



Employee Handbook

Introduction

This Handbook is intended to provide employees with a general understanding of the school's personal policies. The employees (the "Employee," or "you") are encouraged to familiarize themselves with the contents of this Handbook, for it will answer many common questions concerning employment with the Academies of Mathematics and Science (the "School," "the Academies," "AMS," "we," or "us"). This Handbook, however, cannot anticipate every situation or answer every question about employment.

Employee agrees to abide by and comply with such rules, regulations, guidelines, or policies of Employer as may currently exist, and any which may hereafter be set forth and established by Employer, and as amended from time to time by Employer, whether in separate policy statements, in this employee handbook, or in any other form, whether written or oral.

To retain necessary flexibility in the administration of policies and procedures, the Academies reserves the right to change, revise, or eliminate any of the policies and/or benefits described in this handbook, except for its policy of employment-at-will. The only recognized deviations from the stated policies are those authorized by the Co-CEOs of AMS.

At Will Employment

Employment with AMS is at will. This means that AMS reserves the right to dismiss any employee at any time for any reason or no reason in its sole and unrestricted discretion, with or without notice. Likewise, each employee has the right to terminate his/her employment for any or no reason, at any time, with or without notice. All employees, without exception and regardless of their length of employment, are employed at the will of AMS and may be discharged without cause at its will and without prior notice or warning. The provisions of this handbook, including policies and procedures, are intended to be guidelines only and are in no way to be interpreted as a contract between AMS and any of its respective employees. Therefore, nothing contained in this Handbook should be construed as a contract or as a guarantee of continued employment. Any oral or written representations to the contrary are invalid and should not be relied upon by any employee.

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Rights and Responsibilities

Employee Relations

AMS believes that the work conditions, wages, and benefits it offers to its employees are competitive with those offered by other employers in this area and in this industry. If employees have concerns about work conditions or compensation, they are strongly encouraged to voice these concerns openly and directly to their supervisors.

Our experience has shown that when employees deal openly and directly with supervisors, the work environment can be excellent, communications can be clear, and attitudes can be positive. We believe that AMS amply demonstrate its commitment to employees by responding effectively to employee concerns.

It is the intent of AMS to adhere to all applicable laws and regulations. Any employee who brings forward a complaint of alleged unlawful activity or violation of policy or practice is protected from unlawful retaliation by AMS.

AMS requires executives, officers and employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. As representatives of AMS, employees must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws and regulations.

Reporting Responsibility

This is intended to encourage and enable employees and others to raise serious concerns internally so that AMS can address and correct inappropriate conduct and actions. It is the responsibility of all board members, officers, employees and volunteers to report concerns about violations of code of ethics or suspected violations of law or regulations that govern AMS's operations.

No Retaliation: It is contrary to the values of AMS for anyone to retaliate against any board member, officer, employee or volunteer who in good faith reports an ethics violation, or a suspected violation of law, such as a complaint of discrimination, or suspected fraud, or suspected violation of any regulation governing the operations of AMS. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment.

Reporting Procedure

AMS has an open-door policy and suggests that employees share their questions, concerns, suggestions or complaints with their supervisor. If you are not comfortable speaking with your supervisor or you are not satisfied with your supervisor's response, you are encouraged to speak with AMS's Chief Compliance Officer ("CCO") or the Human Resources department. Supervisors are required to report complaints or concerns about suspected ethical and legal violations in writing to AMS's CCO, who has the responsibility to investigate all reported complaints.

Employees with concerns or complaints may also submit their concerns in writing directly to the CCO. CCO or Co-CEOs are responsible for ensuring that all complaints about unethical or illegal conduct are investigated and resolved. The CCO will advise the Co-CEOs of all complaints and their resolutions.

Equal Employment Opportunity

AMS is an equal opportunity employer. AMS hires and rewards employees based on their talent, ability, and dedication. In accordance with the Age Discrimination Act of 1975, Titles VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, the Americans with Disabilities Act of 1990, Section 504 of the Rehabilitation Act of 1973 and all other state and federal laws currently applicable or that may arise, **AMS does not discriminate on the basis of actual or perceived race, creed, color, religion, national origin, citizenship status, sex, age, disability, veteran status, bankruptcy or debt, sexual orientation, marital status, pregnancy, gender identity or expression, genetic characteristics, ancestry or any other classification protected by law in any of its business activities, including its educational programs and activities which fully comply with the requirements of state and federal law, and Part B of the Individuals with Disabilities Education Act.**

At AMS, our commitment to equal opportunity employment and education is more than simply a statement that **AMS will not discriminate on the basis of actual or perceived race, creed, color, religion, national origin, citizenship status, sex, age, disability, veteran status, bankruptcy or debt, sexual orientation, marital status, pregnancy, gender identity or expression, genetic characteristics, ancestry or any other classification protected by law.** It is a vigorous commitment to a goal that the makeup of our staff will, as much as possible and to the extent allowed by law, be as diverse as the makeup of our community.

Sexual and Other Unlawful Harassment

AMS is committed to providing a work environment that is free of unlawful discrimination and unlawful harassment. This includes discrimination or harassment on the basis of race, creed, color, religion, national origin, sex, age, sexual orientation, marital status, ancestry, disability, veteran status, genetic information or any other characteristic protected by law.

Actions, words, jokes, or comments based on a person's age, race/color, national origin, sexual orientation, gender identity or expression, military status, disability, creed, marital status, and predisposing genetic characteristics or any other legally protected characteristic will not be tolerated. The prohibited conduct also includes negative stereotyping, epithets, offensive jokes or physical actions, and written, graphic, or electronic material circulated or posted within the workplace that degrades or shows hostility toward a person or persons because of their protected status.

"Harassment" is defined as verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of a protected characteristic or that of his or her relatives, friends, or associates, and that:

1. Has the purpose or effect of creating an intimidating, hostile, or offensive working environment; or

2. Has the purpose or effect of unreasonably interfering with an individual's work performance; or
3. Otherwise adversely affects an individual's employment opportunities.

Examples of harassing conduct can include, but are not limited to, the following:

1. Use of epithets, slurs, negative stereotyping, or threatening, intimidating, or hostile acts that relate to race, color, religion, gender, sex, national origin, age, or disability; and

2. Written or graphic material that denigrates or shows hostility or aversion toward an individual or group because of race, color, religion, gender, sex, national origin, age, or disability and that is placed on walls, bulletin boards, or elsewhere (including electronic communications) on AMS premises or circulated in the workplace.

In accordance with applicable law, AMS defines one type of illegal harassment – sexual harassment – as “any unwelcome sexual advances, requests for sexual favors, or other conduct of a sexual nature either verbal or physical” where (1) submission to the conduct is made either explicitly or implicitly a term or condition of an individual’s employment, (2) submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual or (3) the conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile or offensive working environment. Each employee must exercise their own good judgment to avoid engaging in conduct that may be perceived by others as harassment.

All employees are responsible for adhering to the provisions of this policy and maintaining a work environment that is free from discrimination and harassment. Prohibitions against engaging in discrimination and harassment, as well as the right to be free from discrimination and harassment, apply equally to all employees, vendors, contractors, students and visitors.

Sexual harassment under this policy includes a broad spectrum of conduct including harassment based on gender and sexual orientation (meaning one’s heterosexuality, homosexuality, or bisexuality). By way of illustration only, and not limitation, some examples of unlawful and unacceptable behavior include:

Words

- Repeated, unwanted requests for dates
- Unwelcome sexual jokes or teasing
- Unwelcome discussion of sexual conduct
- Questions or comments about another’s sex life
- Making sexually offensive statements
- Spreading sexual statements or rumors about an employee

Visual

- Displaying lewd photographs
- Displaying vulgar statements
- Showing pornographic materials in the workplace

Physical

- Inappropriate sexual looks or gestures
- Touching that makes another uncomfortable

Coercive

- Implicit and explicit demands for sexual acts

It is the policy of AMS to maintain a work environment free of unlawful discrimination or harassment for all employees. Sexual and other types of unlawful harassment are unacceptable conduct, which violates this policy.

Any employee who is subject to or witnesses an incident of sexual or other forms of harassment must promptly report the matter to his or her supervisor. If the supervisor is unavailable, the employee is uncomfortable contacting their supervisor or the employee believes that it would be futile to contact the supervisor, the employee should immediately contact the Co-CEOs or any other member of AMS administration. Employees can raise concerns and make reports without fear of reprisal or retaliation. AMS will protect the confidentiality of the harassment complaint to the extent possible. Any supervisor who becomes aware of possible sexual or other unlawful harassment shall promptly advise the Co-CEOs or any supervisor, who will handle the matter in a timely, appropriate, and confidential manner.

AMS will take immediate and appropriate corrective action when it determines that harassment has occurred.

Anyone engaging in sexual or other unlawful harassment, or retaliation against anyone who reports sexual or other unlawful harassment, will be subject to disciplinary action, up to and including termination of employment.

Employment for Persons with a Disability

AMS complies with all applicable provisions of the Americans with Disabilities Act (“ADA”), the ADA Amendments Act of 2008 (ADAAA), and similar state laws. AMS will provide reasonable accommodations to any qualified individual with a disability, provided such accommodation does not constitute an undue hardship on AMS, and is in compliance with all legal requirements. If any AMS employee believes he/she needs a reasonable accommodation in order to perform the essential functions of his/her job, that employee should contact Human Resources.

Immigration Law Compliance

AMS is committed to full compliance with all federal, state, and local immigration laws. These laws require, among other things, that all individuals complete and employment verification procedure to verify the employee’s identity and legal authorization to work in the United States. If an employee’s authorization to work in the United States will expire while still employed by AMS, it is the employee’s responsibility to obtain subsequent work authorization and to contact Human Resources and update their Form I – 9 on or before the expiration of the original work authorization. All fees and costs associated with obtaining such work authorization will generally be the responsibility of the applicant/employee.

The Employer/Employee Relationship

Employment Categories

It is the intent of AMS to clarify the definitions of employment classifications so that the employees understand their employment status and benefit eligibility. These classifications do not

guarantee employment for any specified period of time. Accordingly, **the right to terminate the employment relationship at-will at any time is retained by both the employee and AMS.**

Non-Exempt : Non-Exempt employees are eligible to receive overtime pay for hours worked over 40 in a week. Non-Exempt employees must maintain a record of the total hours worked each day. These hours must be accurately recorded. Each employee must verify that the reported hours worked are complete and accurate (and that there is no unrecorded or “off-the-clock” work). Employee time cards must accurately reflect all regular and overtime hours worked, any absences, early or late arrivals, early or late departures and meal breaks. When you receive each pay check, please verify immediately that you were paid correctly for all regular and overtime hours worked each workweek.

Exempt: Exempt employees receive a salary which is intended to compensate the employee for all hours worked each week. This salary will be established at the time of hire or when an employee becomes classified as an exempt employee. While it may be subject to review and modification from time to time, the salary will be a predetermined amount that generally will not be subject to deductions for variations in the quantity or quality of the work you perform. However, to the extent permitted under federal law, an exempt employee’s salary may be subject to certain deductions.

An employee’s EXEMPT or NONEXEMPT classification may be changed only upon written notification by a member of AMS’s administration.

Employment Applications and Resumes

AMS relies upon the accuracy of information contained in the employment application and resume, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions by an employee may result in AMS’s exclusion of the individual from further consideration for employment or, if the person has been hired, may result in termination of employment.

Employment Reference and Background Checks

To ensure the safety of our students and staff, and to ensure that individuals who join AMS are well qualified and have a strong potential to be productive and successful, it is the policy of AMS to perform background checks and verify the employment references of all applicants in accordance with applicable law.

Credit Report

Positions where staff members have regular access to cash, financial transactions, and financial data, shall have a credit report run as part of the background screening, in compliance with FCRA and other applicable law.

