

**PUBLIC HEARING TO CONSIDER ADOPTING NOTICE OF REVOCATION OF THE
CHARTER OF JOHN HENRY HIGH SCHOOL, OPERATED BY AMETHOD PUBLIC
SCHOOLS, BY DETERMINATION OF A SEVERE AND IMMINENT THREAT TO
PUPIL HEALTH OR SAFETY**

The Board will hold a public hearing, in the normal course of business, to determine whether a severe and imminent threat to pupil health or safety exists at John Henry High School (“Charter School”). After the public hearing, the Board will consider revoking the Charter School’s Charter by adopting a Notice of Revocation by Determination of a Severe and Imminent Threat to Pupil Health or Safety. Should the District Board revoke the Charter, the Charter School will no longer qualify as a charter school for funding and for all other purposes during the pendency of an appeal. (Ed. Code, § 47607, subd. (i).)

The date and time specified for a public hearing for revocation is as follows:

DATE:	Wednesday, October 3, 2018
TIME:	6:30 p.m.
LOCATION:	Lovonya DeJean Middle School Multipurpose Room 3400 Macdonald Ave., Richmond, CA

**NOTICE OF REVOCATION OF THE CHARTER OF JOHN HENRY HIGH SCHOOL,
OPERATED BY AMETHOD PUBLIC SCHOOLS, BY DETERMINATION OF A
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(Ed. Code, § 47607, subd. (d).)

Pursuant to its oversight obligations, revocation provisions in the Charter Schools Act, and corresponding regulations, the West Contra Costa Unified School District's ("District") Board of Education ("Board") issues this Notice of Revocation by Determination of a Severe and Imminent Threat to Pupil Health or Safety ("Revocation Notice"), to John Henry High School ("JHHS" or "Charter School") and the Governing Board of Amethod Public Schools, Inc. ("Amethod" or "AMPS") for failure to foster and maintain a safe environment for its students, pursuant to the standards required by law and its charter ("Charter").

EXECUTIVE SUMMARY

Prior to the commencement of the 2017-2018 school year, Amethod held a professional development meeting known as the AMPS Annual Summit, to provide professional development for its teachers. During this professional development meeting, the Chief Academic Officer of Amethod inappropriately and incorrectly advised JHHS teachers to delay reporting suspected child abuse. Specifically, teachers were directed that when a student complains of abuse, the teachers should investigate the matter themselves before determining whether to fulfill their mandated reporting obligations.

The California legislature has determined that ensuring that school teachers, administrators, and other staff members are properly trained as mandated reporters is absolutely necessary and crucial to a student's health and safety. Compliance with mandatory reporter laws are so essential that the potential sanction for failure to comply with them are criminal in nature. A school-wide practice of not immediately reporting suspected child abuse *-as required by law-* places all the students at JHHS in the face of severe and imminent threat of danger. This threat is not theoretical. At the September 26, 2018 Board meeting, Amethod's Outreach Coordinator expressly corroborated allegations raised by former teachers at JHHS, confirming at least one instance where Amethod administration failed to properly report a claim of suspected child abuse, in violation of California Law, JHHS' Charter, and JHHS' Employee Handbook.

On October 3, 2018, after a public hearing on the matter, the District's Board determined that JHHS' school-wide practice relating to mandated reporting constitutes a clear, severe, and imminent threat to the health/safety of students who attend JHHS. As a result, the District's Board adopted this Notice of Revocation by Determination of a Severe and Imminent Threat to Pupil Health or Safety, effectively revoking JHHS' Charter.

LEGAL AUTHORITY

Pursuant to Education Code section 47607, subdivision (d), if a chartering authority determines that the charter school has committed a violation that constitutes a severe and imminent threat to the health or safety of the students who attend that school, the chartering authority need not go

through the traditional revocation process detailed in Education Code section 47607. Education Code, section 47607, subdivision (d) provides, in relevant part:

*Before revocation, the authority that granted the charter shall notify the charter school of any violation of this section and give the school a reasonable opportunity to remedy the violation, **unless the authority determines, in writing, that the violation constitutes a severe and imminent threat to the health or safety of the pupils.***

(Emphasis added.)

Instead, the chartering authority is provided with a legal mechanism to immediately revoke a charter school's charter when such a severe and imminent threat to student safety is discovered. The chartering authority need only approve and deliver a "Notice of Revocation by Determination of a Severe and Imminent Threat to Pupil Health or Safety" to the charter school. Title Five of the California Code of Regulations, section 11968.5.3 provides in pertinent part:

This section sets forth procedures the chartering authority shall complete for the revocation of a school's charter when the chartering authority has determined that any violation under Education Code section 47607(c) constitutes a severe and imminent threat to the health or safety of pupils and the procedures that a charter school and county office of education and SBE must follow if the charter school elects to appeal a chartering authority's Final Decision to revoke the school's charter.

(a) If there is a severe and imminent threat to pupil health or safety, the chartering authority is exempt from the requirements of section 11968.5.2 and may immediately revoke the school's charter by approving and delivering a Notice of Revocation by Determination of a Severe and Imminent Threat to Pupil Health or Safety to the charter school's governing body as described in the school's charter, the county board of education (unless the county board of education is also the chartering authority), and the CDE.

The Notice of Revocation by Determination of a Severe and Imminent Threat to Pupil Health or Safety must include certain information:

(e) "Notice of Revocation by Determination of a Severe and Imminent Threat to Pupil Health or Safety" means the written notice of a chartering authority's decision to revoke a school's charter due to a severe and imminent threat to the health or safety of the pupils. This notice shall identify all of the following:

(1) The location of the facility;

(2) The provisions of Education Code section 47607(c) that the charter school has violated and a description of the emergency or urgent conditions that have resulted from this violation;

(3) A description of how the condition(s) identified in subdivision (2) severely and imminently threatens the health or safety of pupils.

(4) For purposes of this article, “a severe and imminent threat to pupil health or safety” occurs when a charter school's structures, systems or practices are in a condition that poses a severe and imminent threat to the health or safety of pupils while at school, and where the charter school has made no reasonable attempt to remedy the condition or no remedy exists to cure the condition.

(5) For purposes of this article, “a severe and imminent threat to pupil health or safety” does not include any cosmetic or nonessential repairs or severe threats for which the school has initiated corrective action and has removed the pupils from any immediate danger.

(Cal. Code Regs., tit. 5, § 11965, subd. (e).)

I. THE CHILD ABUSE AND NEGLECT REPORTING ACT- A CHARTER SCHOOL'S OBLIGATION

a. The Child Abuse and Neglect Reporting Act

The Child Abuse and Neglect Reporting Act (“CANRA”) requires certain professionals, designated as “mandated reporters,” to report known or suspected cases of child abuse or neglect to law enforcement. (Pen. Code, § 11164 et seq.) For K-12 schools and post-secondary institutions, the list of mandated reporters includes, but is not limited to essentially any and all public school employees. (Pen. Code, § 11165.7.) These obligations include the employees of California’s charter schools. (Pen. Code, § 11165.7, subd. (d); Charter, pg. 93.)

“Child abuse or neglect” has a broad definition, which includes: (1) non-accidental physical injury inflicted on a child; (2) sexual abuse; (3) neglect; (4) willful cruelty or unjustifiable punishment; and (5) unlawful corporal punishment or injury. (Pen. Code, § 11165.6.)

Mandated reporters must report when they have “knowledge of or observe a child whom the mandated reporter knows or *reasonably suspects* has been the victim of child abuse or neglect.” (Pen. Code, § 11166, subd. (a)(1).) In other words, mandated reporters must report any *reasonable suspicion* of child abuse or neglect. And under CANRA, “reasonable suspicion” means “it is objectively reasonable for a person to entertain a suspicion, based upon facts that could cause a reasonable person in a like position, drawing, when appropriate, on his or her training and experience, to suspect child abuse or neglect.” (*Id.*) But, “[r]easonable suspicion’ does not require certainty that child abuse or neglect has occurred nor does it require a specific medical indication of child abuse or neglect; any ‘reasonable suspicion’ is sufficient.” (*Id.*)

In 2016, the Contra Costa County District Attorney’s Office published a “Best Practices” manual on mandated reporting of child abuse. This “Best Practices” manual was “born from a collaborative effort between Contra Costa County District Attorney Mark Peterson, Contra Costa County's Children and Family Services (CFS), Contra Costa County Office of Education, Carol

Carrillo of the Child Abuse Prevention Council (CAPC), and Superintendents from the school districts within Contra Costa County.” (http://www.co.contra-costa.ca.us/DocumentCenter/View/42180/Mandated-Reporting-of-Child-Abuse-and-Neglect-for-CCC-School-District-Employees---July-2016?bidId_.) Relevant here, the Best Practices manual emphasizes that a mandated reporter may not delay reporting reasonable suspicion of abuse in order to investigate the matter him/herself:

It is immaterial for reporting requirements whether suspicion is directed at a SCHOOL EMPLOYEE/TEACHER/STAFF/ADMINISTRATOR/COACH, etc., versus a student, parent, guardian, or other non-school related individual. The law clearly states that if there is a suspicion of, or actual knowledge of, abuse or neglect, the mandated reporter must report, and cannot delay a report based on misguided efforts to investigate for himself/herself. As attorney Manuel F. Martinez of Lozano Smith has analogized, reporting suspicion of abuse is similar to acting as a fire alarm: you are not verifying that there is an actual fire, but you are clearly giving notice to the appropriate investigators that there may be a fire that warrants investigation and detection by the experts. A mandated reporter is simply the fire alarm that signals the possibility of abuse. Supervisors or administrators should not delay or impede the reporting of possible abuse; any secondary or corollary personnel investigation follows the initial reporting to law enforcement, not supersedes it.

(*Id.*, p. 4-5.)

CANRA requires a mandated reporter to make an initial phone call immediately or as soon as practicably possible to the police department, sheriff’s department, county probation department, or county welfare department. (Pen. Code, § 11166, subd. (a).) If the child is living in a home or institution that the reporter knows or reasonably suspects is unsuitable for the child because of abuse or neglect, the reporter must bring that condition to the attention of the agency when making the report. (Pen. Code, § 11167, subd. (a).) The mandated reporter must then complete the required mandated reporter form (Form SS 8572: Suspected Child Abuse Report) and submit it electronically or by fax —within 36 hours of receiving the information concerning the incident— to law enforcement or other designated local agencies (e.g., Child Protective Services). (Pen. Code, § 11166, subd. (a).)

b. Mandated Reporting Training Requirements

Charter Schools must provide training within the first six weeks of each school year or of new employment, to their employees who are mandated reporters. (Ed. Code, § 44691, Pen. Code, § 11165.7, subd. (d).) The annual training must include information explaining that failure to report an incident of known or reasonably suspected child abuse or neglect, as required by Penal Code section 11166, is a misdemeanor punishable by up to six months in county jail, or by fine of one thousand dollars, or by both imprisonment and a fine.

c. JHHS' Charter Recognizes that Mandated Reporter Laws Apply to JHHS Employees

The mandated reporter laws, as described above, apply to employees of charter schools. Amethod has acknowledged its employees' obligation to abide by CANRA as mandated reporters, time and time again. For example, the JHHS' Charter provides:

All staff will be required to produce documents for U.S. employment authorization, and to follow all mandated child abuse reported laws.

All non-certificated and certificated staff are mandated reporters, as defined by law are obligated to report all known or suspected incidents of child abuse and neglect. Mandated reports shall not investigate any suspected incidents but rather shall cooperate with agencies responsible for reporting, investigating and prosecuting cases of child abuse and neglect.

(JHHS' Charter, p. 93.)

Amethod has also acknowledged this requirement in their Employee Handbook:

B. Child Abuse & Neglect Reporting

All AMPS staff are mandated child abuse reporters and will follow all applicable reporting laws, as well as the same policies and procedures used by the Organization. Mandatory reporting of suspected child abuse or neglect is required under the California Child Abuse and Neglect Reporting Act by any mandated reporter. "Child" is defined as a person under the age of 18 years. A mandated reporter is any individual who is an employee of a youth organization or public school. The term "child abuse or neglect" includes sexual abuse; neglect defined as the negligent treatment or the maltreatment of a child by a person responsible for the child's welfare under circumstances indicating harm or threatened harm to the child's health or welfare including both acts and omissions on the part of the responsible person; willful cruelty or unjustifiable punishment; unlawful corporal punishment or injury; and abuse or neglect in out of home care. Child abuse or neglect does not include a mutual affray between minors or an injury caused by reasonable and necessary force used by a peace officer acting within the course and scope of his or her employment as a peace officer.

All employees of Amethod Public Schools must also comply with the reporting responsibilities outlined in the California Child Abuse and Neglect Reporting Act in reporting the concern immediately or as soon as is practicably possible (within 36 hours) by telephone, to child protective services, any police department, sheriff's department, county probation department, if designated by the county to receive mandated reports, or the county welfare department. The individual making the report must also prepare and send a written report to the reporting agency within 36 hours of receiving the information concerning the incident.

Employees shall not contact the child's family or any other persons to determine or investigate the cause of the suspected abuse or neglect. Any personal interview of the child should be conducted in a professional manner, after consulting with the Executive Director or designee. In any investigation of suspected child abuse or neglect, all persons participating in the investigation of the case shall consider the needs of the child victim and shall do whatever is necessary to prevent psychological harm to the child.

Anyone reporting an act of child abuse or suspected child abuse or neglect must act in good faith, without malice to the Organization or any individual at the Organization and have reasonable grounds for believing that the information provided in the report indicates that a violation has occurred. Any report that is made maliciously or any report which the reporter has good reason to believe is false will be viewed as a serious disciplinary offense and be dealt with in such a manner. No one who in good faith reports a violation, or who, in good faith, cooperates in the investigation of a violation shall suffer harassment, retaliation, or adverse employment action.

(AMPS 2016-17 Employee Handbook, p. 13-14, attached hereto as Exhibit A.)

II. SUBSTANTIAL EVIDENCE SHOWS THAT JHHS, AND ITS ADMINISTRATORS, HAVE VIOLATED BOTH THE TERMS OF ITS CHARTER, AND CANRA, BY FAILING TO COMPLY WITH CALIFORNIA'S MANDATED REPORTING REQUIREMENTS

a. 2017-2018 AMPS Annual Summit Event

Prior to the commencement of the 2017-2018 school year, Amethod held a professional development meeting known as the AMPS Annual Summit, to provide professional development for its teachers. During this professional development meeting, Chief Academic Officer of Amethod, Evilia Villa, advised teachers that when a student complains of abuse, the teachers should investigate the matter themselves, rather than immediately calling Child Protected Services, as required by law.

A number of teachers who were present at that meeting have submitted written statements describing the event, and expressing their concern with Ms. Villa's directives. Former JHHS teacher Robert Menze described the event as follows:

During our summer training called "Summit", Mrs. Villa told a story explaining how a student (whom Mrs. Villa mentioned by name) had come to her saying he was being abused at home. Mrs. Villa did not believe this student and, instead of taking the legally mandated action of calling Child Protective Services (CPS), she decided to investigate the allegation herself by instructing the student in question to remove their shirt so she (Mrs. Villa) could verify if the student's story was viable. Based on this communication, Mrs. Villa then recommended that teachers investigate a student's story themselves, prior to reporting, because students could

be lying. With new teachers attending this training, I felt it was highly unprofessional and illegal to promote this type of action.

(Robert Menze Statement, attached hereto as Exhibit B.)

Tatum McGuire, another former teacher at JHHS, described the same meeting as follows:

- *The professional development (PD) meeting took place before the school year began at AMPS annual Summit, for the 2017-2018 school year. The information regarding this PD was listed in the Amps 2017 Summit Program as:*

"Required Participants: Returning Instructional Staff

Title: Honor Hard Work Begins NOW!

Presenters: Evelia Villa and Robert Moncada

Description: "Culture is tangible the minute you walk into the school doorway," reads the AMPS Culture Handbook - the Methods Manual. This training looks at the intersection between holding our students to high standards while also acknowledging (sic) the circumstances (sic) in which they live. Staff will review key elements behind AMPS' methods and the Core Values, and participate in scenarios related to each."

- *This specific PD was presented by Villa and Robert Moncada.*
- *Villa shared a story about a student that she mentioned by name, where the student came to her and said he was being beaten by an extension cord. Villa said that she wanted to investigate the student's claim before she reported it to CPS. Villa said that she called the student's mother and had her come to the school. Then in front of the mom she had the student take his shirt off so they could see his back. There were no marks on the student's back. Villa said that this showed that what the student was claiming was false and she let the parents take care of the situation.*
- *She instructed us to investigate situations ourselves before we call CPS to report abuse because the child could be lying.*

(Tatum McGuire Statement, attached hereto as Exhibit C.)

Michael Bortz, former teacher at JHHS, also described the directive:

During a professional development meeting Evelia Villa addressed a group of teachers openly admitting to not having called child services after receiving information that a student was being abused. In her narrative she described hearing a teacher report that the student said his parent had beat him. During this narrative she used explained how she dealt with the situation by referring

specifically to the boy using his first and last name. Rather than calling the proper authorities she had a conference with both the boy and his parents, in which she had the boy remove his shirt to show that his parents were not beating him, as evidenced by the lack of bruises on his torso. She advised the educators present in the room to follow similar practices and follow our instincts when we faced similar situations, rather than rely on government authorities.

(Michael Bortz Statement, attached hereto as Exhibit D.)

b. District Correspondence with Amethod Regarding the Mandated Reporting Concern

On May 8, 2018, the District forwarded Mr. Bortz's letter to Amethod, asking that Amethod respond to the concerns raised therein. (May 8, 2018 District Letter to Amethod, attached hereto as Exhibit E.) Amethod's subsequent responses failed to address the concerns related to mandated reporting, so on June 19, 2018, District staff sent a follow-up letter, again reiterating this concern. (June 19, 2018 District Letter to Amethod, attached hereto as Exhibit F.)

c. September 26, 2018 District Board Meeting

On September 26, 2018, during public comment of a regularly scheduled Board meeting, Robert Moncada, Outreach Coordinator at Amethod, gave comment on behalf of Amethod, explaining how the events at the AMPS Annual Summit unfolded. Specifically, Mr. Moncada said:

Good afternoon, my name is Robert Moncada and I'm the outreach coordinator for AMPS. I just want to ...with all of the stuff going on I just want to clarify a couple of things. There's been a couple times when they have used the example about child abuse, there was no CPS report mentioned, or we did not file a CPS reports, or we were negligent. Because of our outreach efforts we had a very good relationship with the family, we had a very good relationship with the student. So we asked the student, had he or had he not been hit. The answer was no. That same student was having difficulties in other aspects of his life. Just a small update, there was no CPS report needed because we checked, we double checked. We checked with the parent, both parents. That student has graduated on time and is now currently attending Contra Costa College, just to clarify. Thank you

(September 26, 2018 WCCUSD Board meeting; a copy of the video recording of this meeting is available at the District office upon request.)

d. Violations of Law (Education Code section 47607, subdivision (c)(1)(D))

As evidenced by the teacher letters, and as confirmed and admitted by Robert Moncada, Outreach Coordinator at Amethod, Ms. Evilia Villa, and possibly other Amethod administrators, violated their mandated reporting obligation by failing to report a student's claim that he was being abused. Instead of reporting the matter, Ms. Villa investigated the matter herself, and determined that she need not report the incident. As Mr. Moncada stated, instead of reporting the matter Amethod went to check in with the parents:

. . .there was no CPS report needed because we checked, we double checked. We checked with the parent, both parents.

(September 26, 2018 WCCUSD Board meeting.) The AMPS employee handbook has cited *this exact situation*, as a violation of California’s mandated reporting law:

Employees shall not contact the child's family or any other persons to determine or investigate the cause of the suspected abuse or neglect.

(AMPS 2016-17 Employee Handbook, attached hereto as Exhibit A.) In short, Ms. Villa’s failure to immediately report this incident to the proper authorities constitutes, at minimum, a violation of (1) the CANRA reporting requirements provide in Penal Code, section 11166, subdivision (a), (2) JHHS’ Charter, and (3) the AMPS Employee Handbook.

As corroborated by the evidence presented here, Ms. Villa and Mr. Moncada have a deficient understanding of the mandatory reporter laws in California. Ms. Villa and Mr. Moncada are not simply random employees of Amethod. Rather, they hold important leadership roles within Amethod’s administration, and in part, are responsible for training and overseeing other Amethod and JHHS employees. Most concerning, during a yearly professional development training, Ms. Villa specifically directed JHHS teachers *not* to follow their mandated reporting obligations under state law, and instead, directed Amethod mandated reporters to investigate complaints of child abuse themselves, prior to determine whether a call to Child Protected Services is warranted. Ms. Villa’s “rationale” for her recommended practice, that the student could simply be “lying,” is not an appropriate reason not to follow a mandated reporting obligation. This directive was given during the AMPS Annual Summit, where teachers are gathered to receive professional development training and direction from AMPS administration on the preferred practices in AMPS operation. The fact that this directive was given by the Chief Academic Officer, further adds weight and gravity to the directive, and is evidence of AMPS school-wide practice, especially in light of the fact that many of the teachers receiving the training were new to Amethod schools.

