Conserve energy at every opportunity by keeping thermostats in moderate ranges.

Participate in the School's recycling program.

## **5.11 SEVERE WEATHER CONDITIONS**

If there are any questions regarding hours of work during severe weather conditions, employees are responsible to listen to the media for weather information and School closings.

## **5.12 SECURITY**

Upon employment with Midway Star Academy, employees are issued keys for the buildings and classrooms in which they work. All doors, files, desks, gates and any other equipment with locks must be kept locked securely when not in direct use and at the end of each day. Locks should be checked regularly.

Proper care of keys and key fobs are essential in maintaining the security of buildings, equipment and supplies. Keys/fobs shall not be loaned to anyone other than the assigned person, nor should they be used to provide access for any unauthorized person. Upon notice of someone leaving employment, the director(s) will contact the departing employee to discuss the disposition of keys and key fobs assigned to that employee.

Lost or stolen keys or key fobs must be reported immediately to the Office Manager. The cost of replacing the lost key is the responsibility of the employee. This applies to both electronic key cards and metal keys. The replacement fee is \$15.00 per key. No refunds will be granted if keys are found after the replacement key is purchased.

### **5.13 USE OF THE TELEPHONE**

Each time an employee makes or receives a telephone call they represent *Midway Star Academy*. The manner in which a call is handled determines how *Midway Star Academy* is judged by our parent(s) or guardian(s), customers, and other employees. During working hours, employees should refrain from making or receiving personal telephone calls except for emergencies. Use of cell phones during work time is discouraged. The Schools appreciate when you keep your personal calls to your break periods unless it's an emergency.

### **5.14 COMPANY PROPERTY**

All employees should be concerned with the care and safe use of School-owned equipment and facilities. Good housekeeping is expected of every employee. Should an employee see another employee or student maliciously vandalize any School equipment or property it should be immediately reported to the Director(s) or member of the Administration.

Equipment, hardware, software, books, magazines and other reference materials must be checked out and returned in a timely fashion. Employees may borrow certain School property provided they have explicit permission from the Director or the Assistant Director.

Employees who borrow School property are personally liable to cover the cost of replacing such lost or stolen property and for the reasonable cost of repair of such damaged property.

### **5.15 SCHOOL E-MAIL, VOICE MAIL, FAX, AND COMPUTER POLICY**

This document sets forth the policy of *Midway Star Academy* on access to and disclosure of electronic voice and e-mail messages, faxing, computer system usage, computer software usage and employee responsibility. It also explains proper use of the electronic systems in general. This policy may be changed at any time per the direction of the School's administration.

*Midway Star Academy* strives to maintain a workplace free of harassment and is sensitive to its employees. *Midway Star Academy* prohibits the use of computers and the e-mail system in ways that are disruptive, offensive to others, or harmful to morale. Computers, computer files, voicemail, e-mail system, and software furnished to employees are the property of *Midway Star Academy* and are intended for business use only.

There shall be no display or transmission of sexually explicit images, messages, cartoons, or any transmission of e-mail communication that contains ethnic slurs, racial epithets, or anything that may be construed as harassment, or disparagement of others based on their race, national origin, sex, sexual orientation, age, disability, religious, political beliefs or other protected class.

Transmission of material in violation of any international, United States or state law is prohibited including but not limited to: copyrighted materials or threatening, harassing or obscene language. Use of Internet resources or accounts for personal purposes, commercial (for profit) activities, product advertisement, forgery of electronic mail messages, changing files belonging to users and downloading any commercial files (e.g., movies, songs, games) are prohibited. Violations of the law or this policy will result in appropriate disciplinary action leading up to, and including, termination.

*Midway Star Academy* purchases and licenses the use of various computer software for business purposes and does not own the copyright to this software or its related documentation. Unless authorized by the software developer, *Midway Star Academy* does not have the right to reproduce such software or use on more than one computer. Employees may only use software on local area networks or on multiple machines according to the software license agreement. *Midway Star Academy* prohibits the illegal duplication of software and its related documentation.