Fingerprinting

Employees will be fingerprinted to obtain an IVP Fingerprint Clearance Card prior to starting work and the fingerprints will be processed through the Arizona Department of Public Safety (DPS) and/or the FBI, in accordance with applicable law. Fingerprint documents must remain current as a condition of employment and are the responsibility of the employee. **Employees who do not renew their IVP Fingerprint Clearance Card and send a copy of the card to the business office prior to the expiration of their current card shall not be permitted to work at AMS and may be placed on unpaid administrative leave until they obtain the card, or they may be terminated.**

Resignation

Resignation is a voluntary act initiated by the employee to terminate employment with AMS. Key employees are expected to provide at least one month's notice (unless the key employee's contract specifically sets forth a different notice period) of resignation. Although advance notice is not required for employees not classified as key employees, AMS requests at least two weeks' written notice from these employees. Prior to an employee's departure, an exit interview may be scheduled to discuss reasons for resignation and the effect of the resignation on benefits.

Failure to comply with this policy may affect an employee's eligibility for re-

hire. Employment Termination

Termination of employment is an inevitable part of personnel activities within any organization. It is defined as the involuntary termination of employment initiated by AMS.

AMS will generally schedule exit interviews at the time of employment termination. The exit interview will afford an opportunity to discuss such issues as the reason for termination and such other issues as employee benefits, insurance conversion privileges, repayment of outstanding debts to AMS, or return of AMS-owned property. Suggestions, complaints, and questions can also be voiced.

Employees will receive their final pay in accordance with applicable state laws.

All accrued, vested benefits that are due and payable will be paid through the termination date. The employee portion of such benefits will be deducted from the final paycheck. Pursuant to applicable law, some benefits may be continued at the employee's expense if the Employee so chooses. The employee will be notified in writing of the benefits that may be continued, and of the terms, conditions, and limitations of such continuance.

Payments will be made with respect to each item of compensation or benefit as soon as practicable after the amount due is determined and as may be required by law.

Where authorized and in accordance with applicable law, AMS may withhold monies from an employee's final paycheck as an offset against any monies due or owed to AMS by the employee, as determined by AMS in good faith.

Employment References

It is AMS's policy to confirm only dates of employment, last position held, and grades taught (if applicable) to prospective employers conducting reference/employment verification checks. AMS generally will not provide this information to any other individual or entity or for any other purpose unless the individual involved has provided their written consent. Requests to provide information other than dates of employment, last position held, and grades taught (if applicable) to prospective employers conducting reference/employment verification checks, such as rate of pay or job descriptions, or requests to provide information to persons and entities other than prospective employer ("Additional Information"), must be formally made in writing to the Business Office. Whether and to what extent AMS provides additional reference information is subject to the sole discretion of AMS. In accordance with applicable law, AMS may produce information without an employee's consent in its sole discretion, such as in response to a lawful subpoena, to fulfill other legal obligations, or for other legitimate business reasons.

Employees should refer all requests from outside AMS for personnel information concerning applicants, employees, and past employees to the Business Office. Under no circumstances is any employee who is not expressly authorized to do so to provide information about applicants, employees, and past employees, to anyone outside of AMS. Managers who agree to provide a personal letter of reference may not refer to AMS or base any aspect of that reference letter on the requesting person's employment with AMS. Other employees writing a letter of reference must clearly state in the letter that the letter is personal and is not being written on behalf of AMS. Employees who violate this policy will be subject to discipline, up to and including termination. This policy is not meant to discourage and/or negatively impact or limit an employee's right and/or ability to engage in concerted activity under the National Labor Relations Act ("NLRA").

Access to Personnel Files

AMS maintains a personnel file on each employee. Each personnel file generally includes such information as the employee's job application, resume, documentation of performance evaluations, personnel action forms, salary changes, and other employment records.

Personnel files are the property of AMS and may not be removed or altered by an employee. Employees who wish to review their own file should contact the Co-CEOs. With reasonable advance notice and in accordance with applicable law, employees may review their own personnel files in AMS Business Office and in the presence of an individual appointed by AMS to maintain files.

Safety

Personal Safety and the Safety of Others

AMS strives to provide a pleasant, efficient, and safe work environment. Employees are expected to maintain their individual work areas in uncluttered, clean, and neat conditions so as to eliminate any possible safety hazards.

Each employee is expected to obey safety rules and to exercise appropriate caution in all work activities. Employees must immediately report any unsafe condition to the appropriate supervisor. Employees who violate safety standards, who cause hazardous or dangerous situations, who fail to report, or, where appropriate, fail to remedy such situations, may be subject to disciplinary action, up to and including termination of employment.

In case of accidents that result in injury, regardless of how insignificant the injury may appear; employees must immediately notify AMS administration. Such reporting is necessary to comply with laws and initiate insurance and workers' compensation benefit coverage and procedures.

Security

AMS wishes to maintain a work environment that is free of illegal drugs or controlled substances, alcohol, firearms, explosives, and other improper materials. Any employee who observes behavior that violates this policy must report it to their supervisor or to the Co-CEOs immediately. AMS prohibits the possession, transfer, sale, or use of such materials on its premises. AMS requires the cooperation of all employees in administering this policy.

Desks, lockers, and other storage devices may be provided for the convenience of employees but remain the sole property of AMS. Accordingly, any authorized agent or representative of AMS may inspect them, as well as any articles found or placed within them, at any time, either with or without prior notice. Employees shall have no expectation of privacy of their workstations, desks, classrooms, storage areas/devices, or anywhere else on school property.

Anti-Bullying Environment

AMS takes all student bullying complaints seriously. Every single member of our staff must be committed to ensuring that AMS students are safe and have the potential to maximize their learning experiences. Although AMS students can report bullying activity to any one of our staff or their parents, who may choose to either contact school administration or fill out an anonymous bullying report form, teachers who witness bullying must report the incident to the principal or principal's designee, in writing, with as much detail as possible. A failure by staff members to timely inform the school administrator or designee of a bullying allegation or their observation of an incident of bullying may result in disciplinary action, up to and including termination.

AMS also prohibits bullying by and between employees and takes all complaints of employee bullying seriously. Any employee who is subject to or witnesses an incident of employee bullying must promptly report the matter to his or her supervisor. If the supervisor is unavailable, or the employee believes that it would be futile to contact the supervisor, the employee should immediately contact the Co-CEOs or any other member of AMS's administration. Employees can raise concerns and make reports without fear of reprisal or retaliation. AMS will protect the confidentiality of the bullying complaint to the extent possible. Any supervisor who becomes aware of possible bullying shall promptly advise the Co-CEOs or any supervisor, who will handle the matter in a timely, appropriate, and confidential manner.

AMS will take immediate and appropriate corrective action when it determines that bullying in violation of this policy has occurred.

Anyone who engages in conduct which violates this policy may be subject to disciplinary action, up to and including termination of employment.

Anti-Harassment Policy

AMS defines harassment as “repeated inappropriate behavior, either direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment. At AMS, all employees will be treated with dignity and respect.

The purpose of this policy is to communicate to all employees, including supervisors, managers and executives that AMS will not tolerate harassing behavior in any instance. Employees found in violation of this policy will be disciplined, up to and including termination.

Harassing may be intentional or unintentional. However, it must be noted that where an allegation of harassment is made, the intention of the alleged harasser is irrelevant, and will not be given consideration when meting out discipline. As in sexual harassment, it is the effect of the behavior upon the individual which is important. AMS considers the following types of behavior examples of harassment:

- **Verbal Harassment:** slandering, ridiculing or maligning a person or his/her family; persistent name calling which is hurtful, insulting or humiliating; using a person as butt of jokes; abusive and offensive remarks.
- **Physical Harassment:** pushing; shoving; kicking; poking; tripping; assault, or threat of physical assault; damage to a person’s work area or property
- **Gesture Harassment:** non-verbal threatening gestures, glances which can convey threatening messages
- **Exclusion:** socially or physically excluding or disregarding a person in work-related activities

In addition, the following examples may constitute or contribute to evidence of harassment in the workplace:

- Persistent singling out of one person
- Shouting, raising voice at an individual in public and/or in private
- Using verbal or obscene gestures
- Not allowing the person to speak or express him/herself (i.e., ignoring or interrupting).
- Personal insults and use of offensive nicknames
- Public humiliation in any form
- Constant criticism on matters unrelated or minimally related to the person’s job performance or description
- Ignoring/interrupting an individual at meetings
- Public reprimands

- Repeatedly accusing someone of errors which cannot be documented
- Deliberately interfering with mail and other communications
- Spreading rumors and gossip regarding individuals
- Encouraging others to disregard a supervisor's instructions
- Manipulating the ability of someone to do their work (e.g. overloading, underloading, withholding information, setting meaningless tasks, setting deadlines that cannot be met, giving deliberately ambiguous instructions)
- Inflicting menial tasks not in keeping with the normal responsibilities of the job
- Taking credit for another person's ideas
- Refusing reasonable requests for leave in the absence of work-related reasons not to grant leave
- Deliberately excluding an individual or isolating them from work-related activities (meetings, etc.)
- Unwanted physical contact, physical abuse or threats of abuse to an individual or an individual's property (defacing or marking up property)

Reporting Without Fear of Retaliation

Submission of a good faith complaint or report of harassment will not affect the complainant's or reporter's employment status.

No retaliation will be allowed as a result of the reporting of a harassment incident.

AMS will discipline or take appropriate action against any administrator, volunteer, contractor, or other employee who retaliates against any person who makes a good faith report of alleged harassment or against any person who testifies, assists, or participates in the investigation of a report or in any other proceeding or hearing relating to such harassment. Retaliation includes, but is not limited to, any form of intimidation or disparate treatment.

Weapons

Pursuant to Arizona State law, the possession of a deadly weapon on school grounds is prohibited. This policy applies to all employees, students, and visitors.

Employees' Personal Property

AMS is not responsible for personal items that employees bring to work. It is the responsibility of each employee to secure those items.

Use of School Property

Logos and Letterhead

Use of AMS or school letterhead and logos are for school-related business only. Employees shall not use company letterheads or logos for personal purposes. If you are unsure of the appropriate logo or letterhead to use for your school-related project, speak with your supervisor or the business office for guidance.

Equipment and Vehicles

Equipment and vehicles necessary to complete job duties can be expensive and may be difficult to replace. When using AMS property, i.e. copier, computers, radios, etc., employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety rules, and any other guidelines.

Please notify your supervisor if any equipment, machines, tools, or vehicles appear to be damaged, defective, or in need of repair. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to others. Your supervisor or a member of the AMS's administration can answer questions about an employee's responsibility for maintenance and care of equipment or vehicles used on the job.

The improper, careless, negligent, destructive, or unsafe use or operation of equipment or vehicle may result in disciplinary action up to and including termination of employment.

Return of Property

Employees are responsible for all AMS property, materials, or written information issued to them or in their possession or control. Employees must return all AMS property immediately upon request or upon termination of employment. Where permitted by applicable laws, AMS may withhold from the employee's check or final paycheck the cost of any items that are not returned when required. AMS may also take all action deemed appropriate to recover or protect its property.

Use of Electronic Information Systems – Requirements for Safety and Security

Purpose: This policy provides guidelines for the acceptable use of AMS's voice mail, electronic mail, word processing, and other electronic communication applications. Every user is responsible for reading and abiding by the policies and procedures set forth below.

Ownership and Control: All users have the responsibility to use electronic information systems in a professional, ethical, and lawful manner. Users are given access to electronic information systems to assist them in the performance of their jobs. The systems belong to AMS and may only be used for authorized school purposes. The use of all electronic information is a privilege, not a right, and AMS reserves the right to terminate any user's access to electronic systems and to take other appropriate disciplinary action, up to and including termination of employment, in the event the use of those systems is not in accordance with this policy or other policies of AMS.