III. AMETHOD’S PRACTICES RELATED TO MANDATED REPORTING PLACE ALL STUDENTS IN CLEAR, SEVERE, AND IMMINENT DANGER OF UNREPORTED CHILD ABUSE

The California legislature has determined that ensuring that school teachers, administrators, and other staff members are properly trained as mandated reporters is absolutely necessary and crucial to a student’s health and safety. Compliance with mandatory reporter laws are so essential that the potential sanction for failure to comply with them are criminal in nature. A school-wide practice of not immediately reporting suspected child abuse *-as required by law-* places all the students at JHHS in the face of severe and imminent threat of danger. The fact that Amethod’s Chief Academic Officer specifically directed her teachers *not* to comply with these mandatory reporting obligations, clearly and demonstrably places students at JHHS, currently operating at 1402 Marina Way South, Richmond, California, in clear and imminent danger of unreported child abuse. This threat is not theoretical. At the September 26, 2018 Board meeting Mr. Moncada expressly corroborated the teachers’ allegations, confirming that Ms. Villa failed to properly report a claim of child abuse.

The record is clear that Amethod administration's outright disregard for their mandated reporting obligations, as well as their school wide practice of directing teachers not to report all claims of child abuse because student's may be "lying," not only violates California law, the JHHS' Charter, and the 2016-17 Employee Handbook, but more importantly places students at JHHS in clear and imminent danger of unreported child abuse.

Allegations of these concerns were made to Amethod in May of 2018. There is no evidence that, in that time, the training or implementation regarding mandatory reporting at JHHS has changed. In fact, confirmation of this practice was made at the September 26, 2018 District Board meeting, making it essential for the District to move to revoke now.

IV. INCREASE IN ACADEMIC ACHIEVEMENT

Education Code section 47607, subdivision (c)(2), identifies "increases in academic achievement for all groups of pupils served by the charter school as the most important factor in determining whether to revoke a charter." While it is not clear in the law if academic increases are the most important factor when a chartering authority is considering a "severe and imminent threat to pupil health or safety," for purposes of this Notice, increases in academic achievement for all groups of pupils will be the most important factor weighed here.

The District has been given an "overview" of the 2017-18 Smarter Balanced test scores for students at JHHS, which shows:

1. In the total student population, an increase in ELA performance (+ 10%) from the 2016-17 scores, and a decrease in math performance (-3%).
2. A total of two students with disabilities were scored, with neither student meeting proficiency in ELA or Math. These scores could not be compared to the prior year's numbers, to measure increases or decreases, because there were no scores for students with disabilities in 2016-2017 at JHHS.
3. A total of 6 English Learners were scored, with 67 percent failing to meet proficiency in both ELA and Math. These scores could not be compared to the prior year's numbers, to measure increases or decreases, because there were no scores for English Learners in 2016-2017 at JHHS.
4. Socio-Economically disadvantaged students increased proficiency by 11% in ELA, and decreased by 5% in math, between 2016-2017 and 2017-2018.

In 2016-2017 and in 2017-2018, the Charter School did not have significant enough numbers of African American, special education, or Asian-American students for the California Department of Education to report. Therefore, subgroup comparisons of these students, compared to District students, cannot be done.

The California Department of Education releases disaggregated performance data on an annual basis for the California Assessment of Student and Progress system of assessments (CAASPP),

which includes the Smarter Balanced Assessments. This data is disaggregated by well-established factors that impact student performance. Influential factors include special education needs, homelessness, foster care, level of English language proficiency, and socioeconomic challenges. The CDE has not yet released the full disaggregated data for the 2017-18 school year, and therefore the District is unable to perform a full review of academic achievement at this time. To provide a valid review of performance data, percentages of each of these influential factors must be accounted for. Better yet is a comparison between other schools in a community that includes comparable factors to the charter school. District staff will be able to perform a full review, once the data becomes available. (Said review will use all District high schools, due to the fact that no school in the District has completely similar demographics to JHHS.)

The District has also received JHHS' Advanced Placement (AP) data for the 2017-18 school year. A score of three or higher on the AP exam is described as a "Success" by the CollegeBoard, as it is "...the score point that research finds predictive of college success and college graduation". In 2016 the report indicates that 15 students took 27 exams. Eleven students earned a three or higher. In 2017, 29 students took 29 exams, and no student scored a three or better. In 2018, 24 students took 32 exams. Of those, three exams earned a three or higher. As shown below, JHHS' passage rate over the last two years is significantly lower than the statewide average.

% JHHS Student received a passing score on at least one of their AP tests		
Year	JHHS	CA Average
2016	73.3% (11/15)	62.5%
2017	0% (0/29)	62.3%
2018	12.5% (3/24)	63.7%

A review of academic increases across the limited student subgroups attending JHHS reflects a mixed bag of increases versus decreases or lack of growth. The health and safety concerns considered in this Notice are so egregious that they outweigh any combination of the increases in academic achievement, for the entire school and its student subgroups, even when giving greater weight to the increases obtained. While ELA scores for the general student population and socio-economically disadvantaged students increased, the scores for these same students went down in math. Nowhere else were significant academic increases noted.

CONCLUSION

Based on the aforementioned, the District's Board has determined that Amethod's school-wide training and practice related to mandated reporting constitutes a clear severe and imminent threat to the health/safety of students who attend JHHS. As a result, the District's Board adopted this Notice of Revocation by Determination of a Severe and Imminent Threat to Pupil Health or Safety. By this Notice, the Board of Education for the West Contra Costa Unified School District hereby revokes the Charter of John Henry High School.

EXHIBIT A

AMPS



HONOR HARD WORK

AMETHOD PUBLIC SCHOOLS

2016-2017 EMPLOYEE HANDBOOK

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INTRODUCTION TO HANDBOOK

This Handbook is designed to help employees get acquainted with Amethod Public Schools (hereafter referred to as either "AMPS" or "Organization" or "School"). It explains some of our philosophies and beliefs, and describes in general terms, some of our employment guidelines. Although this Handbook is not intended to be an exclusive or comprehensive policies and procedures manual, we hope that it will serve as a useful reference document for employees throughout their employment at the Organization. It is not, therefore, intended to create any expectations of continued employment, or an employment contract, express or implied. In no way does the Handbook replace any official plan documents (e.g., health insurance, retirement plan, etc.) or insurance contracts, which will govern in all cases.

This Handbook supersedes any previously issued handbooks, the policies described herein policies, and/or benefit statements, whether written or verbal, including those that are inconsistent with the policies described herein. Employees must sign the acknowledgment form at the beginning of this Handbook, and return it to the office of the Executive Director. Please use this time to ask any questions you may have.

Amethod Public Schools is a growing and changing organization, and therefore, it reserves full discretion to add, change, amend, supplement, or delete provisions of this Handbook, or the policies and procedures on which they may be based, at any time without advance notice, except for the arbitration agreement and at will employment status. No individual other than the Executive Director or President of the Board of Directors has the authority to enter into any employment agreement or other agreement that modifies Organization policy or at will employment. Any such modification *must* be in writing and signed by the employee and the Organization's Executive Director. This Handbook is the property of the Organization, and it is intended for personal use and reference by employees of the Organization. Circulation of this Handbook outside of the Organization requires the prior written approval of the Executive Director.

I. CONDITIONS OF EMPLOYMENT

A. Equal Employment Opportunity

Amethod Public Schools is an equal opportunity employer. It is the policy of the Organization to afford equal employment and advancement opportunity to all qualified individuals without regard to race, creed, color, religion, national origin, ancestry, sex, sexual orientation, age, physical or mental disability, marital status, citizenship status, medical condition, or any other legally protected status. This policy extends to all employees and to all aspects of the employment relationship, including the hiring of new employees and the training, transfer, promotion, compensation and benefits of existing employees.

B. Reasonable Accommodations

Any applicant or employee who requires an accommodation due to a disability in order to perform his or her job duties should contact his or her supervisor, the Director of Human Resources, or the Executive Director, to request such an accommodation. The individual with the disability should specify what accommodation he or she needs to perform the job. The Organization will consider any requests for accommodations and make reasonable accommodations for a qualified individual with a disability as required by applicable law. Organization will comply with applicable laws ensuring equal employment opportunities to qualified individuals with a disability.

C. Employment –“At Will”

Except if stated expressly otherwise by written and executed employment contract between the employee and AMPS, it is the policy of the Organization that all employees are considered "*at will*" employees of the Organization. Accordingly, either the Organization or the employee can terminate this employment relationship at any time, for any reason or no reason at all, with or without cause, and with or without advance notice.

Nothing contained in this Handbook, employment applications, Organization memoranda or other materials provided to employees in connection with their employment shall require the Organization to have "cause" to terminate an employee or otherwise restrict the Organization's right to terminate an employee from his or her at-will employment with the Organization. Statements of specific grounds for termination set forth in this Handbook or elsewhere are not all-inclusive and are not intended to restrict the Organization's right to terminate at-will.

No Organizational representative, other than the President of the Board of Directors or Executive Director, is authorized to modify this at-will employment policy for any employee or to make any representations to employees or applicants concerning the terms or conditions of employment with the Organization that are not consistent with the Organization's policy regarding "at will" employment. Except if stated expressly otherwise by written and executed employment contract between the employee and AMPS, no documents generated or provided by AMPS or employment practices shall create an express or implied contract of employment for a definite period.

D. Eligibility for Employment

AMPS will only employ individuals that are authorized to work in the United States. All new hires must provide proof of identity and work eligibility in accordance with US Immigration and Homeland Security Regulations and any other applicable laws. Employees must complete and sign a Form 1-9 and produce valid documents designated by the U.S. Department of Justice which establish both identity and employment eligibility within three (3) working days of hire. Failure to comply may result in termination from employment.

E. Employment Classifications

For purposes of salary administration and eligibility for overtime payments and employee benefits, Amethod Public Schools classifies its employees as defined below. Please direct any questions you may have regarding your employment classification or status to the Organization's Executive Director or your direct supervisor.

Nonexempt Employees

Employees who are entitled to be paid overtime hours in accordance with applicable federal and state laws. They may be either full-time or part-time employees. Non-exempt employees may be scheduled for full-time or part-time shifts, as assigned by his or her supervisor or the Executive Director.

Exempt Employees

These employees are exempt from the overtime provisions of the Federal Fair Labor Standards Act and any applicable state laws. They do not receive overtime pay. Employees including but not limited to executives, professional employees, and employees in certain administrative or computer-related positions, are typically exempt.

F. Employment Status

Regular Full-time Employees

Employees that work 40 hours per workweek on a regular basis. Such employees may be "exempt" or "nonexempt". They are eligible for employee benefits as described in this handbook as well as those benefits required by law.

Regular Part-time Employees

Employees that work fewer than 40 hours per workweek on a regular basis. Part-time employees may be assigned a work schedule in advance or may work on an as-needed basis. Such employees may be "exempt" or "nonexempt". Employees that work 30 or more hours per workweek on a regular basis may be eligible for prorated benefits as described in this handbook.

Temporary/Seasonal/Intern Employees

Temporary employees are those employed on a temporary basis for short-term assignments. Short-term assignments will generally be periods of three months or less; however, such assignments may be extended. Temporary employees are not eligible for any benefits except where mandated by law. A temporary employee may be offered and may accept a new temporary assignment with AMPS and still retain temporary status.

Individuals assigned by temporary employment agencies are employees of the agency and not of AMPS.

G. Job Duties

Your supervisor(s) will explain your job responsibilities. Be aware that your job responsibilities may change at any time during your employment. From time to time, you may be asked to work on special projects or to assist with other work necessary or important to the operation of your department or AMPS. Your cooperation and assistance in performing such additional work is expected. AMPS reserves the right, at any time, with or without notice, to alter or change job responsibilities, reassign or transfer job positions or assign additional job responsibilities.

H. Immigration Compliance

AMPS is dedicated to complying with state and federal immigration laws, including but not limited to the Immigration Reform and Control Act of 1986. The Organization's policy is to employ individuals who are legally authorized to work in the United States. All new employees must complete the Form I-9 on or before their first day of work. Employees must provide AMPS with document(s) from the Form I-9's List

of Acceptable Documents as proof of the employee's identity and legal work authorization.

The Organization will reverify your work authorization if you indicated on the Form I-9 that you are an alien authorized to work until a specified date on or before that specified expiration date. You must present an acceptable document of your choice demonstrating continued work authorization. Any temporarily work authorized employee who fails to present proof of continued work authorization will not be able to continue working at the Organization. An employee may return to work as soon as the employee presents an acceptable Form I-9 document demonstrating current work authorization.

Employees who update their personal information based on a lawful name change, social security number, or federal employment authorization document will need to complete a new Form I-9. The Organization will not discriminate or retaliate against employees who make such changes to their personal information.

II. ATTENDANCE

A. Attendance and Tardiness

All employees, whether exempt or non-exempt, are expected to arrive at work consistently and on time. Absenteeism and tardiness negatively affects the Organization's ability to implement its educational program and disrupts consistency in students' learning.

If you will be absent or late, you are expected to telephone the Site Director or your direct supervisor as soon as possible but no later than two (2) hours before the start of the workday. If you have to leave a voicemail message for your supervisor and the Site Director, you are still expected to continue to try to contact them by telephone and speak with them directly as soon as possible. Employees are not allowed to relay messages to the direct supervisor or the Site Director through co-workers that they will be absent or tardy. If you are absent from work longer than one day, you are expected to keep your supervisor sufficiently informed of your situation and when you will return to work. You must get approval from your direct supervisor for any absence. The Organization can require you to provide a document from your doctor verifying your need to be absent from work if you are absent due to illness or other medical reasons.

Excessive or unexcused absences or tardiness may result in disciplinary action up to and including termination from employment with the Organization. Any unpaid leave of absence that is not authorized by law, or leave of absence that is not approved by the Organization, can lead to disciplinary action up to and including termination.

B. Timekeeping Requirements

All non-exempt employees are required to record time worked on a timesheet (Non-Exempt Daily Timesheet) for payroll purposes. Employees must record their own time at the start and at the end of each workday. Employees must record the start and end time for each lunch break on their timesheets. Employees also must record their time whenever they leave the site for any reason other than AMPS business. Any errors on your timesheet should be reported immediately to your supervisor. Your supervisor must initial any changes on the timesheet. ***Do not use whiteout to make changes.*** Completing another employee's timesheet, allowing another employee to complete your timesheet, or altering a timesheet is not permissible and is subject to disciplinary action. You should talk to your immediate supervisor if you have any questions about the timesheet procedures.

Due to the limited time frame in which payroll must be processed, all employees are required to complete and submit their timesheets on the designated days. Failure to submit an accurate timesheet is grounds for disciplinary action up to and including termination. The way in which time is tracked may change from time to time. In the event of any change, employees will be given adequate notice and instruction as to the new procedure.

C. Substitutes

All employees are required to call their Site Supervisor at the assigned phone number(s) as soon as possible but no later than two (2) hours before the start of the workday if he or she will be absent. The assigned number is usually the Site Supervisor's cell phone number. The employee is also encouraged to also call their assigned school's main number as well.

It will be the Site Supervisor who will arrange or make the final decisions for a substitute teacher for the day.

D. Work Schedules

Your work schedule depends, first, on the school site where you are located. AMPS Schools are open for

business between the hours of 7:00 a.m. and 6:00 p.m., Monday through Friday. Your supervisor will assign your individual work schedule. All employees are expected to be at their classrooms or workstations at the start of their scheduled shifts, ready to work. The workweek begins at 12:01 a.m. Monday and ends at midnight on Sunday. AMPS reserves the right to change work schedules and assign employees to special schedules as deemed necessary for effective operations. When a change in work schedule is necessary, every effort will be made to provide reasonable advance notice to the employees. Any request to change work hours must be approved in advance by the employee's supervisor.

E. Rest Breaks and Meal Breaks

The Organization provides all non-exempt employees with an opportunity to take an off-duty meal break as allowed by law and authorizes and permits non-exempt employees to take rest breaks in accordance with California's Labor Code and the state's IWC Wage Orders. The Company strictly adheres to these laws and regulations, including the payment of premium pay if a non-exempt employee does not take a meal break or rest break and premium pay is due under applicable law.

Rest Breaks

All non-exempt employees are authorized and permitted to take an uninterrupted ten (10) minute rest break for every four hours of work or major fraction thereof. Rest breaks should be taken as close as possible to the middle of each four hour period of work. Non-exempt employees are authorized and permitted to take one uninterrupted (10) ten minute rest break if they work three and one-half hours in a day but less than six hours, two ten minute rest breaks if they work more than six hours up to ten hours, and three ten minute rest breaks if they work more than ten hours up to fourteen hours, and four ten minute rest breaks if they work more than fourteen hours up to eighteen hours. Employees cannot combine rest breaks with meal breaks or other rest breaks. Employees cannot add a rest break to the meal break. A rest break is non-work time and cannot be used to come to work late, to extend a meal break, or to leave early. Employees are expected to remain on-site for rest breaks. Employees must resume work promptly after the end of the rest break.

You should check with your immediate supervisor to schedule your rest breaks. If you have any questions about taking your rest break(s), you should contact your direct supervisor, the Site Director, or Human Resources Department. If you are prevented or discouraged from taking a rest break, you should inform your direct supervisor as soon as possible on the same workday. Failure to take rest breaks may be grounds for discipline up to and including termination.

Meal Breaks

All non-exempt employees are provided an unpaid, uninterrupted meal break of thirty (30) minutes for every five hours of work. During the meal break, you are relieved of all duty and free to leave the premises, and go off-site. Employees should not be at their workstations during the meal break as this is non-work time. No one can ask you to do any work while on a meal break. You should let your supervisor know when you will be leaving to take your meal break. Meal breaks should be taken as close to the midpoint of your workday as reasonably practical, but must not be started later than the end of your fifth hour of work. You must start your meal break before the end of your fifth hour of work. Meal breaks are not paid time, so you will need to record the beginning and end time of your meal break on your timesheet each workday.

You should check with your immediate supervisor to schedule your meal breaks. If you have any questions about taking your meal breaks, you should contact your direct supervisor, the Site Director, or Human Resources Department. If you are prevented or discouraged from taking a meal break, you should inform your direct supervisor as soon as possible on the same workday. Failure to take meal breaks may

be grounds for discipline up to and including termination.

It is mandatory that non-exempt employees take all required breaks. It is very important that your timesheets have an accurate record of when you took your meal break.

F. Lactation Breaks

The Organization supports the needs of nursing mothers in the workplace and will comply with California Lactation Accommodation Law (California Labor Code sections 1030-1033) and any applicable federal law. The Organization encourages employees and management to have a positive, accepting attitude toward working women and breastfeeding. The Organization supports breastfeeding and the expression of breast milk by employees who are breastfeeding when they return to work.

The Organization will provide a reasonable amount of break time to accommodate an employee desiring to express breast milk. If possible, the break time should coincide with any paid break time already provided to the employee. If not, the break time may not be paid. The Organization will make reasonable efforts to provide the employee with the use of a room or other location, other than a toilet stall, in close proximity to the employee's work area, for the employee to express milk in private.

Employees need to keep their supervisors informed of their needs so that appropriate accommodations can be made to satisfy the needs of both the employee and the Organization. Employees who are expressing breast milk should keep the area where they express milk clean, and label all expressed milk that is stored in a common refrigerator with their name and date collected.

III. IMPORTANT POLICIES

A. Policy Prohibiting Unlawful Harassment

AMPS is committed to providing a work and educational atmosphere that is free of unlawful harassment. The organization and school policy prohibits sexual harassment and harassment based upon pregnancy, childbirth or related medical conditions, race, religion, creed, color, gender, national origin or ancestry, physical or mental disability, medical condition, marital status, age, sexual orientation, or any other basis protected by federal or state law. AMPS will not condone or tolerate harassment of any type by any employee, independent contractor or other person with which the Organization does business with. This policy applies to all employee actions and relationships, regardless of position or gender. AMPS will promptly and thoroughly investigate any complaint of harassment and take appropriate corrective action, if warranted.

This policy prohibits unlawful sexual harassment and harassment based upon pregnancy, childbirth or related medical conditions, race, religion, creed, color, gender, national origin or ancestry, physical or mental disability, medical condition, marital status, age, sexual orientation, or any other basis protected by federal or state law. This policy applies to all employees of the company, including supervisors and managers. The company prohibits managers, supervisors and employees from harassing co-workers as well as customers, vendors, suppliers, independent contractors and others doing business with the company, based on any characteristic protected under federal and state law. In addition, the company prohibits customers, vendors, suppliers, independent contractors and others doing business with the company from harassing the company's employees based upon sex, pregnancy, childbirth or related medical conditions, race, religion, creed, color, gender, national origin or ancestry, physical or mental disability, medical condition, marital status, age, sexual orientation, or any other basis protected by federal or state law.