All Employees shall take reasonable care to safeguard all technology/computer equipment within the school's facilities. Employees will ensure that all computers and equipment are protected by locking doors and storing equipment in locked cabinets. No employee will allow any student to work unsupervised on an employee's computer or a lab computer that is logged in under an employee's account.

All Employees are responsible for the computers assigned to them. If a computer is damaged, lost or stolen, it is the employee's responsibility to notify the technology staff or administration of the incident so that the proper course of action can be made.

*Midway Star Academy* administration and technology staff prefer that personal equipment is not brought onto the campus. *Midway Star Academy* is not responsible for any personal equipment that is lost, stolen or damaged while on school premises.

Employees should notify their immediate supervisor, or any member of administration upon learning of violations of this policy. To ensure compliance with this policy *Midway Star Academy* reserves the right to enter, search, and monitor the computer files, voicemail, or e-mail of any employee without advance notice. This policy is for business purposes such as investigating theft, disclosure of confidential business information or proprietary information, personal abuse of the system, or monitoring workflow productivity.

Violation of this policy will result in appropriate disciplinary action leading up to, and including, termination.

## **5.16 LAPTOP/COMPUTER DAMAGE**

Midway Star Academy provides employees with laptop computers to use inside and outside the school in order to enhance, enrich, and facilitate teaching and administrative duties as well as school communications. The school laptops are to be used as a productivity tool for school-related business, curriculum enhancement, research, and communications. Employees may use the laptops for personal purposes within the standards of good judgment and common sense.

Employees who take their assigned laptops off of school premises are fully responsible for any damage to or loss of the laptop. Employees will be held responsible for the cost of repair or the replacement cost of the laptop.

A laptop damaged or stolen on school property is the responsibility of the school, except in the case of established employee negligence, as determined by the school's administration. Damage, loss, or theft of a laptop should be reported to the director(s) and technology coordinator immediately.

## **5.17 MONITORING**

The employee's work output, whether it is in paperwork or computer files, belongs to *Midway Star Academy*. As such, that work output is always subject to review by *Midway Star Academy* whether it is stored electronically, on paper, or in any other form. In addition, business equipment, including computers and desks belong to *Midway Star Academy* and are subject to search or investigation.

## **5.18 PATENTS AND COPYRIGHTS**

Any patent or copyright developed by an employee in conjunction with and/or as a result of his/her employment with *Midway Star Academy* is the property of the School. Any information pertaining to such patent or copyright must remain on the School's premises.

## **5.19 SOCIAL MEDIA**

The School respects the right of employees to use blogs and social networking sites as a medium of self-expression and public conversation and does not discriminate against employees who use these media for personal interests and affiliations or other lawful purposes. We understand that social media can be a fun and rewarding way to share your life and opinions with family, friends, and co-workers around the world. However, the use of social media also presents certain risks and carries with it certain responsibilities. To assist you in making responsible decisions about your use of social media, we have established these guidelines for the appropriate use of social media.

1. Do not "friend" students on social media sites
2. You are solely responsible for what you post online. Before creating online content, consider some of the risks and rewards that are involved.

3. Discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject you to disciplinary action up to and including termination.
4. Be fair and courteous. Keep in mind that you are more likely to resolve work-related complaints by speaking directly with coworkers rather than posting on social media.
5. Be honest and accurate
6. Maintain the confidentiality of school and student information.
7. Express only your own opinions. Do not present yourself as speaking on behalf of Midway Star Academy.

## 5.20 Data Practices Policy – Data Subjects Requests

Board Approved:

1.19.24 Board

Amended:

Policy Number: 604

### **POLICY**

#### **PURPOSE DATA**

##### **ABOUT YOU**

The Government Data Practices Act (Minnesota Statutes, Chapter 13) says that data subjects have certain rights related to a government entity collecting, creating, and keeping government data about them. You are the subject of data when you can be identified from the data. Government data is a term that means all recorded information a government entity has, including paper, email, DVDs, photographs, etc.

##### **CLASSIFICATION OF DATA ABOUT YOU**

The Government Data Practices Act presumes that all government data are public unless a state or federal law says that the data are not public. Data about you are classified by state law as public, private, or confidential. See below for some examples.