No Privacy: AMS considers all electronic information and communication stored or transmitted with the use of its computer, telephone, data and other networks and/or software to be the property of AMS and reserves the right to access, review, disclose, disseminate, archive, and delete any and all such electronic information and communication. Employees do not have a right of privacy or confidentiality relating to electronic communications. Employees waive any right to privacy in anything they create, store, send, or receive. However, AMS will inspect, monitor, or disclose electronic information and communication when necessary to ensure the proper functioning of AMS's electronic information systems, to ensure user compliance with this policy or for any other reason management deems in AMS's best interest. Use of AMS's electronic information systems

constitutes consent to inspection, monitoring, and/or disclosure of information created, stored, sent, or received by the user.

Compliance with Applicable Laws and Licenses: Copying software, using shareware without proper registration, copying graphics for use as screen savers or wallpaper, and forwarding or copying email messages all may constitute copyright infringement. Users must comply with all software licenses, copyrights, and all other state and federal laws governing intellectual property and online activity.

Communicating Information: Employees should exercise the same care in drafting email, communicating in chat groups, and posting items to newsgroups as for any other more formal written communication. Electronic communications tend to be less formal, but can, and likely will, be reviewed, and/or used by others.

Virus Protection: All electronic material downloaded from the Internet or from AMS computers or networks MUST be scanned for viruses and other destructive programs before being placed onto AMS's electronic information systems.

Export Restrictions: Because of export restrictions, programs or files containing encryption technology are not to be transmitted in any way outside the United States without prior written authorization by AMS.

Retention/Deletion: Regular electronic information system audits will be conducted, data not specifically designated by users for retention will be regularly deleted.

Prohibited Uses: Because electronic information is global in nature, employees may encounter material that is inappropriate, offensive, and in many instances, illegal. AMS cannot control the availability of this information or restrict access to it. Employees are notified that they are responsible for the material they review. Storing, sending, receiving, displaying, printing, or otherwise disseminating electronic communication is strictly prohibited if the communication exhibits any one of the following criteria (employees encountering such material should report abuses to the Co-CEOs or AMS's administration:

- Deemed fraudulent (this includes chain letters and other hoaxes), harassing, illegal, embarrassing, sexually explicit, obscene, intimidating, racist, sexist, defamatory, or derogatory. Users encountering such material should report abuses to the CCO and Human Resources immediately.
- Contains attachments that have not been subjected to virus checking.
- Non-business related and interferes with the conduct of business or individual performance.
- Non-business related and of high frequency or volume.
- Non-business related and of large size or with large attachments.
- Negatively impacts network performance.
- Contains copyrighted material (such as images or text) without the permission of the owner.

- Commercial or personal advertisements, solicitations, promotions, destructive programs (i.e. viruses and/or self-replicating code), political material, or any other unauthorized material for personal use.

Disclaimer of Liability: AMS is not responsible for damages, direct or indirect, arising out of the use of its electronic information systems.

Additional Rules for Use

- **Always log off computers** before you leave for the day
- Projectors must be turned OFF when not in active use
- Save open files regularly
- **Lock your computer** when leaving the room
- **Never** give your password to another person or write it down
- Notify the Network Administrator at helpdesk@amsschools.org if you think someone else may know your password or if you notice any other security weaknesses
- All staff must save all information of any kind created for, or pertaining to, the school into their folder on their desktop or server
- No information should be taken off campus electronically on CD/DVD, jump drive, memory card, or any other method **without prior approved authorization**
- Personal jump drives and/or memory cards should not ever be used on school computers **without prior authorization**
- Personal computers should never be used on the school grounds
- School computers must be utilized for school related purposes only
- Any video including YouTube or full-length feature must be pre-approved
- Downloading videos illegally is expressly against the policies of AMS. Doing so may result in disciplinary action up to and including termination.
- Non-academic use of music or video streaming services (i.e. Spotify, Netflix) is prohibited.

Audio Recording and Video Recording Policy

Due to the potential for issues such as invasion of privacy (employee and student), sexual or other harassment (as defined in this handbook), protection of confidential information, employees may not take, distribute, or post pictures, video, or audio recordings while on working time, unless doing so for education/curriculum related purposes. Employees also may not take pictures or make recordings of work areas, unless doing so for education/curriculum related purposes. An exception to the rule concerning pictures and recordings of work areas would be to engage in activity protected by the National Labor Relations Act including, for example, taking pictures of health, safety, and/or working condition concerns or other work-related issues and/or other protected concerted activities.

At AMS, employees have a reasonable expectation that their fellow employees will not secretly audio or video record their conversations or any other activity without the express permission of the employee being recorded. Accordingly, no employee is permitted to secretly audio record conversations between employees (whether or not the employee who may engage in such audio

recording activity is a party to such conversation) or secretly video record other employees without the express permission of such other employee(s). As used in this policy, “secret” means that the recording device has been placed or situated in such a position or location as to cause the recording of images and/or sound without the knowledge of person(s) being recorded by the device. This policy does not apply to security-related recording devices, which use and placement on school premises has been approved by the Co-CEOs.

This policy applies to all employees who work for AMS.

Use of Phone and Email

There is no expectation of privacy in this workplace or workplace property. This includes, but is not limited to, accessing internet browsing history, phone calls, and emails.

Personal use of AMS telephones for long-distance and toll calls is not permitted. You should use your best judgment and discretion when making local personal calls and you may be required to reimburse AMS for any charges resulting from your personal use of the telephone.

Cell phone use during class, recess, or while supervising students at any other time is not permitted. **Use of Postage**

The use of AMS paid postage for personal correspondence is not permitted.

Attendance

General Attendance and Punctuality

A productive work environment requires that all employees be punctual and reliable. Absenteeism and tardiness place a burden on co-workers and on AMS. In those instances, when employees cannot avoid being late to work or are unable to work as scheduled, they should notify their supervisor as soon as possible in advance of the anticipated tardiness or absence. Two weeks prior to planned absences is recommended. For day-of absences or tardies, notice should be provided by 7:00 a.m.

Unless otherwise prohibited by law, all unauthorized and/or unreported absences will be considered absences without pay and shall be considered grounds for disciplinary action up to and including termination.

All employees are expected to be ready to work at their designated start times. Without exception, faculty will not leave their classrooms unsupervised.

Tardiness

When employees know that they are going to be tardy, **they must notify the Principal or their direct supervisor via text** as soon as possible, so that arrangements can be made for classroom or administrative coverage. If employees are tardy, **they must notify the Principal or their direct**

supervisor of their arrival at work before beginning his or her duties. Tardiness in excess of 15 minutes will require a leave form.

Poor attendance and excessive tardiness are disruptive. Unless otherwise prohibited by law, either may lead to disciplinary action, up to and including termination of employment.

Mandatory Events – Teachers

Teachers are expected to attend all parent meetings, after/before school faculty meetings, open houses, and assemblies. Teachers are also expected to participate in morning and after school duties whether commencing before or concluding after contract hours. Teachers are also required to attend PAC meetings and parent-teacher conferences.

Compensation

Workweek

AMS's workweek begins at 12:00 a.m. on Monday and ends at 11:59 p.m. on Sunday.

Work Schedules

Work schedules for employees vary throughout our organization. Supervisors will advise employees of their individual work schedules. Staffing needs and operational demands may necessitate variations in schedules, including days worked, starting and ending times and total hours that may be scheduled each day and week. AMS may modify any employees work schedule as necessary.

Paydays

Employees are paid bi-weekly. Before any employee can be on AMS's payroll system, he or she must have completed all forms in the New Hire Packet.

If a regular payday falls during an employee's vacation, an electronic deposit will be made, or the employee's paycheck will be available upon his or her return from vacation, unless the employee makes other arrangements.

Pay Advances

AMS will not provide pay advances on unearned wages.

Administrative Pay Corrections

AMS will take all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck, and that employees are paid promptly on the scheduled payday. In the unlikely event that there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of AMS administration so that corrections can be made as quickly as possible.

It is the employee's responsibility to submit substitute forms to ensure that the extra pay is recorded.

Pay Deductions

The law requires that AMS make certain deductions from every employee's compensation. Among these are applicable federal and state income taxes.

The Federal Insurance Contributions Act, which is better known as the Social Security Act, requires AMS to deduct a percentage of your pay, match it with an equal amount from AMS and send it to the government to be deposited in your Social Security account. If you are not familiar with the retirement and disability benefits provided under Social Security, check with your local Social Security office for a more complete explanation.

AMS will also make deductions for independent insurance coverage, as described in Section VIII, below, if the employee has so requested.

If you have questions concerning why deductions were made from your paycheck or how they were calculated, please contact AMS administration.

Timesheets

Hourly employees must submit a timesheet to their supervisor every two weeks (aligned to the payroll calendar). AMS also reserves the right to require salaried employees to submit a timesheet to their supervisor every two weeks. Time shall be tracked to the nearest quarter-hour.

Lunch Periods

Every employee is provided with a lunch period each workday. Supervisors will schedule meal periods to accommodate operating requirements. Hourly employees are provided an unpaid lunch period of no less than 30 minutes each shift.

Following the lunch period, every employee must be ready to work at his or her designated re-start time.

Benefits

Introduction to Benefits

Eligible employees at AMS are provided a wide range of benefits. AMS intends to keep the benefits described in this handbook in force. However, AMS reserves the right to terminate or modify these benefits at any time, for any reason, with or without notice to employees. Unless specifically provided for in a contract of employment, the benefits offered by AMS are not, and should not be considered, conditions of employment.

It is important to understand that additional terms regarding benefits eligibility and exist. Therefore, it is important to consult the official plan documents for further information. In the

case of an actual or apparent conflict between this manual and the terms of the official plan documents, the provisions of the official plan documents shall rule.

If you have any questions about any of these benefit programs or your eligibility for such benefits, please discuss them with Human Resources.

The following benefit programs are available to eligible employees:

- Health Insurance
- Dental Insurance
- Vision Insurance
- Life Insurance
- Short Term Disability
- Long Term Disability
- Retirement Plan
- Sick Time Off
- Vacation Benefits (non-teaching positions)
- Free Extended Care at the School for any child of the employee attending the School

Some benefit programs require contributions from the employee; others are fully paid by AMS, such as health and dental insurance plans. Dependent coverage on each of those plans is available, at an additional cost, which will be paid by the employee. Please refer to the individual plan descriptions provided in the Benefits Packet for details concerning each plan. If, after reviewing the plan descriptions, you still have questions, please contact AMS administration.

The benefits provided by the Academies are provided solely at the discretion of AMS and are subject to change with or without notice.

Workers' Compensation Insurance

Under Arizona's Workers' Compensation laws, employees who become disabled by a work-related injury or illness receive medical care benefits at the employer's expense. If you should incur such an injury or illness, immediately notify your manager. Managers are responsible for immediately notifying the CFO or CEOs. They, in turn, will help you fill out the appropriate injury/illness report and send you to the occupational health care provider nearest to your location. The completed injury/illness report should be sent to the CFO who will file your report with our workers' compensation insurance provider.

ANY INJURY INCURRED ON THE JOB, NO MATTER HOW MINOR, MUST BE REPORTED TO YOUR IMMEDIATE SUPERVISOR, YOUR PRINCIPAL AND TO THE HUMAN RESOURCES DEPARTMENT. Failure to report an injury may affect benefits eligibility. AMS is required to investigate and correct any and all problems that cause injury or illness to our employees. Once your report has been completed and filed, Human Resources will work with your school to investigate and correct the problem.

AMS actively polices all claims suspected to be fraudulent. Abuse of the Workers' Compensation system can cause a severe negative economic effect to AMS and, in turn, your co-workers. We will pursue all available legal action against any employee found to have engaged in fraudulent conduct. Filing a false or fraudulent claim is also a violation of AMS policy, and will result in disciplinary action, up to and including immediate termination.

Continuing Education

AMS believes that educational classes and conferences are beneficial for teachers and administrators and other employees, if those classes and conferences are related to the employee's duties. If an employee is considering attending a class or conference, he or she should present the materials describing the class or conference to a member of AMS administration and obtain an AMS administrator's approval prior to enrolling in classes. Upon registration and successful completion of each conference or of each course taken, the employee will be fully reimbursed for the class.

Other Benefits

AMS may provide meals and snacks at no cost to the employee at organizational related meetings and events.