Procedures

Violation of this policy will subject an employee to disciplinary action, up to and including immediate termination. Additionally, under California law, employees may be held personally liable for harassing conduct that violates the California Fair Employment and Housing Act (FEHA).

Examples of prohibited sexual harassment

Sexual harassment includes a broad spectrum of conduct, including harassment based on gender, transgender and sexual orientation (meaning one's heterosexuality, homosexuality or bisexuality).

Examples of unlawful and unacceptable behavior may include:

1. Unwanted sexual advances.
2. Offering an employment benefit (such as a raise, promotion or assistance with one's career) in exchange for sexual favors, or threatening an employee with termination, demotion or disciplinary action for an employee's failure to engage in sexual activity.
3. Visual conduct, such as leering, making sexual gestures, or displaying sexually suggestive objects, pictures, cartoons or posters.
4. Verbal sexual advances, propositions, requests or comments.
5. Sending sexually related text-messages, videos or messages via social media.
6. Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, or suggestive or obscene letters, notes or invitations.
7. Physical conduct, such as touching, assault, or impeding or blocking movement.
8. Physical or verbal abuse concerning an individual's actual sex or the perception of the individual's sex.
9. Verbal abuse concerning a person's characteristics such as vocal pitch, facial hair or the size or shape of a person's body, including remarks that a male is too feminine or a woman is too masculine.

These examples of unacceptable behavior also apply to harassment based upon sex, pregnancy, childbirth or related medical conditions, race, religion, creed, color, gender, national origin or ancestry, physical or mental disability, medical condition, marital status, age, sexual orientation, or any other basis protected by federal or state law

Unlawful harassment of the company's customers, clients, vendors, suppliers, independent contractors or employees of the company's customers, clients, vendors, suppliers or independent contractors by the company's employees is prohibited. Such prohibited harassment includes the types of behavior specified in this policy, including sexual advances, verbal or physical conduct of a sexual nature, sexual comments and gender-based insults. Any such prohibited harassment will subject an employee to disciplinary action, up to and including termination. Employees who have any questions about what constitutes unlawful or prohibited harassing behavior should contact their immediate supervisor, the Site Director, or the Human Resources Director.

Reporting sexual harassment

If an employee feels that he or she is being harassed in violation of this policy he or she should immediately contact The Human Resources Director at (510) 899-4806 x 108, his or her supervisor or Human Resources Department at (510) 899-4806. In addition, if an employee observes prohibited harassment by another employee, supervisor, manager or nonemployee, the employee should immediately report the incident to the individuals above. Appropriate action will also be taken in response to violation of this policy by any nonemployee.

Employees' notification to the company is essential to enforcing this policy. Employees may be assured that they will not be penalized in any way for reporting any act or incident of harassment prohibited under this policy. It is unlawful for an employer to retaliate against employees who oppose the practices prohibited by the Fair Employment Housing Act, or who file complaints, or otherwise participates in an investigation, proceeding or hearing conducted by the California Department of Fair Employment and Housing (DFEH) or the Fair Employment and Housing Council (FEHC). Similarly, the company prohibits employees from hindering the company's internal investigations or the company's internal complaint procedure. All employees are expected to cooperate in any investigation of a complaint of a violation of this policy.

All complaints of unlawful harassment that are reported to management or to the persons identified above will be investigated as promptly as possible, and corrective action will be taken where warranted. All complaints of unlawful harassment that are reported to management or to the persons identified above will be treated with as much confidentiality as possible, consistent with the need to conduct an adequate investigation.

Retaliation prohibited

The company prohibits retaliation against those who report, oppose or participate in an investigation of alleged violations of this policy. Participating in an investigation of alleged wrongdoing in the workplace includes:

1. Filing a complaint with a federal or state enforcement or administrative agency.
2. Participating in or cooperating with a federal or state enforcement agency that is conducting an investigation of the company regarding alleged unlawful activity.
3. Testifying as a party, witness or accused regarding alleged unlawful activity.
4. Making or filing an internal complaint with the company regarding alleged unlawful activity.

The company strictly prohibits any adverse action or retaliation against an employee for participating in an investigation of alleged violation of this policy. If an employee feels that he or she is being retaliated against, he or she should immediately contact Human Resources at (510) 899-4806 or his or her supervisor. In addition, if an employee observes retaliation by another employee, supervisor, or manager

he or she should immediately report the incident to the individuals above.

Any employee determined to be responsible for violating this policy will be subject to appropriate disciplinary action, up to and including termination. Moreover, any employee, supervisor or manager who condones or ignores potential violations of this policy will be subject to appropriate disciplinary action, up to and including termination.

B. Child Abuse & Neglect Reporting

All AMPS staff are mandated child abuse reporters and will follow all applicable reporting laws, as well as the same policies and procedures used by the Organization. Mandatory reporting of suspected child abuse or neglect is required under the California Child Abuse and Neglect Reporting Act by any mandated reporter. "Child" is defined as a person under the age of 18 years. A mandated reporter is any individual who is an employee of a youth organization or public school. The term "child abuse or neglect" includes sexual abuse; neglect defined as the negligent treatment or the maltreatment of a child by a person responsible for the child's welfare under circumstances indicating harm or threatened harm to the child's health or welfare including both acts and omissions on the part of the responsible person; willful cruelty or unjustifiable punishment; unlawful corporal punishment or injury; and abuse or neglect in out-of-home care. Child abuse or neglect does not include a mutual affray between minors or an injury caused by reasonable and necessary force used by a peace officer acting within the course and scope of his or her employment as a peace officer.

All employees of Amethod Public Schools must also comply with the reporting responsibilities outlined in the California Child Abuse and Neglect Reporting Act in reporting the concern immediately or as soon as is practicably possible (within 36 hours) by telephone, to child protective services, any police department, sheriff's department, county probation department, if designated by the county to receive mandated reports, or the county welfare department. The individual making the report must also prepare and send a written report to the reporting agency within 36 hours of receiving the information concerning the incident.

Employees shall not contact the child's family or any other persons to determine or investigate the cause of the suspected abuse or neglect. Any personal interview of the child should be conducted in a professional manner, after consulting with the Executive Director or designee. In any investigation of suspected child abuse or neglect, all persons participating in the investigation of the case shall consider the needs of the child victim and shall do whatever is necessary to prevent psychological harm to the child.

Anyone reporting an act of child abuse or suspected child abuse or neglect must act in good faith, without malice to the Organization or any individual at the Organization and have reasonable grounds for believing that the information provided in the report indicates that a violation has occurred. Any report that is made maliciously or any report which the reporter has good reason to believe is false will be viewed as a serious disciplinary offense and be dealt with in such a manner. No one who in good faith reports a violation, or who, in good faith, cooperates in the investigation of a violation shall suffer harassment, retaliation, or adverse employment action.

C. Confidential Information

All information relating to students, personal information, schools attended, addresses, contact numbers and progress information is confidential in nature, and may not be shared with or distributed to unauthorized parties. All records concerning special education pupils shall be kept strictly confidential and maintained in separate files. All staff members must sign a confidentiality agreement as a prelude to employment. Failure to maintain confidentiality may result in disciplinary action, up to and including termination.

IV. THE WORKPLACE

A. Computer and Telecommunications

AMPS invested substantial assets to provide employees with access to computers to perform the responsibilities of the job. Although many employees have access to computers for work-related reasons, employees must understand that the computers, as well as all information temporarily or permanently stored or transmitted with the help of computers, is the sole and exclusive property of AMPS. Employees should not assume any privacy right or interest in any information that is temporarily or permanently stored on the computer, or in the use of any electronic media including but not limited to computers, phones, smart phones, and faxes.

All electronic data on AMPS computers or telephones can be monitored by AMPS, including but not limited to emails and voicemail messages. Emails and voicemail messages are part of AMPS records. The contents of these messages may be disclosed within AMPS without your permission. Therefore, you should not assume that messages are confidential. All electronic communications created or sent by any employee using any means of electronic communication is the property of AMPS and remains the property of AMPS. Personal passwords may be used for purposes of security, but the use of a personal password does not affect the AMPS ownership of the electronic information. AMPS will override personal passwords if it becomes necessary to do so for any reason. AMPS may access and review all electronic files, messages, mail, and monitor the use of electronic media without notice to the employee and/or in the employee's absence, as it deems necessary. Voicemail and email are to be used for business purposes only. AMPS may listen to voice mail messages and access email messages without notice to the employee and/or in the employee's absence, as it deems necessary. AMPS may keep a record of all passwords or codes used by employees. Back-up copies of emails and voicemails may be maintained and referenced for business and legal reasons. Since your personal messages can be accessed by management without notice to you, you should not use voicemail or electronic media to transmit any messages you would not want disclosed to a third party. Management has access to the computer and voicemail at all times.

Employees may not add or load any software or games to an AMPS computer. You also may not use the computer for any improper or unauthorized purpose. Inappropriate purposes include, but are not limited to, downloading confidential information that belongs to other persons or entities, making improper disclosures or defamatory comments, making comments or disclosures that may be interpreted by others as harassing and engaging in activities that violate the rights of third parties. Employees are prohibited from providing access to AMPS computers to outside persons or unauthorized individuals. In addition, no data stored on AMPS computers may be removed, downloaded, or transferred without approval from the Executive Director. In some cases, confidential information is accessible from a computer. You are expected to take all steps necessary to protect this information and not allow or cause the distribution or improper use of confidential information. Electronic media may not be used in any manner that would be discriminatory, harassing or obscene, or defamatory. Employees are prohibited from gaining access to another employee's voicemail messages, voicemail system, or computer unless specifically authorized in advance by AMPS management. Violations of this policy will result in disciplinary action up to and including termination.

AMPS has created Computer Usage Policies to ensure that its resources are used properly by all personnel, including but not limited to employees, contractors, consultants, and other persons working with AMPS who use the e-mail system. The rules and obligations described in this policy apply to all users of the resources, wherever the user may be located. It is every person's obligation to use the resources responsibly, professionally, ethically and lawfully.

Business Use: The e-mail system is meant to be used for business purposes of Amethod Public Schools. Personal e-mail accounts are not to be used when performing work for Amethod Public Schools, or for any business purposes for Amethod Public Schools.

Ownership: All email accounts and all information and messages that are created, sent, received or stored on the e-mail system and/or computers of Amethod Public Schools is the sole property of Amethod Public Schools and are not the properties of the employee or other personnel.

E-mail Review: All e-mail is subject to the right of Amethod Public Schools to monitor, access, read, delete, copy, disclose and use such e-mail without prior notice to the originators and recipients of such e-mail. E-mail may be monitored and read by authorized personnel for any violations of law, breaches of Amethod Public Schools policies, communications harmful to Amethod Public Schools, or for any other reason.

E-mail Content: Emails should be professional, courteous and in compliance with all applicable laws

Prohibited Acts: Provided below is a non-exclusive list of prohibited acts associated with your use of the Organization's computer system. When considering the appropriateness of engaging in a particular act, personnel should be guided by both the specific prohibitions and the other mandates set forth in this policy.

Prohibited activities include:

- Using any words, images or references that could be viewed as libelous, illegal, discriminatory, or otherwise derogatory;
- Using AMPS computers for any illegal purpose or violation of any AMPS policy,
- Creating or transmitting email or images that might be considered inappropriate in the workplace, including, but not limited to, messages or images that are lewd, obscene, sexually explicit, or pornographic;
- Creating or transmitting messages or images that might be considered inappropriate, harassing or offensive due to their reference to race, sex, age, sexual orientation, marital preference, religion, national origin, physical or mental disability, or other protected status;
- Downloading copying or transmitting documents or software protected by third party copyrights in violation of those copyrights; and
- Using encryption devices and software that have not been expressly approved by Amethod Public Schools.

Security: The e-mail system is only to be used by authorized persons, and personnel must have been issued an e-mail password in order to use the system. Personnel shall not disclose their codes or passwords to others and may not use someone else's code or password without express written authorization from the Executive Director or designee.

No Presumption of Privacy/Confidentiality: Employees should not assume that e-mail communications are private. Highly confidential or sensitive information should not be sent through e-mail. Personnel are required to use email in a manner that will not risk the disclosure of confidential information to persons outside AMPS.

Message Retention and Creation: Users expressly waive any right of privacy in anything they create, store, send, or receive on or through the resources of AMPS, regardless of whether such material may be protected by password or other special entry code or procedure. AMPS makes its resources available to users solely to assist them in the performance of their jobs. Access to resources is within the sole discretion of AMPS and use of the resources is a privilege that may be revoked at any time. Generally, users are given access to our various technologies based on their job functions. Only employees whose job performance will benefit from the use of AMPS's resources will be given access to the necessary resources.

Password: All passwords for AMPS resources must be made known to your immediate supervisor. The use

of passwords to gain access to our computer systems or to access specific files does not provide users with an expectation of privacy in connection therewith.

Retention in the Event of Litigation, Subpoena, or Regulatory Inquiry : In the event of any subpoena, regulatory inquiry, or criminal proceeding, , our personnel are prohibited from deleting, discarding, or destroying any emails or any other documents relating in any way to the subpoena, regulatory inquiry, or criminal proceeding.

No Waiver: Any delay or failure to discipline personnel for violations of this policy will not constitute a waiver of the rights of Amethod Public Schools.

Note: - Questions regarding e-mail usage or the Organization's policies should be directed to the Executive Director or designee. Questions about access to electronic communications or issues relating to security should be addressed to the same individuals.

B. Personal Business

Amethod Public School facilities for handling mail and telephone calls are designed to accommodate School business. Please have your personal mail directed to your home address and limit personal telephone calls to an absolute minimum. Personal calls should not be made outside your immediate dialing area. **Do not use School material, time or equipment for personal projects.**

C. Employee Blogs

If an employee decides to keep a personal blog that discusses any aspect of his/her workplace activities, the following restrictions apply:

- School equipment, including its computers and electronics systems, may not be used for these purposes;
- Student and employee confidentiality policies must be adhered to;
- Employees must make clear that the views expressed in their blogs are their own and not those of the Organization ;
- Employees may not use the School's logos, trademarks and/or copyrighted material and are not authorized to speak on the School's behalf without written consent from the Executive Director or designee;
- Employees are not authorized to publish any confidential information maintained by the School;
- Employees are prohibited from making discriminatory, defamatory, libelous or slanderous comments when discussing the School and co-workers;
- Employees must comply with all Organization policies, including, but not limited to, rules against sexual harassment, discrimination, and retaliation.

Amethod Public Schools reserves the right to take disciplinary action against any employee whose blog violates this or other Organization policies.

Nothing in these provisions, or this Handbook, is intended to limit the rights of employees under Section 7 of the National Labor Relations Act.

D. News Media Contacts

Employees occasionally may be approached for interviews or comments by the news media. Only employees designated by the Executive Director, who is the identified principal point of contact, may comment to news reporters on Amethod Public Schools policy or events relevant to Amethod Public Schools.

E. Notice Posting

Amethod Public Schools notices and notices required by law will be regularly posted on our bulletin board(s) or designated area(s). Employees should make it a practice to review them frequently so that they can keep current regarding news about Amethod Public Schools. Employees may not post or remove items on the bulletin board(s) or designated area(s) without approval by their manager. The same restrictions apply to bulletin boards located in employee break areas. Employees who wish to post on the bulletin board should obtain approval from their supervisor.

F. Conflict of Interest

All employees must avoid situations involving actual or potential conflict of interest. An employee involved in any relationships or situations which may constitute a conflict of interest should immediately and fully disclose the relevant circumstances to their immediate supervisor, or Organization's Executive Director or designee, for a determination about whether a potential or actual conflict exists. If an actual or potential conflict is determined, the Organization may take whatever corrective action appears appropriate according to the circumstances. Failure to disclose facts shall constitute grounds for disciplinary action.

G. Receiving Gifts

The purpose of the Gift Receiving Policy is to delineate policies and guidelines governing the acceptance of gifts by the Organization and its employees and to provide guidance to prospective donors if making gifts to the Organization.

Although we appreciate any donor who is interested in donating a gift to our Organization, the School will not engage in any of the following gift receiving practices:

- Accepting gifts that violate federal, state, or municipal laws
- Accepting gifts that require the Organization to provide special consideration or treatment to any client, donor, entity etc.
- Accepting gifts that require the Organization to deviate from its normal hiring, promotion or contracting procedures
- Accepting gifts in any cash amount without being approved by the Executive Director and/or Board of Directors
- Accepting gifts from organizations whose core activities may be in direct conflict with the mission of the Organization or which may limit our ability to provide our services.

When appropriate, the Executive Director will consult with the Board of Directors regarding all gifts prior to acceptance. With that said, the Organization respectfully reserves the right to refuse any gift it believes is not in the best interest of the Organization. Additionally, School employees may not accept any gifts on the School's behalf without the prior consent of the Executive Director. Under no circumstances shall a School employee accept monetary gifts consisting of, but not limited to, gift certificates, coupons, entertainment tickets etc. from prospective donors. The only gifts acceptable to receive without the prior consent of the Executive Director are those marginal, peripheral gifts including small food baskets or edible treats (i.e. food, chocolate treats, pastries, etc.).

***Gifts that are made to any employee by donors or donor websites i.e. (Donors Choose, etc.), for the usage of such donated equipment, materials, etc. with specific Amethod School Sites and/or students will be considered property of the Amethod Public School system. Such donations will remain with the Amethod Public School system upon departure of the teacher or staff member to continue to benefit the intended student population.*

H. Employer Property

Lockers, computers, desks, bookshelves, and other employer-owned property are Amethod Public Schools

property and must be maintained according to Amethod Public Schools rules and regulations. They must be kept clean and are to be used only for work-related purposes. Amethod Public Schools reserves the right to inspect all Amethod Public Schools property to ensure compliance with its rules and regulations, without notice to the employee and at any time, not necessarily in the employee's presence. Damage or loss caused by negligence or purposeful intent may be the full responsibility of the AMPS Employee.

I. Employee Property

For security reasons, employees should not leave personal belongings of value in the workplace, (i.e. desks, bookshelves, counter, etc.). Terminated employees should remove as many personal items as time permits at the time they leave the Organization. Personal items left in the workplace are subject to storage, and eventually disposal if not claimed at the time of an employee's termination.

Waste: Deliberately performing acts that waste any of the resources of AMPS or unfairly monopolize any of the resources to the exclusion of others. These acts include, but are not limited to, using the e-mail system for other than business-related communications, sending multiple pictures using the e-mail system (unless specifically authorized to do so and business-related), sending mass mailings or chain letters, spending excessive amounts of time on the Internet, playing games, engaging in on-line chat groups, printing multiple copies of large documents, wasting paper frivolously, undertaking excessively large OCR scanning projects, or otherwise creating unnecessary network traffic.

J. Dress Code and Other Personal Standards

Each employee is a representative of Amethod Public Schools and, therefore, it is important that each employee report to work wearing appropriate dress. In addition, staff serves as role models and educators to participants and therefore should model professional behavior through appropriate work attire. Professional or appropriate classroom personal attire is to be worn on school grounds. **Detailed dress code guidance is provided in appendix D.**

K. Parking

Employees may park their vehicles in any Amethod Public Schools marked space, if space permits. If space is unavailable, employees must park in permissible public areas on the streets in the vicinity of Amethod Public Schools property. Amethod Public Schools is not responsible for any loss or damage to employee vehicles or contents while parked on or off of Amethod Public Schools property.

L. Solicitation and Distribution of Literature

Employees are expected to avoid solicitations and distribution of literature that disrupt the efficient operation of Amethod Public Schools' business and/or their co-worker's productivity. No employee shall represent Amethod Public Schools in support of any cause or organization unless directed to do so by his or her manager. Any employee who is in doubt concerning the application of these guidelines should consult with his or her supervisor. Nothing in this provision is intended to limit the rights of employees to organize, or otherwise engage in conduct expressly permitted under the National Labor Relations Act.

Unless part of a school sponsored event, under no circumstances will non-employees be permitted to solicit or to distribute written material for any purpose on Amethod Public Schools property.

M. Health and Safety Policy

Amethod Public Schools is committed to providing and maintaining a healthy and safe work environment for all employees.

- You are required to know and comply with the School's General Safety Rules and to follow safe and healthy work practices at all times.
- You are required to report immediately to the School's Site Director any potential health or safety hazards, and all injuries or accidents.

- In compliance with Proposition 65, the School will inform employees of any known exposure to a chemical known to cause cancer or reproductive toxicity.

N. Criminal Background Checks

As required by law, all individuals working or volunteering at the School will be required to submit to a background criminal investigation. No condition or activity will be permitted that may compromise the School's commitment that the safety and the well-being of students takes precedence over all other considerations.

Conditions that preclude working at the School include but are not limited to conviction of a controlled substance or sex offense, or a serious or violent felony. Additionally, should an employee, during his/her employment with the School, be convicted of a crime involving a controlled substance or sex offense, or serious or violent felony, the employee must immediately report such a conviction to the Organization's Executive Director.

