

# New Horizons

## REGIONAL EDUCATION CENTERS

# Employee Handbook

## 2022-2023



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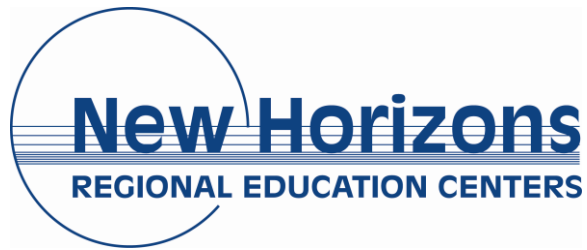
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*Welcome to New Horizons Regional Education Centers!*

We are pleased that you are part of our team of professionals dedicated to *“Illuminating Minds, Igniting Passions and Shaping Futures”*. This is your Employee Handbook. It is meant to be an informative guide to our policies, practices, and benefits. By reviewing this Handbook, you will have a better understanding of what we expect from you and what you may expect from New Horizons Regional Education Centers (NHREC).

Each employee plays an important role in helping NHREC achieve its goals. You are an integral part of our success!

We welcome your ideas, feedback, and suggestions for improvement. You may share them with your Program Administrator or with a member of the Human Resources Department. We are happy you have chosen to work at NHREC.

**An Important Note About This Handbook**

This Handbook is intended to summarize general information that is important in your work at NHREC. It replaces and supersedes all previously issued Employee Handbooks and Human Resources written policies. This Handbook does not guarantee continued employment, nor does it establish a contract between NHREC and its employees.

While this Handbook is not a contract, it is intended to apply the policies and practices described in this Handbook in a consistent manner. Nevertheless, NHREC reserves the right to modify, add to, delete from, and make exceptions to these policies and practices, without prior notice, as it deems appropriate. While NHREC will endeavor to consult with and inform the faculty and staff in advance about policy changes, circumstances may require change without notice. In the event of a question about the meaning of any part of this Handbook, the interests of NHREC will govern the final decision.

NHREC Regional Education Centers follow the policies and procedures as listed in Newport News Public Schools Employee Manual unless adopted specifically by NHREC. This manual contains areas that may or may not be listed in the [Newport News Public Schools Employee Manual](#). Some policies in this manual may be unique to NHREC operations and procedures.

NHREC expects all employees to read this handbook and be familiar with its contents. If you have questions concerning this handbook, please ask your Administrator or a representative in the Human Resources Department.

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**Section:** NH – 1 – NHREC History  
**Title:** NHREC Regional Education Center History  
**Number:** Section 1  
**Status:** Active  
**Legal:**  
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## **POLICY DETAIL**

### **SECTION 1: NHREC REGIONAL EDUCATION CENTERS HISTORY**

New Horizons Regional Education Center (NHREC) is operated by the six Peninsula School Divisions to provide educational services that are most efficient to implement through a regional partnership. The school first opened in 1965 as the Virginia Peninsula Vocational Technical Education Center at the renovated Copeland Park Elementary School in Hampton, Virginia. The first high school faculty consisted of five teachers serving a student body of 85 students.

The Center began to serve adults of the community in 1966 through continuing education classes and Apprentice-related instruction. Training for disadvantaged adults was made available through federal employment, and training programs were expanded and moved to the renovated Buckroe Skill Center in 1978. This provided a second campus in the Hampton area.

As years passed, the Center continued to expand to meet an increasing school population, as well as increased industry demands. A third campus was built at Woodside Lane in 1978. This new facility located in Newport News was comprised of a single 78,000 square-foot CTE center specifically built to accommodate the latest in technical programs.

In 1985, Governor Robb and the General Assembly authorized \$2.5 million to construct the Butler Farm Road campus to consolidate the Copeland Park site and Buckroe Skill Center into one Hampton Campus. The new facility consisted of four buildings in a campus environment with a total of 104,000 square feet of instructional and laboratory space. At the time, the Board of Trustees changed the name from the Virginia Peninsula Vocational Technical Center to NHREC Technical Center, which comprises the Woodside Lane Campus (Newport News) and the Butler Farm Campus (Hampton).

Also in 1985, The Governor's School for Science and Technology was added to the Butler Farm Campus. This program was one of four schools in the state authorized by the Virginia Board of Education and offered college-level courses to the top science students of the Virginia Peninsula.

In 1993, the Superintendents and Board of Trustees further expanded the mission of NHREC Technical Center by incorporating a highly successful regional special education program known as the Peninsula Area Cooperative Educational Services (PACES). The special education programs were moved to the Woodside Lane campus and the name of the organization was changed to NHREC Regional Education Center in 1994 to reflect the enhanced scope of services. These new special education programs served youth between the ages of 4 and 21 years. The service areas were divided into Newport Academy for seriously emotionally disabled youth and the Center for Autism. The programs have grown today into premier regional day treatment programs. A third campus site (Kiln Creek Elementary) and a fourth campus site (York Middle School), along with the Woodside Lane facility, make up what is now the Center for Autism.

In 2016, a new 52,000 square-foot Special Education Center was constructed to serve up to 200 students. This state-of-the-art Center provides a gym, cafeteria, therapy rooms, and the latest technology.

**Section:** NH – 1 – NHREC History  
**Title:** Our Mission, Vision and Core Values  
**Number:** Section 1-A  
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## **POLICY DETAIL**

### **A. OUR MISSION, VISION AND CORE VALUES**

#### **OUR MISSION:**

New Horizons trains and educates a competitive, future-ready workforce that is college and community ready.

#### **WHAT WE BELIEVE:**

New Horizons Regional Education Centers carries out its mission by embracing a mindset where:

- career readiness is intentional and creative;
- learning experiences are rigorous and engaging and;
- a culture of collaboration drives innovation.

Executing our mission through an equity lens, we believe every student has an opportunity to explore, discover, and strengthen their skillset to be career and community ready.

#### **OUR STRATEGIC PRIORITIES:**

- |                                       |  |
|---------------------------------------|--|
| <b>Priority #1 - Equity</b>           | Foster a culture of equity and eliminate barriers to student success.  |
| <b>Priority #2 - Engagement</b>       | Connect and empower through multiple venues and platforms to reach all stakeholders to share our story and opportunities.  |
| <b>Priority #3 - Experience</b>       | Create a culture of innovation and leadership within a dynamic and responsive teaching and learning experience. Empower students to explore, discover, and enhance their skills and talents through a rigorous and relevant course of study. |
| <b>Priority #4 - Collaboration</b>    | Encourage program collaboration and leverage external opportunities to create organizational cohesion, synergy and increase capacity.  |
| <b>Priority #5 - Career Readiness</b> | Focus on the preparation of students for career, college and life.   |

**Section:** NH – 1 – NHREC History  
**Title:** Our Organizational Structure  
**Number:** Section 1-B  
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## **POLICY DETAIL**

### **B. OUR ORGANIZATIONAL STRUCTURE**

#### **How NHREC Is Governed**

The Board of Trustees is entrusted with the management of the business, property, and affairs of NHREC, including setting overall policy, hiring of the Executive Director, and ensuring the responsible use of assets for the long-term health of the centers. The Board has approximately 6 members, including the Executive Director and Clerk of the Board of NHREC. Board members include representatives for the six cities and counties NHREC serves, to include Hampton, Newport News, Williamsburg/James City County, Poquoson, York and Gloucester.

The Executive Director is hired by the Board of Trustees and reports to a Superintendent of Record. The Executive Director is responsible for the academic administration and business operations of NHREC, in accordance with the policies established by the Board. The Executive Director acts as a liaison between the Superintendents, Board of Trustees and the faculty, staff, and students, and seeks advice from, and participation of, faculty and staff in managing NHREC. In addition, the Executive Director works closely with business, government, foundations, educational associations, and other external constituencies, and ensures that NHREC plays an active role in the Peninsula-area community relations and issues affecting education on a national level.

#### **Human Resources**

The Human Resources Department comprises employment, benefits, payroll and worker's compensation.

#### **Mission of the Human Resources Department**

NHREC Human Resources (HR) Department is committed to providing quality services in a professional, caring and consistent manner. In providing these services, they are dedicated to clear communication, progressive thinking, and resourceful solutions toward meeting NHREC goals and objectives. HR will create an Environment for *People to Excel*.

#### **Human Resources Goals**

- To articulate policies and institute practices that enhance understanding, foster a positive work environment, and meet the needs of NHREC employees.
- To recruit, develop, and retain the workforce necessary to support the Mission and Strategic Plan of NHREC.
- To advocate for equity and diversity.
- To demonstrate a commitment to excellence by responding to requests for assistance in a timely manner with accurate and thorough information.
- To build trust and assist in the resolution of problems by facilitating an ample flow of information.
- To model, through their behavior, a workplace that emphasizes respect, collaboration, and professional integrity.

**Section:** NH – 2 – Joining NHREC  
**Title:** Professional Standards and Ethics  
**Number:** Section 2-A  
**Status:** Active  
**Legal:**  
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## **POLICY DETAIL**

### **SECTION 2: JOINING NHREC**

#### **A. PROFESSIONAL STANDARDS AND ETHICS**

##### **1. Your Role as an Ambassador**

We sincerely hope that you will find your work at NHREC to be personally and professionally rewarding and productive. As employees of NHREC, we are all ambassadors for NHREC. This means that your behavior and demeanor contribute to NHREC' reputation as an educator of choice for students and an employer of choice for staff.

Being an educator of choice means that we put students first. All students are our "customers," and most of them are attending NHREC to develop technical, academic, and social skills. As ambassadors, we are a critical component of the NHREC experience, and we want to ensure that our students never regret their educational experience with us.

Being an employer of choice means, we have dedicated faculty and staff providing outstanding educational experience for our students. It also means that we are committed to attracting, retaining, and motivating our faculty and staff and providing them with a satisfying employment experience.

We hope that you will extend yourself to welcome others to our community, including potential students, parents, and employees.

##### **2. Professionalism and Ethics**

NHREC strives to be an open, supportive, collaborative, and ethical workplace. NHREC expects its employees to treat each other courteously and respectfully. Understanding, following, and communicating NHREC core values, policies, and procedures will create and sustain a positive, effective workplace. **See Section 3-Your Work Environment for more information.**

##### **3. Handling Confidential Information**

In the course of your work at NHREC, you may have access to confidential information about NHREC, students, parents, alumni, Board of Trustees, donors, employees, or other aspects of our business. This information must be held in the strictest confidence to protect individual privacy and to safeguard NHREC's reputation and operations.

When it is necessary to share confidential information with others to handle your job responsibilities, please remember these guidelines:

- Be certain that the person with whom you intend to share the information is approved to have access to it. If you are uncertain, ask your Program Administrator. If you believe you cannot discuss your question or concern with these individuals, please consult with HR.
  -
- Store and transmit information in a secure manner and establish ways to ensure that it is not accidentally found or sent to unauthorized individuals. If you need to send confidential information electronically, check in advance to be certain that only the authorized individual has access to his or her e-mail, and indicate clearly that the information is confidential and must not be shared.
  -
- Do not discuss confidential matters in public or in areas of NHREC where you are likely to be overheard.

**Section:** NH – 2 – Joining NHREC  
**Title:** Employment Eligibility  
**Number:** Section 2-B  
**Status:** Active  
**Legal:**  
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**Last Revised:** February 2022

## **POLICY DETAIL**

### **B. EMPLOYMENT ELIGIBILITY**

Federal law requires NHREC to ensure that every employee hired after 1986 is eligible to work in the United States. All such employees and new employees must complete the Employee Eligibility Verification Form (called an "I-9" form) and provide original documentation establishing their identities and legal right to work in the United States for NHREC. This form should be completed and documentation provided before the start of your first day of employment. If, within that time, you cannot produce such documentation, your employment will be suspended unless and until you provide the necessary documentation.

Please note: Unless and until you can establish your eligibility to work in the U.S. via a completed I-9 form, you will not be provided with access to your NHREC e-mail account or other on-line services.

If, during your employment at NHREC, your immigration status changes and impacts your eligibility to work in the United States, you must notify the Human Resources Department.

There may be occasions when a new or current employee must obtain a work visa in order to be eligible to work at NHREC. If so, the Program Administrator must contact the Human Resources Department to have the necessary legal documents prepared. The Program Administrator must allow adequate time before the start date to obtain the work visa. Processing time varies, but at least 3-4 months should be allowed. The costs of obtaining a work visa are not covered by NHREC although the program hiring the new employee has the discretion to contribute to the cost of obtaining the necessary work visa if it desires to do so and it has the budgetary resources. The decision to grant or deny eligibility rests with the U.S. Government and not with NHREC.

#### **Contracts and Educational Support Letters of Employment**

The employment of instruction personnel is approved by the Board of Trustees upon the recommendation of the Executive Director. The Board grants to the Executive Director or designee the authority to offer a Letter of Intent to "teachers" and "licensed administrators". A contract will be issued annually upon Board approval and will include the terms of employment and any special conditions.