Time Off/Leave

To the extent an employee is subject to an Employment Agreement, the terms of the Employment Agreement control with respect to the below Time Off/Leave policies.

Holidays

Winter break and Spring break are not paid days off. Teaching faculty and school administrators receive paychecks for those breaks because employees' compensation is divided out and paid across the entire school year, thereby maintaining a consistent and predictable income stream for employees.

Paid Sick Leave

AMS recognizes that employees may need time off from work to address their own and their family members' illnesses, injuries and health conditions. This policy ensures that all eligible Arizona employees receive paid sick leave ("PSL") in accordance with the Arizona Fair Wages and Healthy Families Act. This policy supersedes any previously existing paid sick time policy.

Eligibility

This policy applies to all Arizona employees working for AMS. Further eligibility criteria based on start-date are described below in detail.

Definitions

Employees may use PSL for themselves or related to an “eligible family member.” “Eligible family member” shall include an employee’s: (1) spouse or domestic partner, (2) child, (3) parent, (4) grandparent, (5) grandchild, (6) sibling, or (7) and any other person related by blood or affinity whose close association with the employee is the equivalent of a family relationship. For purposes of this policy, the following definitions apply:

“Child” shall include an employee’s biological, adopted, and foster children, stepchildren, and legal wards, regardless of age; a child of a domestic partner; a child to whom the employee stands “in loco parentis” or an individual for whom an employee stood “in loco parentis” when the child was 18 years of age or younger.

“Domestic partner” shall include anyone registered as such under the laws of any state or political subdivision.

“Parent” shall include biological, adoptive, and foster parents or stepparents, or legal guardians, of an employee or an employee’s spouse or domestic partner, or a person who stood “in loco parentis” to the employee or the employee’s spouse or domestic partner when he or she was a child age 18 year of age or younger.

“Sibling” shall include biological, adoptive, and foster sibling or stepsiblings of an employee or an employee’s spouse or domestic partner.

“Spouse” shall include any person to whom the employee is legally married under the laws of any state.

Please contact Human Resources with questions concerning any of the above definitions.

PSL Allotment

On July 1st of every year, all current employees will be given forty (40) hours of PSL to be used before June 30th of the following year. Any unused PSL as of June 30 will not roll over to the next year. Similarly, unused PSL will not be paid out at the end of employment, whether due to termination or resignation or any other reason.

Employees hired during the year will be allotted PSL based on the number of hours they will be expected to work between their hire date and the end of the fiscal year.

Wellness Bonus

Unused Sick Time does not “roll over” into the next fiscal year but is paid out as a “wellness bonus” at the end of the fiscal year. Employees will receive a \$10 per hour (or \$80/day) Wellness Bonus for every unused hour of PSL. Checks for the Wellness Bonus will be issued in June or July.

Use of PSL

Employees hired before July 1, 2017 may use accrued/awarded PSL immediately. Employees hired after July 1, 2017 may begin using accrued/awarded PSL beginning on their 90th day of employment. Employees may use PSL in increments of one hour. Eligible employees may use PSL for the following reasons:

- the employee's own physical or mental illness, injury, or health condition;
- the employee's own need for medical diagnosis, care or treatment of a mental or physical illness, injury or health condition;
- the employee's own need for preventative medical care;
- care of an eligible family member's physical or mental illness, injury or health condition;
- care of a family member who needs medical diagnosis, care or treatment of a mental or physical illness, injury or health condition;
- care of a family member who needs preventative medical care;
- address the psychological, physical, or legal effects of domestic violence, sexual violence, abuse or stalking involving an employee or a family member; or
- closure of the employee's place of business by order of a public official due to a public health emergency or an employee's need to care for a child whose school or place of care has been closed by order of a public official due to a public health emergency; or
- care for the employee or a family member when it has been determined by the health authorities having jurisdiction or by a health care provider that the employee's or family member's presence in the community may jeopardize the health of others because of his or her exposure to a communicable disease, whether or not the employee or family member has actually contracted the communicable disease.

Except as otherwise specifically permitted in this Handbook (e.g., for Bereavement or Witness Duty), the use of PSL for other purposes (such as vacation or "personal days") is prohibited. Prohibited use of PSL may result in disciplinary action up to and including termination.

Notification to Company of Need for PSL

If the need for PSL is foreseeable, employees should provide advance notice as soon as possible under the circumstances, preferably at least seven (7) days in advance. If the need for PSL is not foreseeable, employees should provide notice of the need for PSL as soon as possible under the circumstances. If possible, an employee's leave request must include the expected duration of the leave. Notice should be given orally, in writing, or by electronic means.

Documentation for PSL

If an employee uses PSL for three (3) or more consecutive work days, AMS may require reasonable documentation of the purpose for such leave. Documentation may include, but is not limited to, a signed statement from a health care provider.

Compensation for PSL

Timekeeping documentation should clearly reflect all PSL taken. Employees are required to use the time and attendance system for requesting and tracking PSL requests. When an eligible employee uses PSL, it will be paid in accordance with normal payroll procedures.

For employees paid on an hourly rate, paid sick leave will be compensated at the same hourly rate and with the same benefits as the eligible employee normally earns.

For employees paid on a salary basis, time taken off using paid sick time will not result in any deduction from weekly salary.

Information Regarding PSL Balance

The amount of an employee's accrued and available PSL will appear on each paystub or wage statement or an attachment thereto. Please review the statement for accuracy and immediately contact the Human Resources Department if you have questions regarding this information or your accrued and available PSL. If you wish to review your payroll records, including PSL paid to you, please contact the Human Resources Department.

No Retaliation

AMS prohibits discrimination or retaliation against employees because of an employee's request for, or use of, legally-mandated PSL. If you believe that you have been treated unfairly on account of your use of legally-mandated PSL, or your request for legally-mandated PSL, please immediately report this concern to Human Resources so that the matter may be reviewed, and appropriate corrective action may be taken.

Cessation of Employment and Re-Hire

If an employee separates from employment with the AMS (whether voluntarily or involuntarily) and is re-hired by the Company within nine months, any previously accrued and unused PSL will be reinstated and be made available for immediate use.

Vacation Time

Non-teaching staff may also be allocated a specific number of hours of Vacation time that can be used for sick or vacation time. Specific information regarding eligibility and amount of Vacation time is contained in an employee's employment agreement or notice of employment.

The use of Vacation time for vacation/personal leave requires at least one-week advance notification to AMS whenever possible. In the event of emergency, the Leave Request Form must be completed and turned in upon the employee's first day back to work prior to the start of the employee's first class. In deciding whether or not to grant Vacation Leave requests, the Co-CEOs

shall give due consideration to the needs of the employee but may request that leave be taken when it least interferes with the Schools' programs.

Unless otherwise provided in an employee's offer letter and/or employment agreement, an employee allocated Vacation time can roll over a certain amount of unused Vacation Time from one year to another. The *maximum amount of Vacation Time an employee may roll over between years is equal to one-and-a-half times the employee's yearly Vacation Time allotment*, as specified in either the *Employment Agreement*, or the *Notice of Employment*. For example, if an employee earns 40 hours of vacation time yearly, the employee may "roll over" up to $1.5 * 40 = 60$ hours of their *total* vacation time from one fiscal year to the next, and this employee may not retain more than 60 total vacation hours at the beginning of the new fiscal year.

If an employee is terminated or the agreement is not extended or renewed, unused earned vacation will be paid as part of any final lump sum payment due the employee.

The roll-over limit for employee vacation hours may be waived by the Co-CEOs, or by the employee's direct supervisor, with the permission of the Co-CEOs.

Flex Day

Employees may be allocated one Flex Day, to be used for personal business, which is not pro-rated, per Fiscal Year (July 1st through June 30th). Unused flex days are not "rolled over" to the next year.

Leave Forms

Employees requesting time off must complete a Leave Request and submit it to their supervisor for approval. Requests made well in advance will help supervisors plan accordingly. When returning from an unplanned absence, employees must submit a Leave Form showing the date(s) absent prior to returning to their duties.

Incremental Time Tracking

Sick and Vacation Time will be subtracted in one-quarter hour increments.

Unpaid Sick Time

If an employee is absent and is not eligible for or has exhausted Paid Sick Time, the corresponding amount may be deducted from the employee's paycheck to the extent allowed by law. No unearned Sick Time will be granted, unless special circumstances arise that are presented to, and approved by, the administration.

Absences

If an employee is sick, he or she should contact the school and his/her supervisor (teachers, contact the Principal) as soon as possible so that appropriate arrangements can be made. CONTACTING THE OFFICE OR SUPERVISOR AS SOON AS POSSIBLE IS PARTICULARLY IMPORTANT FOR TEACHERS, BECAUSE A SUBSTITUTE WILL NEED TO BE FOUND TO COVER THE

TEACHER'S CLASSES. Failure to report to work or contact the office or supervisor is grounds for disciplinary action up to and including termination.

Even if an employee has no accumulated Sick Time at the time of an absence, he or she shall complete a Leave Request Form. A Leave Request Form should be submitted regarding any time an employee is not on school grounds during school hours, even for absences due to approved professional development activities.

If Employee fails to report to work for three consecutive days without calling in, Employee will be deemed to have voluntarily quit.

Family Medical Leave Act (FMLA)

****Teachers should be aware that they may be subject to different rules than described below with respect to intermittent leave, reduced schedule leave and blocks of leave occurring near the end of an academic term.****

Under the Family and Medical Leave Act of 1993, as amended (FMLA), employees may be eligible for a period of job-protected unpaid leave for certain family and medical reasons as described below. This Family Medical Leave Act Policy ("Policy") provides an overview of employees' rights and responsibilities under the FMLA as well as AMS's own policies regarding FMLA Leave. AMS has posted notices of the FMLA at all AMS facilities. The information in those posters is incorporated into this policy by reference.

General Eligibility

To be eligible for FMLA Leave under this Policy, an employee must:

- Have worked at AMS for at least 12 months and must have worked at least 1,250 hours during the 12-month period prior to the commencement date of any leave requested under this Policy.
- Work at a site at which 50 or more employees are employed within a 75-mile radius.

Types and Duration of FMLA Leave

Employees may take FMLA leave for the following reasons:

1. The birth of the employee's child and to bond with the child; or for placement through adoption or foster care and to bond with the newly placed child. Such leave must be concluded no later than 12 months after the birth or placement of the child with the employee;
2. To care for an immediate family member (spouse, child under 18 years old or a child 18 and over who is incapable of self-care because of a disability, or parent) with a serious health condition;
3. Because of a serious health condition which renders the employee unable to perform the functions of his/her job; or

4. Because of any qualifying exigency arising out of the fact that an employee's spouse, son (of any age), daughter (of any age) or parent, who is serving in any branch of the military (including the National Guard or Reserves), has been deployed or called to active duty in a foreign country ("Active Duty Leave").

5. An employee also may be eligible for Military Caregiver Leave to care for a spouse, son (of any age), daughter (of any age), parent or next of kin who is: 1) a current member of the Armed Forces, including the National Guard or Reserves, and who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness, which is incurred in the line of duty (or for a pre-existing injury or illness which is aggravated in the line of duty) and that renders the service member medically unfit to perform the duties of his or her office, grade, rank or rating, or 2) a veteran who was a member of any branch of the Armed Forces, including the National Guard or Reserves, and who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness that occurred in the line of duty (or for a pre-existing injury or illness which was aggravated in the line of duty) at any time within 5 years preceding the treatment, recuperation or therapy. A covered veteran incurs a serious illness or injury for purposes of this paragraph when one of the following occurs:

1. The injury or illness makes him or her medically unfit to perform the duties of his or her office, grade, rank or rating.
2. It causes the service member to have a VA Service Disability Rating is at 50% or greater.
3. It is a mental or physical condition substantially impairs their ability to obtain gainful employment.
4. The VA enrolls the employee in the Department of Veteran Affairs Program of Comprehensive Assistance for Family Caregivers.