**Public data:** We must give public data to anyone who asks; it does not matter who is asking for the data or why. The following is an example of public data about you:

*Your name and address are provided to Minnesota state senators and legislatures for the purpose of sending you letters of congratulations on your graduation from Midway Star Academy.*

**Private data:** We cannot give private data to the general public, but you have access when the data are about you. We can share your private data with you, with someone who has your permission, with our government entity staff who need the data to do their work, and as permitted by law or court order. The following is an example of private data about you:

*Your Social Security Number*

**Confidential data:** Confidential data have the most protection. Neither the public nor you can get access even when the confidential data are about you. We can share confidential data about you with our government entity staff you need the data to do their work and to others as permitted by law or court order. We cannot give you access to confidential data.

The following is an example of confidential data about you:

*The identity of the subject of an active criminal investigation.*

##### **GENERAL STATEMENT-DATA PRACTICES**

#### **YOUR RIGHTS UNDER THE GOVERNMENT DATA PRACTICES ACT**

Midway Star Academy must keep all government data in a way that makes it easy for you to access data about you. Also, we can collect and keep only those data about you that we need for administering and managing programs that are permitted by law. As a data subject, you have the following rights:

## Tennesen Warning

You have the right to a Tennesen Warning as required by Minnesota Statutes, section 13.04, Subsection 2. The Tennesen Warning will be included in the following locations and will require a signature:

Employment Application (one time only)

Employee Handbook (annual)

## Access to Your Data

You have the right to look at (inspect), free of charge, public and private data that we keep about you. You also have the right to get copies of public and private data about you. The Government Data Practices Act allows us to charge for copies. You have the right to look at data, free of charge, before deciding to request copies.

Also, if you ask, we will tell you whether we keep data about you and whether the data are public, private, or confidential.

As a parent, you have the right to look at and get copies of public and private data about your minor children (under the age of 18). As a legally appointed guardian, you have the right to look at and get copies of public and private data about an individual for whom you are appointed guardian.

Minors have the right to ask Midway Star Academy not to give data about them to their parent or guardian. If you are a minor, we will tell you that you have this right. We may ask you to put your request in writing and to include the reasons that we should deny your parents access to the data. We will make the final decision about your request based on your best interests. Note: Minors do not have this right if the data in question are educational data maintained by an educational agency or institution.

## When We Collect data from You

When we ask you to provide data about yourself that are not public, we must give you a notice. The notice is sometimes called a Tennessean warning. The notice controls what we do with the data that we collect from you. Usually, we can use and release the data only in the ways described in the notice.

We will ask for your written permission if we need to use or release private data about you in a different way, or if you ask us to release the data to another person. This permission is called informed consent. If you want us to release data to another person, you may use the consent form we provide.

## Protecting your Data

The Government Data Practices Act requires us to protect your data. We have established appropriate safeguards to ensure that your data are safe.

### When your Data is Inaccurate and/or Incomplete

You have the right to challenge the accuracy and/or completeness of public and private data about you. You also have the right to appeal our decision. If you are a minor, your parent or guardian has the right to challenge data about you.

## HOW TO MAKE A REQUEST FOR YOUR DATA?

To look at data, or request copies of data that Midway Star Academy keeps about you, your minor children, or an individual for whom you have been appointed legal guardian, make a written request. Make your request for data to the appropriate individual listed in the Data Practices Contacts on page 5. You make your request by using the data request form on page 7 by mail/email.

If you choose not to use the data request form, your request should include:

- that you are making a request, under the Government Data Practices Act (Minnesota Statutes, Chapter 13), as a data subject, for data about you;
- whether you would like to inspect the data, have copies of the data, or both;
- a clear description of the data you would like to inspect or have copied; and
- identifying information that proves you are the data subject, or the data subject's parent/guardian.

Midway Star Academy requires proof of your identity before we can respond to your request for data. If you are requesting data about your minor child, you must show proof that you are the minor's parent. If you are a guardian, you must show legal documentation of your guardianship. Please see the Standards for Verifying Identity located on page 8.