O. Drug Free Workplace

Amethod Public Schools is committed to providing a drug and alcohol free workplace and to promoting safety in the workplace, employee health and well-being, family confidence and a work environment that is conducive to attaining high work standards. The use of drugs and alcohol by employees, whether on or off the job, jeopardizes these goals, since it adversely affects health and safety, security, productivity, and public confidence and trust. Drug or alcohol use in the workplace is extremely harmful and is prohibited. Moreover, the bringing to the work place, or possession or use of intoxicating beverages or drugs on any Organization premises is prohibited and will result in disciplinary action up to and including termination.

P. Smoking

Amethod Public School sites are all no smoking facilities. Smoking is prohibited on AMPS property or campuses.

Q. Tuberculosis Testing

All employees of the School must submit written proof from a physician of an examination for tuberculosis (TB) within the last sixty (60) days showing that they are free of active TB. The examination for tuberculosis consists of an approved TB test, which, if positive, will be followed by an x-ray of the lungs, or in the absence of skin testing, an x-ray of the lungs. All employees will be required to undergo TB examination at least once every four (4) years. Volunteers may be required to undergo a TB examination as necessary. TB examinations are a condition of initial employment, and continued employment, with the School and the cost of the exams will be borne by the applicant or employee.

Food handlers will be required to have annual TB exams. Documentation of employee and volunteer compliance with TB exams will be kept on file in the office. This requirement also includes contract food handlers, substitute teachers, and student teachers serving under the supervision of an educator. Any entity providing student services to the School will be contractually required to ensure that all employees and contract workers have had TB testing that shows them to be free of active TB prior to conducting work with School students.

R. Security Protocols

Amethod Public Schools has developed guidelines to help maintain a secure workplace. Be aware of unknown persons loitering in parking areas, walkways, entrances and exits and service areas. Report any suspicious persons or activities to the Site Director or your supervisor immediately.

Secure your desk or office at the end of the day. When called away from your work area for an extended length of time, do not leave valuable or personal articles around your work station that may be accessible.

The security of facilities as well as the welfare of our employees depends upon the alertness and sensitivity of every individual to potential security risks. You should immediately notify the School's Executive Director when keys are missing or if security access codes or passes have been breached.

S. Occupational Safety

Amethod Public Schools is committed to the safety of its employees, vendors, contractors and the public and to providing a clear safety goal for management.

The prevention of accidents is the responsibility of every Site Director. It is also the duty of all employees to accept and promote the established safety regulations and procedures. If an employee is ever in doubt how to perform a job or task safely, assistance should be requested. Unsafe conditions must be reported immediately. It is the policy of the Organization that accident prevention be considered of primary importance in all phases of operation and administration. .

Failure to comply with or enforce School safety and health rules, practices and procedures could result in disciplinary action up to and including termination.

T. Accident/Incident Reporting

It is the duty of every employee to immediately or as soon as is practical report any accident or injury occurring during work or on School premises so that arrangements can be made for medical or first aid treatment, as well as for investigation and follow-up purposes.

U. Reporting Fires and Emergencies

Employees should know how to report fires and other emergencies quickly and accurately. Employees should report any such emergency by calling management immediately. In addition, all employees should know the local emergency numbers such as 911.

V. Driving for Organization Business

Employees driving for business purposes for AMPS must have a valid driver's license, proof of personal auto liability, follow all traffic laws at all times and practice safe driving. The Organization will reimburse employees using their own personal vehicle for AMPS business at a reimbursement rate set by the Organization. Employees are required to keep a record of the number of miles driven to perform their job duties. Any accident, no matter how slight, while on AMPS business must be reported immediately to management.

VI. EMPLOYEE WAGES AND BENEFITS

A. Payroll Withholdings

The School will make authorized withholdings and deductions from each employee's pay. Every deduction from your paycheck is identified on your check voucher. If you do not understand the deductions, ask the Site Director to either explain them to you or to refer you to the proper person.

You may change the number of withholding allowances you wish to claim for Federal Income Tax purposes by filling out a new W-4 form and submitting it to the School's Site Director who will forward to the appropriate personnel. The Central administration office maintains a supply of these forms. The W-4 form should be completed upon hire and it is the employee's responsibility to report any changes in filing status to the School's Site Director and to fill out a new W-4 form.

At the end of the calendar year, a "withholding statement" (W-2) will be prepared and forwarded to each employee for use in connection with preparation of income tax returns. The W-2 shows Social Security information, taxes withheld and total wages.

B. Health and Wellness Stipend

Employees who are covered under a spouse's health plan, and not the Organization's plan, can get this benefit that is a predetermined stipend paid out monthly. The rate at which the stipend is calculated is subject to annual change based on the annual health insurance rates. Please talk with the Human Resources Department if you qualify for this stipend.

C. Overtime Pay

Amethod Public Schools provides compensation for all overtime worked by non-exempt employees in accordance with state and federal law. Non-exempt employees may be required to work beyond the regularly scheduled workday or workweek as necessary. Only actual hours worked in a given workday or work week apply in calculating overtime for non-exempt employees. All overtime work must be authorized in advance by the Site Director or immediate supervisor. No overtime compensation will be paid to exempt employees.

D. Payment of Wages

If a regular payday falls on a Saturday, Sunday, or holiday, employees will generally be paid on the previous business day and if not, then the following business day. Paychecks are normally available by 12:00 p.m. and must be picked up from your supervisor or designee. A signature confirming receipt of the check is required for all staff. If you observe an error on your check, please report it immediately to your supervisor or directly to HR.

Amethod Public Schools offers direct payroll deposit for all employees. To begin direct payroll deposit, you must complete the Direct Deposit form (available from the office manager) and return it to the office manager or designee no later than seven days before the final day of the pay period (15th or the last day of the month) that the service is to begin.

E. Pay for Mandatory Meetings/Training

Amethod Public Schools will pay non-exempt employees for their attendance at meetings, lectures and training programs under the following conditions:

- Attendance is required by AMPS;
- The meeting, course or lecture is directly related to the employee's job; and
- The employee who is required to attend such meetings, lectures or training programs is notified of the necessity for such attendance by his or her supervisor.

If an overnight stay is required, employees will be paid for the number of hours each day that they would

normally be at work plus overtime pay where required by law. Payment may be disbursed in stipend form.

F. School Social Activities

Employees are required each year to participate in a limited amount of activities sponsored by the School as determined each year at the discretion of the School. Employees may participate on a voluntary basis in additional activities sponsored by or supported by the School. As such, employees have no obligation to participate in these additional recreational or social activities which they are not required to attend by AMPS. An employee's participation in these additional social and recreational activities is completely voluntary and at the employee's own risk and the School disclaims any and all liability arising out of the employee's participation in these activities.

G. Expense Reimbursement

Employees who have incurred business or travel expenses must submit required receipts and the Expense Reimbursement and/or Mileage Form to the Site Director and/or Home office. **The AMPS Travel Policy is included in appendix F.**

If you have any questions about the Amethod Public Schools expense reimbursement policy, contact the Site Director or home office.

H. Wage Attachments and Garnishments

Under normal circumstances, the School will not assist creditors in the collection of personal debts from its employees. However, creditors may resort to certain legal procedures such as garnishments, levies or judgments that require the School, by law, to withhold part of your earnings in their favor.

You are strongly encouraged to avoid such wage attachments and garnishments. If the School is presented a second garnishment request concerning you, the Executive Director or staff designee will discuss the situation with you.

I. Health Benefits

Amethod Public Schools offers a comprehensive health insurance plan for eligible employees.

Regular full-time and part-time employees, who work on average at least thirty (30) hours per workweek, are eligible for health insurance on the first day of the month following completion of thirty (30) days of service in the following manners:

- Employees that work less than an average of 30 hours per workweek are not eligible for any Health Benefits.
- Full-time employees that work an average of 30 hours or more per workweek will receive 100% health benefits coverage and AMPS will pay premiums up to a designated amount. .

Amethod Public Schools pays the premium for eligible employees up to a designated amount. Any remaining costs associated with the Employee's plan shall be paid by the employee as a pre-tax payroll deduction. Employees will be notified of their contribution amount, should there be one, at the time they sign up for the specific benefit. AMPS does not pay the premiums for health insurance or any other benefits for family members or dependents. Eligible employees are responsible for their portion of the monthly premium costs for their dependents' coverage.

In the event of an increase in health insurance premium rates, all employees may be required to contribute to the cost of increased premiums to retain or obtain coverage. Details about health insurance coverage are available in a separate publication from the Home office or Executive Director.

When Coverage Starts

Your coverage will begin on the first day of the calendar month following the employee's first day of

employment. Your enrollment form must be submitted to the Human Resources Department as soon as possible. This enrollment form serves as a request for coverage, and authorizes any payroll deductions necessary to pay for your coverage. By delaying the submission of the health benefits enrollment package, an employee's enrollment and health coverage may result in lack of coverage until the designated open enrollment period.

Flexible Spending Plans

Amethod Public Schools provides, at no cost to employees a Flexible Spending Plan which allows employees to pay for monthly health premiums, and commuter benefits with pre-tax dollars. This means your health premiums are subtracted from your gross pay before federal, state and social security (FICA) taxes are applied. The Flexible Spending Plan Document is in all cases controlling and supersedes any inconsistent terms in this manual. From time to time, we may also offer employees' access to a Medical Reimbursement and Dependent Care option within this program that is funded 100% by the employee. These options, if available, will be explained to you during open enrollment once established.

J. COBRA Benefits

Continuation of Medical and Dental

WHEN COVERAGE UNDER THE SCHOOL'S HEALTH PLAN ENDS, YOU OR YOUR DEPENDENTS MAY CONTINUE COVERAGE IN SOME SITUATIONS.

When your coverage under the School's medical and/or dental plans ends, you or your dependents can continue coverage for 18 or 36 months, depending upon the reason benefits ended. To continue coverage, you must pay the full cost of coverage - your contribution and the school's previous contribution plus a possible administrative charge.

Medical coverage for you, your spouse, and your eligible dependent children can continue for up to 18 months if coverage ends because:

- Your employment ends, voluntarily or involuntarily, for any reason other than gross misconduct; or
- Your hours of employment are reduced below the amount required to be considered a full-time employee or part-time, making you ineligible for the plan.

This 18-month period may be extended an additional 11 months if you are disabled at the time of your termination or reduction in hours if you meet certain requirements. This 18-month period also may be extended if other events (such as a divorce or death) occur during the 18-month period.

Your spouse and eligible dependents can continue their health coverage for up to 36 months if coverage ends because:

- You die while covered by the plan;
- You and your spouse become divorced or legally separated;
- You become eligible for Medicare coverage, but your spouse has not yet reach age 65; or
- Your dependent child reaches an age which makes him or her ineligible for coverage under the plan (age 19 or if a full-time student age 25).
- Rights similar to those described above may apply to retirees, spouses and dependents if the employer commences a bankruptcy proceeding and those individuals lose coverage.

Amethod Public Schools will notify you or your dependents if coverage ends due to termination or a reduction in your work hours. If you become eligible for Medicare, divorced or legally separated, die, or when your child no longer meets the eligibility requirements, you or a family member are responsible for

notifying the organization within 30 days of the event. Amethod Public Schools will then notify you or your dependents of your rights.

Health coverage continuation must be elected within 60 days after receiving notice of the end of coverage, or within 60 days after the event causing the loss, whichever is later.

There are certain circumstances under which coverage will end automatically.

This happens if:

- Premiums for continued coverage are not paid within 30 days of the due date;
- You (or your spouse or child) become covered under another group health plan which does not contain any exclusion or limitation with respect to any pre-existing condition you (or your spouse or child, as applicable) may have;
- Amethod Public Schools stops providing group health benefits;
- You (or your spouse or child) become entitled to Medicare; or
- You extended coverage for up to 29-months due to disability and there has been a final determination that you are no longer disabled.

[Note: Recent changes in Federal law will likely impact how health insurance is continued or transferred after employment ends; any changes will be distributed as an amendment to this handbook.]

K. Holidays, Vacations and Leaves

Holidays

Amethod Public Schools calendar reflects any and all holidays observed by the School. The following holidays are observed by Amethod Public Schools:

New Year's Day (Observed on January 2, 2017)

Memorial Day (Observed on May 29, 2017)

Independence Day (Observed on July 4, 2016)

Labor Day (Observed on September 5, 2016)

Veteran's Day (Observed on November 11, 2016)

Thanksgiving (Observed on November 24, 2016)

Christmas Day (Observed on December 26, 2016)

In addition, AMPS provides the following days as holidays to ALL staff.

Friday after Thanksgiving (Observed on November 25, 2016)

Christmas Eve (Observed on December 23, 2016)

New Year's Eve Observed on December 30, 2016)

Teacher Day (Observed on February 13, 2017)

Friday of Spring break Week (Observed on April 7, 2017)

School classes are not in session on holidays observed by the School.

When a holiday falls on a workday, that workday is the holiday. When a holiday falls on a Saturday, the preceding Friday is treated as the holiday. When a holiday falls on a Sunday, the subsequent Monday is treated as the holiday.

Teacher Days - (Teachers please check your teacher calendar and clarify with your site director about teacher specific days off.)

*The following Days are considered school **Non-** holidays observed by the school in memoriam to the purpose and honor of these individuals.*

Martin Luther King Jr. Birthday
Cesar Chavez Day

Religious Holidays

Recognized religious holidays may be taken off by an employee whose religion requires observance of the particular day. Employees must request the day off 60 days in advance by written notice to the Site Director. *The employee will be paid for leave time for the religious holiday at the Employee's regular wage.*

**Employees on any leave of absence do not earn holiday pay.*

Vacation Policy

- ***Teachers and Other Certificated Staff***

Teachers and other certificated staff do not accrue vacation days. AMPS's calendar for each academic year includes days when school is not in session for Holidays and certain non-Holiday events. The calendar is available at the main office of AMPS during normal business hours.

Teachers and other certificated staff are ineligible for paid holidays other than what is included in the School calendar.

- ***Staff That Are Not Teachers or Certificated***

Full time employees are entitled to accrue up to 80 hours of vacation time per year on a pro-rated basis. That comes out to 6.67 hours you accrue per month. All vacation must be accrued prior to use. Vacation is accrued on a continuous basis beginning at the start of full-time regular employment and continuing until the maximum accrual is reached. Employees can accrue up to a maximum of 120 hours of vacation time. Once this cap is reached, employees will cease to accrue further vacation time until the employee's accrued vacation time falls below that cap. When vacation time falls below the cap of 120 hours, then vacation will begin to accrue again. Vacation will not accrue during any unpaid leave. Employee will not earn vacation during the time Employee's vacation accrual is at the cap. There is no retroactive grant of vacation time for the period of time the accrued vacation time was at the cap.

Due to Amethod's business and school activities, there are certain days that a team member is not permitted to take vacation time. Please refer to the school's administration calendar to know on which days employees are not permitted to take vacation. Please refer to the school calendars to know the days when schools are not in session. The days selected for an employee's vacation shall be mutually agreeable between the employee and his or her direct supervisor.

If an employee is eligible for and accrues vacation time, then he or she must coordinate and get approval two weeks in advance from his or her supervisor before taking accrued vacation time using the vacation request form and process located in appendix E.

Paid Sick Leave

AMPS employees shall accrue up to 72 hours of paid sick leave per year at the rate of one hour per every 30 hours worked, beginning at the commencement of employment. Exempt employees are deemed to work 40 hours per workweek for the purposes of accrual under this policy, unless the employee's normal workweek is less than 40 hours, in which case the employee shall accrue paid sick leave based upon that normal workweek. An employee shall be entitled to use accrued paid sick leave beginning on the 30th day of employment, after which day the employee may use paid leave as it is accrued. Such leave shall accrue only

in hour-unit increments; there shall be no accrual of a fraction of an hour of such leave.

Paid sick leave time can be accrued up to a maximum cap of 72 hours. Once this cap is reached, sick leave time will stop accruing for the employee. Accrued and unused sick leave time will carry over to the next year until an employee reaches the maximum cap of 72 hours, at which point accrual will cease. Sick leave time will begin to accrue again once it has been used and an employee's accrual amount drops below the maximum accrual cap. When the accrued sick leave time has been decreased below the cap, additional sick leave time will begin to accrue again but only until the cap is reached. There is no retroactive grant of sick leave time for the period of time the accrued sick leave time was at the cap.

The company will not compensate an employee for accrued, unused paid sick days upon termination, resignation, retirement, or other separation from employment. However, if an employee separates from the company and is rehired by the company within one year from the date of separation, any previously accrued and unused paid sick leave shall be reinstated. The employee shall be entitled to use that previously accrued and unused paid sick leave and to accrue additional paid sick leave upon rehiring, subject to this policy.

An employee may use paid sick leave not only when he or she is ill or injured or for the purpose of the employee's receiving medical care, treatment, or diagnosis, but also to aid or care for the following persons when they are ill or injured or receiving medical care, treatment, or diagnosis: the employee's child; parent; legal guardian or ward; sibling; grandparent; grandchild; and spouse, registered domestic partner under any state or local law, or designated person. The employee may use all or any percentage of his or her paid sick leave to aid or care for the aforementioned persons. The aforementioned child, parent, sibling, grandparent, and grandchild relationships include not only biological relationships but also relationships resulting from adoption; step-relationships; and foster care relationships. "Child" as used herein includes a child of a domestic partner and a child of a person standing in loco parentis.

If the employee has no spouse or registered domestic partner, the employee may designate one person as to whom the employee may use paid sick leave to aid or care for that person in lieu of a spouse or registered domestic partner. The company will give employee the opportunity to make such designation as is required by applicable sick leave laws.

The company will not require, as a condition of an employee's taking paid sick leave, that the employee search for or find a replacement worker to cover the hours during which the employee is on paid sick leave. Employees who wish to use paid sick leave can do so upon a verbal or written request. Employees must give reasonable advance notification of an absence from work for which paid sick leave will be used. If the need for paid sick leave is unforeseeable, the employee shall provide notice of the need for the leave as soon as practicable. When an employee is out due to illness for three (3) or more workdays, a doctor's note certifying the need for the absence and the employee's fitness to return to duty may be required.

The company will not retaliate or discriminate against an employee for using accrued sick leave, attempting to exercise the right to use accrued sick leave, or cooperating in an investigation of an alleged violation of this policy.

Unpaid Leave of Absence

Amethod Public Schools recognizes that special situations may arise where an employee must leave his or her job temporarily. At its sole discretion, the School may grant employees unpaid leaves of absence. Any unpaid leave of absence must be approved in writing in advance by the Site Supervisor and Executive Director. Employees cannot return from a medical leave of absence without first providing a sufficient doctor's return to work authorization. Leaves of absence under FMLA, CFRA, and PDL are discussed separately in this Handbook. The granting of a leave of absence always presumes the employee will return to active work by a designated date or within a specific period. Employees may be disciplined, including

termination from employment, for any unapproved, unreasonable, or excessive leave of absence that is not otherwise protected by law. If you need further information regarding any leaves of absence, be sure to consult with your immediate supervisor.

If you are currently covered under the Organization's health benefits, then medical and dental coverage will remain in force during a medical or worker's compensation leave of absence, provided you pay the insurance premiums when they are due. Coverage during leaves of absence under FMLA, CFRA, and PDL are discussed separately in this Handbook.

Family Care and Medical Leave

This policy explains how the School complies with the federal Family and Medical Leave Act ("FMLA") and the California Family Rights Act ("CFRA"), both of which require the School to permit each eligible employee to take up to 12 work weeks of FMLA leave in any 12-month period for the birth/adoption of a child, the employee's own serious illness or to care for certain family members who have a serious illness. For purposes of this policy, all leave taken under FMLA or CFRA will be referred to as "FMLA leave."

The "12-month period" in which twelve (12) weeks of FMLA may be taken is the twelve (12) month period immediately preceding the commencement of any FMLA leave. Each time an employee takes FMLA leave the remaining leave entitlement would be any balance of the 12 weeks which has not been used during the immediately preceding 12 months. If a holiday falls within a week taken as FMLA leave, the week is nevertheless counted as a week of FMLA leave. If, however, the School's business activity has temporarily ceased for some reason and employees are generally not expected to report for work for one or more weeks, such as the Winter Break, Spring Break, or Summer Vacation, the days the School's activities have ceased do not count against the employee's FMLA leave entitlement.

Employee Eligibility Criteria

To be eligible for FMLA leave, the employee must have been employed by the organization for the last 12 months and must have worked at least 1,250 hours during the 12-month period immediately preceding commencement of the FMLA leave.

Events That May Entitle an Employee to FMLA Leave

The 12-week FMLA allowance includes any time taken (with or without pay) for any of the following reasons:

- To care for the employee's newborn child or a child placed with the employee for adoption or foster care. *Leaves for this purpose must conclude 12 months after the birth, adoption, or placement. If both parents are employed by the Organization, they will be entitled to a combined total of 12 weeks this purpose.*
- Because of the employee's own serious health condition (including a serious health condition resulting from an on-the-job illness or injury) that makes the employee unable to perform any one or more of the essential functions of his or her job (other than a disability caused by pregnancy, childbirth, or related medical conditions, which is covered by the Organization's separate pregnancy disability policy).
- To care for a spouse, domestic partner, child, or parent with a serious health condition or military service-related injury.
- For a qualifying "exigency" while the employee's spouse, son, daughter, or parent (the military member) is on covered active duty or call to covered active duty status (or has been notified of an impending call or order to covered active duty).
- Eligible employees may also take up to twenty-six (26) weeks during the employee's employment for the care of a spouse, son, daughter, parent or next of kin who is a member of the armed forces and is undergoing medical treatment or is medically unfit to perform military duties due to an injury or illness incurred while on active duty.