Eligible employees are entitled to a total of 26 weeks of unpaid Military Caregiver Leave during a single 12-month period. Military Caregiver Leave applies on a per-covered service member, per-injury basis, so that an employee may be eligible to take more than one 26-week period of Military Caregiver Leave, but no more than 26 weeks of leave may be taken during any one 12-month period.

An eligible employee is entitled to a combined total of 26 workweeks of leave for all FMLA qualifying reasons during the single 12-month period described above. For example, if an employee takes 10 weeks of FMLA leave due to his/her own serious health condition, the employee may take only 16 weeks of Military Caregiver Leave during that same 12-month period.

When Spouses Work Together

If both spouses are employed by AMS and are eligible for leave under this policy, they are eligible for a combined total of 12 weeks of leave within the applicable 12-month period when the leave is due to the birth or placement of a child or to care for a parent who has a serious health condition, or a combined total of 26 weeks within the applicable 12-month period to care for a parent who has a serious health condition and for Military Caregiver Leave. (However, in no event shall the

spouses take more than a combined total of 12 weeks of leave within the applicable 12-month period for the birth or placement of a child or to care for a parent who has a serious health condition).

Notice of Need for FMLA Leave

To avoid a delay in FMLA protection, the employee must give notice as soon as possible and practicable. Employees are always required to give notice as soon as practicable and possible, but, except for instances of active duty leave, an employee is not required to provide more than thirty (30) days advance notice.

If an employee fails to give the required notice with no reasonable excuse, FMLA coverage may be delayed for a period of time. This can result in discipline for absences taken prior to FMLA coverage commencing.

Employees should make every reasonable effort to schedule foreseeable medical treatments so as not to disrupt the ongoing operations of the Company.

Substitution of Paid Leave for Unpaid FMLA Leave

Employees must concurrently exhaust any short-term disability benefits, workers compensation benefits, accrued vacation time, sick time or any other form of applicable paid leave for FMLA leave. All substituted paid leave that is being concurrently exhausted will be counted against an eligible employee's FMLA leave entitlement.

Intermittent FMLA Leave

Intermittent or reduced schedule leave is leave at varying times for the same qualifying condition. Intermittent leave or reduced schedule leave may be available if the need for leave is due to an employee's serious health condition or an employee's immediate family member's serious health condition and when the need for intermittent or reduced schedule leave is certified by a health care provider. Intermittent or reduced schedule leave is not available for the birth or placement of a child for adoption or foster care, unless AMS agrees. Military Caregiver Leave may be taken intermittently or on a reduced leave schedule when medically necessary. Active Duty Leave may also be taken on an intermittent or reduced leave schedule.

Employees who take foreseeable intermittent or reduced schedule leave must attempt to schedule their intermittent or reduced schedule leaves so as not to disrupt the operations of AMS and in some instances, AMS may require employees taking foreseeable intermittent or reduced schedule leaves to transfer temporarily to an alternative position for which the employee is qualified and which better accommodates the employee's leave schedule.

Employees taking unforeseeable intermittent leaves must follow the Company's standard call-in procedures absent unusual circumstances.

Documentation Supporting FMLA Leave

An employee requesting leave for a serious health condition must provide a completed FMLA Certification of Health Care Provider Form supporting the need for the leave. A request for

reasonable documentation of family relationship verifying the legitimacy of a request for FMLA Leave may also be required.

The employee will have fifteen (15) days in which to return a completed Certification form following AMS's request for the certification. If the employee fails to provide timely certification after being required to do so, covered leave may be delayed moving forward until the certification form is finally submitted. In some circumstances, a second opinion, at the expense of AMS, related to the health condition may be required. If the original certification and the second opinion differ, a third opinion, at the expense of AMS, may be required. The opinion of the third health care provider, which the AMS and the employee jointly select, will be the final and binding decision.

A request for Military Caregiver Leave must be supported by the Certification for Serious Injury or Illness of Covered Servicemember form or Certification for Serious Injury or Illness of a Veteran for Military Caregiver Leave form as well as any necessary supporting documentation.

Once AMS has received a complete and sufficient certification form from the employee, AMS will advise the employee whether he or she has been approved or denied FMLA and, if possible, will advise how much FMLA will be used.

Restoration To Position And Benefits

Employees on paid FMLA (because they are concurrently exhausting a paid leave benefit) will continue to have their premium payments deducted from their paycheck as if they were on non-FMLA paid leave. Employees on an unpaid FMLA leave (for which no paid leave is substituted or after all paid leave has been exhausted) will need to maintain the benefits they accrued prior to commencement of the leave by making premium payments

Employees are permitted to return to whatever position they would have held had they not taken FMLA leave. Generally, this means employees returning from FMLA leave within 12 weeks will be returned to the job position that they held when they went on leave, or a substantially similar one. If the employee would have lost their position even if they had not taken the leave, then there exists no reinstatement right. For example, if the employee's position is eliminated because of a reduction in force, then no reinstatement right exists.

Return To Work

Employees on FMLA leave must periodically inform Human Resources of their status and intent to return to work while on FMLA leave. Employees returning from FMLA leave must be able to assume all of the essential functions of their jobs upon return and must provide certification from the employee's health care provider stating that the employee is able to resume work.

Failure To Return From Leave

Unless required otherwise by law, an employee granted a leave of absence under these provisions who fails to return to work upon expiration of the leave will no longer have protected absences.

Key Employees

An employee who qualifies as a “key employee” may be denied restoration of employment after a period of FMLA leave if holding the employee’s position would cause AMS grievous economy injury. A “key employee” is an employee who is salaried and is among the highest paid ten percent of the work force within 75 miles of the place where the employee reports to work. Upon requesting FMLA leave, an employee will be notified by AMS of his/her status as a “key employee” if there is a possibility that AMS may deny reinstatement after leave.

Bereavement Leave

An employee may take up to a total of 5 unpaid days leave of absence for the death of immediate family members (i.e., (1) spouse or domestic partner, (2) child, (3) parent, (4) grandparent, (5) grandchild, or (6) sibling). In lieu of unpaid days, employees may also choose to use up to 5 days of their accrued paid time off, such as PSL, for this purpose. However, such permissible voluntary use of PSL will not change the maximum annual allotment of available PSL. Any days taken off for the death of immediate family members must be taken in full day increments. AMS reserves the right to require an employee to use paid vacation time off as part of the 5 days of leave, with any remainder taken as unpaid leave.

After 5 days, if an employee does not return to his or her duties and does not have permission to be out longer, the employee may be subject to disciplinary action up to and including termination.

Witness Duty

An employee may take unpaid time off for the following purposes: (1) the employee is required by law to appear in court as a witness, (2) if the employee is a victim of domestic violence, to obtain relief to help ensure his or her health, safety, or welfare or that of his or her child, (3) if the employee (or his or her child) is a victim of sexual assault and time off is needed to attend court proceedings, to receive medical attention, to receive crisis counseling, to receive psychological counseling, and/or to participate in safety planning programs to increase future safety; or (4) if the employee or a member of his or her immediate family (including domestic partners) is a crime victim and time off is needed to attend a judicial proceeding related to the crime. Employees may also choose to use any paid time off, such as PSL, they have for this purpose. Employees are required to give reasonable advance notice of the need for time off for these reasons unless an emergency or unscheduled court appearance is required. In such a case, the employee must provide the Employer with written evidence from the court or prosecuting attorney within 15 days of the absence that the employee has appeared in court.

Voting Leave

This policy applies to tribal, municipal, county, state, and federal elections. If there are less than three (3) consecutive hours between the opening of the polls and the beginning of the employee’s work shift, or between the end of the employee’s work shift and the closing of the polls, paid time off to vote will be granted. In such event, the employee is expected to work with his/her manager no later than the day prior to the day of voting to schedule paid time off so that the employee will

have three consecutive hours to vote. The manager has discretion in determining whether the time will be provided at the beginning or ending of the employee's shift. However, employees are advised that voting polls are generally open to allow sufficient time to vote outside of working hours.

Jury Duty

Employees summoned for jury duty will be allowed the necessary time off from work to perform this civic responsibility. Employees will be paid for up to five days of jury duty, less any amount earned by the employee for service as a juror. Jury duty lasting longer than five work days will be unpaid. Employee may use paid leave time after five days. If an employee has jury duty, the employee is responsible for presenting his or her jury slip to the office before the report date. The employee will also be expected to present a certified slip confirming his or her duty.

Performance Evaluations

Performance Evaluation Policy

The Performance Evaluation is an assessment of the staff member's performance in providing instruction and/or fostering an educational atmosphere that supports the development of students. This evaluation is intended as a constructive tool and is meant to serve as a mechanism for fostering professional growth.

Employees shall meet with their supervisor upon hire to discuss the evaluation tool used for their position. Staff members should expect to be periodically observed by management staff, peers, parents, and Board Members. Such observations may serve as a crucial component of the evaluation.

Administrative staff performance evaluations will focus on administrative responsibilities as opposed to instructional competence.

The Co-CEOs or a designee of the Co-CEOs shall conduct Performance Evaluations of all employees.

Annual Evaluations

The goal is that performance evaluations will be conducted at least once annually for all employees. In addition, a performance evaluation may be conducted at any time the administration deems it to be appropriate.

Performance Standards

Performance evaluations will be based upon the principle job elements set in the written position description and the professional development plan. In so far as possible, the evaluation will be based on objective, measurable criteria.

Record Keeping

Employees' performance evaluation reports will be filed in the employees' official personnel file. Employees will be given a copy of their performance evaluation upon completion and may also request a replacement copy if needed.

Employee Conduct and Discipline

General Rules

Your performance and professionalism are important aspects of AMS's reputation.

AMS's policies regarding conduct are designed to benefit both employees and AMS. We expect you to use common sense and good judgment at all times. Misconduct or inappropriate behavior are serious matters and may jeopardize your employment with us.

In addition to any other reasons available to AMS (including the right to terminate the contract "at will"), and without in any way limiting the bases for such, the occurrence of any of the following events may result in disciplinary action up to and including, without limitation:

Verbal counseling/warning, written warning, final warnings, performance improvement plans, suspension without pay, reduction in compensation, demotion, or termination.

Behavior problems affecting performance will be dealt with on an individual basis. An employee's previous work history may be taken into account in determining the appropriate action. Other considerations might include the seriousness of the offense, the harm, and damage caused, and any criminal considerations.