## HOW WE RESPOND TO A DATA REQUEST

Once you make your request, we will work to process your request. If it is not clear what data you are requesting, we will ask you for clarification.

- If we do not have the data, we will notify you in writing within 10 business days.
- If we have the data, but the data are confidential or private data that are not about you, we will notify you within 10 business days and state which specific law says you cannot access the data.
- If we have the data, and the data are public or private data about you, we will respond to your request within 10 business days, by doing one of the following:
  - arrange a date, time, and place to inspect data, for free, if your request is to look at the data, or
  - provide you with copies of the data within 10 business days. You may choose to pick up your copies, or we will mail or fax them to you. We will provide electronic copies (such as email or CD-ROM) upon request if we keep the data in electronic format.

Information about copy charges is on page 6. We also will arrange for you to prepay for the copies.

After we have provided you with access to data about you, we do not have to show you the data again for 6 months unless there is a dispute or we collect or create new data about you.

If you do not understand some of the data (technical terminology, abbreviations, or acronyms), please let us know. We will give you an explanation if you ask.

The Government Data Practices Act does not require us to create or collect new data in response to a data request if we do not already have the data, or to provide data in a specific form or arrangement if we do not keep the data in that form or arrangement. For example, if the data you request are on paper only, we are not required to create electronic documents to

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respond to your request. If we agree to create data in response to your request, we will work with you on the details of your request, including cost and response time.

In addition, we are not required under the Government Data Practices Act to respond to questions that are not specific requests for data.

## Data Practices Contacts

- Responsible Authority:
- Data Practices Compliance Official:
- Data Practices Designee(s):

## Copy Costs – Data Subjects

Midway Star Academy charges data subjects for copies of government data. These charges are authorized under Minnesota Statutes, section 13.04, subdivision 3.

You must pay for the copies before we will give them to

you. We do not charge for copies if the cost is less than

\$10.00.

### ACTUAL COST OF MAKING THE COPIES

In determining the actual cost of making copies, we factor in employee time, the cost of the materials onto which we are copying the data (paper, CD, DVD, etc.), and mailing costs (if any). If your request is for copies of data that we cannot reproduce ourselves, such as photographs, we will charge you the actual cost we must pay an outside vendor for the copies.

The cost of employee time to make copies is no less than \$20.00/hour plus expenses (i.e., mailing costs).

### Data Request Form – Data Subjects Date of Request:

To request data as a data subject, you must show a valid state ID, such as a driver's license, military ID, or passport) as proof of identity.

I am requesting access to data in the following way:

Inspection

Copies  
Both inspection and copies Note: Inspection is free, but Midway Star Academy charges for copies if the cost is over \$10.00.  
These are the data I am requesting:  
Describe the data you are requesting as specifically as possible. If you need more space, please use the back of this form.

**Contact Information**

Data subject name:

Parent/Guardian name (if applicable)

Address:

Phone number: Email address:

**Staff Verification**

Identification provided

We will respond to your request as soon as reasonably possible.  
Standards for Verifying Identity

The following constitute proof of identity.

- An adult individual must provide a valid photo ID, such as
- A state driver's license
- A military ID
- A passport
- A Minnesota ID

A Minnesota tribal ID

A minor individual must provide a valid photo ID, such as

A state driver's license

A military ID

A passport

A Minnesota ID

A Minnesota Tribal ID

A Minnesota school ID

The parent or guardian of a minor must provide a valid photo ID and either

A certified copy of the minor's birth certificate or

A certified copy of documents that establish the parent or guardian's relationship to the child, such as

A court order relating to divorce, separation, custody, foster care

A foster care contract

An affidavit of parentage

The legal guardian for an individual must provide a valid photo ID and a certified copy of appropriate documentation of formal or informal appointment as guardian, such as

Court order(s)

Valid power of attorney

Note: Individuals who do not exercise their data practices rights in person must provide either notarized or certified copies of the documents that are required or an affidavit of ID.

## SECTION VI: SAFETY POLICY AND PROCEDURES

### 6.1 SAFETY

*Midway Star Academy* is committed to the safety of its employees, its property, and equipment. To this end, we will utilize a safety program in our daily activities to be observed by employees of *Midway Star Academy* at all times.