Pay During FMLA Leave and Substituting Paid Leave Time

All FMLA leaves are unpaid leaves. The receipt of vacation pay, attendance stipends, or State Disability Insurance benefits will not extend the length of the FMLA leave. You must substitute your accrued vacation and sick leave for unpaid leave. The substitution of paid time off for unpaid leave will not extend the length of the leave to which you are otherwise entitled.

FMLA Leave Time

Workers compensation leave may run concurrently with FMLA leave, and will be counted against the 12 weeks allowed for FMLA leave. CFRA leave time may also run concurrently with FMLA leave, and will be counted against the 12 weeks allowed for FMLA leave.

Health Benefits

If an employee is eligible for and has health insurance benefits from AMPS under a group health plan, AMPS will maintain those benefits for the duration of the leave, not to exceed twelve (12) weeks during the 12-month period, at the level and under the conditions that coverage would have been provided if the employee had remained continuously employed without interruption. The employee will continue to make the same premium contributions if any for his/her own benefits, or benefits for dependents, while the employee is on approved leave.

A method Public Schools may recover the health benefit costs paid on behalf of an employee during his or her FMLA leave if:

- The employee fails to return from leave after the period of leave to which the employee is entitled has expired. *An employee is also deemed to have "failed to return from leave" if he/she works less than thirty (30) days after returning from FMLA leave;* and
- The employee's failure to return from leave is for a reason other than the continuation, recurrence, or onset of a serious health condition that entitles the employee to FMLA leave, or other circumstances beyond the control of the employee.

Seniority

An employee on FMLA leave remains an employee and the leave will not constitute a break in service. An employee who returns from FMLA leave will return with the same seniority he/she had when the leave commenced.

An employee requesting FMLA leave because of his/her own or a relative's serious health condition must provide medical certification from the appropriate health care provider on a form supplied by the School. Failure to provide the required certification in a timely manner (within fifteen (15) days of the leave request) may result in denial of the leave request until such certification is provided.

If the Organization has reason to doubt the medical certification supporting a leave because of the employee's own serious health condition, the Organization may request a second opinion by a health care provider of its choice (paid for by the Organization). If the second opinion differs from the first one, the Organization will pay for a third, mutually agreeable, health care provider to provide a final and binding opinion.

Recertification is required if leave is sought after expiration of the time estimated by the health care provider. Failure to submit a required recertification can result in termination of the leave.

Procedures for Requesting

An employee should request FMLA leave by completing a *Request for Leave* form and submitting it to the Organization's Executive Assistant. An employee asking for a Request for Leave form will be given a copy of the Organization's then-current FMLA leave policy.

Employees should provide not less than thirty (30) days notice for foreseeable childbirth, placement, or any planned medical treatment for the employee or his/her spouse, domestic partner, child, or parent. If thirty days advance notice is not possible, the employee should provide as much notice as possible. Failure to provide such notice is grounds for denial of a leave request, except if the need for FMLA leave was an emergency or was otherwise unforeseeable. Where possible, employees must make a reasonable effort to schedule foreseeable planned medical treatments so as not to unduly disrupt the Organization's operations.

If FMLA leave is taken because of the employee's own serious health condition or the serious health condition of the employee's spouse, domestic partner, parent or child, the leave may be taken intermittently or on a reduced leave schedule when medically necessary, as determined by the health care provider of the person with the serious health condition.

If FMLA leave is taken because of the birth of the employee's child or the placement of a child with the employee for adoption or foster care, the minimum duration of leave is two (2) weeks, except that the Organization will grant a request for FMLA leave for this purpose of at least one day but less than two (2) weeks' duration on any two (2) occasions.

If an employee needs intermittent leave or leave on a reduced leave schedule that is foreseeable based on planned medical treatment for the employee or a family member, the employee may be transferred temporarily to an available alternative position for which he or she is qualified that has equivalent pay and benefits and that better accommodates recurring periods of leave than the employee's regular position.

**In most cases, the Organization will respond to an FMLA leave request within two (2) days of acquiring knowledge that the leave is being taken for an FMLA-qualifying reason and, in any event, within ten (10) days of receiving the request. If an FMLA leave request is granted, the Organization will notify the employee in writing that the leave will be counted against the employee's FMLA leave entitlement; this notice will explain the employee's obligations and the consequences of failing to satisfy them.*

Status Updates and Return to Work

During FMLA leave, the employee has to provide periodic reports that describe your status and prospects for return to work at least every thirty (30) days. AMPS may ask you for recertification if you request an extension of leave.

Upon timely return at the expiration of the FMLA leave period, an employee (other than a "key" employee whose reinstatement would cause serious and grievous injury to the Organization's operations) is entitled to the same or a comparable position with the same or similar duties and virtually identical pay, benefits, and other terms and conditions of employment unless the same position and any comparable position(s) have ceased to exist because of legitimate business reasons unrelated to the employee's FMLA leave.

Before an employee will be permitted to return from FMLA leave taken because of his or her own serious health condition, the employee must obtain a certification from his or her health care provider that he or she is able to resume work.

If an employee can return to work with limitations, the Organization will evaluate those limitations and, if possible, will accommodate the employee and permit the employee to return to work in accordance with applicable laws. If accommodation cannot be made, the employee may be medically separated from the Organization.

Limitations on Reinstatement

Amethod Public School may refuse to reinstate a "key" employee if the refusal is necessary to prevent

substantial and grievous injury to the Organization's operations. A "key" employee is an exempt salaried employee who is among the highest paid 10% of the organization's employees within seventy-five (75) miles of the employee's worksite.

A "key" employee will be advised in writing at the time of a request for, or if earlier, at the time of commencement of, FMLA leave, that he/she qualifies as a "key" employee and the potential consequences with respect to reinstatement and maintenance of health benefits if the Organization determines that substantial and grievous injury to the Organization's operations will result if the employee is reinstated from FMLA leave. At the time it determines that refusal is necessary, the Organization will notify the "key" employee in writing (by certified mail) of its intent to refuse reinstatement and will explain the basis for finding that the employee's reinstatement would cause the Organization to suffer substantial and grievous injury. If the Organization realizes after the leave has commenced that refusal of reinstatement is necessary, it will give the employee at least ten (10) days to return to work following the notice of its intent to refuse reinstatement.

Pregnancy Disability Leave

This policy explains how the Organization complies with the California Pregnancy Disability Act, which requires the Organization to give each female employee an unpaid leave of absence of up to four (4) months, as needed, for the period(s) of time a woman is actually disabled by pregnancy, childbirth, or related medical conditions.

Employee Eligibility Criteria

To be eligible for pregnancy disability leave, the employee must be disabled by pregnancy, childbirth, or a related medical condition and must provide appropriate medical certification concerning the disability.

Events That May Entitle an Employee to Pregnancy Disability Leave

The four-month pregnancy disability leave allowance includes any time taken (with or without pay) for any of the following reasons:

- The employee is unable to work at all or is unable to perform any one or more of the essential functions of her job without undue risk to herself, the successful completion of her pregnancy, or to other persons because of pregnancy or childbirth, or because of any medically recognized physical or mental condition that is related to pregnancy or childbirth (including severe morning sickness); or
- The employee needs to take time off for prenatal care.

Duration of Pregnancy Disability Leave

Pregnancy disability leave may be taken in one or more periods, but not to exceed four months total. "Four months" means the number of days the employee would normally work within four months. For a full-time employee who works five eight hour days per week, four months means 88 working and/or paid eight hour days of leave entitlement based on an average of 22 working days per month for four months.

Pregnancy disability leave does not count against the leave which may be available under the California Family Rights Act.

Health Benefits

If an employee is eligible for and has health insurance benefits from AMPS under a group health plan, AMPS will maintain those benefits for the duration of the leave, not to exceed four months over the course of a 12-month period, at the level and under the conditions that coverage would have been provided if the employee had continued in employment continuously for the duration of the leave.

Seniority

An employee on pregnancy disability leave remains an employee of the Organization and a leave will not

constitute a break in service. When an employee returns from pregnancy disability leave, he or she will return with the same seniority he or she had when the leave commenced.

Medical Certifications

An employee requesting a pregnancy disability leave must provide medical certification from her healthcare provider on a form supplied by the Organization. Failure to provide the required certification in a timely manner (within fifteen (15) days of the leave request) may result in a denial of the leave request until such certification is provided.

**Recertification is required if leave is sought after expiration of the time estimated by the healthcare provider. Failure to submit required recertification can result in termination of the leave.*

Requesting and Scheduling Pregnancy Disability Leave

An employee should request pregnancy disability leave by completing a Request for Leave form and submitting it to the Organization's Executive Assistant. An employee asking for a Request for Leave form will be referred to the Organization's then current pregnancy disability leave policy.

Employee should provide not less than thirty (30) days or as long as notice as is practicable, if the need for the leave is foreseeable. Failure to provide such notice is grounds for denial of the leave request, except if the need for pregnancy disability leave was an emergency and was otherwise unforeseeable.

Where possible, employees must make a reasonable effort to schedule planned medical treatments so as not to unduly disrupt the Organization's operations. Pregnancy disability leave may be taken intermittently or on a reduced leave schedule when medically advisable, as determined by the employee's healthcare provider. If an employee needs intermittent leave or leave on a reduced leave schedule that is foreseeable based on planned medical treatment, the employee may be transferred temporarily to an available alternative position for which he or she is qualified that has equivalent pay and benefits that better accommodates recurring periods of leave than the employee's regular position.

In most cases, the Organization will respond to a pregnancy disability leave request within two (2) business days of acquiring knowledge that the leave qualifies as pregnancy disability and, in any event, within ten (10) days of receiving the request. If a pregnancy disability leave request is granted, the Organization will notify the employee in writing and leave will be counted against the employee's pregnancy disability leave entitlement. This notice will explain the employee's obligations and the consequences of failing to satisfy them.

Return to Work

Upon timely return at the expiration of the pregnancy disability leave period, an employee is entitled to the same position unless the employee would not otherwise have been employed in the same position (at the time reinstatement is requested). If the employee is not reinstated to the same position, she must be reinstated to a comparable position unless there is no comparable position available, or filling that position with the returning employee would substantially undermine the Organization's ability to operate the business safely and efficiently. A "comparable" position is a position that involves the same or similar duties and responsibilities and is virtually identical to the employee's original position in terms of pay, benefits, and working conditions.

Before an employee will be permitted to return from a pregnancy disability leave of three days or more, the employee must obtain a certification from her healthcare provider that she is able to resume work. If the employee can return to work with limitations, the Organization will evaluate those limitations and, if possible, will accommodate the employee as required by law. If accommodation cannot be made, the employee will be medically separated from the Organization.

Industrial Injury Leave (Workers' Compensation)

Amethod Public Schools in accordance with State law provides insurance coverage for employees in case of work-related injuries. The workers' compensation benefits provided to injured employees may include:

- Medical care;
- Cash benefits, tax-free to replace lost wages; and
- Vocational rehabilitation to help qualified injured employees return to suitable employment.

To ensure you receive any worker's compensation benefits to which you may be entitled, you will need to:

- Immediately report any work-related injury to your supervisor or Home office;
- Seek medical treatment and follow-up care if required;
- Complete a written Employee's Claim Form (DWC Form 1) and return it to the AMPS Home office; and
- Provide the Organization with a certification from your health care provider regarding the need for workers' compensation disability leave as well as your eventual ability to return to work from the leave.

It is the Organization's policy that when there is a job-related injury, the first priority is to insure that the injured employee receives appropriate medical attention. Amethod Public Schools, with the help of its insurance carrier has selected medical centers to meet this need. Each medical center was selected for its ability to meet anticipated needs with high quality medical service and a location that is convenient to the employee.

All work-related injuries, no matter how slight, should be reported to your supervisor or the Site Director immediately following the injury so that he/she may arrange for any necessary medical attention and prepare any required reports.

Organization's Operation

If an employee is injured on the job and requires medical treatment, he/she is to go or be taken to the approved medical center for treatment. If injuries are such that they require the use of emergency medical systems (EMS) such as an ambulance, the choice by the EMS personnel for the most appropriate medical center or hospital for treatment will be recognized as an approved center.

All accidents and injuries must be reported first to the employee's immediate supervisor and subsequently to the Organization's Home office (the individual responsible for reporting to the Organization's insurance carrier). Failure by an employee to report a work-related injury by the end of his/her shift could result in loss of insurance coverage for the employee. An employee may choose to be treated by his/her personal physician at his/her own expense, but he/she is still required to go to the Organization's approved medical center for evaluation.

When there is a job-related injury that results in lost time, the employee must have a medical release from the Organization's approved medical facility before returning to work. Any time there is a job-related injury, the Organization's policy requires drug/alcohol testing along with any medical treatment provided to the employee.

Military and Military Spousal Leave of Absence

Amethod Public Schools shall grant a military leave of absence to any employee who must be absent from work due to service in the uniformed services in accordance with the Uniformed Services Employment and Re-Employment Rights Act of 1994 ("USERRA"). All employees requesting military leave must provide advance written notice of the need for such leave, unless prevented from doing so by military necessity or if

providing notice would be impossible or unreasonable.

If military leave is for thirty (30) or fewer days, the Organization shall continue the employee's health benefits. Perfect attendance stipends or such bonuses will not be affected by a military duty of less than 30 days. For service of more than thirty (30) days, employee shall be permitted to continue their health benefits at their option through COBRA.

Amethod Public Schools will reinstate those employees returning from military leave to their same position or one of comparable seniority, status, and pay if they have a certificate of satisfactory completion of service and apply within ninety (90) days after release from active duty or within such extended period, if any, as required by law. Exceptions to this policy will occur wherever necessary to comply with applicable laws.

Amethod Public Schools shall grant up to ten (10) days of unpaid leave to employees who work more than twenty (20) hours per week and who are spouses of deployed military servicemen and servicewomen. The leave may be taken when the military spouse is on leave from deployment

AMPS will comply with all laws that provide for leave and/or reinstatement of employment as required under the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) for any eligible employee. If you need to take leave under these laws, please notify your supervisor or the Site Director in advance and arrangements will be made through the Organization for any leave required under these laws.

Bereavement Leave

Salaried employees are entitled to a leave of up to five (5) work days without loss of pay due to a death in the immediate family (parent, spouse, son/daughter, sister/brother, parents-in-law, son/daughter-in-law, grandparents, and grandchild). Bereavement pay will not be used in computing overtime pay. Any scheduled days off (including weekends, holidays and vacations) falling during the absence will be counted as both bereavement leave but will still count as "attended" days for the purpose of the attendance bonus.

Jury Duty or Witness Leave

For all exempt employees, the Employee will pay for time off if you are called to serve on a jury. For all non-exempt employees, the organization will pay for up to five (5) days if you are called to serve on a jury.

Volunteer Firefighters and Peace Officers

No employee shall be disciplined for taking time off to perform emergency duty as a volunteer firefighter, peace officer or emergency rescue personnel. You are also eligible for unpaid leave for required training. If you are an official volunteer firefighter, please inform your supervisor that you may have to take time off for emergency duty and alert your supervisor before doing so when possible.

AMPS will comply with all laws that provide for leave and/or reinstatement of employment as required under the Volunteer Civil Service Leave under California Labor Code section 230.3, and Civil Air Patrol Employment Protection Act under California Labor Code sections 1500-1506 for any eligible employee. If you need to take leave under these laws, please notify your direct supervisor or the Site Director in advance and arrangements will be made through the Organization for any leave required under these laws

Parental Leave for Child's School

Employees who have custody of one or more children in a licensed daycare facility, in kindergarten or grades 1 through 12 may take up to forty hours off without pay each year to participate in the activities of the facility or school attended by each child. No more than eight hours of the 40 hours may be used in any month without approval from your supervisor.

To be eligible for this leave, employees must provide reasonable advance notice of the planned absence to their supervisor. Employees may be required to provide documentation from the daycare facility or school verifying their participation in the activity.

If you receive a written notice from your child's school requiring you to attend a conference regarding your child's possible suspension or other disciplinary action, you will be permitted to go. This is treated separately from the school "activities" leave described above. You must provide your supervisor or the Site Director with a copy of the notice before you leave for the discipline conference. You will also need to provide your supervisor or the Site Director with a certificate from the school verifying your attendance at the conference.

Victim of Domestic Violence, Sexual Assault, Stalking or Serious Crime

An employee who is a victim of domestic violence, sexual assault or stalking, may take the necessary time off in order to appear in court to obtain or attempt to obtain any relief to help ensure the health, safety, or welfare of the victimized employee and/or the employee's child. Time off is also permitted for victims of domestic violence, or sexual assault or stalking to seek medical attention for resulting injuries, to seek shelter or other crisis services, or to obtain psychological counseling.

Where an employee or the employee's immediate family member or the employee's sibling, step-sibling or step-parent is a victim of a "serious crime" (i.e., a violent felony, serious felony or felony theft/embezzlement), the employee will be permitted time off to attend to judicial proceedings related to such crime.

Employees may use their accrued Paid Sick Leave but any leave in excess of the employee's accrued paid sick leave is unpaid. Employees requiring such leave must give the Organization as much advance notice of their need for time off as soon as possible. Documentation supporting the leave may be required, which can include:

- A police report indicating that the employee was a victim of domestic violence, or
- A court order protecting or separating the employee from the perpetrator of an act of domestic violence, or other evidence from the court or the prosecuting attorney that the employee appeared in court.

Paid Leave to Donate Organs or Bone Marrow

The Organization provides limited, paid time off for employees who give of themselves by donating life-saving organs or bone-marrow to others ("Donation Leave"). An employee who is donating an organ will be permitted a paid leave of absence of up to thirty (30) calendar days for this purpose during any one-year period. An employee who is absent for the purpose of donating bone marrow will be permitted a paid leave of absence of up to five workdays in any one-year period.

Employees who request Donation Leave must provide a doctor's note verifying that he or she is an organ or bone-marrow donor and that there is a medical necessity for the donation. The note must also indicate the likely dates during which the donor employee is expected to be absent.

Time off for organ or bone-marrow donation will not be counted as time off for FMLA purposes. An employee does not need to use the Donation Leave entitlement in one block. Donation Leave can be taken intermittently or on a reduced-leave schedule when medically necessary. Employees should make reasonable efforts to schedule Donation Leave for planned appointments/donation activities so as not to unduly disrupt operations. Any period of Donation Leave will not be treated as a break in service for any reason, including determination of pay or seniority.

Voting Time Off

If an employee does not have sufficient time outside of working hours to vote in an official state-sanctioned election, the employee may take off enough working time to vote. Such time off shall be taken at the

approval of your immediate supervisor.. Under these circumstances, an employee will be allowed a maximum of two (2) hours of time off during an election day without loss of pay.

When possible, an employee requesting time off to vote shall give their immediate supervisor at least two (2) days notice.

External Employee Education Leaves

Some employees may need to attend training programs, seminars, conferences, lectures, meetings or other outside activities for the benefit of Amethod Public Schools or the individual -employee. Attendance at such activities, whether required by Amethod Public Schools or requested by individual employees, requires the written approval of the employee's supervisor. To obtain approval, any employee wishing to attend an activity must submit a written request detailing all relevant information, including date, hours, location, cost, expenses and the nature, purpose and justification for attendance.

Attendance at any such event is subject to the following policies on reimbursement and compensation:

- For attendance at events required or authorized by Amethod Public Schools, customary and reasonable expenses will be reimbursed upon submission of proper receipts. Acceptable expenses generally include registration fees, materials, meals, transportation and parking. Reimbursement policies regarding these expenses should be discussed with your supervisor in advance.
- Employee attendance at authorized outside activities will be considered hours worked for non-exempt employees and will be compensated in accordance with normal payroll practices.
- This policy does not apply to an employee's voluntary attendance, outside of normal working hours, at formal or informal educational sessions, even if such sessions generally may lead to improved job performance. While Amethod Public Schools generally encourages all employees to improve their knowledge, job skills and promotional qualifications, such activities **do not** qualify for reimbursement or compensation under this policy unless prior written approval is obtained as described previously.

Safety Plans & Handbook

The organization has in place an active School Safety Plan that must be followed by employees. It is the responsibility of the employee to read, and ask questions in reference to the safety policy.

VII. PERSONNEL EVALUATION AND RECORD KEEPING

A. *Performance Evaluations*

Amethod Public Schools conducts formal performance reviews for all of its employees. Teachers will be formally reviewed once each school year by a team of reviewers that may include their direct supervisor, Chief Academic Officer or designee, Instructional Leadership Team members, and/or Site Directors from other AMPS School sites. However, teacher observations will be frequent and constant throughout the year. Site Director Evaluations will be conducted at least once a year, but frequent reviews and visits will occur throughout the year.