It is not possible to list all forms of behavior that are considered unacceptable in the workplace. The following are examples of infractions of rules of conduct that may result in disciplinary action, up to and including termination of employment:

- Discourteous treatment of any students, parents, guardians, co-workers, or visitors to the School
- Abusive language or other disrespectful conduct towards students, parents, co-workers, or visitors to the School
- Sexual or other unlawful or unwelcome harassment
- Disruptive conduct
- Inappropriate conduct involving students
- Employee's neglect, refusal, or failure to promptly, diligently, and satisfactorily perform his or her duties or failure to comply with AMS rules, regulations, policies, or guidelines (as they may presently exist, or as they may, from time to time, be promulgated or amended, at the sole discretion of AMS)
- Employee's dishonesty in connection with the performance of his or her duties, including but not limited to any false oral representations to AMS or falsification of documents presented to AMS by employee either before or after employment

- Unsatisfactory performance or conduct
- Incompetence
- Inefficiency
- Employee's negligence in the performance of his or her duties
- Insubordination which is defined as refusing a lawful directive from a supervisor or management level official.
- Employee's conviction in any court of any felony or a Class 2 or higher misdemeanor, or of any crime that would have been classified as a felony or a Class 2 or higher misdemeanor had it been prosecuted in this state, or of any crime which would prevent the employee from securing or retaining a class one or class two fingerprint clearance card
- Possession, distribution, sale, transfer, or use of alcohol, illegal drugs, or tobacco on the AMS property, at off-campus AMS-related events, while on duty, while operating AMS-owned equipment, or while within AMS-owned vehicles
- Possession of dangerous or unauthorized materials, such as explosives, firearms, or ammunition on AMS grounds, at off-campus AMS-related events, while on duty, while operating AMS-owned equipment, or while within AMS owned vehicles
- Possession of firearms as defined in 18 United States Code 921 on AMS grounds, inside school buildings, in or on school parking lots or playing fields, in school buses or other school vehicles, or at off-campus AMS-sponsored events
- Possessing, dispensing, utilizing, or being under the influence of alcohol or any controlled substance without proper medical authorization while on duty
- Fighting or threatening on AMS grounds, at off-campus AMS-related events, while on duty, while operating AMS-owned equipment, or while within AMS-owned vehicles
- Boisterous or disruptive activity on AMS property, at off-campus AMS-related events, while on duty, while operating AMS-owned equipment, or while within AMS-owned vehicles;
- Excessive absenteeism or tardiness or any absence or tardiness without notice
- Unauthorized absence from workstation during the workday
- Unauthorized use of telephones, mail system, or other AMS-owned equipment
- Unauthorized disclosure of business confidential or proprietary information, or legally privileged or protected information
- Theft or unauthorized removal or possession of AMS property, or the property of students, co-workers, parents, or other visitors to the school
- Misuse or theft of school property or that of fellow employees
- Negligence or improper conduct leading to damage of AMS-owned property
- Gambling on the school grounds, at off-campus AMS-related events, while on duty, while operating AMS-owned equipment, or while within AMS-owned vehicles
- Violation of safety or health rules
- Violation of school policies
- Violation of any provision of this Handbook

Fraternization

AMS does not prohibit dating relationships between coworkers; however, romantic/sexual relationships that develop among coworkers are potentially disruptive and are discouraged. Furthermore, members of management are expressly prohibited from dating or becoming romantically involved with any subordinate or anyone who is within the same chain of supervision. Additionally, all employees, both managerial and non-managerial, are prohibited from fraternizing or becoming romantically involved with other employees, when, in the opinion of AMS, their personal relationship may create a conflict of interest, cause disruption, create a negative or unprofessional work environment, or otherwise negatively affect morale. When such circumstances are found to exist, AMS may, within its sole discretion, take appropriate action up to and including transfer or termination of one or both employees involved in the relationship.

All employees are reminded that AMS maintains a strict policy against unlawful harassment of any kind, including sexual harassment (*see* pp. 2-4). Therefore, notwithstanding any prior consensual relationship between two employees, AMS will vigorously enforce this policy consistent with all applicable federal, state and local laws against any employee who engages in conduct that violates that policy.

Social Media

Introduction

Social media tools are a powerful form of communication that can have a significant impact on organizational, professional, and individual reputations. Forms of social media include but are not limited to Facebook, Twitter, Instagram, LinkedIn, Tumblr, Google+, and MySpace, as well as personal websites and weblogs (blogs).

Employees must exercise care when participating in social media, as the lines between personal and professional content, lawful and unlawful, and between public and private content, are often blurred. Whether participating on behalf of the Company or personally, employees should follow the same standards of behavior “online” as they would if in “person.” Remember that the Internet is not anonymous, and it does not forget.

The purpose of this policy is to encourage clear and consistent communications with our community and the media, and to protect the trade secrets and intellectual property rights of AMS, to promote compliance with state and federal laws, including Federal Trade Regulations and National Labor Relations Board guidance. Employees are also advised that AMS maintains workplace policies prohibiting sexual harassment and other misconduct which equally apply to social media activities.

Guidelines

The following are general guidelines for employees’ participation in social media and on-line communications. Violations of the Policy may result in corrective action, up to and including termination of employment.

A. Take Responsibility and Be Transparent

- i. You are responsible for anything you write or do online.
- ii. Use good judgment when you post and think about the consequences of what you are posting. Assume your writings will spread.

B. AMS's Policies Extend to Social Media Activities

- i. Ensure that your communications or postings do not violate any of the policies set forth in this Handbook or otherwise, including but not limited to the Equal Employment Opportunity Policy, Harassment Policy and Standards of Conduct. Do not express, communicate or link to comments that are vulgar, obscene, threatening, pornographic, harassing or which are a violation of the employer's workplace policies against discrimination, hostility or harassment on account of age, race, religion, sex, ethnicity, nationality, disability, or other protected class, status, or characteristic.
- ii. AMS discourages employees from engaging in social media relationships with one another, except in cases where the relationship is limited to business-related networking or there is a legitimate business purpose.
- iii. The Business Office is responsible for providing references to employees, in accordance with AMS policy as well as to comply with federal and state employment laws. Managers and supervisors should *not* provide references for current or former employees via social networking sites (i.e., LinkedIn).

C. Testimonials and Endorsements

- i. The Federal Trade Commission has established detailed regulations (16 CFR Part 255.5) concerning information that must and must not be disclosed in testimonials and endorsements (of products or companies), including those made via social media. Because of the regulation of this area by the FTC, AMS prohibits any social media posts concerning AMS or its services that are not in compliance with the FTC's mandate. Accordingly, testimonials or endorsements about AMS or its services should be avoided. In the event that an employee uses social media for any testimonials or endorsements of AMS or its services, the employee must clearly and conspicuously disclose his or her relationship to AMS to members and readers of the social media site or post.

D. Protect the Trade Secrets, Intellectual Property Rights, and Privacy Rights of AMS

- i. AMS has an interest in keeping its trade secrets and intellectual property rights protected. To this end, employees are prohibited from posting any information on social media that would reveal trade secrets, confidential strategic business initiatives, or compromise AMS's intellectual property rights in any way.
- ii. Similarly, and in accordance with state and federal law, employees are prohibited from posting confidential personal information about students,

parents or employees (which is defined as another social security numbers, protected health information, credit card numbers, drivers' license numbers, mother's maiden name, complete date of birth, minor children's names).

- iii. Employees also may not use any client or vendor trademarks or logos for commercial use without the client or vendor's express permission. AMS expects all employees to abide by all Copyright laws.
- iv. Social media is not for everyone, and many employees opt not to socialize with their co-workers, via social media or otherwise. To this end, employees are not required to connect with any co-worker or to "friend" them on social media sites. Employees are prohibited from threatening other employees to coerce them into engaging in social media activities.

E. Be Wary

- i. People who communicate with you online may not be who they claim to be. They could be competitors, media, regulators, or others seeking "insider information" about AMS.
- ii. Everything written online can be traced back to its author. Additionally, information is often repeated and linked to other sources, so you never know when an incidental comment can go viral. Further, there are countless viruses and spyware on the internet with clever methods for infecting computers. Be careful and report any unusual behavior by company computers.

Obligation to Report Violations of This Policy

If an Employee becomes aware of a violation of this policy, please report it to an appropriate supervisor or to Human Resources.

If an Employee feels he or she is being harassed, discriminated against or retaliated against for reporting a violation of this policy, he or she should immediately report this pursuant to the reporting procedure described in this handbook.

No Expectation of Privacy

Employees are reminded that they should have no expectation of privacy when using the Internet, which includes social networking sites, during working time or when using AMS equipment, in accordance with the AMS's electronic communications policies.

Criminal and Civil Liability

There are times when postings by employees may create potential criminal or civil liability for AMS. If the Company determines that to be the case, it reserves the right to demand the posting be removed.

Non-Interference With Applicable Laws

This policy is not intended to restrict or interfere with any employee's federal or state labor law rights, including all rights under the National Labor Relations Act, or any whistleblower protections under federal or state law.

Questions About This Policy

Please contact the Human Resources if you have any questions about this Policy

Fundraising Policy

The purpose of this policy is to ensure that fundraising activities align to the mission of the school and all monies are controlled, spent, tracked, and accounted for appropriately. Fundraisers are done to benefit an AMS school, club, activity, or student organization. Fundraisers cannot be conducted for the benefit of individuals.

The following are the steps required to ensure accountability.

1. Teacher or staff member (the "Sponsor") submits a written **Request to Participate in Fundraising** on behalf of the school, student club, etc. prior to participating in the fundraising activity. This Request shall include the estimated expenses and whether any items need to be pre-purchased or if there will be any other up-front costs. All prepayments for expenses will come from the Business Office. The Request shall also include a list of the items to be sold, anticipated number of sales and estimated total revenue, **a list of participants**, if known, and a timeframe for concluding sales.
2. The Principal reviews **Request to Participate in Fundraising Activity** and either approves or disapproves the request. Approved requests are forwarded to the Business Office for further review. The Principal notifies the Sponsor of the status of the request.
3. Co-CEOs or CCO review the **Request to Participate in Fundraising Activity** and make a final decision to approve or disapprove the request. The Co-CEOs or CCO notify the Principal and the Chief Financial Officer (if the request is approved) of the status of the request. The Principal will then notify the Sponsor.
4. The Chief Financial Officer, or designated business office employee, provides a **receipt book** to the Sponsor. At this time the Sponsor may begin the fundraising activity.
5. Receipts shall be issued for every transaction, whether cash or check. Checks must be made out to AMS, signed, dated, and have a return address. The fundraising activity may be written on the 'For' line of the check. Checks shall NEVER be made out to an individual. Voided receipts should be kept and returned with the unused receipts book. The Sponsor shall not keep cash or checks in their possession. Cash and checks shall be kept in a locked safe on school grounds and in accordance with the cash handling policies must be performed on a daily basis

6. It is the responsibility of the sponsor to maintain the reports to verify revenue and expenses with business office.
7. The Sponsor must submit the **Cash Collection Report**, sales receipts, **Expense Report** and expense receipts and the remaining book of receipts to the Principal for reconciliation prior to submission to the business office.
8. Upon reconciliation, the Principal signs off on the **Cash Collection Report** and the **Expense Report**. The Principal seals all documents in an envelope and gives it to the front desk to submit with the daily deposit.
9. Any funds raised in surplus of the expenses of the fundraiser shall be restricted to the use of the club, activity, or scope of activities for which the fundraiser was intended.

Drugs and Alcohol Use

I. Policy:

It is the policy of AMS to maintain a drug- and alcohol-free workplace so that employees may have safe, healthy and productive conditions in which to work, and so that customers receive a high quality of service. Employees who are under the influence of drugs or alcohol may pose serious risks to themselves, their co-workers, students and visitors. The use, consumption, sale, purchase, possession, manufacture or distribution of illegal drugs and/or drug paraphernalia and/or alcohol while at work, while AMS property or while engaged in AMS business is prohibited. Employees are further prohibited from being on AMS property, reporting to work or working while impaired by the use of drugs or alcohol.

Violations of this policy may result in disqualification from the hiring process, discipline and/or termination of employment.

II. Scope

All employees will receive a copy of this Drug and Alcohol-Free Workplace Policy, and will be required to sign an appropriate acknowledgment and receipt. All applicants who have received conditional offers of employment with AMS will be required to read the Drug and Alcohol-Free Workplace Policy and will also be required to sign an appropriate acknowledgment and receipt.

III. Definitions:

A. Illegal Drugs

Any controlled substance considered unlawful under the federal Controlled Substances Act (21 U.S.C. § 812), Title 13 of the Arizona Revised Statutes Chapter 34, or the metabolite of the substance. "Illegal drugs" also includes medication, or other chemical substance

that (1) is not legally obtainable; or (2) is legally obtainable, but is not legally obtained, is not being used legally, or is not being used for the purpose(s) for which it was prescribed or, in the case of an over-the-counter medication, intended by the manufacturer. Thus, “illegal drugs” may include prescription drugs that are obtained illegally, or which are obtained legally but are being used in a manner not prescribed by the employee’s healthcare provider. They also include over-the-counter medications that are being abused or not being used for the purpose(s) for which they were intended by the manufacturer.

B. Legal Drugs

Prescribed or over-the-counter drugs that are legally obtained by the employee and used for the purpose(s) for which they were prescribed, or in the case of over-the-counter medications, intended by the manufacturer.