With regard to these rules, the following will be considered standard procedure for all employees:

Should a safety regulation be modified so that an employee's safety is something less than it should be the employee should inform one of the Directors.

All questions concerning the reasoning for safety issues may be asked of any member of administration, at any time.

It is administration's responsibility to see that every employee at *Midway Star Academy* is provided with safe working conditions. All safety regulations are observed in accordance with OSHA, and employees use good common sense to protect themselves, as well as others. Administration will periodically inspect working conditions and may suspend all work activity until an unsafe condition is corrected.

The most important part of safety is **YOU**. It is **your responsibility** to abide by the safety rules that are made for **your protection**. **IMMEDIATELY** report all personal injuries no matter how minor. Report all dangerous conditions and practices to administration.

In the event of a vehicular accident involving a School-owned/leased vehicle, or while on School business, report all information immediately to the office. In no instance should responsibility for an accident be expressed to anyone until the proper person in the School has been notified and permission has been obtained to make statements.

No one, other than an authorized School employee, is permitted to operate or ride in a School-owned/leased vehicle.

Vehicles must be kept clean (interior and exterior) at all times.

Vehicles must be properly maintained according to the manufacturer's schedule.

Any employee who misuses a School-owned/leased vehicle will be subject to dismissal.

Any damage to a School-owned/leased vehicle caused by an employee's carelessness or misjudgment is the responsibility of the employee. This includes insurance deductibles.

## Advisory Information Letter

Dear Parent/Guardian of «First\_Name» «Last\_Name»

Midway Star Academy is committed to education through personal attention and close mentoring. Our advisory program is a crucial way to provide consistent and sustained attention to every student's academic, social, and emotional needs. The advisory program is administered through Student Services, and questions about the program should be directed to Anisa Awale, school curriculum leader.

*How does the advisory work?* Every student is placed in an advisory group with students in the same grade level. • Each advisory group is assigned one teacher.

*What does my child's advisor know about my child?*

- Advisors are kept informed by their advisory teacher and Dean of Students about their advisees' academic progress, as well as about any difficulties or issues relevant to a student's academic performance or social well-being at school.
- Advisors have access to their advisees' files. Advisors regularly receive copies of their advisees' report cards, can access their grades online, are kept informed of any detentions or other disciplinary actions, and are invited to Child Study meetings.

*What happens in advisory meetings?*

- Advisors develop mentoring relationships with their advisees and try to know them not only as students but also as whole persons.
- Advisors do many kinds of things in advisories: they keep advisees informed of school events, special schedules, upcoming deadlines, and opportunities such as school outings and other programs.
- Advisories often focus on a school-wide agenda: for example, during class registration periods, advisors work closely with advisees to choose and register for courses consistent with the student's Personal Learning Plan (PLP).

*What contact will I have with my child's advisor?*

- You will meet your child's advisor during Back to School Night on \_\_\_\_\_.
- Your child's advisor will contact you if concerns arise around your child's academic performance.
- During scheduled parent-teacher conferences (\_\_\_\_\_), you may sign up to talk with your child's advisor, as well as with his or her classroom teachers.
- You should feel free to e-mail or telephone your child's advisor with any concerns you have about your child's academic performance or social well-being.

We look forward to working with you and your child this year. Please contact us if you have any questions or concerns regarding «First\_Name»'s progress.

Sincerely,

Advisors: «advisor» E-mail: «advisor\_email»  
«advisor» E-mail: «advisor\_email»

## Field Trip Permission Form

Dear Parent or Guardian,

Midway Star Academy strives to provide students with field trips that enrich and expand the curriculum, strengthen observation skills by immersing children in sensory activities, increase children's knowledge in a particular subject, or area, and expand children's awareness of their community.

Our teachers may choose sites for real-world experiences to encourage students to apply what they've learned to something relevant in their lives. A well-designed field trip can bring it all together: combine two or more subjects while offering a variety of learning styles and intelligences, integrate the arts, and encourage students to make connections between community resources and opportunities and their family and culture. While attending this field trip is not a requirement of class, it is strongly encouraged. If you do not wish for your child to attend this trip, please let me know.