The employment of personnel in the educational support category is approved by the Board of Trustees upon the recommendation of the Executive Director. The Board grants to the Executive Director or designee the authority to offer conditional employment subject to completion of the probationary period.

*\*Except as required by law, Letters of Intent for each school year will be initiated for all educational support personnel. All new educational support personnel will serve an **eighteen (18) month probationary period.** \*Code of Virginia, Sections 22.1-293, 294 and 302 and 8VAC20-70-50*

#### **Letters of Intent for non- instructional personnel**

Letters of Intent are issued for employment of all non-contract employees to notify them that they will be employed, and to inform them of their position, title and salary level. They will receive an Annual Salary Notice.

## 1. **New and Ongoing Employees**

If you are new to the NHREC community, welcome! We understand that navigating any organization may be challenging at first. Below are some suggestions to help you get off to a good start. For employees who have been with us for a while, this section provides a good overview of general workplace information.

## 2. **New Hire Paperwork**

Whether you have been hired as a faculty, administrator, or staff member, your employment at NHREC does not begin unless and until you have completed New Hire Orientation. Shortly after you receive your Letter of Intent or Employment Letter, the Human Resources Department will contact you for your orientation session. Included in that paperwork is verification of your eligibility to work in the United States (the U.S. I-9 form); W-4 form for payroll and tax withholdings, employee data sheet (which includes your emergency contact information), any other paperwork that may be applicable to you and the job you have been hired to fill and any other federal or state forms.

## 3. **Benefits Enrollment**

Prior to or during the first week of employment, a New Hire Benefits orientation will be held to review the benefits programs for which you are eligible and to enroll in these programs. If you wait longer than 30 days to enroll, you may not be eligible to enroll in our benefit programs until the next open enrollment period, which could be as long as 11 months away, depending on when you began working at NHREC. **Please refer to Section VI for detailed benefits information.**

## 4. **Transportation/Parking**

The NHREC has parking for all staff. Staff will complete a campus specific parking form upon employment. Parking decals should be displayed in the mirror and are transferable between cars. Staff should follow parking procedures as noted, based on the campus that they are employed.

## 5. **Office/Desk Supplies and Business Cards**

Your Program Administrator will arrange for you to receive basic office and desk supplies on or shortly after your first day. If your Program Administrator believes it is appropriate, business cards will be ordered.

## 6. **Identification Card**

Upon completion of your new hire orientation you will be provided a NHREC ID card. The identification badge must be worn at all times. A \$5.00 replacement cost will be assessed for lost badges.

## 7. **Keys**

Your classroom/office key will be assigned to you by your Program Administrator on your first day of employment. Staff at the Butler Farm and Woodside Lane Campus will also be assigned a key card for entry into the building. A \$10.00 replacement cost will be assessed for lost key cards.

## 8. **Technology**

Your telephone and voice mail should be operative within five (5) business days. Your Program Administrator will instruct you on how to use the voicemail system. If you need to make long-distance calls as part of your job responsibilities, please contact your building administrator.

Guidelines for the use of cellular phones and two-way communication devices are designed to ensure that the use does not interfere with the teaching and learning process, or with maintaining a safe and orderly environment during the school day. NHREC will assume no responsibility in any circumstance for the loss, destruction, damage, theft or charges made on monthly statements for a personal cellular phone or two-way communication device.

For all instructional personnel cell phones must be turned off during instructional hours. Cell phones should not be used for text messaging, taking pictures or direct-connect two-way communication during the school day unless the use is directed or expressly permitted by a school official.

Please see your building administrator or supervisor for exceptions to this policy for non-instructional staff or other staff.

Your computer, printer configuration, and e-mail address will be set up on or shortly after your first day of employment. When your e-mail is set up, you will be able to access e-mail and other NHREC technology programs. The Technology Department offers instruction in many of the basic programs NHREC uses, including e-mail and voice mail. Be sure to consult the NHREC policy on technology.

#### **9. First Paycheck/Direct Deposit**

Employees are paid monthly. Your new hire paperwork must be completed and received by the HR Office upon employment in order for you to receive your first paycheck. Your first paycheck will be directly deposited to your bank account unless requested otherwise. Please complete a direct deposit form available on the NHREC website and submit it to the Payroll Office.

#### **10. Travel**

Employees traveling as part of their job responsibilities should use the travel reimbursement forms developed by the Finance Department. All travel needs to be approved by the administrator and arrangements made with each department. The forms outline the travel-related policies, including travel arrangements; reimbursement of travel expenses; travel advances; and completing travel expense reports.

#### **11. Purchasing**

NHREC maintains a relationship with a variety of office supply vendors. If you need to purchase office supplies or other goods, check with your Program Administrator or the Finance Department.

#### **12. Whom to Call for Assistance**

- Office/Desk Supplies – Program secretary
- Parking – Campus Administrator
- Computer or software problems – Technology
- Telephone or voice mail problems – Technology
- Benefits, Payroll, FMLA - Nikia Belizaire, SR. Payroll/Benefits Specialist
- Policy and Procedures – Program Administrator
- Changing of name or address - Ciwaka Johnson, HR Specialist
- Identification Cards – Ciwaka Johnson, HR Specialist



**Section:** NH – 2 – Joining NHREC  
**Title:** Employment Categories  
**Number:** Section 2-C  
**Status:** Active  
**Legal:**  
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## **POLICY DETAIL**

### **C. EMPLOYMENT CATEGORIES**

Your position will typically fall into one of several categories. Your offer or appointment letter should indicate which category or categories apply to you.

#### **1. Categories**

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

**Employees hired or rehired before July 1, 2010** for a 12-month schedule, 11-month schedule, 10-month schedule, and 9-month schedule who fills 60 percent of a budgeted full-time equivalent position (FTE).

Employees hired or rehired on or after July 1, 2010. A NHREC employee who fills 100 percent of a budgeted full-time equivalent position (FTE).

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

**Employees hired or rehired before July 1, 2010** is defined as a NHREC employee who fills less than 60 percent of a budgeted FTE.

**Employees hired or rehired on or after July 1, 2010** is defined as a NHREC employee who fills less than **100 percent** of a budgeted FTE.

##### **Temporary**

A temporary employee is employed for a specified purpose over a limited period of time and does not fill a FTE, including those persons employed pursuant to a temporary employment agreement. All categories of substitutes are temporary employees. A written contract shall be required for a substitute teacher who fills a teacher vacancy for longer than ninety (90) days in one school year.

- Employees who are regular full-time contracted personnel may also be employed in a temporary status, i.e., full-time contracted teachers may be temporarily employed as summer school teachers or for one school year only.
- Temporary employees shall not have the right to access the grievance procedure in any matter regarding dismissal from the temporary position or other disciplinary action arising out of their services as a temporary employee.
- A regular full-time contracted person terminated from a temporary status position (i.e., a summer school teaching position) shall not have the right to the grievance procedure.

**Unemployment Benefits:** Employees are not eligible for unemployment as long as they are employees of NHREC. For example: an employee who signed a letter of intent, a teacher on summer break under contract for the following

year, or substitute with a Letter of Employment cannot get unemployment during the summer. *Section 60.2-615 of the Code of Virginia states that benefits based on service in employment defined in subsection A of Section 602-213, A.1- 2:* The provisions of this subsection relating to the denial of benefits shall apply to an individual who performs such services on a part-time or substitute basis.

## **2. Contract Staff and Contingent Staff**

Consultants, temporary workers, interns, and contract workers are not considered employees of NHREC and, therefore, are not eligible for benefits, holiday pay, or any other services or programs available to NHREC employees. Generally, when consultants are used, the administrator engaging the consultant should have a personal services agreement or contract prepared (or reviewed, if the consultant has drafted his or her own agreement). The written contract should address, among other things, the scope of the work to be performed, the term of the agreement, and the payment terms agreed upon by the consultant and the manager.

The Executive and Finances Directors are authorized to sign contracts and the Executive Director is authorized to sign Employment Letters on behalf of NHREC. There will be times when a department needs to have temporary help. If you need temporary help, you should call the HR Office as soon as you know of your need. Program Administrators are responsible for advising HR because HR must track the employment of temporary workers.

**Section:** NH – 2 – Joining NHREC  
**Title:** Staying in Touch and Getting Involved  
**Number:** Section 2-D  
**Status:** Active  
**Legal:**  
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## **POLICY DETAIL**

### **D. STAYING IN TOUCH AND GETTING INVOLVED**

Communication and involvement are keys to success in the NHREC community. They help us learn about many important and interesting events and activities at NHREC; understand what our colleagues do; and understand how we can work together more effectively.

In addition to the communications in your department, you may also be kept informed through several vehicles, including the following:

- Periodic meetings that are conducted by the NHREC Executive Director, often with the assistance of Program Administrators. These meetings are intended to communicate information about topics that are important to the NHREC workforce, as well as to give you an opportunity to ask questions and give us your opinions.
- Campus and Employee Announcements are informal e-mail messages designed to make announcements, discuss specific timely topics, and, in general, keep the community informed.
- Employee Committees
- Safety Committee: NHREC Safety Committees meet quarterly to review accidents and incidents that occur at NHREC facilities. The minutes of these meetings will include recommendations and suggestions. The committees will be located at the Woodside Lane Campus and the Butler Farm Campus.
- Crisis Management Committee: This committee is required by law to meet at least twice per year to evaluate and update NHREC Crisis Management Plan.

**Section:** NH – 3 –Work Environment  
**Title:** Work Environment  
**Number:** Section 3  
**Status:** Active  
**Legal:**  
**Adopted:** April 2008  
**Last Revised:**

## **POLICY DETAIL**

### **SECTION 3: WORK ENVIRONMENT**

For the benefit of all employees, students, and others visiting our campus, we want a safe, professional, respectful work environment. Toward that end, the policies below have been developed to reflect our commitment to comply with all federal, state, and local laws and regulations that apply to our workplace.

**Section:** NH – 3 –Work Environment  
**Title:** Respect in the Workplace  
**Number:** Section 3-A  
**Status:** Active  
**Legal:**  
**Adopted:** April 2008  
**Last Revised:** February 2022

## **POLICY DETAIL**

### **A. RESPECT IN THE WORKPLACE**

#### **Equal Employment Opportunity and Non-Discrimination Policy**

NHREC is committed to providing equal opportunity in all employment practices. NHREC does not discriminate on the basis of age, gender, religion, gender identity or expression, race, color, national origin, sexual orientation, marital status, pregnancy, childbirth or related medical conditions, disability, veteran status, or other unlawful basis.

We strive to recruit and retain a diverse workforce. Diversity enriches our understanding of the world and exposes us to a variety of opinions and experiences, thus enabling the administration, staff, and faculty to make the best possible decisions for NHREC, our employees, and our students.

NHREC does not tolerate discrimination in the workplace. We expect every NHREC employee to cooperate fully in implementing our policy of non-discrimination and equal opportunity. If you believe this policy has been violated, you should report your concerns immediately to your supervisor or to a Human Resources representative.

**Section:** NH – 3 –Work Environment  
**Title:** Persons with Disabilities  
**Number:** Section 3-B  
**Status:** Active  
**Legal:**  
**Adopted:** April 2008  
**Last Revised:**

## **POLICY DETAIL**

### **B. PERSONS WITH DISABILITIES**

The Americans with Disabilities Act of 1990 (ADA) is a federal anti-discrimination statute designed to remove barriers that prevent qualified individuals with disabilities from enjoying the same employment opportunities that are available to persons without disabilities. Virginia also has enacted legislation that provides similar protection for individuals with disabilities. NHREC is committed to maximizing the inclusion of persons with disabilities in all aspects of employment. Accordingly, all Administrators, supervisors, and employees at NHREC should be aware of the following:

**Discrimination Prohibited:** Persons with disabilities who are otherwise qualified may not be discriminated against in any areas of employment including, but not limited to, job application, compensation and promotional procedures, fringe benefits, and any other activities available by virtue of employment at NHREC.

**Limiting, Segregating, and Classifying:** Persons with disabilities shall not be limited, segregated, or classified in a way that adversely affects their employment opportunities or status.

**Associational Discrimination Prohibited:** NHREC will not discriminate against any applicant or employee, whether disabled or not, because of the individual's family, business, social, or other relationship or association with an individual with a disability.

**Retaliation and Harassment Prohibited:** NHREC will not coerce, intimidate, threaten, harass, interfere with or retaliate against any individual for exercising rights under the ADA or 151B or for aiding or encouraging another person in the exercise of such rights.

**Reporting:** Employees are encouraged to bring issues or complaints related to this policy statement or about the accommodation process generally to the attention of their administrator, manager, or the Human Resources Department.