The Arizona Medical Marijuana Act (the “Act”) recognizes marijuana, if obtained in certain limited amounts and used for authorized medical purposes, is a legal drug in Arizona. This policy is intended to follow the requirements of the Act. However, even if an employee’s use of marijuana may be otherwise permissible under the Act, the possession, smoking or consumption of marijuana on or in Company property or while engaged in Company business is strictly prohibited under this policy. Also, notwithstanding otherwise permissible use of marijuana under the Act, being impaired by marijuana, or any other drug, while on or in Company property, equipment, machinery, and vehicles or while engaged in Company business is strictly prohibited.

Notwithstanding the Act, employees working on federal contracts or in federally regulated positions will remain subject to any federal drug testing requirements applicable to their positions.

C. AMS Property

For purposes of this policy, the term “AMS property” is used in its broadest sense and includes all property, facilities, worksites, land, offices, buildings, structures, fixtures, lockers, installations, trailers, equipment, automobiles, trucks and all other vehicles, and parking areas, whether owned, leased, used by or under the control of AMS. This term also includes other work locations, and travel to and from those locations while in the course and scope of AMS employment.

D. Impairment

The term “impairment” or “impaired” means symptoms that a prospective employee or employee may be under the influence of drugs or alcohol that may decrease or lessen the employee’s performance of the duties or tasks of the employee’s job position, including, but not limited to, symptoms of the employee’s speech, walking, standing, physical dexterity, agility, coordination, actions, movement, demeanor, appearance, clothing, odor, irrational, or unusual behavior, negligence or carelessness in operating equipment, machinery or production or manufacturing processes, disregard for the safety of the employee or others, involvement in an accident that results in serious damage to equipment,

machinery or property, disruption of a production or manufacturing process, any injury to the employee or others or other symptoms causing a reasonable suspicion of the use of drugs or alcohol.

E. Safety Sensitive

The term “safety sensitive” means any job designated by AMS as a safety-sensitive position or any job that includes tasks or duties that AMS in good faith believes could affect the safety or health of the employee performing the task or others.

IV. Conduct:

A. Alcohol

Consumption or being under the influence of alcohol while at work, on AMS property, or at any time that causes impairment while engaged in AMS business, or otherwise adversely affects an employee from safely and satisfactorily performing job duties, is prohibited. Employees also may not possess, sell, purchase, manufacture or distribute alcohol while on AMS property or engaged in AMS business.

B. Illegal Drugs

The use, consumption, sale, purchase, possession, manufacture or distribution of illegal drugs and/or drug paraphernalia while at work, while on AMS property or while engaged in AMS business is prohibited. Employees also may not work or report to work while impaired by the use of illegal drugs or with detectable levels of illegal drugs or the metabolites of illegal drugs in their systems. If appropriate, violations may be reported to the appropriate law enforcement authorities.

C. Legal Drugs/Prescription Medication

The use of prescription drugs, in their original container or packaging, as prescribed by a licensed physician as medication for use by the person possessing the medication (but not including marijuana as otherwise permitted under the Act) and over-the-counter drugs is allowed on AMS property and during the hours of employment. However, improper use of legal drugs or working while impaired by the use of legal drugs is prohibited and may result in disciplinary action up to and including termination.

In order to ensure the safety of the employee and others, any employee who has reason to believe that the use of legal drugs, such as prescription medication, may pose a safety risk to any person or interfere with the employee’s performance of his or her job is required to report such legal drug use to Human Resources. When making such a notification, the employee should not disclose any underlying medical condition. AMS shall then determine whether any work restriction or limitation is indicated as authorized and/or required by law. Failure to report the use of a legal drug that may pose a safety risk to the employee or to others may result in disciplinary action.

AMS may exclude an employee from performing a safety sensitive position, if the use of a legal drug could cause an impairment or otherwise decrease or lessen the employee's job performance or ability to perform the employee's job duties.

V. Procedure:

A. **Testing**

To meet its commitment to provide a safe working environment for all employees, promote the highest standards of employee health and productivity, and protect AMS's reputation in the community, AMS has implemented a drug and alcohol impairment testing policy. The goal of this policy is to maximize safety and productivity in the workplace while preserving the privacy and dignity of employees.

All employees may be subject to drug and/or alcohol impairment testing, including all officers, directors, managers and supervisors of AMS

Drug and alcohol impairment testing may be required under the following circumstances:

1. **Pre-Employment:** Any prospective employee who has received and accepted an offer of employment will be required to pass a drug test as part of their pre-employment process. Failure to pass the drug test may result in withdrawal of the offer of employment.
2. **For Cause/Reasonable Suspicion:** Suspicion of drug or alcohol use or impairment while at work, on AMS property or engaged in AMS business, as determined by good faith observation, performance problems, or supervisory concerns.
3. **Random:** From time to time, AMS may require employees or groups of employees to undergo a drug test on a random or chance basis. Employees are subject to random testing through a computerized selection process done by a third party.
4. **Post-Accident:** Employees involved in on-the-job accidents or other work-related incidents in which it is reasonably possible that drug or alcohol use could be a contributing factor. Decisions regarding "involvement" and/or "reasonably possible" are at the sole discretion of the supervisor or manager, however, accidents requiring outside medical attention beyond first aid will require drug/alcohol testing. All accidents must be reported as soon as practicable after the accident. Employees who have been required to submit to a drug and/or alcohol impairment test as a result of an accident will not be allowed to return to work until the results of the drug and/or alcohol test become available to AMS
5. **Return To Duty:** An employee who tests positive for drugs, but whose employment is not terminated in accordance with this policy, may be required to submit to a return-to-duty test to ensure that the employee is not impaired while on AMS's premises or during the hours of employment. Periodic follow-up tests also may be conducted in connection with a counseling or rehabilitation program. This provision does not preclude AMS from terminating an employee who tests positive for illegal drugs or alcohol impairment, or who used, possessed, or was impaired

by drugs on AMS property or during the hours of employment without proper authorization.

B. Testing Methods and Collection Procedures

1. Drug and/or alcohol impairment testing will occur during, or immediately before or after, a regular work period. The testing will be deemed working time for purposes of compensation and benefits for employees of AMS. AMS will pay the actual costs for drug and alcohol impairment testing of employees. AMS will pay the reasonable transportation costs incurred by employees if their testing occurs at a location other than their normal work site. The testing will be on AMS time and is mandatory. AMS retains sole discretion to pay (or not pay) the actual costs for drug testing of prospective employees.
2. The testing method will include the following provisions:
 - a) Collection will be performed under reasonable and sanitary conditions.
 - b) The method of testing may include breath, saliva, blood, urine or other sample types from the person being tested.
 - c) Employees will be given an opportunity to provide any information that may be considered relevant to the test, including identification of currently or recently used prescription or nonprescription drugs or other relevant medical information.
 - d) Collections will be documented through proper labeling and chain-of-custody procedures to preclude the possibility of contamination, adulteration, or misidentification.
 - e) Testing will be through scientifically accepted methods and procedures.
 - f) Testing of collected samples will be done by a laboratory approved or certified by the U.S. Department of Health and Human Services, the College of American Pathologists, or the Department of Health Services.
3. The drug screen will be a 10-panel test that screens for:
 - a) Amphetamines, benzodiazepines, barbiturates, cocaine, methadone, opiates, phencyclidine (PCP), propoxyphene and marijuana. In addition, in case of reasonable suspicion, the company reserves the right to expand the list of drugs included in the screening process.
 - b) Any positive drug test will be confirmed by a second, confirmatory drug test. All confirmation testing will be performed by gas chromatography/mass spectrometry (GC/MS). Alcohol screening may also use evidential breathing testing (EBT) devices. In such instance, two breath tests are required to determine if a person has a prohibited alcohol concentration.
4. Dilution

- a) If applicant/employee provides a specimen that is so diluted that the lab cannot obtain a result, said applicant/employee must re-submit to a new drug test on the same day of the request or will be subject to termination or offer being rescinded.

C. Test Results

1. A drug test will be considered positive when the screening levels established by the testing laboratory are exceeded. Information regarding the screening cutoff levels for various drugs will be made available upon request. An alcohol impairment test will be considered positive when an employee's blood alcohol level exceeds 0.04%. A specimen that is determined by the laboratory to have been adulterated shall be reported to AMS as a positive result.
2. A confirmed positive test result may result in rescission of offer or termination of employment.

D. Refused to Be Tested/Discipline

1. Refusal by a prospective or current employee to follow this policy may result in AMS rescinding the offer or disciplinary action, up to and including termination of employment.
2. Any employee who attempts to interfere, alter, substitute, or in any way affect the outcome of the drug and alcohol impairment screening test process (including failing to report an accident on a timely basis) may be subject to disciplinary action, up to and including termination of employment.
3. Any employee who fails to report to the designated testing facility immediately from the moment of notification as directed by a supervisor or manager, or otherwise fails to submit to a drug or alcohol impairment test, may be subject to disciplinary action up to and including termination.

E. Consent and Authorization for Release of Information

Prospective employees and employees are required to sign a consent form to be tested and an authorization for release of results for drug and alcohol impairment tests.

F. Confidentiality of Test Results

1. Information and records relating to test results will be kept confidential to the extent required by law. AMS will designate an AMS representative to receive all test results. AMS's representative will notify only the employee of the test results as well as any other supervisor or manager of the Company with a need-to-know. AMS will not release any information regarding the test results outside of AMS without the written consent of the individual tested, except as otherwise authorized or required by law.

2. Except as otherwise permitted by law, no sample taken for testing under this policy will be tested for any substance or condition except the drugs/alcohol allowed for in this policy.

G. Access/Explanation

1. Individuals tested may, upon request, receive a written copy of their test results when available.
2. Upon request, an employee or prospective employee will be given an opportunity to explain, in a confidential setting, a positive test result.

H. Suspected Policy Violation

1. If a supervisor, manager, or professional staff member of AMS has knowledge of or reasonably suspects that an employee has violated this policy and thus meets the requirements for drug/alcohol impairment testing as stated within this policy, the supervisor, manager, or professional staff member after noting and documenting the time will remove the employee from any work area and/or responsibility while maintaining visual contact of the employee at all times. If the employee has been involved in a work-related accident or incident, any injuries will be addressed and resolved as a number one priority. The test procedure is not to be pursued until and unless the employee is safe and stable. If an employee must receive outside medical attention, emergency medical personnel will be told of the AMS's drug/alcohol testing policy so proper samples may be obtained when it is safe to do so.
2. The employee will be told that drug or alcohol use is a reasonable suspicion and that the appropriate AMS officials are going to be contacted for assistance in initiating the testing procedure.
3. The supervisor, manager, or professional staff member will notify Human Resources. The supervisor will arrange for transportation to and from the medical facility.

VI. Exception to this Policy

AMS retains the right to grant limited exception to this policy only for the moderate consumption of alcohol during AMS-sponsored events or meals at which AMS deems such moderate consumption to be acceptable.

VII. Search of Personal Property

At any time during the hours of employment, AMS may search employee personal property located on AMS property including, but not limited to, work areas, desks, purses, backpacks, briefcases, file cabinets, lockers, tool boxes, vehicles, and any other item or location where drugs and/or alcohol may be present. The unauthorized presence of drugs or alcohol, or the refusal to consent to a search, may result in discipline, up to and including termination.

Tobacco and Smoking

Pursuant to Arizona law, smoking and the use of tobacco products is prohibited on AMS property, at off-campus AMS-related events, while on duty, or while within AMS owned vehicles.

This policy applies to all employees, students, and visitors.

Medical Marijuana Use/Cards

Employees who have been legally issued medical marijuana cards, and are not employed in safety sensitive positions, are not prohibited from using medical marijuana in accordance with applicable law. However, employees may not be under the influence of marijuana to the extent they are impaired in the workplace. Smoking or possessing marijuana during work hours on the AMS premises is strictly prohibited. Should an employee exhibit signs of impairment, the situation will be treated under the drug and alcohol procedures above. Being impaired in the workplace may lead to termination of employment.

Personal Appearance

Employees are expected to be neat in appearance and to dress in a manner consistent with an institution that serves the public. The impression made on students, visitors, and co-workers must be kept as a foremost consideration.