Your performance reviews may cover factors such as job criteria, instructional practice, data reviews, critical duties and tasks of a job, attainment of goals, and adherence to the Amethod Public Schools core values. The performance evaluations are intended to make you aware of your progress, areas for improvement and objectives or goals for future work performance. Favorable performance reviews do not guarantee increases in salary or promotions. Salary increases and promotions are solely within the discretion of Amethod Public Schools and depend upon many factors in addition to performance, including availability of funds. After the review, you will be required to sign the evaluation report to acknowledge that it has been presented to you, that you have discussed it with your supervisor and that you are aware of its contents. You may add a rebuttal statement to your review within 10 days of your review that will be maintained in your personnel file.

B. *Performance Improvement Plan*

Employees who are having performance or behavioral difficulties **may at the sole discretion of AMPS** be placed on a performance improvement plan. This plan will detail the current issue(s) and outline improvement plan steps and goals to assist the employee in a successful outcome. Performance Improvement Plans may be initiated by the Site Director (Supervisor) and may be done in writing. Both the Supervisor and the employee are expected to sign off on the plan and meet at the specified times to work through the issues. Teachers are expected to follow the detailed plans as required by supervisor. The Performance Improvement Plan does not in any way change the At-Will contract for employees. **There is no guarantee, or promise, that an employee will be placed on a Performance Improvement Plan prior to any discipline up to and including termination.**

C. *Personnel Files and Record Keeping Protocols*

At the time of your employment, a personnel file is established for you. Please keep the School's Site Director advised of changes that should be reflected in your personnel file. Such changes include: change in address, telephone number, marital status, number of dependents and person(s) to notify in case of emergency. Prompt notification of these changes is essential and will enable the School to contact you should the change affect your other records.

You have the right to inspect certain documents in your personnel file, as provided by law, in the presence of an Amethod Public Schools representative, at a mutually convenient time. Amethod Public Schools will restrict disclosure of your personnel file to authorized individuals within the School and Organization, unless otherwise required by law

A request for information contained in the personnel file must be directed to the Executive Director. Only the Executive Director or his/her designee is authorized to release information about current or former employees. Disclosure of information to outside sources will be limited. However, the school and organization will cooperate with requests from authorized law enforcement or local, state or federal agencies conducting official investigations or as otherwise legally required.

VIII. DISCIPLINE AND TERMINATION OF EMPLOYMENT

A. Rules of Conduct

The following conduct is prohibited and will not be tolerated by the Organization. This list of prohibited conduct is illustrative only and applies to all employees of the Organization; other types of conduct that threaten security, student safety, personal safety, employee welfare and the Organization's operations also may be prohibited. Further, the specification of this list of conduct in no way alters the at-will employment relationship as to at-will employees of the Organization. If an employee is working under a contract with the Organization which grants procedural rights prior to termination, the procedural terms in the contract shall apply.

This list of prohibited conduct is illustrative only and not meant to be exhaustive:

- *Insubordination* - refusing to perform a task or duty assigned or act in accordance with instructions and / or policies provided by an employee's supervisor, organizational policies, or proper authority.
- *Inefficiency* - including deliberate restriction of output, carelessness or unnecessary wastes of time or material, neglect of job, duties or responsibilities.
- *Unauthorized soliciting*: collecting of contributions, distribution of literature, or written or printed material that is not directly related to the School is strictly prohibited on Organization property by non-employees and by employees. Nothing in this provision is intended to limit the rights of employees to organize, or otherwise engage in conduct expressly permitted under the National Labor Relations Act.
- Damaging, defacing, unauthorized removal, destruction or theft of another employee's property or of Organization property.
- Fighting or instigating a fight on Organization premises.
- Violations of the drug and alcohol policy.
- Using or possessing firearms, weapons or explosives of any kind on Organization premises.
- Gambling on Organization premises.
- Tampering with or falsifying any report or record including, but not limited to, personnel, absentee, sickness or production reports or records, applications for employment, payroll information, timesheets, and time cards.
- Recording the timesheets of another employee or permitting or arranging for another employee to record your timesheet.
- Conducting personal business during business hours and/or unauthorized use of telephone lines for personal calls.
- Excessive absenteeism or tardiness excused or unexcused.
- Posting any notices on Organization premises without prior written approval of management, unless posting is on an Organization bulletin board designated for such employee postings.
- Immoral or indecent conduct.
- Conviction of a criminal act.
- Engaging in sabotage or espionage (industrial or otherwise)
- Violations of the sexual harassment policy.
- Failure to report a job-related accident to the employee's manager or failure to take or follow prescribed tests, procedures or treatment.
- Sleeping during work hours.
- Release of confidential information without authorization.
- Refusal to speak to supervisors or other employees.

B. Off-Duty Conduct

While the Organization does not seek to interfere with the off-duty and personal conduct of its employees, certain types of off-duty conduct may interfere with the Organization's legitimate business interests. For this reason, employees are expected to conduct their personal affairs in a manner that does not adversely affect

the Organization or its own integrity, reputation, or credibility. Illegal or immoral off-duty conduct by an employee that adversely affects the Organization's legitimate business interests or the employee's ability to perform his or her work will not be tolerated.

C. Secondary Employment

While employed by the Organization, employees are expected to devote their energies to their jobs with the Organization. For this reason, second jobs are strongly discouraged. The following types of additional employment elsewhere are strictly prohibited:

- Additional employment that conflicts with an employee's work schedule, duties, and responsibilities at our Organization.
- Additional employment that creates a conflict of interest or is incompatible with the employee's position with our Organization.
- Additional employment that impairs or has a detrimental effect on the employee's work performance with our Organization.
- Additional employment that requires the employee to conduct work or related activities on the Organization's property during the employer's working hours or using our Organization's facilities and/or equipment; and
- Additional employment that directly or indirectly competes with the business or the interests of our Organization.

Employees who wish to engage in additional employment that may create a real or apparent conflict of interest must submit a written request to their immediate supervisor and the Organization's Executive Director, explaining the details of the additional employment. If the additional employment is authorized, the Organization assumes no responsibility for it. Amethod Public Schools shall not provide workers' compensation coverage or any other benefit for injuries occurring from or arising out of additional employment. Authorization to engage in additional employment can be revoked at any time.

Additional or secondary employment may be prohibited by an employee's employment agreement.

Termination of Employment

If you decide to terminate your at-will employment with the Organization, please notify your immediate supervisor or the Executive Director regarding your intention as far in advance as possible, however you are not required to give notice. The Organization or the employee can terminate at will without giving any notice.

When you terminate your at-will employment, you will not be entitled to any bonuses or stipends. If you are participating in the medical and/or dental plan, you will be provided information on your rights under COBRA.

Employment Verifications

All requests for employment verifications must be directed to the Executive Director or his/her designee. No other manager, supervisor or employee is authorized to release verifications for current or former employees.

By policy, Amethod Public Schools discloses only the dates of employment and the title of the last position held by former employees. With written authorization from the employee, Amethod Public Schools will release salary or wage information to institutions such as banks or credit unions, or prospective employers.

Amethod Public Schools will NOT disclose documentation from a medical professional, domestic violence advocate, health-care provider or counselor that the employee was undergoing treatment for physical or mental injuries or abuse resulting in victimization from an act of domestic violence unless the employee submits a specific written and signed request authorizing such a release. The reason for such a release must be specific as should the information about the receiving party.

IX. AMENDMENT TO EMPLOYEE HANDBOOK

This Employee Handbook contains the employment policies and practices of the Organization in effect at the time of publication. I understand that the statements contained in the Handbook are guidelines for employees concerning some of the Organization's policies and benefits, and are not intended to create any contractual or other legal obligations or to alter the at-will nature of my employment with the Organization. In the event I do have an employment contract which expressly alters the at-will relationship, I agree to the foregoing except with reference to an at-will employment status.

Amethod Public Schools reserves the right to amend, delete or otherwise modify this Handbook at any time, except for any provisions relating to at will employment. At will employment can only be modified by a written agreement signed by the employee and Executive Director.

Any written changes to the Handbook will be distributed to all employees. No oral statements can in any way alter the provisions of this Handbook.

APPENDIX A: HARASSMENT COMPLAINT FORM

It is the policy of the Organization that all of its employees be free from harassment. You may use this form if you want to report what you believe is harassment. You are not required to use this form. You may submit any complaint about harassment to your own supervisor, the Site Supervisor, Executive Director, or Human Resources Department. You can contact the Human Resources Department at (510) 899-4806.

Name: _____

Date of Incident: _____

Alleged Incident: _____

Name of Person(s) you believe sexually harassed you or someone else: _____

List any witnesses that were present: _____

Where did the incident(s) occur? _____

Please describe the events or conduct that are the basis of your complaint by providing as much factual detail as possible (i.e. specific statements; any physical contact; any verbal statements etc.) (Attach additional pages, if needed)

I hereby certify that the information I have provided in this complaint is true and correct and complete to the best of my knowledge and belief.

Date: _____

Signature of Complainant

Print Name

To be completed by Organization:

Received by: Date:

APPENDIX B: AMPS POLICY-BOARD SESSIONS AND CONFIDENTIALITY

Disclosure of Closed Session Information

An employee shall not disclose confidential information acquired by being present during a closed session to a person not entitled to receive such information, unless the Board authorizes disclosure of that information. (Government Code 54963)

Confidential information means a communication made in a closed session that is specifically related to the basis for the Board to meet lawfully in closed session. (Government Code 54963)

An employee who willfully discloses confidential information acquired during a closed session may be subject to disciplinary action if he/she has received training or notice as to the requirements of this policy. (Government Code 54963)

The school shall not take disciplinary action against any employee for disclosing confidential information acquired in a closed session, nor shall the disclosure be considered a violation of the law or Board policy, when the employee is: (Government Code 54963).

Making a confidential inquiry or complaint to a district attorney or grand jury concerning a perceived violation of law, including disclosing facts necessary to establish the illegality or potential illegality of a Board action that has been the subject of deliberation during a closed session (*cf. 4119.1/4219.1/4319.1 - Civil and Legal Rights*)

Expressing an opinion concerning the propriety or legality of Board action in closed session, including disclosure of the nature and extent of the illegal or potentially illegal action, and disclosing information that is not confidential

Other Disclosures

An employee who releases confidential/privileged information about the school, students, families, or staff shall be subject to disciplinary action up to and including termination.

No employee shall disclose confidential information acquired in the course of his/her duties.

Any action by an employee which inadvertently or carelessly results in release of confidential/privileged information shall be recorded, and the record shall be placed in the employee's personnel file. Depending on the circumstances, the Executive Director or designee may deny the employee further access to any privileged information and shall take any steps necessary to prevent any further unauthorized release of such information.

APPENDIX C: AMPS POLICY- EMPLOYEE DRESS & GROOMING

Amethod Public School employees serve as role models for the students and as representatives of Amethod Public Schools. Consistent with these roles, all employees and volunteers shall dress professionally and appropriately relative to their specific job duties and responsibilities.

Administrators and administrative support employees are expected to project a professional image and should dress appropriately for an office/business environment. Teachers and staff serve as role models, and they should maintain professional standards of dress and grooming throughout the academic year. Just as overall attitude and instructional competency contribute to a productive learning environment, so do appropriate dress and grooming.

All employees are expected to project a professional image that sets positive dress and grooming examples for students and shall adhere to standards of dress and appearance that are compatible with an effective learning environment. Presenting a bodily appearance or wearing clothing which is disruptive, provocative, revealing, profane, vulgar, offensive, obscene, or which endangers the health or safety of the students or others is prohibited. This same standard will apply to visible tattoos.

Site Directors and the Executive Director may also determine the appropriate dress to be worn on workdays when students are not in attendance.

Physical education teachers, coaches and athletic volunteers should wear the appropriate athletic attire necessary to meet the requirements of their job responsibilities and a sweat or warm-up suit when not actively teaching physical education classes or coaching. An employee's or volunteer's dress may not be so unusual, inappropriate or lacking in cleanliness that it disrupts classroom or learning activities.

Examples of attire, or lack of attire, or other material, considered inappropriate and prohibited for AMPS employees include but are not limited to:

- Jewelry affixed to an employee's or volunteer's nose, tongue, cheek, lip or eyebrow;
- Clothing or lack of clothing that is disruptive, provocative, revealing, indecent, vulgar, or obscene;
- Revealing necklines, bare midriffs, and excessively tight clothing;
- Clothing which promotes alcoholic beverages, tobacco, or the use of controlled substances by words or symbols;
- Tube tops;
- Plain white or tank top T-shirts;
- Clothing with slurs, political statements, slogans, etc., other than the schools logo and or school motto;
- Mini Shorts;
- Exposed body areas usually concealed by clothing such as torso, chest area, back, stomach, etc. (these areas are not to be revealed by any AMPS employee);
- Bright or non-natural colored hair dye (*unless as excused for school spirit functions or discussed with Site leaders*);
- Clothing which contains profanity, nudity, depicts violence, or is sexual in nature by words or symbols;
- Open toed shoes, sandals, or flip flops;
- Tank tops or spaghetti strap tops;

- Undergarments worn as an outer garment or any see-through clothing that reveals an undergarment;
- Hats, visors, sunglasses, sweatbands, and bandanas (may be worn outside but must be removed when inside the workplace);
- Jeans (except for nice jeans on Friday Casual Option);
- Any item of clothing, over usage of make up or excessive jewelry that creates a disruption of the school environment/learning activities, or that poses a threat to the safety and well-being of students or staff.

Reasonable accommodations shall be made where appropriate and as approved in writing by the supervisor for those employees or volunteers who, because of a sincerely held religious belief, cultural heritage, or medical reason, request a waiver of a particular part of this Policy for dress or appearance. In compliance with federal laws, Amethod Public Schools administers all educational programs, employment activities and admissions without discrimination because of race, religion, national or ethnic origin, color, age, military service, disability or gender, except where exemption is appropriate and allowed by law.

AMPS encourages staff during school hours to wear clothing that demonstrates their high regard for education and presents an image consistent with their job responsibilities such as, (but not limited to);

- Collared shirts (for males)
- Belts (for males)
- Make up, jewelry and such accessories should be worn in a professional manner;
- Ties (for males)
- School , or alum apparel during Casual Fridays

Clothes that may be appropriate for gym teachers may not be appropriate for classroom teachers.

Piercings and Tattoos

Piercings and tattoos are an individual choice and preference; however, staff will need to consider the school policies that limit exhibiting or wearing piercings and tattoos while on campus. A staff member should never exhibit or show any tattoos or body piercings, other than appropriate earrings.

APPENDIX D: AMPS POLICY - EMPLOYEE USE OF TECHNOLOGY

The Governing Board recognizes that technological resources can enhance employee performance by offering effective tools to assist in providing a quality instructional program, facilitating communications with parents/guardians, students, and the community, supporting organization and school operations, and improving access to and exchange of information.

Employees shall be responsible for the appropriate use of technology and shall use the school's technological resources primarily for purposes related to their employment.

Employees shall be notified that computer files and electronic communications, including email and voice mail, are not private. Technological resources shall not be used to transmit confidential information about students, employees, or school/organizational operations without authority.

Online/Services

The Site Director, Executive Director, or designee shall ensure that all computers with Internet access have a technology protection measure that prevents access to visual depictions that are obscene or child pornography and that the operation of such measures is enforced. The Executive Director or designee may disable the technology protection measure during use by an adult to enable access for bona fide research or other lawful purpose. (20 USC 6777; 47 USC 254)

To ensure proper use, the Executive Director or designee may monitor employee usage of technological resources, including the accessing of email and stored files. Monitoring may occur at any time without advance notice or consent.

The Executive Director or designee shall establish administrative regulations and an Acceptable Use Agreement which outline employee obligations and responsibilities related to the use of district technology. He/she also may establish guidelines and limits on the use of technological resources. Inappropriate use may result in a cancellation of the employee's user privileges, disciplinary action, and/or legal action in accordance with law, Board policy, and administrative regulation.

The Executive Director or designee shall provide copies of related policies, regulations, and guidelines to all employees who use the school's technological resources. Employees shall be required to acknowledge in writing that they have read and understood the school's Acceptable Use Agreement.

Use of Cellular Phone or Mobile Communications Device

An employee shall not use a cellular phone or other mobile communications device for personal business while on duty, except in emergency situations and/or during scheduled work breaks.

Any employee that uses a cell phone or mobile communications device in violation of law, policy, or administrative regulation shall be subject to discipline up to termination.

4841-3066-5236, v.

APPENDIX E – VACATION REQUEST FORM (For Home office and Admin Assistants)

Amethod Public Schools (AMPS) employees who are seeking to use vacation time must complete and submit a vacation request form and use the following process:

Step #	Who	Task	Target Date
1	AMPS Team Member	Fill out the bottom portion of the page. Be sure to include the type of request, the number of days requested and the start and end dates of the requested days off.	At least two weeks prior to time off (Unless you are submitting a sick day)
2	AMPS Team Member	Submit or email this form to your direct supervisor for review and approval. If emailing, copy in the home office talent manager at HRSupport@amethodschools.org	
3	Supervisor	If approved, sign and then submit the vacation request to the home office Talent Department or Email an approval back to the team member and home office Talent Department at HRSupport@amethodschools.org .	Within 48 Hours of Receipt
4	Home Office Talent Department	Notify payroll of vacation/sick time taken.	The Following Payroll
5	AMPS Team	Place vacation days on your calendar and notify your team so they are aware you will be out.	Prior to vacation

NOTE No vacation leave shall be granted without the prior review and approval of the employee's supervisor. Further, no vacation leave shall be granted without proper submission of this form to the home office within (2) weeks prior to the begin date of the requested vacation period. In the event of an emergency, the Team Member along with their supervisor shall immediately contact the central office, Selena Frudakis so that arrangements regarding use of vacation can be made.*

AMPS Employee: _____
(Last) (First) (Middle)

School Site: _____ Date

Requested: _____

Check all that apply

	Begin Date	End Date	Total Hours
<input type="checkbox"/> Vacation (<u>Home Office & Admin ONLY</u>)			
<input type="checkbox"/> Sick Day			
<input type="checkbox"/> Bereavement			
<input type="checkbox"/> Time Off Without Pay			

Employee Signature

Date

APPENDIX F – TRAVEL AND REIMBURSEMENT POLICY

Employees shall be reimbursed for reasonable business expenses incurred while performing their duties or attending workshops or other employment -related functions, Employees should obtain prior advance approval when practicable from their direct supervisor or the Site Director for the activity for which the employees will seek reimbursement.

All reimbursements claims must be supported by accurate, original receipts. Copies of receipts or other documentation are not acceptable unless exceptional circumstances exist.

Reimbursements will be paid for meals and drinks, transportation, and mileage but you only get reimbursed for mileage if you are driving your personal vehicle.

Examples of items and/or expenses that are not reimbursed include:

- Alcoholic beverages
- Any expense incurred by a guest dining with the employee
- Entertainment (movie, purchases/rental, plays, concerts, etc.)

When incurring business expenses, Amethod Public Schools expects employees to:

- Exercise good business judgment with respect to those expenses
- Be cost conscious and spend organizational money as carefully and judiciously as the individual would spend his or her own funds
- Report expenses, supported by required documentation, as they were actually spent

General Travel Requirements:

The employee and his/her supervisor shall consider the way in which AMPS will benefit from the travel and weigh those benefits against the anticipated cost of the travel. The same considerations shall be taken into account in deciding whether the benefits to AMPS outweigh the costs, less expensive alternatives, such as participation by telephone or video conferencing, or the availability of local programs or training opportunities, which should also be considered.

Air Travel Reimbursement:

Air travel reservations should be made as far in advance as possible in order to take advantage of reduce fares. All air flights must be reviewed by the appointed supervisor or appointed designee before booking any air flights to assure fare expense. Personnel shall not make travel arrangement at a time that is less advantageous to AMPS or involving greater expense to AMPS in order to accommodate travel plans.

Any additional expense incurred as a result of personal travel, including but not limited to extra hotel nights, additional stopovers, meals, or transportation are the sole responsibility of the AMPS employee. Expenses associated with travel of an individual's spouse, family or friends will not be reimbursed by AMPS.

After receiving approval from your supervisor, you may book a flight yourself and submit for reimbursement once the flight has been completed or ask your Supervisor or the Operations Department to book a flight for you using the Organization's credit card.