**Section:** NH – 3 –Work Environment  
**Title:** Reasonable Accommodation Requests  
**Number:** Section 3-C  
**Status:** Active  
**Legal:**  
**Adopted:** February 2011  
**Last Revised:**

## **POLICY DETAIL**

### **C. REASONABLE ACCOMMODATION REQUESTS**

#### **General**

The United States Congress adopted the Americans with Disabilities Act of 1990, as amended, (the “Act”) to “provide a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities.” Among other things, the Act is intended to prevent discrimination against qualified individuals who, with or without accommodation, can perform the essential functions of the employment position which the individual holds. This Procedure is intended to provide a process through which a qualified individual may request an accommodation in order to continue their employment notwithstanding that they may have a disability as defined in the Act or are regarded as having a disability as defined in the Act.

This Procedure will be interpreted and construed in accordance with the provisions of the Act. Further, this Procedure incorporates all definitions of the Act by reference.

#### **Reasonable Accommodation Requests**

Employees, who can perform the essential functions of their positions but need accommodation to do so, may submit a request for reasonable accommodation using ADA Form 1 (Reasonable Accommodation Request) to the Department of Human Resources. Upon receipt of ADA Form 1, Human Resources will verify the information provided by the employee by forwarding ADA Form 2 (Reasonable Accommodation Request – Healthcare Provider Information) to the health care providers identified by the employee on ADA Form 1. The employee must also complete ADA Form 3 (Release of Information) authorizing their healthcare providers to release information and return it to Human Resources.

Within fifteen (15) working days of the receipt of all ADA Form 2's and based on the information received on those forms, the Executive Director's designee will determine if the employee has a “disability” as defined in the Act and whether the employee can perform the essential functions of their position but need an accommodation to do so. The Executive Director's designee, assisted by other appropriate division personnel, will review the request for accommodation information from the employee and their healthcare providers to determine the appropriate accommodation.

The Executive Director's designee will advise the employee in writing if the employee is qualified for accommodation and the specific accommodation to be provided. The employee will then perform their work in conjunction with the approved accommodation and the employee's performance of their work will be monitored to determine the ongoing success of the accommodation or, if needed, any possible modification.

#### **Legal Reference**

*The American with Disabilities Act of 1990as amended by the Americans with Disabilities Act Amendments Act of 2008 42 U.S.C. & 12101, ET SEQ*

**Section:** NH – 3 –Work Environment  
**Title:** Policy Against Harassment  
**Number:** Section 3-D  
**Status:** Active  
**Legal:**  
**Adopted:** April 2008  
**Last Revised:** February 2022

## **POLICY DETAIL**

### **D. POLICY AGAINST HARASSMENT**

NHREC is committed to maintaining a respectful workplace that includes a working environment free from sexual harassment and other types of unlawful discriminatory harassment. To reinforce this commitment, NHREC has developed a policy against unlawful harassment and other related types of inappropriate behavior and has set up a reporting procedure for employees who have been subjected to or witnessed harassment. This policy applies to all work-related settings and activities, whether inside or outside the workplace, and includes business trips and business-related social events. NHREC property (i.e., telephones, copy machines, facsimile machines, computers, and computer applications such as e-mail and Internet access) may not be used to engage in conduct that violates this policy. NHREC policy against harassment covers employees and others who have a relationship with NHREC that enables NHREC to exercise some control over the individual's conduct in places and activities that relate to the New Horizon's work (i.e., contractors, vendors, etc.).

#### **1. Prohibition of Sexual Harassment**

New Horizon's policy against sexual harassment prohibits sexual advances or requests for sexual favors or other physical or verbal conduct of a sexual nature, when (1) submission to such conduct is made as express or implicit condition of employment; (2) submission to or rejection of such conduct is used as a basis for employment decisions affecting the individual submitting to or rejecting such conduct; or (3) such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile, humiliating, or offensive working environment.

Under these definitions, direct or implied requests by a supervisor for sexual favors in exchange for actual or promised job benefits such as favorable reviews, salary increases, promotions, increased benefits, or continued employment constitutes sexual harassment.

Depending on the circumstances, the following conduct may also constitute sexual harassment: (1) unwelcome sexual advances, whether they involve physical touching or not; (2) use of sexual epithets, jokes, written or spoken references to sexual conduct, and gossip regarding one's sex life; (3) sexually oriented comment on an individual's body, comment about an individual's sexual activity, deficiencies, or prowess; (4) displaying sexually suggestive objects, pictures, cartoons; (5) unwelcome leering, whistling, touching or deliberate brushing against the body in a suggestive manner; (6) sexual gestures, suggestive or insulting comments; (7) inquiries into one's sexual experiences; or (8) discussion of one's sexual activities.

While such behavior, depending on the circumstances, may not be severe or pervasive enough to create a sexually hostile work environment, it can nonetheless make co-workers uncomfortable. Accordingly, NHREC considers such behavior to be inappropriate and may result in disciplinary action regardless of whether it is unlawful.

It is also unlawful and expressly against NHREC policy to retaliate against an employee for filing a complaint of sexual harassment or for cooperating with an investigation of a complaint of sexual harassment.



## **2. Prohibition of Other Types of Discriminatory Harassment**

It is also against NHREC policy to engage in verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of race, color, gender, religion, sexual orientation, age, national origin, disability, or other protected category (or that of the individual's relatives, friends, or associates) that (1) has the purpose or effect of creating an intimidating, hostile, humiliating, or offensive working environment; (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.

Depending on the circumstances, the following conduct may constitute discriminatory harassment: (1) epithets, slurs, negative stereotyping, jokes, or threatening, intimidating, or hostile acts that relate to race, color, gender, religion, sexual orientation, age, national origin, or disability; and (2) written or graphic material that denigrates or shows hostility toward an individual or group because of race, color, gender, religion, sexual orientation, age, national origin, or disability and that is circulated in the workplace, or placed anywhere in the New Horizon's premises such as on an employee's desk or workspace or on NHREC equipment or bulletin boards. Depending on the circumstances, such behavior may not be severe or pervasive enough to create an unlawfully hostile working environment. Nevertheless, NHREC considers the behavior inappropriate and will take necessary disciplinary action even when the behavior is not unlawful.

It is also against NHREC policy to retaliate against an employee for filing a complaint of discriminatory harassment or for cooperating in an investigation of a complaint of discriminatory harassment.

**Section:** NH – 3 –Work Environment  
**Title:** Discrimination and Harassment Complaint Resolution Procedure  
**Number:** Section 3-E  
**Status:** Active  
**Legal:**  
**Adopted:** April 2008  
**Last Revised:** August 2016

## **POLICY DETAIL**

### **E. DISCRIMINATION AND HARASSMENT COMPLAINT RESOLUTION PROCEDURE**

These procedures apply to all complaints of illegal discrimination and harassment in which the alleged perpetrator is a NHREC Regional Education Centers (NHREC) employee, contractor, or volunteer. Complaints against NHREC employees are investigated by the Executive Director or his designee.

These procedures include general policies and procedures, which apply to all investigations and the following complaint resolution options: (1) informal resolution; or (2) formal complaint investigation. Throughout these procedures, directors, administrators, administrators and supervisors are collectively referred to as “supervisor.”

#### **1. General Policies and Procedures**

**Complaints and Reports of Discrimination or Harassment:** In all cases, complainants should be encouraged to put their complaints in writing within seven (7) days of the incident. Consistent with the NHREC’s legal duty to investigate, the Human Resource Compliance Officer reserves the right to investigate and resolve a complaint or report of illegal discrimination or harassment regardless of whether the complainant wishes to pursue the complaint in thirty (30) days. The Human Resource Compliance Officer also reserves their right to report allegations of criminal behavior to the appropriate law enforcement officials.

**Jurisdiction:** Prior to initiating an investigation, the Human Resource Compliance Officer will make an initial determination of whether the complaint falls within its purview, i.e., whether the complaint involves allegations of illegal discrimination or harassment on the basis of a protected class. If the Human Resource Compliance Officer determines that the complaint does not fall within its purview, s/he will refer the complainant as appropriate.

**Choosing the Appropriate Resolution Process:** Complainants will be informed of the availability of informal and formal resolution processes and will be provided with a copy of these complaint procedures. The Human Resource Compliance Officer, in consultation with the complainant, will determine in each case whether the informal or formal resolution process is appropriate, based on the particular circumstances of the complaint. Generally, conduct of a more severe and pervasive nature will require use of the formal resolution process. At any time during the complaint resolution process, the Human Resource Compliance Officer may, in his or her discretion, determine that either an informal or formal resolution process is more appropriate and may utilize that other process. In addition, if the informal process does not resolve the complaint within a reasonable amount of time, the Human Resource Compliance Officer may recommend the formal process.

**Confidentiality:** The Human Resource Compliance Officer will respect the privacy of the complainant, the individuals against whom the complaint is filed, and the witnesses, in a manner consistent with its legal obligation to investigate, to take and follow through with appropriate action, and to comply with any discovery or disclosure obligations required by law. The Human Resource Compliance Officer will advise all witnesses and parties to protect the confidentiality of matters pertaining to its investigation, including the fact that an investigation is being conducted.

**Retaliation:** The Human Resource Compliance Officer promptly will advise all witnesses, the complainant, and the respondent of NHREC's policies prohibiting retaliation against persons who in good faith file a complaint of discrimination or harassment.

**Prompt Investigation and Remedial Action:** In all cases, the Human Resource Compliance Officer will begin investigation promptly upon receipt of a complaint. The Human Resource Compliance Officer may prepare an investigation timeline, which may be updated as needed, and will keep parties and supervisors reasonably informed of the status of the process. Whenever possible, investigations and reports should be completed, and results communicated to the parties, within thirty (30) days of the initial complaint or as soon as possible. When deemed necessary to protect the physical safety or emotional well-being of the complainant or witnesses, to prevent disruption of the workplace, or to facilitate the investigation, the Human Resource Compliance Officer, in consultation with the Executive Director and the supervisor, may recommend immediate action, including transferring or placing an employee on administrative leave pending the outcome of the investigation.

**Incident Report Form:** Following resolution of a complaint, the Human Resource Compliance Officer will provide the supervisor with an Incident Report Form IRF for the supervisor to complete. The IRF will summarize the action the supervisor took to address the complaint, any resolution achieved, and any additional information. The Human Resource Compliance Officer reviews the IRF to determine whether additional corrective action is necessary, and records the information in its database.

**Documentation:** The Human Resource Compliance Officer will maintain appropriate documentation of all aspects of the complaint and investigation process.

**Reports:** At the conclusion of either the informal or formal process, the Human Resource Compliance Officer will prepare a written report summarizing relevant findings of facts, conclusions, and recommendations. The report or a summary of the report will be submitted to the Executive Director and supervisor. The Human Resource Compliance Officer also will provide the report or a summary of the report to the parties. If the report determines that the allegations of harassment or discrimination are substantiated, the report will be placed in the employee's personnel file.

**Appeals:** Any party who believes the Human Resource Compliance Officer's findings or fact, conclusions, or recommendations are inaccurate may file a written appeal with the Executive Director or his designee within ten (10) working days of the date the report or report summary was mailed or delivered to that party. The Human Resource Compliance Officer will submit a written response to the appeal within ten (10) working days of receipt. If the appeal is denied, a party may appeal in writing to the Executive Director or Superintendent-in-Charge within ten (10) days of the Human Resource Compliance Officer's denial of the party's initial appeal. Faculty and staff who wish to appeal specific disciplinary action should refer to the appropriate grievance procedures in the Employee Handbook. Both parties will be advised in writing of their appeal rights at the time they are presented with the final written report summary or oral report of the investigator.

## **2. Informal Complaint Resolution**

When a complaint is received, the complainant will be asked to sign a form agreeing to an informal resolution process. The Human Resource Compliance Officer will then perform an initial review of the complaint and discuss possible solutions with the complainant.

The Human Resource Compliance Officer will inform the person against whom the complaint is brought of its existence and allow that person an opportunity to respond.

The Human Resource Compliance Officer will perform initial fact finding through document review, interviews with the parties, and possibly interviews with witnesses, supervisors and co-workers. Interviews are based on the specific information the witness has to contribute to the issues involved and whether such information is original or repetitive. The Human Resource Compliance Officer reviews all documentation provided or obtained.

The Human Resource Compliance Officer may act as a facilitator to help resolve complaints, or the Human Resource Compliance Officer may request that another NREC office or staff member facilitate. Such informal resolution may include speaking with the respondent, the respondent's supervisor, or the parties together.

Informal resolution may be attained through mutual consent of the parties or through other remedial measures approved by the supervisors, including but not limited to mandatory training, a letter of apology, separation of the parties, or disciplinary action.

### **3. Formal Complaint Investigation**

The Human Resource Compliance Officer conducts comprehensive investigations of allegations of discrimination when those complaints cannot be resolved through consultation, review, or referral. The Human Resource Compliance Officer acts solely as a neutral fact-finder. Based on its investigation, the Human Resource Compliance Officer makes determinations of policy violations. In consultation with the hiring official, the Human Resource Compliance Officer may make recommendations to address the situation. All formal complaints must be filed in writing with the Human Resource Compliance Officer within seven (7) days pursuant to the policy and procedural limitations set forth in the policy. However, the Human Resource Compliance Officer retains the discretion to alter these procedures on a case-by-case basis.