Employees who appear for work inappropriately dressed will be sent home and directed to return to work in proper attire. Under such circumstances, employees will not be compensated for the time away from work.

Employee Dress Code

AMS's dress code is designed to promote a professional atmosphere in the school among colleagues; increase work productivity, provide a positive example to students, and promote teachers as professionals in the eyes of the students, teachers, parents, and all outside community members. All school employees are required to maintain a neat, clean appearance always and to wear professional and appropriate business attire (as described below) while on school grounds and while at school-sponsored events.

The following section provides an overview of appropriate/inappropriate attire for general school circumstances. In the event you are performing activities which require more casual attire, contact your supervisor to request an exemption. This includes instruction of physical education, outdoor events such as coaching, and handling of materials which may stain or ruin clothing.

Remember, if you are uncertain about what is acceptable, professional business casual attire for work, please ask your supervisor. No dress code can cover all contingencies, so if you have any hesitation regarding dress, please exert good judgment erring towards the more conservative side in your decision of what to wear for work.

Appropriate Attire:

Slacks/Pants:

- Dress pants made of material such as cotton, wool, polyester, or nylon. Jeans are not allowed.
- Dockers or khakis
- Slacks that are neatly pressed
- Pants that match a business suit jacket

Skirts/Dresses:

- Must be at a length in which you can sit comfortably in public (no shorter than 2” above the kneecap)
- Slits not higher than 2” above the kneecap

Shirts/Jackets:

- Professional blouses that cover all undergarments, cleavage, midriff, and back
- Sleeveless dresses/tops must have 2” strap or be covered by a jacket/sweater
- Button up dress shirts
- Collared dress shirts
- Sports coats
- Suit jackets
- Collared polos

Shoes/Footwear:

- Dress shoes including oxfords loafers/flats
- High Heels

Accessories/Jewelry:

- Ties
- Scarves
- Belts
- Jewelry that is professional and not too distracting

Hats/Head Coverings:

- For religious/cultural purposes only

Examples of Appropriate Attire:



Inappropriate Attire

General:

- Jeans/Denim pants
- Shorts

General (never acceptable):

- Torn, dirty, deliberately damaged or frayed clothing
- Vulgarities, obscenities, or offensive prints or lettering on t-shirts or blouses
- Revealing cleavage, midriff areas, or back/shoulder areas
- Spaghetti straps, tube tops, halter tops, strapless tops, and tank tops
- Skirts shorter than 2" above the kneecap
- See-through, body-hugging, or form-fitting attire
- Unfinished seams
- Leggings
- Sweatpants/warmup suits
- Revealed undergarments
- Face coverings that prevent the ready identification of the wearer
- Visible body piercings
- Hats in the building

Hair Accessories (never acceptable):

- Unnatural hair colors (green, bright pink, bright purple, etc.)

Shoes/Footwear (never acceptable):

- Tennis shoes, beach type sandals, flip flops

Remember!

It is up to the employee to exercise good judgment regarding their attire whenever they are in the workplace. Any employees deemed inappropriately dressed per the dress code policy will be asked to leave the premises and return in the appropriate attire for their first offense. This will require a leave request. Continuing offenses will be handled at the discretion of AMS.

Ethical Considerations

Ethics and Conduct

The successful operation and reputation of AMS is built upon the principles of fairness and ethics. Our reputation for integrity and excellence requires careful observance of the spirit and letter of all applicable laws and regulations, as well as a scrupulous regard for the highest standards of personal conduct and personal integrity.

The continued success of AMS is dependent upon the trust of students, their parents, and the public, and we are dedicated to preserving that trust. Every employee owes a duty to AMS, its students, their parents, and the public to act in a way that will merit continued trust and confidence.

AMS will comply with all applicable laws and regulations and expects each of its employees to do the same, and to refrain from any illegal, dishonest, or unethical conduct.

In general, the use of good judgment, based on high ethical principles, will guide you with respect to acceptable conduct. If a situation arises where it is difficult to determine the proper course of action, the matter should be discussed openly with your supervisor and, if necessary, the Co-CEOs.

Compliance with this policy is the responsibility of every AMS employee. Disregarding or failing to comply with this standard of ethics and conduct could lead to disciplinary action, up to and including termination of employment.

Electioneering

Employees shall not use AMS personnel, equipment, materials, buildings, or other resources for the purpose of influencing the outcome of any election other than AMS elections.

Employees shall not use the authority of their positions to influence the vote or political activities of any subordinate employee.

Nothing contained in this subsection shall be construed as denying the civil and/or political liberties of any employee as guaranteed by the United States and Arizona Constitutions.

Conflicts of Interest

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. This policy establishes only the framework within which AMS wishes to operate. The purpose of these guidelines is to provide general direction so that employees can seek further clarification on issues related to the subject of acceptable standards of operation. Contact the Co-CEOs for more information or questions about conflicts of interest.

An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of AMS's business dealings. For the purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

No "presumption of guilt" is created by the mere existence of a relationship with outside firms. However, if employees have any influence on transactions involving purchases, contracts, or leases, it is imperative that they disclose to AMS administration, as soon as possible, the existence of any actual or potential conflict of interest so that safeguards can be established to protect all parties.

Personal gain may result not only in cases where an employee or relative has a significant ownership in a firm with which AMS does business, but also when an employee or relative receives any kickback, bribe, substantial gift, or special consideration as a result of any transaction or business dealings involving AMS.

No Solicitation Policy

1. Solicitation and distribution of literature by non-employees on AMS property is prohibited.
2. Solicitation by employees on AMS property is prohibited when the person soliciting, or the person being solicited is on working time. Working time is the time employees are expected to be working and does not include rest, meal or other authorized breaks.
3. Distribution of literature by employees on AMS property during working or off work time, as defined above, is prohibited.

These items include but are not limited to gifts (including gift certificates), discounts, equipment, and services. All proposals for solicitation of monetary or non-monetary gifts or donations shall be submitted to and approved by the Co-CEOs before donated items can be received.

Use of the donation must be accounted for through record-keeping, audit and accessibility for public inspection. Therefore, all donated items must reside in the business office or have an equipment tag number on file in the same.

Outside Employment

An employee may hold outside jobs as long as the employee continues to meet the performance standards of his or her job with AMS. All employees must provide written notification to the Co-CEOs when they accept a job with another company. Any employee that currently has such employment must provide written notification to the Co-CEOs. All employees will be judged by the same performance standards and will be subject to AMS's scheduling requirements regardless of any outside work demands.

If AMS determine that an employee's outside work interferes with his or her job performance, or his or her ability to meet the requirements of AMS, the employee may be asked to terminate the outside employment if the employee wishes to remain with AMS

Outside employment that constitutes a conflict of interest is prohibited. Employees may not receive any income or material gain from individuals outside of AMS for materials produced or services rendered while performing their jobs with AMS.

Information Request Policy

Media Inquiries

Positive relationships with the media are developed and maintained by providing accurate and helpful information to reporters in a timely manner. To ensure that information provided to the media is accurate, comprehensive, and complete, and to ensure that reporters have appropriate access to the best sources of information, a protocol for providing information to the media has been established and outlined in this policy.

AMS employees shall not release information which is private or confidential as identified by law and Board policy or administrative regulation.

Spokespersons

The Co-CEOs serve as the primary spokesperson for AMS on all matters.

Administrative Responsibility

News releases that are of concern to the school are the responsibility of the Principal. Publicity regarding students shall always be evaluated in terms of the effect on the children. All AMS employees shall immediately notify the Principal and/or Co-CEOs whenever they are contacted by the media.

Employee Responsibility

AMS employees are encouraged to cooperate with media representatives, yet they will need to direct all inquiries to the Co-CEOs.

Nothing in this regulation is intended as a restraint on the expression of personal opinion

by any employee of the AMS, nor is this policy meant to discourage and/or negatively impact or limit an employee's right and/or ability to engage in concerted activity under the National Labor Relations Act ("NLRA").

This policy is to ensure that information provided to the media is accurate, comprehensive, and complete, and to ensure that reporters have appropriate access to the best sources of information.

Confidentiality of Information and Records

AMS students have a legal right to confidentiality. No employee is permitted to discuss students, student records, or student's personal information with anyone except school personnel, unless specifically authorized by the Co-CEOs or the Co-CEOs designee. Unauthorized disclosure of student information is grounds for immediate disciplinary action, up to and including termination of employment.

Employee personnel records are also confidential. No one but the employee or a member of AMS administration who has a right or need to know may view a personnel file unless specifically authorized by the Co-CEOs or the Co-CEOs designee. This policy is not meant to discourage and/or negatively impact or limit an employee's right and/or ability to engage in concerted activity under the National Labor Relations Act ("NLRA").

Student Records Request

FERPA (34 CFR § 99.31) and A.R.S. 15-141 provide that the written consent of the parent/guardian/eligible student IS NOT REQUIRED to release educational records to officials of other schools or school systems in which the student seeks or intends to enroll. Student Records requests must be made in writing and signed on school letterhead prior to releasing any records.

Amendments, Severability, and Headings

Amendments

Amendments or modifications to this Handbook shall be deemed effective on the date of the change.

Severability

If any provision of this Agreement is found, to any extent, to be invalid or unenforceable, the remainder of this Agreement shall not be affected by that invalidity or unenforceability.

Headings

The descriptive headings of the paragraphs of this Handbook are inserted for convenience only and shall not control or affect the meaning or construction of any of the provisions hereof.

IMPORTANT NOTICE AND DISCLAIMER

(To be signed and retained in personnel file.)

Your employment with AMS is at will. This means that you are free to quit at any time, for any reason, just as AMS IS free to terminate your employment at any time, for any reason, with or without notice, with or without cause.

THIS HANDBOOK DOES NOT CREATE A CONTRACT OF EMPLOYMENT, EXPRESS OR IMPLIED, BETWEEN AMS AND ITS EMPLOYEES. No manager, supervisor, or employee of AMS has any authority to enter into an agreement for employment for any specified period of time or to make an agreement for employment other than at-will. ORAL STATEMENTS CANNOT VOID OR MODIFY THE AT-WILL NATURE OF EMPLOYMENT. ONLY WRITTEN CONTRACTS, DESIGNATED AS EMPLOYMENT AGREEMENTS AND SIGNED BY THE CO-CEOS AND THE EMPLOYEE, CAN ALTER AN EMPLOYEE'S AT-WILL EMPLOYMENT STATUS.

THE POLICIES AND PROCEDURES IN THIS HANDBOOK ARE NOT CONDITIONS OF EMPLOYMENT AND AMS CAN CHANGE, MODIFY, ADD OR ELIMINATE ANY POLICY OR BENEFIT AT ANY TIME, WITH OR WITHOUT NOTICE AT ITS SOLE DISCRETION.

ACKNOWLEDGMENT

I ACKNOWLEDGE RECEIPT OF AMS'S EMPLOYEE HANDBOOK AND UNDERSTAND THAT I AM RESPONSIBLE FOR UNDERSTANDING THE CONTENTS OF THE HANDBOOK AND ADHERING TO THE HANDBOOK PROVISIONS. I HAVE READ THE HANDBOOK CAREFULLY -- PARTICULARLY THE ABOVE DEFINITION OF AT-WILL EMPLOYMENT. I FURTHER ACKNOWLEDGE THAT AMS HAS THE UNILATERAL RIGHT TO MODIFY OR ELIMINATE ANY POLICY IN THIS HANDBOOK.

I UNDERSTAND AND ACKNOWLEDGE THAT THE HANDBOOK IS NOT AN EMPLOYMENT CONTRACT, THAT MY EMPLOYMENT IS "AT- WILL," AS DEFINED ABOVE, AND THAT NOTHING IN THIS HANDBOOK, NOR ANY ORAL STATEMENT, CAN MODIFY THE AT-WILL NATURE OF MY EMPLOYMENT.

Employee Name: _____

Employee Signature: _____

Date: _____