In or Out of Town Lodging Reimbursement:

Maximum allocation for lodging is \$150.00 per night unless otherwise approved by director or appropriate designee. Employees traveling on Behalf of AMPS may be reimbursed at the single room rate for the reasonable of cost of the hotel accommodations. Convenience, the cost of staying in the city in which the hotel is located, proximity to other venues on the individual's itinerary shall be considered in determining reasonableness. Employees shall make use of available corporate and discount rates for hotel. In town lodge stays are encourage to

stay at the following hotels:

- Executive Inn & Suites: (\$149 -\$159 rate standard room)
1755 Embarcadero Oakland, Ca 94606
Phone: 510-536-6633
Parking available at no cost
- Clarion Hotel: (\$139-\$140 rate standard room)
371 13th Street Oakland, Ca 94612
Phone: 510-279-1700
Parking fee
- The Washington Inn: (\$100-\$120 rate standard room)
495 10th Street Oakland, Ca 94612
Phone: 510-452-1776
Parking fee \$10 per day (corner garage)

Car Rentals Reimbursement:

Should your travel require a car rental and refueling cost, you must receive prior approval from the director or appropriate designee. AMPS will not reimburse you for rental car insurance fees, upgrades, and navigation features. Please decline car rental insurance fees. Reimbursement for gas is allowable on car rental only.

Personal Vehicle Mileage Reimbursement:

Effective January 1, 2016, the mileage reimbursement rate is 54 cents per mile. Please note that if you use your own car AMPS will not reimburse you on gas. If you are required to drive your personal vehicle to an AMPS related function, AMPS will cover mileage reimbursement. The following rules apply:

1. Travel must be for an AMPS business function.
2. Mileage will be reimbursed for the round-trip distance between the employee's work site and the location of the business function being attended. If employees depart from or return to their home instead of their work site, only the miles in excess of the normal daily commute can be claimed as an expense.
3. Mileage amounts should be verifiable through the use of commercially available websites (ex. MapQuest, Google Maps).
4. Employees must document their travel on the Expense and Mileage Reimbursement Form. This must be approved by your supervisor.

Meals for Travels:

Itemized receipts are required for all meals to show actual meals cost per individual and alcoholic beverage restrictions. Employees are allowed to a maximum allocation of \$65/per day to pay for meals during business travel.

Travel Expense Report

All reimbursement forms and receipts must be submitted within 30 days of the event or travel. All original receipts must be submitted along with the travel expense report. Upon completion, return the report and associated receipts directly to accounts payable office manager. Travel reimbursements forms can also be found at accounts payable manager's office.

Travel Expense Guidelines:

Expense type	Detail	Amount
Flight	Preferred Max:	<\$350 \$500
Hotel	Preferred Max:	<\$150 \$200
Hotel or Conference Parking		<\$15 a day
Rental Car	Economy class	\$35-\$65
Traveling Meals	Breakfast Lunch Dinner Total Day	\$15 \$20 \$30 <\$65 per day
Mileage		\$0.54 per mile

AMPS EMPLOYEE HANDBOOK ACKNOWLEDGEMENT FORM

PLEASE READ THE EMPLOYEE HANDBOOK AND SUBMIT A SIGNED COPY OF THIS STATEMENT TO THE HUMAN RESOURCES DEPARTMENT.

EMPLOYEE NAME: _____

SITE: _____

I ACKNOWLEDGE that I have received a copy of the Employee Handbook. I have read and understood the contents of the Handbook, and I agree to abide by its directions and procedures. I have been given the opportunity to ask any questions I might have about the policies in the Handbook. I understand that it is my responsibility to read and familiarize myself with the policies and procedures contained in the Handbook.

I understand that the statements contained in the Handbook are guidelines for employees concerning some of the Organization's policies and benefits, and are not intended to create any contractual obligations or to alter the at-will nature of my employment with the Organization. In the event I do have an employment contract which expressly alters the at-will relationship, I agree to the foregoing except with reference to at-will employment status.

I understand that except for my at-will employment status, any and all policies or practices can be changed at any time by the Organization. Any modifications to the arbitration agreement will have to be executed by the parties. I understand that other than the Executive Director and President of the Board of Directors of the Organization, no person has authority to enter into any agreement, express or implied, for employment for any specific period of time, or to make any agreement for employment other than at-will. Any employment agreement must be in writing and signed by the employee and the Executive Director or Board President.

If I have questions regarding the content or interpretation of anything in this Handbook, or any other company policies or procedures, I will promptly bring them to the attention of my supervisor or the Human Resources Department.

Employee's Signature: _____

Date: _____

HARASSMENT POLICY RECEIPT AND ACKNOWLEDGEMENT FORM

I acknowledge that I have received the AMPS Policy Statement on Harassment. I understand that it is my responsibility to be familiar with and conform to the procedures contained in this policy. I am expected to abide by the rules and requirements contained in the policy with regard to the reporting of harassment, including the obligation to report violations of the policy and not to retaliate against anyone for exercising his/her rights under this policy.

I understand that if I have questions, at any time, regarding the Harassment policy, I will consult with my immediate supervisor or my Human Resources Department.

Please read the Harassment policy carefully to ensure that you understand the policy before signing this document.

Printed Name

Signature

Date

Amethod Public Schools affirms its commitment to ensuring a work environment that is free from any form of harassment, including sexual harassment.

EMPLOYEE DRESS & GROOMING POLICY ACKNOWLEDGEMENT FORM

I have read and been informed about the content, requirements, and expectations of the dress code policy for employees at Amethod Public Schools (AMPS). I have received a copy of the policy and agree to abide by the policy guidelines as a condition of my employment and my continuing employment at AMPS.

I understand that if I have questions, at any time, regarding the dress code policy, I will consult with my immediate supervisor or my Human Resources Department.

Please read the dress code policy carefully to ensure that you understand the policy before signing this document.

Employee Name (Print)

Date

Employee Signature

EXHIBIT B

Over the course of my employment at John Henry High School I have witnessed many unprofessional actions from those in position of leadership. The following is a detailed summary of the unprofessional actions and behaviors that I have personally witnessed:

- During our summer training called “Summit”, Mrs. Villa told a story explaining how a student (whom Mrs. Villa mentioned by name) had come to her saying he was being abused at home. Mrs. Villa did not believe this student and, instead of taking the legally mandated action of calling Child Protective Services (CPS), she decided to investigate the allegation herself by instructing the student in question to remove their shirt so she (Mrs. Villa) could verify if the student’s story was viable. Based on this communication, Mrs. Villa then recommended that teachers investigate a student’s story themselves, prior to reporting, because students could be lying. With new teachers attending this training, I felt it was highly unprofessional and illegal to promote this type of action.
- During another training event, Mrs. Villa spoke of another incident she negligently handled; blatantly ignoring the procedures set out by Amethod Public Schools to ensure student and staff safety. According to Mrs. Villa, it was discovered that a student had brought a knife to school. Mrs. Villa confronted the student and, instead of following school procedures, she took the knife and essentially let the student off with no consequence. This student was one of the “founding families” of the Richmond branch of Amethod Public Schools (meaning this student’s family helped establish the charter), and was therefore afforded favoritism and let off without consequence. The student stated that they had the knife for protection while walking to and from school; an indication that this student had the intention of using the knife in a violent way if the student were to feel “threatened”. Had this been any other student they would have been held accountable to the rules and procedures that the school has in place to ensure student and staff safety. Our leadership should not show favoritism or provide special treatment to certain students and family who support Villa and Lopez.
- Earlier this school year, a student was in the front office and his pants were slightly sagging. Instead of politely asking this student to pull their pants up at school, Mrs. Villa began to yell at him, in the front office, telling him “You are going to die in the gutter!” and other insulting remarks; including profanity that did not demonstrate the actions of someone who should be in a leadership role or in an educational environment.
- In staff meetings, Mr. Becker urged teachers to pass a particular student with a “C”; a student who never attended class, turned in no work, and was earning a failing grade in their classes. This student was allowed to be out of class and on his cellphone playing games in the school’s common area and not held accountable to academic performance.
- Shortly after winter break, Mrs. Villa was heard by multiple students in the hallway, during passing period, saying, “All the teachers at John Henry are worthless” and “they water the content down”. I found this comment surprising as Mrs. Villa, nor any other member of AMPs leadership, has ever stepped foot into my classroom to see me teach. This incident is also particularly upsetting because I find it highly unprofessional to talk negatively about teachers in front of students. The English teacher went to HR to file a complaint with regard to this incident and Mrs. Villa was put on suspension for 2 weeks.
- I discovered that a letter, written by a JHHS student’s parents, was altered and the fake letter was being distributed around campus. I began to investigate the origin of the letter and noted

that the security footage shows that a parent, who is employed at Benito Juarez Elementary school, brought a folder with the fake letters to her son during PE class. Soon after I began my investigation, I was talking with Mrs. Sanchez (office staff) about where the letter came from. Mrs. Villa and Mr. Lopez quickly shut down our investigation, saying they needed to protect the student (who disseminated the fake letter) instead of protecting the students that became targets as a result of the fake letter. And, the students did become a target for bullying as a result of the changes made to the original letter. Immediately, the monitor for the security cameras was moved into the back office so teachers could no longer monitor/view the footage.

- JHHS violated its terms of the Conditional Use Permit.
- A staggered schedule was not implemented until the end of March 2018. Even then, the staggered schedule only applies to the Senior class, which includes only 27 students.
- JHHS shares its building with RCA.
- Although I am not a witness, one teacher at JHHS witnessed Mrs. Villa, and the parent that distributed the fake letter, in a car together typing on a laptop; potentially, creating the fake version of the parent letter.

I do not believe that Mrs. Villa should have any role in education. She bullies employees, teachers, and colleagues. Her interactions with students demonstrate her unprofessional behavior, which, I believe, is damaging and does not provide a safe educational environment for students.

Thank you,

Robert Menze

May 30, 2018

EXHIBIT C

I personally know/have witnessed:

- There is a specific student in my third period, Algebra 1 class who has special needs. Another teacher approached me at the end of first semester saying that he was asked to pass this student with a 70% or higher. I then approached the John Henry High School (JHHS) Site Leader, Eric Becker, I asked him if I was suppose to pass this student as well. Mr. Becker responded by asking if I would be willing to do that. I told him no.
 - This student was physically present in class one time over the course of six weeks. He spent most of his time at school in the common area of the school, on his phone, or walking around the hallways.
 - It took until April for the special education director, Jasmine Vance, to add to the student's Individualized Education Plan (IEP) that he needed to be sent to a Non-Public School (NPS). Even though, as his teacher I had been requesting in earlier IEP meetings that modifications be put in his IEP.
 - I was directed to count the student as present in my daily attendance, if I knew he was at school that day, even if he never stepped foot into my classroom.
 - The student was given the Semester 1 Final for Algebra 1, the final was handed over to his one-to-one paraprofessional. The student took the test in a separate classroom or area with the paraprofessional. The final was multiple choice and included directions that all work must be shown for each problem. The student brought his final to me the next day to turn in and he had circled most of the correct answers. There was no work shown for any of the problems. Again, this student was not present in my class for the majority of the semester. I was not told how much the paraprofessional assisted him with this test and I was not informed if he had access to his cell phone during the test as well.
- Algebra 1 textbooks were not provided for my students until the end of April. When I asked about textbooks at the beginning of the school year I was told by a front office worker that the Algebra 1 textbooks belonged to Richmond Charter Academy (RCA) and not to JHHS, thus the students at JHHS would not be receiving any.
 - At the end of the April textbooks were given to me to pass out to my students.
- JHHS violated its terms of the Conditional Use Permit.
 - A staggered schedule was not implemented until the end of March 2018. Even then, the staggered schedule only applies to the Senior class, which includes only 27 students.
 - JHHS shares its building with RCA.
- There are no real English Learner (EL) supports in place for ELs.
 - One of my students who is an EL was provided with a Rosetta Stone account to assist her in learning English. This is the only support she was given by the school.
- I was present at a professional development meeting when Villa shared a story about not calling Child Protection Services (CPS) and also not suspending a student who brought a knife to school.

- The professional development (PD) meeting took place before the school year began at AMPS annual Summit, for the 2017-2018 school year. The information regarding this PD was listed in the Amps 2017 Summit Program as:

“Required Participants: Returning Instructional Staff

Title: Honor Hard Work Begins NOW!

Presenters: Evelia Villa and Robert Moncada

Description: “Culture is tangible the minute you walk into the school doorway,” reads the AMPS Culture Handbook - the Methods Manual. This training looks at the intersection between holding our students to high standards while also acknowledging (sic) the circumstances (sic) in which they live. Staff will review key elements behind AMPS’ methods and the Core Values, and participate in scenarios related to each.”

- This specific PD was presented by Villa and Robert Moncada.
 - Villa shared a story about a student that she mentioned by name, where the student came to her and said he was being beaten by an extension cord. Villa said that she wanted to investigate the student’s claim before she reported it to CPS. Villa said that she called the student’s mother and had her come to the school. Then in front of the mom she had the student take his shirt off so they could see his back. There were no marks on the student’s back. Villa said that this showed that what the student was claiming was false and she let the parents take care of the situation.
 - She instructed us to investigate situations ourselves before we call CPS to report abuse because the child could be lying.
 - Villa also told a story about a student who brought a knife to school. She said that she spoke with the student’s mother along with the student to find out what was going on. The student did not feel safe walking to or from school so the student was carrying a knife for protection. Villa mentioned that she did not suspend the student for bringing the weapon to school.
 - At a later staff meeting, which I was present, during the school year, after this was addressed in Clinton’s resignation letter, Villa informed the JHHS staff of why she did not suspend the student for bringing a weapon to school, because it would have ruined his future, and he is now a graduate of Westpoint.
 - These two stories were provided for examples of how things are taken care of at AMPS.
- February 28th Letter/Email
 - On February 28th a falsified email was released to students at JHHS. The email was a heavily doctored version of an email that was sent to the district by a parent of two JHHS students.

- On February 28th there was a staff meeting where Becker did not address the email until another teacher brought it up to him. He then said there was no way to prove the email was false.
- The original version of the email was released to students on March 1st, the very next day. So students had access to both versions.
- JHHS' Site Coordinator, Eric Becker, refused to address the email school wide.
- Becker went from classroom to classroom on May 2nd, two days after the letter had been passed around the school, telling students that he knew there were two versions of a letter being passed around the school. When he was in my classroom he told students that he is not a detective, that he is not very smart, so he will probably never figure out which version of the letter was the real one. This short speech was less than one minute long.
- Becker saw that I along with a few other teachers were having an impromptu meeting on March 2nd in a classroom. He walked in and began asking us what we thought should take place regarding the email.
- I asked him why he would not tell the students that the altered version was fake. He said that doing so would possibly put the student who passed it out in danger if students knew he passed out a fake letter.
- After everyone else left the room I spoke to Becker alone. He told me to make a complaint to AMPS' HR department about how little he was doing to address the letter. He told me that it did not matter if I made the complaint or not because he was never going to get in trouble by his own bosses for not doing enough to address the letter.
- On March 2nd two people from the district came to visit the school. One of them, Adam Taylor, stayed for the rest of the school day and spent the time in the common area which is right outside of my classroom. Mr. Taylor saw a few teachers walk into my classroom and he then also walked into my classroom and simply asked us how we were doing. From there one teacher began to explain to him what was taking place with the letter.
 - A JHHS employee who works in the front office also began to spend time in my classroom and in the open area. I asked her what she was doing. She told me she was instructed by AMPS' HR to spy on Mr. Taylor because they saw him talk to me.
 - There is a security camera located in the common area that clearly shows who walks in and out of my classroom.
 - At the end of the school day Mr. Becker asked me to tell him what was said to the district person.
 - The following week Mr. Becker asked me to speak with him as well as another teacher who was in my classroom at the same time that Mr. Taylor was in my classroom. Mr. Becker instructed me and the other teacher to wait for him in the staff lounge. He then left us in the lounge and walked away. A few minutes later Mr. Becker walked back into the staff lounge and proceeded to lock the door. I immediately felt like I was being locked in the room, and asked him why he was locking us in there. Mr. Becker ignored the question. He then asked us what was

said to the district person in my classroom on March 2nd. I simply told him that we were asked how we were doing. The other teacher then told Mr. Becker what he said to the district person, and I remained silent.

- At the end of this conversation in the break room Mr. Becker then asked me directly if a certain P.E. teacher had been to the district to talk to them. I asked him how I would know that, and then Mr. Becker dropped the topic immediately.
- We were then allowed to leave the room.

Tatum McGuire

Date: May 6, 2018

[REDACTED]

[REDACTED]

EXHIBIT D

To whom it may concern,

I, Michael Bortz, was and Amethod public schools employee from August 2016 until March 29th 2018. During my time there I witnessed the following events occur.

-During a professional development meeting Evelia Villa addressed a group of teachers openly admitting to not having called child services after receiving information that a student was being abused. In her narrative she described hearing a teacher report that the student said his parent had beat him. During this narrative she used explained how she dealt with the situation by referring specifically to the boy using his first and last name. Rather than calling the proper authorities she had a conference with both the boy and his parents, in which she had the boy remove his shirt to show that his parents were not beating him, as evidenced by the lack of bruises on his torso. She advised the educators present in the room to follow similar practices and follow our instincts when we faced similar situations, rather than rely on government authorities .

-One day the students were given a letter written by the mother of one of the two caucasian families who attended John Henry High School, addressed to WCCUSD employee Linda Delgado. The letter in question contained highly racist ideology insinuating that Amethod public schools had fired an administrator because of his race. The letter also contained phrases suggesting that Black and Latino students "do not understand the value of education" and that the latino students were only guests in America (A photograph of this letter can be provided). The students were given copies of this letter at lunch time by an unknown person and they had circulated around the school by dismissal time. The next morning another teacher (Who we will call Ms. X for her privacy) and I were discussing the fact that the letter seemed to have two distinct writing styles. Ms. X asked the site director (Erik Becker) about her thought that it seemed as if the letter had been written by two different people, to which Mr. Becker replied that in fact there was another copy of the letter that contained no racist language, where he got this letter from I do not know. When we expressed our concern that two girls of the mother who wrote the letter might be in danger, from the student body that was severely angered by the letter, he said he would handle the situation. So after several teachers independently worked out a schedule to watch and protect the two girls (with no support from administration) Erik Becker put a different plan into action. He went to several (although to the best of my knowledge not all) first period classes and informed students that there were in fact two copies of the letter. He then stressed that it was impossible to tell which one was a fake and since he was not a "forensic investigator" there was no possible way to verify which letter was real, therefore there was not point in mounting an investigation into which letter was a fake.

Michael Bortz

EXHIBIT E



WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

Office of the Associate Superintendent of PreK-Adult Educational Services

1108 Bissell Avenue Richmond, CA 94801

P: (510) 231-1130 F: (510) 620-2183

Matthew Duffy
Superintendent

Nia Rashidchi
Associate Superintendent

May 8, 2018

By U.S. Mail and Email:

Board of Directors, Amethod Public Schools
c/o Jorge Lopez, Chief Executive Officer
2101 Livingston Street
Oakland, CA 94606
Jlopez@amethodschools.org

Re: John Henry High School- Follow-up Letter

Dear Board of Directors of Amethod Public Schools:

Please accept this follow-up letter from the West Contra Costa Unified School District ("District") regarding John Henry High School ("JHHS" or "Charter School"). On April 19, 2018, staff members from the District conducted an annual site-visit to JHHS, in compliance with the District's statutory oversight obligations. During this site-visit, concerns were raised regarding certain aspects of the Charter School's operation, including but not limited to concerns related to adequate textbooks, curriculum, laboratory supplies, and facilities. In addition, over the past month or so, the District has been made aware of similar concerns raised by both students and employees of the Charter School:

- District staff were made aware of a written demands made by JHHS students to the Charter School on April 9, 2018 (**Attachment A**).
- District staff received a written letter from a former employee, Michael Bortz, raising concerns regarding the Charter School's operation (**Attachment B**).
- Eight Charter School employees approached District staff to discuss concerns they have regarding the Charter School's operation. On March 2nd and March 5th, these employees met with District staff. A summary of their concerns is provided as **Attachment C**.

Concerns were also raised by District staff upon review of the Charter School's March 30, 2018 Response to the Notice of Violations. Through this follow-up letter, the District: (1) provides the Charter School with an overview of the concerns raised by District staff, students, and Charter School employees; (2) provides the Charter School with an opportunity to review these concerns and remedy them; and (3) requests documentation and clarification regarding these concerns.

Your prompt response to this follow-up letter is sought as part of the District's oversight role, and pursuant to Education Code section 47604.3, which provides in full:

A charter school shall promptly respond to all reasonable inquiries, including, but not limited to, inquiries regarding its financial records, from its chartering authority, the county office of education that has jurisdiction over the school's chartering authority, or from the Superintendent of Public Instruction and shall consult with the chartering authority, the county office of education, or the Superintendent of Public Instruction regarding any inquiries.

Please be advised that AMPS must provide a response to this follow-up letter with the requested information and documentation on or before **close of business on May 25, 2018**.