Upon receipt of a written complaint (Form III, Unlawful Discrimination Complaint Form) the Human Resource Compliance Officer will meet with the complainant within seven (7) days of notification of the complaint. The Human Resource Compliance Officer will discuss the allegations, explain the information resolution option, the formal investigation process, the principles' and limitations of confidentiality and collect preliminary data. The Human Resource Compliance Officer will also advise the complainant of his or her right to take complaints outside NHREC, to the state and federal agencies. The Human Resource Compliance Officer will advise the complainant of his or her right to have a co-worker from his or her department present during the interview. NHREC may also make temporary arrangements to separate the parties while an investigation is pending.

Based on a review of the complaint, all documentation provided and the interview with the complainant, the Human Resource Compliance Officer will determine whether the allegations and initial factual findings warrant a formal investigation. If an investigation is warranted, the Human Resource Compliance Officer will notify the complainant and the appropriate manager that a complaint has been filed and will be investigated. If one or more of the allegations and/or initial factual findings indicate the complaint does not state a policy violation or is more appropriately addressed by a different NHREC office, the Human Resource Compliance Officer will refer that portion of the complaint to the appropriate office.

The Human Resource Compliance Officer will provide written confirmation to the complainant of the allegations to be investigated, and if applicable, which allegations the Human Resource Compliance Officer has referred to another office. The Human Resource Compliance Officer will inform the complainant of his or her responsibilities during the investigative process as outlined below.

The Human Resource Compliance Officer will promptly inform the respondent of the allegations in writing, the Human Resource Compliance Officer's role in a formal investigation, and the principles and limitations of confidentiality. The Human Resource Compliance Officer will inform respondents of his or her responsibilities during the investigation process, as outlined below. The Human Resource Compliance Officer will advise the respondent of his or her right to have a co-worker from his or her department present during the interview. The

respondent will be asked to provide a written response to the allegations within fourteen (14) days of receiving notice of the complaint.

The Human Resource Compliance Officer will interview the complainant, the respondent and others with relevant information. The Human Resource Compliance Officer will interview individuals based on the specific information the witness has to contribute to the issues involved and whether such information is original or repetitive. The Human Resource Compliance Officer will review all documents provided and obtained during the investigation. In determining whether NHREC policy has been violated, the Human Resource Compliance Officer will consider all facts and circumstances surrounding the allegations, including the perceptions of the parties, witnesses and others who have information about the presence or absence of the alleged conduct, and the Human Resource Compliance Officer may make credibility determinations.

If the Human Resource Compliance Officer determines there is insufficient basis to conclude that a policy violation has occurred, this will conclude NHREC's investigation. However, the appropriate manager should address conduct that does not violate the Policy, but is considered detrimental to the well-being of the department or NHREC.

The supervisor shall be responsible for implementing the Human Resource Compliance Officer's recommendation, in consultation with the Executive Director and other offices, as appropriate, to ensure compliance with NHREC policies and/or contractual obligations. The Human Resource Compliance Officer will conduct appropriate oversight and follow up as deemed necessary. Corrective or disciplinary actions may include but are not limited to: mandatory education, oral and/or written reprimand, removal of supervisory responsibilities, demotion, transfer or reassignment, pay reduction, denial of pay raise, termination or other corrective actions as appropriate.

Copies of all reports, decisions, reprimands, and/or other resolutions by any NHREC office or officer regarding the matter addressed by or in the investigation, or corrective action or resolution, should be forwarded to the Executive Director or his designee to ensure proper follow-up.

#### **4. Policy Against Retaliation**

It is unlawful and a violation of NHREC policy to retaliate against any faculty or staff member who has brought a good-faith complaint of discrimination or harassment or who has assisted in the investigation of a complaint of discrimination or harassment. It is also unlawful and a violation of NHREC policy to retaliate against any faculty or staff member for asserting a legally guaranteed right (i.e., filing workers' compensation claim), for doing what the law requires (i.e., serving on a jury), for refusing to do that which the law forbids (i.e., committing perjury), or for making a good-faith allegation of some type of illegal activity engaged in by NHREC. Retaliation, whether actual or threatened, destroys the sense of community and trust that is critical to a learning and work environment. NHREC considers acts or threats of retaliation in response to such disclosures or participation to constitute a serious violation of NHREC policy, which may result in disciplinary action, even dismissal, against the retaliator.

Retaliation occurs when an adverse employment action is taken against the person who has brought the complaint or assisted in a resulting investigation. Examples of retaliation could include, but are not limited to, the following:

- Unwarranted termination or suspension of the complainant
- Unwarranted reduction in pay, benefits, or perquisites
- Unwarranted demotion or a significant reduction in responsibilities
- Refusal to promote
- Involuntary placement on leave (except for leaves necessary to investigate possible violations of NHREC policies.
- Transfer to a materially different and less desirable position
- Unwarranted negative performance evaluations
- Unwarranted negative references about work performance

- Toleration of harassment by other employees

It is important to note that impermissible retaliation can occur even in those circumstances where it is determined that the complaint brought was without merit.

If you believe that you are being retaliated against because of making a complaint or assisting in an investigation in violation of this policy, you should promptly report your concerns to the Director of Human Resources, to your Administrator or Program Director.

**Section:** NH – 3 –Work Environment  
**Title:** Workplace Standards  
**Number:** Section 3-F  
**Status:** Active  
**Legal:**  
**Adopted:** August 2009  
**Last Revised:** October 2012

## **POLICY DETAIL**

### **F. WORKPLACE STANDARDS**

#### **1. Dress Code Guidelines**

Dress attire should provide for a professional and safe learning environment. Dress expectations will be established and administered in each program area.

#### **2. Attendance and Punctuality**

Consistent, regular attendance of all employees is critical to the smooth operation of NHREC. You are expected to arrive for work each day on time (at the time agreed to with your supervisor) and to work until the end of the workday, except when you are ill, on vacation, or on an approved leave.

If you are frequently absent or tardy, you may be subject to discipline up to and including termination of your employment (see NNPS attendance policy regarding occurrences). If you know in advance you will be absent, you are required to notify your manager or supervisor as soon as you learn of your need to be absent. If your absence is not planned, you should telephone as soon as possible and prior to scheduled work time to speak directly to your manager or supervisor. Unless you are on an approved leave of absence, it is your responsibility to call in every day.

#### **3. Timekeeping and Attendance**

Federal and state wage and hour laws require that NHREC keep accurate records of hours worked for every non-exempt employee. Therefore all non-exempt employees must maintain and complete weekly time records, which will be reviewed and approved by supervisors. Falsification of timekeeping reports is a serious violation of NHREC policy and may result in immediate discharge.

#### **4. NHREC Property and Your Own Personal Property**

NHREC will provide you with desks, and other places in which to keep your personal property during your work hours. It is important to note that any office, desk, closets, or file cabinets provided to you by NHREC remain the sole property of NHREC who reserves the right to inspect these places at any time, with or without prior notice.

All products to include curriculum, instructional assessments, etc. developed by employees for the purpose of their job duties are proprietary property of NHREC. Employees are allowed to make copies of all such documents for personal use. All communications sent, received from, or stored on the New Horizon's voicemail or computer systems-including laptop computers are also the property of the NHREC.

NHREC cannot be responsible if your personal property is damaged, lost or stolen. If NHREC or personal property is damaged, lost, or stolen, you should immediately report it to your supervisor.

You may be required to pay for damaged, lost or stolen NHREC property and or receive disciplinary action.

**Section:** NH – 3 –Work Environment  
**Title:** Technology Acceptable Use Policy  
**Number:** Section 3-G  
**Status:** Active  
**Legal:**  
**Adopted:** August 2009  
**Last Revised:** April 2018

## **POLICY DETAIL**

### **G. TECHNOLOGY ACCEPTABLE USE POLICY**

**PURPOSE:** These procedures define the responsibilities of NHREC employees, non-employees, volunteers, and students using the computers, tele-communications, network, IT or personal devices such as laptops and Internet resources provided by the Centers. Every authorized user is required to read and acknowledge these procedures by signing the appropriate use agreement form. Student forms will be filed in their school offices. All other user forms will be on file in the Human Resources Department.

**SCOPE:** All NHREC employees, non-employees, volunteers and students use.

**STATEMENT OF PROCEDURE:** The use of the NHREC Computer System and Network by persons other than employees and students should consist of activities necessary to support the purpose, goals and mission of NHREC. The following, although not inclusive, define specific acceptable and unacceptable uses of the NHREC Computer System and Network.

#### **1. Privacy**

Communications over the NHREC Computer System and Network shall be considered public information and handled as such. The NHREC Computer System and Network authorized users must not have and shall have no expectation of privacy in their use of the Computer System. All information created, sent, received, accessed, or stored in the NHREC Computer System and Network is subject to inspection and monitoring at any time as authorized by the Executive Director or designee and may occur without notice to users. The Technology Department may periodically review directories or messages to determine compliance with this policy for acceptable use. If unacceptable content or use is found, access privileges may be removed and the offender counseled at an appropriate level as outlined in Section 12, Violations and Penalties, of this procedure.

No recording, capture or live streaming (broadcast, video, photo, audio, etc.) using any means of technology of any New Horizons activity on campus or off campus may be made without prior written approval of that program's Administrator or the Director. Any such recording, capture or streaming shall remain the property of New Horizons Regional Education Center under the control of the Director. No release or publishing of such information can be made without prior written approval of the Director.

#### **2. Confidentiality**

All employees and non-employees who have been granted access to confidential data, electronic and /or hard copy holds a position of trust and must preserve the security and confidentiality of the information to which he/she is granted access.

Security objectives for the protection of personal privacy include evaluation of personally identifiable data stored within division databases. Evaluation of the sensitivity of these database fields alone or in conjunction with other database fields can become personally identifiable information. For example, an individual's name and bank account information may be considered more sensitive when available together than individually versus alone.



For purposes of this procedure, “confidential information” includes, but is not limited to:

1. Student educational information and discipline records;
2. Non-public personal information, concerning employees, applicants and students including, but not limited to: First and or last name, date of birth, residence, age, telephone, email address, gender, race, criminal record, drivers license information, system user IDs and passwords, social security numbers, internal communications, bus routes, banking or financial information, medical and health information, disability status or special needs, insurance information, and personal benefits information;
3. Division information which has not been publicly published or released with Division authorization, including but not limited to budget, financial, negotiation, bidding, and other information;
4. Division research data, information, and findings that are protected by law, contract, or policy;
5. Information described as confidential under any other Division policy, rule, or directive, and
6. Other information and records which the employee is directed under proper authority to not disclose.

Confidential information does not include information publicly disclosed by the Division or which is required to be disclosed pursuant to law or contract. This procedure does not prevent or prohibit the internal use of confidential information for the legitimate academic, administrative, and operational purposes and needs of the Division as authorized by the Superintendent or designee.

Security access to confidential data will be provided to all employees and non-employees with job duties that require them to handle such information. All employees and non-employees are required to safeguard such information and only use or disclose this information as expressly authorized or specifically required in the course of performing their specific job duties. Users of confidential data should work with de-identified data whenever possible.

### **3. Security**

Access is restricted to the NHREC Computer System and Network and is **limited to authorized users only**. Authorized users are responsible for their individual account information and should take all precautions to prevent others from accessing their account. Authorized users are prohibited from knowingly disclosing or modifying any assigned or entrusted access control to their account (such as: log-in identifiers, passwords, terminal identifiers, user identifiers, digital certificates, Internet Protocol (IP) addresses, etc.) for any purpose other than those required to perform authorized NHREC functions. Authorized users may only access, modify or destroy files, data and resources for which they are authorized and that lie within the scope of their responsibilities, and only in accordance with Virginia Electronic Records Guidelines. Malicious destruction or modification of data or resources is prohibited. All NHREC employees should immediately notify their administrator, principal, manager or teacher if they have identified a possible security breach.

Authorized users will not attempt to go beyond their authorized access to the NHREC Computer System and Network. This includes attempting to log into the NHREC Computer System and Network through another authorized user account or accessing or attempting to access another authorized user's file without authorization. Unauthorized access is illegal, even if only for the purpose of browsing.

Authorized users will not deliberately attempt to disrupt the NHREC Computer System and Network performance or destroy data by spreading computer viruses or by any other means.

At no time is a connection authorized to the NHREC Local Area Network via a non- NHREC Computer System and Network device except those enrolled in an authorized Bring Your Own Device program. Enrollment requires the approval of that program's Director or Principal and the completion of the two additional BYOD forms. These forms must be received by the networking support department before use or connection of such devices is authorized.