On \_\_\_\_\_, Midway Star Academy is providing an opportunity for your child to participate in a fieldtrip to \_\_\_\_\_ as an extension of our academic work in \_\_\_\_\_.  
Please read the information included in this form, then sign and return the permission slip at the bottom of this form by \_\_\_\_\_.

Field Trip

Information: Date

\_\_\_\_\_

Location: \_\_\_\_\_

Purpose:

Leave school:      AM Arrive back at school:

     PM Special Instructions:

*Save this part of the form for future reference*

*Cut here* ..... *Cut here*

*Sign this part of the form and return it to your child's teacher.*

\_\_\_\_\_ has permission to attend a field trip to

Student Name

\_\_\_\_\_ on \_\_\_\_\_ from:      AM to      PM

I give my permission for \_\_\_\_\_ to receive emergency medical  
Student Name

treatment. In an emergency, please contact:

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Emergency Contact Name

Emergency Contact Phone Number

Parent/Guardian Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## Bus Suspension Letter

<<Date>>

Dear parent/guardian of <<student first>> <<student last>>

Midway Star Academy provides bus and van transportation to and from school to students. This free transportation is a privilege and not a right, and students may lose this privilege if there is a violation of school bus safety or conduct rules. Our school board recently adopted a policy where a student may lose his or her access to school transportation if they receive bus behavior referrals.

On \_\_\_\_\_, 20 \_\_\_\_, <<student first>> received a bus referral for \_\_\_\_\_  
\_\_\_\_\_.

In addition to a school dean or administrator speaking with <<student first>> to go over bus safety and respect expectations, this letter serves to inform you that for creating an unsafe bus environment, <<student first>> will receive a \_\_\_\_\_-day bus suspension. Midway Star Academy will require a parent/guardian meeting to resolve the issue(s) surrounding the student's behaviors.

<<student first>> will be suspended from the bus from through \_\_\_\_\_. <<student first>> may resume riding the bus on \_\_\_\_\_, 20...\_.

Such suspensions or revocations from transportation services do not constitute an exclusion, expulsion or suspension from school. <<student first>>'s parent/guardian, it is your responsibility to find adequate transportation for <<student first>> to get to Midway Star Academy and to any extra-curricular activities that <<student first>> may wish to attend during the bus suspension.

If you have any questions or concerns regarding this policy, please contact me directly. This policy will be reflected in our parent handbook, which is available online and in paper form at our front office.

Sincerely,

Hassan Hade  
Assistant Director/Principal – Midway Star Academy  
1091 Snelling Ave, Saint Paul, MN 55108  
651-642-0667

**Behavior Letter**

Parent/Guardian of <<student first>> <<student last>>,

This letter is to inform you that <<student first>> has been temporarily suspended for a period of <<>> school day(s) for behaviors that occurred on\_\_\_\_\_. <<student first>>will be suspended from \_\_\_\_\_ to \_\_\_\_\_.

To ensure that I had a clear understanding of what happened, the school dean and I met with <<student first>> and other students and staff involved in the incident to make sure that everyone had an opportunity to be heard and understood. Based on my conversations and investigation into the matter, I concluded that <<student first>> \_\_\_\_\_.

The school dean and I have discussed these findings with <<student first>> and other student/students and staff involved in the incident, and \_\_\_\_\_.

We will welcome <<student first>> back to school on\_20, and we appreciate being able to partner with you on resolving this matter.

Just a reminder that during this suspension, <<student first>> is not permitted to report to school or any school-related events.