Information/Document Requests

The District requests that AMPS provide the District with the following information and documents:

1. Textbooks.

During the site-visit on April 19, 2018, District staff were greeted by the Charter School's administration, and guided through eight classrooms for observation. Of the eight classrooms, District staff observed that students in at least three of the classrooms (psychology, Algebra 1, and physics) did not have any textbooks assigned to them or available for use, and that 24 out of 25 students in a biology class were provided textbooks for class use only, and did not have books available to take home. Based on this site-visit and the aforementioned employee and student complaints, the District requests the following information:

- A. Please provide a chart and/or documentation that clearly identifies: (1) each class taught at JHHS-broken down by period; (2) whether there was a complete set of textbooks¹ available and used by students for that specific class period from the start of the 2017-2018 academic school year through the date of this letter; (3) the name and year of the textbooks used in each class; (4) whether students were notified that they could take the textbooks home; and (5) whether there is a "teachers" edition of the relevant textbooks available to each teacher.
- B. To the extent that there are any class periods that did not have a complete set of textbooks, please indicate the class and the time frame in which this occurred.
- C. To the extent that there are any class periods that did not have a complete set of textbooks, please identify when the Charter School became aware of this, and what steps the Charter School has taken since that time to ensure that this concern was remedied.

¹ A "complete set of textbooks" means that each student enrolled in every classroom is provided a textbook for use in that classroom, with the ability to take the textbook home to complete required homework assignments.

2. Curriculum.

- A. Please provide a copy of the relevant curriculum/ framework provided to the teacher of each subject at the beginning of the 2017-2018 school year.
- B. To the extent no curriculum/ framework was provided to a teacher, please identify the subject, the teacher, and the method in which curriculum has been developed over the academic school year. Please provide a copy of the written curriculum implemented for these classes, describe how the curriculum was created, and who, specifically developed the curriculum.
- C. What's the professional development plan for teachers regarding implementation of their curriculum?

3. Laboratory Supplies and Facilities

During the site-visit on April 19, 2018, District staff observed insufficient laboratory supplies and facilities. For example, District staff noticed that there was no science equipment available for physics class, and only a very limited amount of laboratory equipment available for biology and chemistry (no sinks in the classroom, no eye wash facilities, no lab tools etc.). Based on this site-visit and the aforementioned employee and student concerns, the District requests the following information:

- A. Please provide a description of the laboratory facilities at JHHS.
- B. Please provide a chart and or documentation that clearly identifies: (1) each science class taught at JHHS-broken down by period; (2) whether the class has a "laboratory" component; and (3) a description of how JHHS fulfills this laboratory requirement on a weekly basis for that class, including what supplies the students use, and what particular laboratory that class uses.
- C. To the extent that any class periods did not have the appropriate access to laboratory facilities, please indicate class and the time frame in which this occurred.
- D. To the extent that any class periods did not have the appropriate access to laboratory facilities, please identify when the Charter School became aware of this, and what steps the Charter School has taken since that time to ensure that this concern was remedied.

4. Block Schedule.

In its March 30, 2018 Response to the Notice of Violations, the Charter School provided an updated bell schedule. After review of the bell schedule, and consistent with District staff's observations on April 19, 2018, District staff are concerned that the Charter School is not implementing a block schedule, as promised in AMPS's charter petition for JHHS.

- A. Please identify whether a block schedule has been implemented for the 2017-2018 school year, as promised in AMP's charter petition for JHHS.

5. English Learner. In the April 9, 2018 student demand letter, there was a demand for “ESL classes.”

A. Please describe the Charter School’s English Learner program, including specific times where targeted instruction is provided, and who is providing the instruction.

6. Investigation into “Doctored” Email.

In early March, District staff were notified of a “doctored” email circulating the JHHS campus. (**Attachment D**). This “doctored email” modified an “original” email that was sent from a JHHS parent to Dr. Linda Delgado, discussing concerns with AMPS administration. (**Attachment E**). The “doctored” email was infused with inflammatory, racial remarks. In response to concerns raised by a JHHS parent regarding the safety of the students, District staff visited JHHS, and asked the Charter School’s administration to provide a detailed written timeline describing all actions taken, and that will be taken, to ensure the safety of all students in response to the “doctored” email. AMPS subsequently provided District Staff with a “Safety Plan Timeline.” District staff were also assured that Amethod would open an investigation into the source of the “doctored” email pursuant to their Internal Resolution Service investigation process.² However, in his written statement, Mr. Bortz indicates that the JHHS site administrator (Erik Becker) went to multiple classes and told students that “there was not [*sic*] point in mounting an investigation into which letter was fake.”

A. Please describe the investigation that the Charter School conducted into this matter, and the results of the investigation.

B. Please describe how the Charter School implemented the Safety Plan Timeline provided to the District and complied with the “on-going” steps detailed therein.

7. Response to Concerns.

A. Please provide a detailed response and explanation to demand # 1, 4, 5, and 6 provided in the Student Demand Letter (**Attachment A**), and describe the status of the Charter School’s investigation into these concerns.

B. Please provide a detailed response and explanation to the concerns raised in Mr. Bortz’s Letter (**Attachment B**).

C. Please provide a detailed response and explanation to the concerns raised in **Attachment C**.

Conclusion

²The District understands that Amethod’s counsel was provided a copy of the original email in mid-December from attorney Richard Bowles, counsel for former administrator Gregory Beaudoin. For ease of reference, the District provided a copy of the original email to Amethod on March 12, 2018.

The information and documents requested above must be received on or before **close of business on May 25, 2018**.

If you have any questions, please do not hesitate to contact me.

Sincerely,



Nia Rashidchi
Associate Superintendent, Educational Services
West Contra Costa Unified School District
(510) 307-7866

CC: Matt Duffy, Superintendent
Dr. Linda Delgado, Charter Oversight

ATTACHMENT A

April 9, 2018

To Whom It May Concern:

As students of John Henry High School, where "students are first," we do not feel like we are put first, and we are not happy with the way the school is currently operating. We understand that the school is fairly new and that not everything will be perfect. However, we believe that our basic needs are not being met. We have tried to talk to the administration on many occasions, but we were always dismissed. This has led us to feel ignored and we have decided to take action, in a peaceful, respectful, and responsible way, as stated in the student handbook(pg.39-40).

Coming into John Henry, students and parents expected a rigorous curriculum that would push pupils to go above and beyond, something that not any school can provide for students. From what has happened throughout the year, very little of these promises have been kept. Students are not provided with enough materials they need to learn, they have teachers coming in and out, and they are not receiving complete transparency from those above. Our families chose JHHS because of its established core values, and we care deeply about them. Therefore, we came up with a few demands that would make the school more challenging and beneficial to all students, compared to regular public schools, as included in the school's charter, and as promised by the administration. We are simply asking for the adults above us to follow the values they have claimed are important. Our education is not only significant to us, but to our families as well and we are not willing to jeopardize it. Our demands are not outrageous and we know that the administration should easily be able to resolve them.

The demands are as follows:

1. Enough textbooks for psychology, calculus, conceptual physics, world history, and conceptual physics classes
2. Non at-will contracts for teachers
3. Parent and Student Involvement in Board of Directors and Decision making
4. ESL classes
5. Adequate classrooms for science class (lab room)
6. Enough classrooms for ALL teachers

We hope you see where we are coming from and try to help us better our education, as that is all we want. We are willing to negotiate, but if we do not like the answer given to us we will proceed with our agenda. Unfortunately, if our demands are not met, or at least discussed, we will have no other choice but to follow with what we think are right consequences for this altercation.

Sincerely,
Students of John Henry High School

ATTACHMENT B

To whom it may concern,

I, Michael Bortz, was and Amethod public schools employee from August 2016 until March 29th 2018. During my time there I witnessed the following events occur.

-During a professional development meeting Evelia Villa addressed a group of teachers openly admitting to not having called child services after receiving information that a student was being abused. In her narrative she described hearing a teacher report that the student said his parent had beat him. During this narrative she used explained how she dealt with the situation by referring specifically to the boy using his first and last name. Rather than calling the proper authorities she had a conference with both the boy and his parents, in which she had the boy remove his shirt to show that his parents were not beating him, as evidenced by the lack of bruises on his torso. She advised the educators present in the room to follow similar practices and follow our instincts when we faced similar situations, rather than rely on government authorities .

-One day the students were given a letter written by the mother of one of the two caucasian families who attended John Henry High School, addressed to WCCUSD employee Linda Delgado. The letter in question contained highly racist ideology insinuating that Amethod public schools had fired an administrator because of his race. The letter also contained phrases suggesting that Black and Latino students "do not understand the value of education" and that the latino students were only guests in America (A photograph of this letter can be provided). The students were given copies of this letter at lunch time by an unknown person and they had circulated around the school by dismissal time. The next morning another teacher (Who we will call Ms. X for her privacy) and I were discussing the fact that the letter seemed to have two distinct writing styles. Ms. X asked the site director (Erik Becker) about her thought that it seemed as if the letter had been written by two different people, to which Mr. Becker replied that in fact there was another copy of the letter that contained no racist language, where he got this letter from I do not know. When we expressed our concern that two girls of the mother who wrote the letter might be in danger, from the student body that was severely angered by the letter, he said he would handle the situation. So after several teachers independently worked out a schedule to watch and protect the two girls (with no support from administration) Erik Becker put a different plan into action. He went to several (although to the best of my knowledge not all) first period classes and informed students that there were in fact two copies of the letter. He then stressed that it was impossible to tell which one was a fake and since he was not a "forensic investigator" there was no possible way to verify which letter was real, therefore there was not point in mounting an investigation into which letter was a fake.

Michael Bortz

ATTACHMENT C

On March 2, 2018 and March 5, 2018, 8 employees from Amethod approached Dr. Linda Delgado to express concerns with the operation of John Henry High School. A summary of these concerns is provided below:

- Multiple teachers were instructed through Amethod special education administration to change the grades of one Special Education student. The student failed to complete most assignments, spent the school day in the common areas on his cell phone, and attended class less than 10% of the time. With this and other students, teachers were instructed to add percentage points to the students grades so that they would pass.
- The teachers were instructed to continue teaching class although they were improperly credentialed, but if visitors come to the school they are to put the credentialed substitute at the front of the room, and that person will continue the lesson. Students were told to confirm, if asked by District visitors, that the aide in front of the class was the teacher.
- Multiple teachers reported a training event (called "Summit"). Ms. Villa was describing the way that things are done at AMPS, and gave two troubling examples. The first concerned a child who had related that he was beaten by his parent. Rather than call Child Protective Services (CPS), Ms. Villa advocated for conducting an in-house investigation. She claimed to have had the child remove his shirt so that she could check for marks from what the child had described as having been beaten with an extension cord.
- Teachers had a number of experiences surrounding the falsified email that Ms. Riddell was supposed to have sent to Linda Delgado. Several teachers said that Mr. Becker made a perfunctory statement that left the option open that either email may have been real. Teachers were concerned that the tepid announcement failed to calm the students, and left two vulnerable students with scant protection from the anger of their peers. Teachers were dismayed that CMO leadership made more effort to protect the student who was thought to disperse the message than the two girls who would suffer the wrath of their peers. During a staff meeting at the end of the day, leadership did not address the event until the teachers initiated the discussion and planning to insure student safety.
- In an effort to find how the email was released, and possibly better judge the veracity of the contents, Ms. Sanchez and a teacher attempted to review the video footage that was known to be continuously collected. Mr. Lopez came to the site, and moved the monitor from its previous placement on the desk at the front office. It is also unknown if the videotape of the site was viewed when Amethod was investigating the distribution of the falsified email.
- Several teachers expressed dismay at the lack of support for entry level teachers, relaying that they were left to write and deliver curriculum without adequate text books. At least one teacher relayed that he/she had no supplies after Mr. Clinton left, resulting in the need to purchase supplies out of pocket. Teachers relayed that they were frequently unfavorably compared by CMO leadership with the Oakland schools, resulting in student and teacher moral falling.

ATTACHMENT D

----- Forwarded message -----

From: Paula Riddell [REDACTED]
Date: Sun, Dec 10, 2017 at 9:51 PM
Subject: John Henry High School
To: ldelgado@wccusd.net

Hello Ms. Delgado, thank you for talking with me. Again, my name is Paula Riddell and I am writing you because I am very concerned about the school that both my daughters attend, John Henry High School. I see the school in crisis and I do not believe that the current director cares. I actually believe that he is the cause of it. Things on the surface were going well as long as our former site director was there, Mr. Clinton. I am fully aware of why he left and about the charges made. He brought a sense of order and agreed that we need more non Latino students in the school. I met with him several times and we had plans for broader recruitment of kids (not Latino) from El Sobrante to add more diversity. I also am very much aware of the investigation that is going on surrounding the charges of racism and discrimination against Mr. Clinton and Bedouin. It is false and only cause they are white! My concern is that there is no accountability at all. The board of directors are latinos, picked by Mr. Lopez and Ms. Villa, and in return, they are voted or appointed as director(s). Mr. Lopez and his wife are therefore free to basically do what they want. If they have an issue with someone, they can make life miserable for that staff member as to push them out, as in the case of Mr. Clinton, or outright fire them, as in the case of Mr. Beaudoin. If a teacher or parent has an issue with Mr. Lopez or his wife, there is nowhere to go to get a fair hearing. Look I have no issue with Latinos, I live among them and they are guests in this country, but Mr. Clinton and Mr. Bedouin brought the right sense of order. They were like a father figures to my children. Either way, their removal caused a "brain drain" at the school since the JHHS teachers, who are the best in the amps system want to leave and the ones hurt are the parents and students. Mr. Lopez and his wife are so disorganized that they caused several seniors to miss deadlines to apply for college. This was a basic function, and they now these kids are out of luck, and again there is no one to hold them to account. All he said in a meeting about it was that "yeah, I realize that and we'll do better next year". If it were my daughter affected, I would be beyond upset, but it comes back again that there is no accountability. The problem is that the entire school are Latinos and Blacks and so they do not understand the importance of education let alone college so no one ever holds them accountable. I suggested that at least 3 parents could be elected to the board so that we can have a voice and have some accountability, but it was rejected out of hand. Our school is in chaos, and the smart parents know it. The sight director who is great is only temporary and Ms Villa said that she is thinking of taking that position. Not only is she not qualified to fill that position, but here we go again with another Latino, and her husband is her boss. Really? No teacher or staff member will have a chance of having a voice. If you reading this with the seriousness that I hope you do, a question to me is what I am suggesting to remedy this. If it were up to me, they would be replaced by someone who is smart, accountable and understands the American education system. I am sure that Mr. Lopez and Ms Villa are nice people and like rainbows, but they are lousy managers and poor administrators, but what should we expect from these types of people. The school will fail because we will not be able to attract and retain smart teachers with strong traditional American values. Unfortunately, it is the teachers that will bear the brunt of this disfunction. We had a fantastic traditional site manager in Mr. Clinton, and an excellent Dean of Students in Mr. Beaudoin. I am very concerned that if not addressed, there issues will only get worse, and many kids's lives and dreams will fall victim to people like you in high places, doing nothing about making America great again. You can make a difference. Have the school district take over until a new director can be found, and have the board, appoint a new director immediately along with new reforms, like elections and more accountability. My phone number is [REDACTED] Please feel free to call me and I can better articulate my position. Thank you. Paula Riddell

ATTACHMENT E

From: Paula Riddell [REDACTED]
Date: Sun, Dec 10, 2017 at 9:51 PM
Subject: John Henry High School
To: ldelgado@wccusd.net

Hello Ms. Delgado, my name is Paula Riddell and I am writing you because I am very concerned about the school that both my daughters attend, John Henry High School. I see the school in crisis and I do not believe that the current director cares. I actually believe that he is the cause of it. Things on the surface were going well as long as our former site director was there, Mr. Clinton. I am fully aware of why he left and about the charges made. I also am very much aware of the investigation that is going on surrounding the charges. My concern is that there is no accountability at all. The board of directors are picked by Mr. Lopez and Ms Villa, and in return, they are voted or appointed as director(s). Mr. Lopez and his wife are therefore free to basically do what they want. If they have an issue with someone, they can make life miserable for that staff member as to push them out, as in the case of Mr. Clinton, or outright fire them, as in the case of Mr. Beaudoin. We have lost many good teachers, and as you know, teachers are not easy to come by in the Bay Area. If a teacher or parent has an issue with Mr. Lopez or his wife, there is no where to go to get a fair hearing. No one knows how to get in touch with the board, and since I have already mentioned that they are appointed by Mr. Lopez and his wife Ms Villa, that avenue is fruitless. The only recourse is to be fired or just to quit. Either way, that caused a "brain drain" at the school, and the ones hurt are the students. Mr. Lopez and his wife are so disorganized that they caused several seniors to miss deadlines to apply for college. This was a basic function, and they now these kids are out of luck, and again there is no one to hold them to account. All he said in a meeting about it was that "yeah, I realize that and we'll do better next year". If it were my daughter affected, I would be beyond upset, but it comes back again that there is no accountability. No one ever holds them accountable. I suggested that at least 3 parents could be elected to the board so that we can have a voice and have some accountability, but it was rejected out of hand. Our school is in chaos, and the parents know it. The sight director is only temporary and Ms Villa said that she is thinking of taking that position. Not only is she not qualified to fill that position, her husband is her boss. Really? No teacher or staff member will have a chance of having a voice. If you reading this with the seriousness that I hope you do, a question to me is what am I suggesting to remedy this. If it were up to me, they would be replaced by someone who is accountable. To have a board that is elected and accountable to the parents. I am sure that Mr. Lopez and Ms Villa are nice people and like rainbows, but they are lousy managers and poor administrators. The school will fail because we will not be able to attract and retain good teachers. Unfortunately, it is the students that will bear the brunt of this disfunction. This schools' failure will reinforce the opposition to charter schools as a whole. We had a fantastic site manager in Mr. Clinton, and an excellent Dean of Students in Mr. Beaudoin. I am very concerned that if not addressed, there issues will only get worse, and many kids's lives and dreams will fall victim to people like you in high places, doing nothing. You can make a difference. Have the school district take over until new a new director can be found, and have the board, appoint a new director immediately along with new reforms, like elections and more accountability. My phone number is [REDACTED] Please feel free to call me and I can better articulate my position. Thank you. Paula Riddell

EXHIBIT F



WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

1108 Bissell Avenue
Richmond, CA 94801-3135

Matthew Duffy
Superintendent

Telephone: (510) 231-1101
FAX: (510) 236-6784

June 19, 2018

Dear Mr. Lopez and Members of the Amethod Public Schools Governance Board,

On May 8, 2018, the District sent correspondence that addressed concerns uncovered during the Annual Visit to John Henry High School, and other issues that had come to our attention. The following chart lays out results of submissions by the Amethod organization.

Information/ Document Request	Status	Possible Rectification or Results
Textbooks	In this correspondence, District requested a chart and/or documentation concerning textbooks. AMPS provided some, but not all of the requested information.	Provide proof of Board approval on all chosen books. Does the SpringBoard ELA book include work books, or the actual text? It appears that there are few or no US or World History, ELD, Geometry, or Algebra 1 texts—please explain. Although the Charter petition pledges to provide a range of AP choices to prepare students for college, there appear to be no AP English or Math textbooks. Please explain. The Spanish AP book does not include an ISBN—please provide. District requested dates of purchase—these have not been supplied.
Curriculum	Correspondence requested information on Curriculum. Inadequately addressed.	Please see page three, section two of the Document and Information request of May 8, 2018.
Laboratory Supplies and Facilities	Response is inadequate.	Please provide information requested.
Block Schedule	Block schedule is not in evidence in 2017/18 Bell schedule supplied.	Charter says the JHHS will use a double block for ELA and Math. This has not occurred in 2017/18, and for the upcoming academic year, it cannot be confirmed until the end of the Tolling agreement.
English Learner Development	There are no scheduled periods for ELD, and no curriculum provided.	Demonstrate through a bell schedule, appropriate curriculum, framework, and staffing that needs of ELD students will be met according to law.

Investigation into Falsified Email	<p>District concludes that investigation was mishandled, as it did not include interviews with any onsite staff members, or students. Interviews included only home office staff who were unlikely to have any knowledge of the event.</p> <p>While campus was under full video surveillance, at no time did investigation include video review. AMPS suggested that the organization did not have the original email—a proposal that has been disproven. Mr. Beaudoin's attorney provided the AMPS organization this email as part of his wrongful termination law suit, and confirmed this to District staff.</p>	<p>Response was inadequate, and investigation was mishandled.</p> <p>No further action here. WCCUSD will monitor future complaints.</p>
Response to Concerns	<p>Response has been inadequate.</p> <p>Mr. Bortz's letter and statements by multiple other teachers raise significant legal and ethical concerns regarding a training provided by the former CAO, proposed Regional Superintendent and wife of Jorge Lopez, Evelia Villa. During this training, five teachers allege that Ms. Villa recommended that staff conduct their own investigation into child abuse claims, rather than call Child Protective Services (CPS). During this training, she also failed to observe appropriate and legal student confidentiality requirements by identifying a student as an illustration of her own abuse "investigation", referring to student by his first and last name.</p>	<p>Provide evidence of Child Protective Services training to leadership and staff for 2017-18 school year, and for 2018-19 school year.</p>

Thank you for your prompt attention to these matters.

Sincerely,



Dr. Linda Delgado
Charter Oversight
510) 307-7866

CC: Matthew Duffy
Valarie Cuevas
Pete Cordero
Nicolas V. Vaca