#### **4. Facsimile (Fax)**

Fax machines are to be used by authorized users. These machines are not to be used for sending or receiving personal correspondence. Any sender of personal correspondence is to be notified by the receiver to cease transmitting personal correspondence. Any review, dissemination or use of the fax transmission by a person other than the addressee is prohibited. Students are not authorized to use NHREC fax machines unless permission has been granted by an NHREC employee.

#### **5. Telephone Service**

NHREC telephone service, to include landlines and cellular/wireless telephones, is to be used for calls regarding students and other school business. The use of the Centers' phones for personal business should be kept to a minimum. Please be advised that any employee using the phone for personal use or personal business still have no right to privacy and may be monitored and reviewed by NHREC staff.

If it is necessary, employees may place a long distance call using the school phone. If these calls are not for school business, callers must complete, at the time of the call, Appendix II: Long Distance Call Log to record each long distance business call.

Personal long distance calls at school are discouraged; however, should they become necessary staff should receive approval from the facility administrator.

#### **6. Copyright**

NHREC policy on copyright will govern the use of materials accessed through the Computer System. Because the extent of copyright protection of some information found on the Internet is unclear, users will make a standard practice of requesting permission from the holder of the work if their use of the material has the potential of being considered an infringement.

Teachers will instruct students to respect copyrights and to request permission when appropriate. Users must not knowingly load onto the NHREC Computer System and Network or use commercial software in violation of its copyright and/or licensing agreement and will not perform downloads or installs without the authorization of the Technology Department.

#### **7. NHREC Computer System and Network Software**

Only division approved and provided software shall be loaded on the NHREC Computer System and Network. No software such as applications, games, freeware, demonstration software, and shareware shall be downloaded or installed on device in the NHREC Computer System and Network without written approval from Technology Support Services Staff.

#### **8. NHREC Device Check-Out**

NHREC may allow an employee to "check-out" a technology device. NHREC owned technology devices are for professional school purposes only and employees checking out a device must adhere to NHREC's Acceptable Use Policy. Any device that is checked-out by an employee must be returned in the same condition as received, minus normal wear due to usage. The employee is responsible for any damages to the device. If employment is terminated by either party and the technology device is not returned, NHREC will proceed with payroll deduction at a value it determines appropriate based upon purchase price and age of device. Upon check-out of the NHREC owned device, the employee must complete and sign the NHREC Technology Device Sign-Out Form which documents the above mentioned stipulations.

## 9. Academic Freedom, Selection of Material, Student Rights to Free Speech

Federal and State Laws on academic freedom and free speech will govern the use of the Internet. When using the Internet for class activities, teachers will select material that is appropriate in light of the age of the students and that is relevant to course objectives. Teachers will preview materials and sites they require or recommend students access to determine the appropriateness of the material contained on or accessed through the site.

## 10. NHREC Websites

NHREC has established a Web site and Web pages that present information about the NHREC. The Executive Director will designate an administrator to be responsible for maintaining the division Website. The principals or their designee(s) are responsible for overseeing the development and content of their school's web site and for ensuring that published content is relevant to the department/school and complies with the AUP Policy.

New Horizons Employee Handbook policy on Discrimination and Harassment applies fully to the NHREC published Internet sites. Abusive, vulgar, harassing, threatening or otherwise inappropriate content will not be published on New Horizons owned Internet sites.

NHREC web sites will not post photographs of our student population without permission from a parent or legal guardian. Student forms will be filed in their school offices. All other user forms will be on file in the Human Resources Department.

NHREC websites will not contain direct links to pages that violate the AUP policy.

## 11. Electronic Mail (e-mail)

The NHREC e-mail system provides authorized users the capability of sending and receiving electronic communications between all schools and the central office in addition to electronic communications outside the Centers. Use of the e-mail system should pertain to school related business only.

Authorized users will check their e-mail frequently and delete unwanted messages promptly. E-mails required to be filed for extended periods of time should be archived to CD or electronically stored outside the email system.

As normal policy, students are not granted access to email however, for special projects and programs, students will be granted access to the e-mail system for the duration of the program or project. It is the program or project administrator's responsibility to ensure the e-mail system is not abused or used in a manner other than described in the AUP for such programs and projects.

E- mails are written records and may be subject to inspection and monitoring as authorized by the Executive Director or designee and without notice to the user. Users must not have and shall have no expectation of privacy in e-mail. In addition, disclosure may occur pursuant to the Virginia Freedom of Information Act (FIOA), Code of Virginia, §2.2-3700 et seq., legal process and civil discovery, and division reviews and maintenance. The following are examples of inappropriate uses:

- Authorized users will not engage in spamming.
- Authorized users will not use the email systems for personal gain, commercial purposes, or political lobbying.
- Authorized users will not use **personal** Facebook or other publications seminar thereof.
- It is prohibited to use e-mail for the propagation of viruses, computer worms, Trojan Horses, and other malicious software acts.

- Authorized users will not engage in phishing.
- Authorized users will not transmit threatening, abusive, vulgar, obscene, or harassing emails.
- It is prohibited to attempt to subscribe to an authorized user to any electronic mailing lists.
- With the exception of the NHREC web based email system it is prohibited to access any web based email system from any NHREC Computer System and Network.
- Any video or audio recordings of students and faculty during instructional hours will be considered NHREC property and can be confiscated even if done so with personal devices.

## **12. Text Messaging**

Text messaging may be provided to those authorized users requiring cellular service as part of the job requirements for NHREC. Text messaging is not provided by default on a NHREC provided cellular device. Use of text-messaging should pertain to school related business only.

Authorized users must request that text messaging service be turned on for their approved cellular device and provide justification for its use in the performance of the users duties.

Text messages are written records and may be subject to inspection and monitoring without notice to the user. Users must not have and shall have no expectation of privacy in text messaging. In addition, disclosure may occur pursuant to the Virginia Freedom of Information Act (FIOA), Code of Virginia,

§2.2-3700 et seq., legal process and civil discovery, and division reviews and maintenance.

## **13. Internet Safety and Ethics**

The NHREC Computer System and Network will not be used to send, receive, view or download illegal/undesirable content/materials or to conduct illegal activities (e.g. arranging for the sale/purchase of drugs, engaging in criminal gang activity, pornography or threatening the safety of another individual). It is prohibited to use electronic communication services for fraudulent, threatening, obscene, rude, intimidating, defamatory, harassing, discriminatory, or otherwise unlawful messages. In addition, the NHREC Computer System and Network will not be used for commercial purposes, personal gain, or political lobbying.

Restrictions against inappropriate language apply to public messages, private messages and material posted on Web pages. Authorized users will conduct themselves in a manner that is appropriate and proper as representatives of the Centers.

Authorized users will subscribe only to discussion group mail lists that are Centers' sponsored/authorized, affiliated and/or relevant to school business. Authorized users will not access material that is profane or obscene (pornography), that advocates illegal acts, or that advocates violence or discrimination towards other people (hate literature). For students, a special exception may be made for hate literature only if the purpose of such access is to conduct research and access is approved both by the teacher and the parents or legal guardian.

The Children's Internet Protection Act (CIPA) requires schools and libraries receiving E-Rate discounts for Internet access and internal connections to comply with the CIPA. NHREC has implemented an Internet Filter to block access to text and visual depictions deemed obscene, child pornography, or harmful to minors.

Internet filters are not fail-proof and therefore may not block all undesirable Web pages. Therefore, authorized users will only be allowed access to the Internet to pursue education-related activities. Staff are responsible for oversight and monitoring of student internet activity. Teachers must keep up-to-date on Internet safety issues and provide accurate, timely information to students: this will include information about cyberbullying awareness, appropriate online behavior, and safe interaction on social networking sites. Teachers will establish and post rules for safe Internet use near computers in classrooms, libraries and labs and remind students regularly that the rules are intended to ensure

safety. Teachers should immediately notify an administrator, principal or Technology Department if they have identified a possible CIPA issue.

Authorized users will not post personal contact information about themselves or other people. Personal contact information includes school or work addresses, telephone numbers, etc. Students will not agree to meet with someone they have met online without the approval of their parents or legal guardians.

#### 14. Violations and Penalties

Authorized users will be given notice of violations and given an opportunity to provide explanation for determination regarding continuing access to the NHREC Computer System and Network. Privileges may be suspended immediately. For employees, disciplinary action may be taken. Violations of the law will be reported to law enforcement officials. NHREC will cooperate fully with local, state, and federal officials in any investigation related to illegal activities conducted using the NHR.EC Computer System and Network.

Disciplinary action related to student access to electronic resources may be determined at the building and/or classroom level in accordance with existing policies and procedures as stated in NHREC's Policy, Student Rights and Responsibilities policy, and/or other Centers Policies and Procedures governing student discipline. Disciplinary actions should be tailored to assist the student in gaining the self-discipline to behave appropriately on an electronic network.

#### 15. Definitions

- **Non-employees:** Contractors and support personnel who directly support the goals and mission of NHREC.
- **NHREC Computer System and Network:** A computer system that is owned, purchased, and/or supported by NHREC, and includes all technology resources and access to telecommunications networks (e.g. internet, local and wide area networks, hardware, software and communications services) division-wide and remotely.
- **Authorized User:** A NHREC Computer System and Network user whose access privileges have not been suspended or revoked.
- **NHREC Local Area Network:** The computer network using the private Internet Protocol (IP) address scheme (not directly accessible from the Internet) defined by NHREC Technology Department and accessed by wired or wireless connections.
- **Infringement:** When an individual inappropriately reproduces a work that is protected by a copyright.
- **Spamming:** An e-mail user sending annoying, non-school business, or unnecessary message(s) to an individual or a large number of people on a specific email list or site.
- **Phishing:** The act of sending an email to a user falsely claiming to be an established legitimate enterprise in an attempt to persuade the user to surrender private information that will be used for identity theft.
- **Web based email:** A web based system that performs the functions of a mail client allowing access to email through the Internet.
- **Text messaging:** Text messaging is the common term for the sending of "short" (160 characters or fewer, including spaces) text messages from mobile phones using the Short Message Service (SMS).

NHREC will not be responsible for any information that may be lost, damaged or unavailable when using the NHREC Computer System and Network or for any information retrieved from the Internet.

NHREC is not responsible for any unauthorized charge or fee resulting from the use of the NHREC Computer System and Network.

In the event filtering software, used to screen Internet sites for offensive material, is unsuccessful and authorized users gain access to inappropriate and /or harmful material, NHREC will not be liable.

Every effort will be made to avoid the violation of privacy of individuals or groups; however, NHREC Computer System and Network authorized users have no right of privacy and should have no expectation of privacy in materials sent, received, or stored in NHREC owned equipment within the Computer System.

## **16. OTHER POLICIES**

New Horizons Regional Education Centers' Employee Handbook: Discrimination and Harassment

### **AUTHORITY REFERENCE**

Code of Virginia, §22.1-70.2 (*Acceptable Internet use policies for public and private schools*); Children's Internet Protection Act (*Federal Communications Commission (Consumer & Governmental Affairs Bureau)*); The Library of Virginia; Virginia Department of Education

**Section:** NH – 3 – Work Environment  
**Title:** Employment, References, and Verification  
**Number:** Section 3-H  
**Status:** Active  
**Legal:**  
**Adopted:** August 2009  
**Last Revised:** October 2012

## **POLICY DETAIL**

### **H. EMPLOYMENT, REFERENCES AND VERIFICATION**

#### **1. Other Employment**

##### **a. Another job at NHREC**

Any full-time non-exempt employee may not work a second position at NHREC. Any exempt full-time employee may work a second position.

##### **b. Job With Another Employer**

Employees at NHREC may work for another organization provided that it does not conflict or interfere with your NHREC job responsibilities, schedule, or performance. You may not perform any work for another employer during your NHREC scheduled work hours, and you may not use NHREC equipment, materials, or staff to support your outside employment.

#### **2. References and Employment Verification**

References and Employment Verification – Providing external employment verification and references for all employees is generally the responsibility of the HR Department. To protect the privacy of all our employees and the interests of NHREC, you should refer all requests for references or letters of recommendation to HR. It is HR's practice to confirm dates of employment, job title(s) and most recent salary. HR will advise supervisors wishing to provide additional information about a former employee's work performance. To provide an employment reference for current or former employees' supervisors should first obtain specific, written permission from the employee to provide such references.

**Section:** NH – 3 – Work Environment  
**Title:** Serious Offenses  
**Number:** Section 3-I  
**Status:** Active  
**Legal:**  
**Adopted:** August 2009  
**Last Revised:** October 2012

## **POLICY DETAIL**

### **I. SERIOUS OFFENSES**

As stated in Section 4 - Performance Management, we expect from all employees behavior to be professional, ethical, appropriate for the workplace, and consistent with our NHREC policies. These standards are designed to promote the well-being of students, visitors, colleagues, and others doing business with NHREC, as well as to preserve the goodwill we have created in our community.