Sincerely,

On behalf of Midway Star Academy - (District 4153)  
1091 Snelling Ave, Saint Paul, MN 55108  
651-642-0667

Enclosures:  
student discipline report,  
copy of the Minnesota Pupil Fair Dismissal Act

Warqaddaan waxaa kuu soo diray MIDWAY STAR ACADEMY. Hadii aadan fahmin Warqaddaan fadlan waad nala soo xidhiidhi kartaa hadii aad u baahato caawimaad ama in lagu tarjumo. Fadlan soo wac talefoonka warqadda ku qoran (651) 642-0667

Name of Student: \_\_\_\_\_ ID# \_\_\_\_\_ Date: \_\_\_\_\_

Reason for Planned Absence \_\_\_\_\_

Dates of Trip: \_\_\_\_\_ Date departing school: \_\_\_\_\_ Date returning to school: \_\_\_\_\_

In order for a student to be granted approval from the principal (or designee) to go on a family activity during school time, the following steps must be completed before a decision is made. *If an interpreter is used, be sure the interpreter also initials and dates Steps One and Five.*

Step One: Parent is to return a copy of this form to the office for sign off and copy of form.

The family initiated their request 10 school days prior to departure. The parent/guardian agrees to the

following:

“I understand that the principal will not make a decision to grant permission until this form is completed. I understand that my child is only allowed to miss five or fewer days of school for a family activity. I also understand that if permission is granted, my child’s homework assignments are due in their entirety on the first day she or he returns to school. Failure to provide the assigned homework on the first day back to school will result in all of my child’s absences being counted as “unexcused”. It is the responsibility of my child to turn in their homework on the first day. I will contact the school the day following my child’s return to verify that all of the homework was received.”

\_\_\_\_\_  
Signature of Parent      Date

**Step Two:** A copy of the student’s current and/or previous semester’s attendance record is attached  
Due to main office       \_\_\_\_\_ Signature of Office Staff      Date

**Step Three: Due to main office**      This student is making adequate academic progress and I do not believe her or his academic performance will suffer as the result of a family activity.

This student is not making adequate academic progress and I believe her or his academic performance will suffer as the result of a family activity.

I gave homework to the student to complete during the student’s absence from school.

Signature of \_\_\_\_\_ Teacher Date \_\_\_\_\_

**Step Four Due to main office**

- \_\_\_\_\_ I have received the student’s attendance and academic performance.
- \_\_\_\_\_ The family requested permission 10 school days prior to departure.
- \_\_\_\_\_ The teacher(s) have assigned homework.
- \_\_\_\_\_ The parent/guardian agrees that their child will miss five or fewer days of school.
- \_\_\_\_\_ The parent/guardian agrees that their child will return homework on the first day back to school.
- \_\_\_\_\_ The student will not be gone during MCA, NALT, or MBST testing.

**Step Five**

Permission for this family activity is granted / is denied for this individual child.

Signature of Principal or Designee \_\_\_\_\_ Date \_\_\_\_\_

**Step Six**

I understand that permission was granted and I will comply with the terms of this agreement. I understand if permission was denied and that my if my child misses school during this planned absence, his or her absences will be unexcused.

**Employee Handbook Acknowledgement**  
**MIDWAY STAR ACADEMY 2025-2026**  
Acknowledgement of Receipt and Understanding

Read and Sign Immediately

I understand and/or agree that:

The statements contained in the Information Handbook for Employees of Midway Star Academy (MIDWAY STAR ACADEMY) are intended to serve as general information concerning Midway Star Academy MIDWAY STAR ACADEMY and its existing policies, procedures, practices of employment, and employee benefits.

Nothing contained in the Information Handbook for Employees of Midway Star Academy (MIDWAY STAR ACADEMY) is intended to create (nor shall be construed as creating) a contract of employment (express or implied) or a guarantee of employment for a definite or indefinite term.

From time to time, Midway Star Academy (MIDWAY STAR ACADEMY) may need to clarify, amend, and/or supplement the information contained in the Information Handbook for Employees of Midway Star Academy (MIDWAY STAR ACADEMY), and the school will inform me of changes as appropriate to the circumstance.

I have received a copy or reviewed online the Information Handbook for Employees of Midway Star Academy (MIDWAY STAR ACADEMY), have read and understand the information outlined in the handbook, have asked any questions I may have concerning its contents, and will comply with all policies and procedures to the best of my ability.

Employee's Signature

\_\_\_\_\_

Print Name

\_\_\_\_\_

Date

\_\_\_\_\_

\_\_\_\_\_