Failure to act in a professional and appropriate way may result in discipline. Discipline may range from a warning (verbal or written) to immediate termination of employment. Discipline is imposed according to the type of infraction, the severity of the offense and whether you have demonstrated a pattern of inappropriate behavior.

There may be times when an employee is suspended to allow NHREC sufficient opportunity to review the circumstances of the alleged offense and make a final decision. If such a suspension occurs, NHREC will make a decision on a case-by-case basis as to whether the suspension will be with or without pay.

#### **\*Examples of Misconduct:**

The following list contains examples of actions that are considered misconduct while on duty either on or off school premises. The list, which is not all inclusive, is as follows:

- fighting or the deliberate harming of another;
- insubordination, including intentional misconduct or refusal to perform work in the manner assigned/directed;
- destroying school property intentionally;
- public verbal correction of an employee in non-emergency situations;
- engaging in obscene or abusive language or conduct in the presence of students or employees;
- failing to maintain an appropriate professional relationship with a student or employee;
- engaging in any interaction/activity of a sexual nature or intent with a student;
- possession of firearms, other weapons or dangerous materials on school property;
- using school property without proper authorization;
- being under the influence of alcohol or illegal drugs;
- behaving in any inappropriate manner which adversely affects the employee's ability to perform his/her duties;
- furnishing lists of students or parents to anyone selling materials or services;
- using time granted for leave, planning, and workshops for purposes for which it is not intended;
- falsification of any NHREC documents;
- failure to follow established safety policies and procedures;
- failure to maintain confidentiality;
- theft;
- leaving the worksite, during scheduled work hours, without proper authorization;
- sleeping on the job during scheduled work hours;
- receiving or making excessive personal phone calls;



- engaging in threatening or intimidating behavior, or treating others in a discourteous, inattentive or unprofessional manner to include making malicious, false or harmful statements about others or creating conflict with others; and,
- use of NHREC computers and communications services for storing, sending, receiving, viewing or downloading illegal material via the internet.
- any employee who is no call/no show for a period of three consecutive work days will be considered to have voluntarily resigned from employment with NHREC Regional Education Centers. (Please refer to Newport News Public Schools policy GCQC)

## 1. Reportable Criminal or Serious Incidents

Employees of NHREC Regional Education Centers, whether full-time or part-time, permanent, or temporary, will report the following to the Executive Director:

- When such employee has been charged by summons, warrant, indictment or information with the commission of a felony;
- When such employee has been charged by summons, warrant, indictment or information with the commission of a misdemeanor involving:
  - i. sexual assault as established in Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2,;
  - ii. obscenity and related offenses as established in Article 5 (§ 18.2-372 et seq.) of Chapter 8 of Title 18.2;
  - iii. drugs as established in Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2; moral turpitude;
  - iv. the physical or sexual abuse or neglect of a child;
  - v. or an equivalent offense in another state;
  - vi. public drunkenness;
  - vii. driving under the influence of alcohol or drugs;
  - viii. reckless driving; disturbing the peace; or,
- When such employee has been charged with an equivalent offense in another state;
- When such employee is the subject of a Department of Social Services (CPS) investigation into an allegation of child abuse or neglect; or,
- When such employee is subject to a Department of Social Services (CPS) founded disposition of child abuse or neglect

The employee's shall notify the Executive Director in writing and provide the date of the alleged offense and a copy of the summons, warrant, indictment, information or other document served upon the employee notifying the employee of the charge no later than the first working day following the service of the summons, warrant, indictment or information upon the employee and failure to do so may be cause for termination of the employee.

**Section:** NH – 3 – Work Environment  
**Title:** Workplace Safety  
**Number:** Section 3-J  
**Status:** Active  
**Legal:**  
**Adopted:** April 2005  
**Last Revised:** October 2012

## **POLICY DETAIL**

### **J. WORKPLACE SAFETY**

To ensure that your working environment is safe and secure, NHREC has implemented the following policies.

#### **1. No Smoking Policy**

To promote a healthy work environment for all employees, NHREC has designated all NHREC facilities as non-smoking. This prohibition applies to all employees, students, and visitors. Employees must smoke off campus.

#### **2. Drug and Alcohol Free Workplace**

Drug and alcohol abuse can impair not only your judgment but also your physical coordination, both of which can increase the risk of workplace accidents and injuries. Substance abuse also has adverse results on your job performance, and therefore, hurts NHREC as a whole. Therefore, NHREC is committed to maintaining a drug-free workplace. As required by federal law, we prohibit the illegal use of drugs and the abuse of alcohol by our employees. The law applies to all employees, including student workers and interns.

NHREC does not condone or permit the unlawful possession, use, consumption or sale of illegal drugs or any controlled substance by employees on NHREC property. For purposes of this policy, a controlled substance is any illegal or prescription drug that, if abused, may lead to physical or psychological dependence. In addition, working while under the influence of a controlled substance is prohibited, unless use of the controlled substance is consistent with a physician's prescription and does not substantially impair the employee's ability to work satisfactorily or pose a risk to workplace safety.

All NHREC employees must comply with federal and Virginia state laws as well as any relevant local statutes and regulations relating to alcohol use, sales, or service of alcohol, especially to under-age persons.

NHREC expects all employees to conduct themselves in a responsible and lawful manner while on NHREC property or while conducting NHREC business off campus. Specifically, you may not operate any NHREC-owned vehicle or equipment, while under the influence of alcohol or controlled substances. Employees, while under the direction of their doctor, using prescribed or over-the-counter medication that may impair their abilities to operate a vehicle or equipment, should notify their supervisor of their limitations.

If you plead guilty, or if you are found guilty, or if you plead "no contest" to criminal charges associated with drugs or controlled substances, you are required by federal law to notify the NHREC Human Resources Director of that criminal matter and outcome immediately. Under federal law, notification to the HR Director must occur within five (5) days of your conviction or plea. Notification to HR is required because NHREC is a recipient of federal funds and must comply with the Drug-Free Schools and Workplace Act of 1988, which mandates such notification. If you fail to notify the HR Director as required by federal law, you may be subject to discipline or termination.

### **3. Professional Assistance with Substance Abuse**

NHREC appreciates that substance abuse is a complex and difficult problem to resolve. Should you find yourself faced with a problem of alcohol or substance abuse and you are seeking professional assistance through counseling or a more formal rehabilitation program, we encourage you to contact our Employee Assistance Program ("EAP"). Information about our EAP and how to contact a professional counselor is available from the HR Department.

At its discretion and depending on the circumstances, NHREC may offer an employee the opportunity to participate in and successfully complete a rehabilitation program in lieu of termination of employment. Generally, however, this option may be offered when the employee admits his or her problem before he or she has engaged in inappropriate behavior or demonstrated poor job performance.

If you participate in a NHREC health plan, you or a covered dependent may receive coverage for licensed drug and alcohol rehabilitation facilities and outpatient counseling. Please refer to your health benefits Summary Plan Description for more details.

### **4. Safety and Security**

All members of the NHREC community should take an active role in their own safety and security as well as the safety and security of colleagues, both on and off campus. You should not bring valuables to campus and, in the event you do, you should secure your wallets, handbags, and other items of value in your desk. You should never leave a wallet, pocketbook, briefcase, or other such items unattended and in plain view.

On campus, the NHREC' Program Administrators will coordinate security and safety measures for the NHREC staff and students.

Employees of NHREC should always be prepared to show their NHREC ID badge when requested. All employees should report suspicious activity or thefts to Security immediately.

### **5. Work-Related Injuries**

If you are injured during work or sustain an accident on NHREC' premises or while traveling on NHREC business, you should report the injury to your supervisor immediately, even if you think it is relatively minor. You should also notify the HR Department. A representative from HR can assist you in completing the necessary documentation with the NHREC' workers' compensation insurer. In order to qualify for workers' compensation, you must report any work-related injury or illness promptly.

### **6. Workplace Safety Committee**

NHREC Safety Committees meet quarterly to review accidents and incidents that occur at NHREC facilities. The minutes of these meetings will include recommendations and suggestions. The committees will be located at the Woodside Lane Campus and the Butler Farm Campus.

**Section:** NH – 3 – Work Environment  
**Title:** Work Schedules  
**Number:** Section 3-K  
**Status:** Active  
**Legal:**  
**Adopted:** August 2009  
**Last Revised:** October 2012

## **POLICY DETAIL**

### **K. WORK SCHEDULES**

We offer a number of work schedules with the goal of meeting our business needs while providing you, when feasible, with the opportunity of balancing your professional and personal life. The number of hours you work may affect your benefits eligibility. Please see Section 6, Your Benefits.

Certain schools or departments, however, may have different core hours. Your administrator will provide you with information about your scheduled hours and those of your department.

#### **1. Summer Work Hours**

Each year, the Executive Director will determine when and how summer hours will be implemented. Some NHREC offices may not observe summer hours because of their business needs. For more information about how your unit or department observes summer hours when they are in effect, talk with your supervisor.

#### **2. Closings and Inclement Weather**

In the event of inclement weather, NHREC will follow the  $\frac{2}{3}$  majority of the school divisions for full-day school closings. However, all Peninsula school divisions will be considered in making decisions regarding delayed openings or early release.

**Center for Autism YORKTOWN MIDDLE SCHOOL CAMPUS** families should **ALSO** look for inclement weather announcements posted by York County School Division. If York County School Division is closed or delayed, then NHREC' Center for Autism at the Yorktown Middle School campus will be closed or delayed for students.

Canceling the day school programs does not necessarily cancel evening classes. A separate determination will be made concerning evening classes through the Center for Apprenticeship and Adult Education.

**Governor's School** and **CTE** students are only required to report to NHREC if their home school division is open; all **Special Education** students, regardless of their home school division status, should report to NHREC as scheduled.

Prior approved leave (sick, personal, or vacation) does not pertain to closings due to inclement weather and will therefore be deducted as if the school was open (i.e., an employee is on vacation and school closes for inclement weather the leave is still deducted).

**Section:** NH – 3 – Work Environment  
**Title:** Employment/Personnel Records  
**Number:** Section 3-L  
**Status:** Active  
**Legal:**  
**Adopted:** April 2005  
**Last Revised:** February 2022

## **POLICY DETAIL**

### **L. EMPLOYMENT/PERSONNEL RECORDS**

The Human Resources Department maintains documents related to your employment at NHREC. It is your responsibility to notify HR immediately when any changes occur in your personal status, such as change of address, change of last name, new home telephone number, additional dependents, or change in emergency contact information.

NHREC employees are entitled to review and obtain a copy of their employee records, including their health records. Employee health records are confidential and are kept separate from general employee files. Health records include medical information and documents related to family, medical leaves of absence; workers' compensation; short- and long-term disabilities; and information received from health care providers.

If you want to review your file, you should submit a written request (e-mail is sufficient) to Human Resources. A representative from HR will arrange a time to review your records during business hours within five (5) days of your written request. You may also request that a copy of your records be photocopied and provided to you.

**Section:** NH – 3 – Work Environment  
**Title:** Resolving a Work Problem & Employee Grievances  
**Number:** Section 3-M  
**Status:** Active  
**Legal:**  
**Adopted:** August 2009  
**Last Revised:** August 2014

## **POLICY DETAIL**

### **M. WHEN YOU HAVE A WORK PROBLEM**

During your career at NHREC, there may be times when you disagree or encounter problems with your supervisor or work colleagues or when you feel that you have been treated unfairly. Below are some general guidelines for resolving such conflicts.

The best approach is for you to discuss the issue with the person with whom you are in conflict, if you are comfortable doing so. In many situations, problems can be resolved at this level through candid, tactful, and direct communication. If the issue involves potential discrimination or harassment, be sure to follow the procedures outlined in those policies and seek help and advice about your concern.

If you cannot resolve the problem with the person involved, discuss the problem with your supervisor. If you can't resolve the problem with your immediate supervisor, the next step is with your Administrator or Program Director. If you need additional information that she or he cannot provide, contact HR for assistance. HR will help you directly or provide guidance on the next steps you could take on your own.

If your problem remains unresolved, you may request a meeting with the Executive Director. Be prepared to provide background information on the problem or issue, to discuss your attempts to resolve it, and to propose a recommended solution.

NHREC maintains an open door policy, reflecting our respect for each individual on our staff and our belief that everyone should have the right to discuss and even disagree with the administration. The process described above allows you to have access to the level of administration that has the authority to effect change and resolve problems. A representative from Human Resources is also available to consult at any step of this process. Also a representative of the Employee Assistance Program may be called to act as a mediator.

#### **1. Employee Grievances**

NHREC recognizes that employees should have a defined route for addressing and resolving grievances related to unresolved disputes, dismissal, or placement on disciplinary probation.

NHREC follows NNPS policies GBK, GBK-E1, GBK-P regarding grievances and the code of Virginia 22.1-79 (6), 22.1-308, 22.1-309, and 22.1-311

**Section:** NH – 3 – Work Environment  
**Title:** Child Abuse/Child Protection  
**Number:** Section 3-N  
**Status:** Active  
**Legal:** Code of Virginia 63.1-248  
**Adopted:** August 2014  
**Last Revised:**

## **POLICY DETAIL**

### **N. Child Abuse/Child Protection**

Refer to Newport News policy JLF-P

Section 63.1-248.2 of the Code of Virginia defines an abused or neglected child as any child less than eighteen years of age whose parents or other persons responsible for the care of the child:

- Creates or inflicts, threatens to create or inflict, or allows to be created or inflicted upon such child a physical or mental injury by other than accidental means, or creates a substantial risk of death, disfigurement, impairment or bodily or mental functions;
- Neglects or refuses to provide care necessary for the child's health; provided, however, that no child who in good faith is under treatment solely by spiritual means through prayer in accordance with the tenets and practices of a recognized church or religious denomination will for that reason alone be considered to be an abused or neglected child;
- Abandons such child; or
- Commits or allows to be committed any sexual act upon a child in violation of the law, or
- Fails to provide adequate supervision in relationship to the child's age and level of development

As an employee of NHREC Regional Education Centers, you are a mandated reporter. It is critical for the safety and well-being of our students that you immediately report any suspected abuse. Failure to report suspected child abuse or neglect, within 24 hours of first suspicion, can result in a misdemeanor charge. If found guilty, the fine is up to \$500. If you suspect abuse it is important not to ask the student leading questions. For example if you observe a bruise on a student, you may ask "How did you get that bruise?" rather than "Did your dad do that to you?" You should limit your questions at this point and refer to a school psychologist, nurse, or program administrator to be present during further questioning. Report any suspicions to a program administrator as soon as possible. If there is physical evidence of abuse, the student needs to be seen by a school nurse. As mandated reporters, it is not our job to determine if actual abuse has occurred, we report to Social Services and they make that determination.

All NHREC staff receive annual training regarding mandatory reporting of child abuse.

**Section:** NH – 4 – Performance Achievement  
**Title:** Performance Achievement  
**Number:** Section 4  
**Status:** Active  
**Legal:**  
**Adopted:** August 2009  
**Last Revised:** February 2022

## **POLICY DETAIL**

### **SECTION 4: PERFORMANCE ACHIEVEMENT**

Performance management is an ongoing process that starts when expectations are set; read; and performance is evaluated. It's important that you understand what NHREC and your supervisor expect of you; how your performance will be evaluated; and your role in your performance management process.

- Understand your work responsibilities and what you are expected to accomplish in your job
  - Understand how your professional responsibilities support NHREC' Strategic Plan <https://nhrec.org/about-us/boldly-go-2025-strategic-plan/>
  - Participate in setting goals and objectives for you and, sometimes, your department or work team
  - Understand how your performance is appraised
  - Know what may happen if your performance does not meet your supervisor's expectations
  - Learn how you can improve your performance
  - Participate in ongoing communication and feedback about your performance
- a. **Setting Expectations:** Your job description gives you an overview of your general responsibilities. You and your supervisor set goals and objectives that are consistent with your job description. Your job description, goals and objectives form the standards against which your performance will be appraised.
  - b. **Performance Feedback:** You and your supervisor have ongoing discussions about your performance. These discussions may be formal or informal and should occur throughout the year. You are encouraged to ask your supervisor for performance feedback at any time.
  - c. **Performance Appraisal:** NHREC has an annual formal appraisal process. You and your supervisor meet to summarize and document your performance for the year, using the performance appraisal system. Together you will develop goals for the next appraisal period. This is also a good time to focus on your career development.



**Section:** NH – 4 – Performance Achievement  
**Title:** The Performance Appraisal Process  
**Number:** Section 4-A  
**Status:** Active  
**Legal:**  
**Adopted:** August 2009  
**Last Revised:** February 2022

## **POLICY DETAIL**

### **A. THE PERFORMANCE APPRAISAL PROCESS**

Each year, the HR Office provides specific information about the NHREC' formal performance appraisal process. This information includes timelines as well as the forms to be used.

In preparing your appraisal, your supervisor may also gather feedback from people with whom you have interacted during the appraisal period. Such persons may include internal or external customers, students, and your work colleagues. Your supervisor will write your performance appraisal on the software designated by HR. The appraisal will indicate an overall performance rating.

You should read the appraisal carefully, and we encourage you to discuss several things with your supervisor, such as:

- Areas where you excel and how you can continue to build on your successes
- Areas where you disagree with your manager's assessment of your performance
- An action plan to address opportunities for improvement
- Setting goals for the upcoming year

Each employee should receive specific, objective feedback on his or her performance in a respectful manner. You should ask your supervisor if there's anything you don't understand in your appraisal. We ask that you sign your performance appraisal to indicate that you have read and understood it. If you wish, you may write a response or other comments, which will become an official part of your appraisal.

A copy of your appraisal and any comments that you may write become part of your HR file. If you so request, your self-assessment will become an official part of your appraisal and will go into your HR file.

The final step in this process is for you and your supervisor to set goals and objectives for the upcoming year.

#### **1. Improving Your Performance**

We hope that your career at NHREC will be exciting and challenging and that you will be successful in your job. It may happen, however, that your performance falls significantly and/or consistently short of meeting your performance expectations. If that happens, our goal generally is to help you improve your performance.

In an effort to help you improve your performance, your supervisor may do a number of things, including the following:

- Meet with you to explain the problem and get your perspective
- Coach you on what you can do to improve your performance
- Counsel you and formally document these discussions
- Provide training and professional development
- Place you on a Performance Improvement Plan ("PIP")

The PIP is a tool designed to improve poor performance through realistic goal setting, progress reviews, and feedback. Your supervisor, in consultation with HR, will determine the period of time that you are on a PIP. This period of time is based upon a number of factors, including the nature and severity of your performance problem; the impact of the problem on NHREC and others with whom you work (i.e., students, staff, faculty); and the complexity of the expectations you need to meet.

A PIP is intended to alert you to serious deficiencies in your performance; to inform you what you must do in order to improve; and to give you ample notice that if your performance does not improve, your employment with NHREC may be terminated.

Progressive discipline before termination may also not be appropriate if your position requires you to:

- Exercise a high level of judgment and discretion regularly and reliably
- Demonstrate consistently effective management and leadership
- Participate productively in a confidential capacity as part of a management team where actions or inactions of an individual employee may seriously impair the ability of the or unit to carry out its mission or goals

The decision to follow or omit a Performance Improvement Plan rests in the discretion of your supervisor and your Program Administrator, in consultation with the Executive Director. You may be disciplined or discharged without the benefit of a Performance Improvement Plan or some other course of constructive development.

## **2. Impact of a Performance Improvement Plan on Compensation**

If you are placed on a formal performance improvement plan, you will not be eligible for a pay increase unless and until you have completed the plan successfully and sustained solid performance. If the NHREC' annual performance review cycle occurs during your performance improvement plan, your salary review will be delayed until you have successfully completed the performance improvement plan. After you have successfully completed the plan, the Program Administrator in consultation with the Executive Director has the discretion to determine if and when you will receive the pay increase awarded to other employees on a prorated basis.

## **3. Managing Your Career at NHREC**

At NHREC, you are responsible for managing your own career. Your supervisor will typically provide support, feedback, and guidance. The performance appraisal process is a great opportunity to discuss career aspirations with your supervisor. Feel free to ask for support, work opportunities, or training can be provided to accomplish your career goals. Refer to Section 9 (Learning and Development) for more guidance on professional development.

**Section:** NH – 5 – Compensation  
**Title:** Staff Compensation Program  
**Number:** Section 5-A  
**Status:** Active  
**Legal:**  
**Adopted:** August 2009  
**Last Revised:**

## **POLICY DETAIL**

### **SECTION 5: YOUR COMPENSATION**

#### **A. STAFF COMPENSATION PROGRAM**

This section of the Employee Handbook applies to all employees of NHREC and offers important information about staff compensation at NHREC. While this section sets out certain principles, nothing in it should be read as an entitlement to certain compensation or as a limitation to NHREC' discretion in making compensation determinations.

**Section:** NH – 5 – Compensation  
**Title:** Staff Compensation Philosophy  
**Number:** Section 5- B  
**Status:** Active  
**Legal:**  
**Adopted:** August 2009  
**Last Revised:**

## **POLICY DETAIL**

### **B. STAFF COMPENSATION PHILOSOPHY**

#### **1. Why We Have a Staff Compensation Program**

Our employees are one of the NHREC' most important assets and are essential to NHREC fulfilling its mission. The staff compensation program is designed to enable us to attract, retain, and motivate qualified staff. Specifically, the program goals are to:

- Provide compensation that reflects market pay rates to ensure competitiveness with our defined external markets, as resources are available
- Maintain internal equity by objectively evaluating jobs to ensure that a position's responsibilities are valued fairly relative to other jobs within the NHREC
- Provide general guidelines for managing pay
- Ensure that each staff member is provided with information about how compensation at NHREC is managed, and how his or her own pay is determined

#### **2. Market-Based Pay Structure**

The staff compensation program is a market-based system, meaning it has been designed to enable NHREC to be competitive with the organizations that we compete with for staff. We call such organizations the "market" for purposes of the staff compensation program and consist of school divisions and businesses on the Peninsula.

There are two key attributes of a market-based system:

- The pay band structure is built and maintained by analyzing market pay levels for jobs that are similar to NHREC jobs. The process of comparing NHREC jobs to similar positions in the market is called benchmarking.
- Jobs are assigned by HR to pay bands based on the content, role, and responsibilities of the job.

Generally, HR expects to update the pay structure and associated salary ranges on an annual basis, but such updates could occur more or less frequently depending on market shifts. "FLSA" stands for the Fair Labor Standards Act, which is the federal law that governs wages, hours, and other aspects of employment.

**Section:** NH – 5 – Compensation  
**Title:** Job Descriptions  
**Number:** Section 5-C  
**Status:** Active  
**Legal:**  
**Adopted:** August 2009  
**Last Revised:**

## **POLICY DETAIL**

### **C. JOB DESCRIPTIONS**

Since jobs are assigned to pay bands based on their content, role, and responsibilities, it is important that HR fully understand the job. The best way to do this is by ensuring that job descriptions are current, accurate, and complete. Job descriptions describe the essential functions of a job and are used for a number of business functions, including:

- Job Classification-to ensure jobs are assigned to the appropriate pay bands and to the appropriate FLSA status (exempt vs. non-exempt)
- Market Pricing-to assist in determining the competitive rate of pay for the job
- Internal Equity-to assist in assuring comparable pay opportunities for comparable jobs within NHREC
- Performance Appraisals-to ensure that the employee and manager have a clear, shared understanding of the job's essential functions
- Recruiting-to help identify the most appropriately qualified candidates and to provide prospective employees with a clear understanding of the job
- Job Posting-to ensure that the job posting accurately reflects the job's essential functions
- Dispute Resolution-to assist in resolving legal and other employee relation's issues that may arise.

All job descriptions must be written in the NHREC format and approved by the Executive Director.

#### **1. Job Titles**

A job's title should clearly and accurately describe the job's roles and responsibilities. This enables HR to (1) benchmark accurately the job to the marketplace or to other comparable NHREC jobs and (2) ensure that the job is assigned to the appropriate pay band.

To ensure that official titles are appropriate descriptors and to ensure consistency across the NHREC, all official job titles should be reviewed and approved by HR before they are used.

**Section:** NH – 5 – Compensation  
**Title:** Moving to a Job in the Same Pay Band  
**Number:** Section 5-D  
**Status:** Active  
**Legal:**  
**Adopted:** August 2009  
**Last Revised:** February 2022

## **POLICY DETAIL**

### **D. MOVING TO A JOB IN THE SAME PAY BAND**

You can also advance by taking a new job in the same pay band. This enables you to become more versatile and more broadly skilled, contributes to your value to NHREC, and may eventually lead to advancement to a job in a higher job pay band.

This move is usually a lateral transfer without pay increase but there may be exceptions.

This type of advancement may or may not involve assuming greater responsibilities. While a pay adjustment is not automatic, it may be appropriate to reward diversification. Program Administrators may recommend a pay adjustment within the band, based on your skill, knowledge, experience, and performance to the Executive Director. The Executive Director has final approval for all pay adjustments.

**Section:** NH – 5 – Compensation  
**Title:** Moving to a Job in a Higher Pay Band (Promotion)  
**Number:** Section 5-E  
**Status:** Active  
**Legal:**  
**Adopted:** August 2009  
**Last Revised:** October 2012

## **POLICY DETAIL**

### **E. MOVING TO A JOB IN A HIGHER PAY BAND (PROMOTION)**

Advancing to a job in a higher pay band involves taking on significantly greater responsibilities. It usually warrants a pay increase to recognize these additional responsibilities and to ensure that the staff members pay is consistent with the market.

**Section:** NH – 5 – Compensation  
**Title:** Moving to a Job in a Lower Pay Band  
**Number:** Section 5-F  
**Status:** Active  
**Legal:**  
**Adopted:** August 2009  
**Last Revised:** October 2022

## **POLICY DETAIL**

### **F. MOVING TO A JOB IN A LOWER PAY BAND**

It may at times be necessary for you to transfer to a position in a lower pay band. This most likely will occur as a result of a more appropriate fit between your skills and the skills and competencies of a different job.

In this case, your pay generally is reduced to fall within the salary range of the new job. There may be occasions, however, where you will retain your current pay, but once assigned to the lower job category, pay will be managed within the parameters of the pay band for that job. The Executive Director has final approval for all pay adjustments.



**Section:** NH – 5 – Compensation  
**Title:** Compensation for Part-Time Staff  
**Number:** Section 5-G  
**Status:** Active  
**Legal:**  
**Adopted:** August 2009  
**Last Revised:** October 2012

## **POLICY DETAIL**

### **G. COMPENSATION FOR PART-TIME STAFF**

Pay for regular part-time staff is managed under the same guidelines as for regular full-time employees, with adjustments pro-rated for reduced work schedules.

**Section:** NH – 5 – Compensation  
**Title:** Non-Exempt Jobs  
**Number:** Section 5-H  
**Status:** Active  
**Legal:**  
**Adopted:** August 2009  
**Last Revised:** October 2022

## **POLICY DETAIL**

### **H. NON-EXEMPT JOBS**

A staff member in a non-exempt job who works part-time will be paid the regular hourly wage for the position, consistent with their skills, knowledge, experience, and performance. This rate will be multiplied by the number of hours actually worked. Staff members in non-exempt jobs will be eligible for overtime in accordance with the Fair Labor Standards Act (i.e., overtime is compensated for hours worked in excess of 40 per week).

All overtime requests must be approved by the Executive Director, prior to implementation.

**Section:** NH – 5 – Compensation  
**Title:** Exempt Positions  
**Number:** Section 5- I  
**Status:** Active  
**Legal:**  
**Adopted:** August 2009  
**Last Revised:** October 2012

## **POLICY DETAIL**

### **I. EXEMPT POSITIONS**

The pay for a staff member in an exempt job working part-time will be determined by pro-rating the full-time salary for the same job. The job will be assigned to a pay band based on market value, and his or her skills, knowledge, experience, and performance will determine the incumbent's salary.

**Section:** NH – 5 – Compensation  
**Title:** Pay Administration  
**Number:** Section 5-J  
**Status:** Active  
**Legal:**  
**Adopted:** August 2009  
**Last Revised:** February 2022

## **POLICY DETAIL**

### **J. PAY ADMINISTRATION**

#### **1. EMPLOYMENT CATEGORIES**

##### **a. Pay Schedule**

Scheduled pay dates are listed on the NHREC website.

##### **b. Job Evaluation**

Teachers are assigned to pay scales. Jobs are assigned to pay bands based on market value. Since the basis for this decision is job content, significant changes in job content may warrant a review of the job and its market value.

The following are examples of situations that may warrant a job evaluation:

- Department reorganization
- Addition of full-time employees reporting to the job
- Addition of new area of responsibility
- Change in level of authority

Small changes in a job do not influence market value and therefore would not warrant re-evaluation (i.e., different software to handle same job responsibilities, procedural changes to existing work, responsibility for overseeing student workers). In addition, a job is generally not re-evaluated if the incumbent earns a degree or achieves another educational milestone unless this results in changes in the job, level of authority, scope of responsibility, and so forth.

Generally, requests for job evaluations should be made by the administrator to whom the position reports, and not by individual employees. If you believe that your job needs to be evaluated, you should discuss this with your Program Administrator.

**Section:** NH – 5 – Compensation  
**Title:** Legal Constraints on Compensation  
**Number:** Section 5-K  
**Status:** Active  
**Legal:**  
**Adopted:** August 2009  
**Last Revised:** February 2022

## **POLICY DETAIL**

### **K. LEGAL CONSTRAINTS ON COMPENSATION**

In addition to HR and management guidelines, various federal and state laws place constraints on compensation. The law sets out certain work rules and establishes minimum wage and overtime compensation. The law also governs child labor (work by persons under the age of 18). The Internal Revenue Code governs how and when taxes are deducted from your pay. Below is a brief summary of legal regulations that are most relevant to NHREC employees. Check with HR if you have questions about these requirements.

#### **1. Exempt/Non-exempt Status and Overtime Compensation**

Federal and state laws require that overtime compensation (paid or compensated leave) must be provided for certain positions. The term "exempt" refers to positions that are exempt from these overtime compensation requirements. The term "non-exempt" refers to positions that are entitled to overtime compensation.

In accordance with legal requirements, whether your job is classified as exempt or non-exempt depends solely on your position requirements and responsibilities. It does not depend on how you are paid. It does not depend on how you (or your Program Administrator) would prefer the job to be classified. The Executive Director, guided by federal wage and hour laws and the NHREC General Counsel, makes the final decision as to whether a position is exempt or non-exempt.

If your position is classified as non-exempt, you are entitled to receive overtime compensation for each hour you work beyond 40 hours in a work week (does not include leave or holidays taken during the week). Overtime compensation (pay or leave) is calculated based on the number of hours you are paid in a work week. The overtime compensation rate for pay or leave is 1½ for work hours beyond 40 hours per week. Prior to working beyond your normally scheduled hours, you must get approval from your Program Administrator and the Executive Director. At NHREC compensatory leave is used prior to compensatory pay.

In some instances, based on the needs of the department, overtime may be a condition of employment or continued employment. In other situations, your work week may be different from the typical NHREC work week so that evening and weekend coverage can be provided without NHREC having to incur the expense of overtime pay. Your Program Administrator will let you know the specific needs of your department and what your schedule is. If you work more than one position at the NHREC, your Program Administrator should check with HR to determine the appropriate classification and pay.

If a NHREC holiday or paid closed day falls on a day that you usually are not scheduled to work (i.e., your usual work schedule is Tuesday-Saturday, and there is a NHREC holiday or paid closed day on a Monday), then upon approval by your Program Administrator, you may receive one of your usual work days off as a substitute paid day off. You must work with your manager to determine the substitute paid day off, and it must be taken within two (2) weeks of the actual holiday (before or after). Your Program Administrator may also decide that based on the needs of the department, division, or NHREC that you will not be able to receive a substitute day off. In that situation you will be eligible for extra compensation as described in the paragraph above.

## **2. Long-Term Schedule Changes (for both exempt and non-exempt staff)**

The NHREC has the right to alter your scheduled work week on a long-term or regular basis. In these instances, your Program Administrator will attempt to provide you with at least 60 days advance notice prior to the effective date of the change.

## **3. Timekeeping**

In order to plan work, manage budgets, and track time off, NHREC requires all managers to maintain accurate records of time and attendance for their staff and to forward such records to HR. Employees in non-exempt jobs are required to maintain daily time records and the monthly time sheet is to be submitted by the first Friday of the following month. Employees in exempt jobs should record time away from work (i.e., vacation and sick time) as time is taken using a leave form.

## **4. Adjusted Leave for Exempt Employees**

Exempt employees by federal law do not earn compensatory time but with supervisor approval may adjust their work schedule within a one month period to accommodate excessive work hours. Adjusted leave will be noted on the leave form and reason for such noted in the comments section, unless a designated schedule is provided for an entire class of employee (i.e., teachers given part of a planning day off for attending Open House).

**Section:** NH – 6 – Benefits  
**Title:** General Information  
**Number:** Section 6-A  
**Status:** Active  
**Legal:**  
**Adopted:** September 2005  
**Last Revised:** February 2022

## **POLICY DETAIL**

### **SECTION 6: YOUR BENEFITS**

#### **A. GENERAL INFORMATION**

##### **1. Benefits Administration**

As part of your total compensation, NHREC provides a comprehensive package of benefits. This section describes many of these benefits. Benefits are administered through the Office of Human Resources.

##### **2. Eligibility**

**Full-time employees** shall be entitled to the full range of benefits provided by NHREC Regional Education Center.

**Part-time employees** hired on or **after July 1, 2010 must fill 80 percent or more** of an allocated position in order to be eligible for pro-rated leave benefits and group health insurance. Neither Virginia Retirement Systems (VRS) retirement nor VRS group life insurance benefits shall be provided to part-time employees.

Temporary employees are not eligible for benefits arising out of service in this capacity.

## **Insurance Benefits**

Insurance benefits for current employees will be subject to NHREC policy and procedures. Specific provisions of these insurances will be provided to the employee. The NHREC Board of Trustees will determine and the Executive Director or his/her designee will communicate to employees their eligible insurance benefits.

NHREC may provide the following insurance coverages:

- Health/Hospitalization insurance
- Dental Insurance
- Vision Services
- Life Insurance
- Disability Income Protection (Virginia Retirement System eligible employees only)

The NHREC Board of Trustees retain the right to modify or discontinue any employment benefit at any time subject to applicable law.

You must enroll in the benefits plan within 15 days of your start date. Benefits become effective the 1st day of the month after you receive your 1st paycheck.

All benefits are listed in detail in the Benefits Guide on the NHREC website. [https://nhrec.org/wp-content/uploads/2022/02/NHREC-Benefit-Guide-2021\\_FINAL-compressed.pdf](https://nhrec.org/wp-content/uploads/2022/02/NHREC-Benefit-Guide-2021_FINAL-compressed.pdf)



**Section:** NH – 6 – Benefits  
**Title:** Medical Plan  
**Number:** Section 6-B  
**Status:** Active  
**Legal:**  
**Adopted:** September 2005  
**Last Revised:** February 2022

## **POLICY DETAIL**

### **B. MEDICAL PLAN**

#### **1. Plan Overview**

NHREC offers three plans through Optima Health.

#### **2. Enrolling in the Plan**

You must enroll in the medical plan within 30 days of your start date and select either individual, individual plus one (child or spouse), or family membership. If you enroll within this period, your coverage will begin on the first day of the month coinciding with, or immediately following, your start date. There is no waiting period once coverage is effective. If you do not enroll within the 30-day period, you may have to wait until the next open enrollment date (August 1) to enroll, unless a "qualifying event" occurs.

#### **3. Changing Your Coverage**

Once enrolled in the medical plan you may only make changes during Open Enrollment, unless a "qualifying event" occurs. A "qualifying event" is a significant change in circumstances that may allow you to change your medical plan coverage outside of the open enrollment period. The Internal Revenue Service ("IRS") has defined qualifying events to include the following:

- A spouse's loss of medical coverage due to termination of employment or reduction of hours
- Loss of medical coverage due to divorce or legal separation
- The birth or adoption of a child
- Death of covered employee
- A dependent child's ceasing to be a dependent child
- Marriage

If you want to change your medical plan because one or more of the events described above has occurred, you must contact the Benefits Specialist. You are required to make the change within 30 days of the event.

You may also continue medical coverage between 18 to 36 months under the federal Consolidated Omnibus Budget Reconciliation Act (COBRA). You must notify the Office of Human Resources within 30 days of the qualifying event.

#### **4. Medical Plan Premiums**

You and NHREC share the cost of medical plan premiums. A current schedule of costs and contribution rates is available on the NHREC website. Your contributions to both the medical and dental plans are made on a pre-tax basis and are not subject to federal, state, and FICA taxes.

#### **5. Coverage If You Leave NHREC**

If you leave NHREC, your medical coverage continues through the last day of the month in which your termination occurs. Deductions for the remainder of the month will be taken from your last paycheck. See Section 10-Leaving the NHREC for additional details, particularly continuing your medical coverage pursuant to COBRA.

**Section:** NH – 6 – Benefits  
**Title:** Dental Plan  
**Number:** Section 6-C  
**Status:** Active  
**Legal:**  
**Adopted:** September 2005  
**Last Revised:** February 2022

## **POLICY DETAIL**

### **C. DENTAL PLAN**

#### **1. Plan Overview**

NHREC offers the United Concordia Dental plan. If you are a full-time employee, the cost of dental coverage is at no cost for employee only. If you have dependent coverage, you and NHREC share the cost. A current schedule of costs and contribution rates is available on the NHREC website..

The plan provides benefits under four categories of dental services: (I) diagnostic and preventive services; (II) restorative and other basic services; and (III) major restorative services. Orthodontia benefits are not provided with this plan.

You must enroll in the dental plan within 30 days of your start date and select either individual or family membership. If you enroll within this period, your coverage will begin on the first day of the month coinciding with, or immediately following, your start date. There is no waiting period once coverage is effective. If you do not enroll within the 30-day period, you may have to wait until the next open enrollment to do so, unless a "qualifying event" occurs. (see below for more details).

#### **2. Changing Coverage**

Once enrolled in the dental plan, you may make changes or terminate coverage only on the open enrollment date unless a "qualifying event" occurs. See Changing Coverage in the previous section describing the Medical Plan for a list of qualifying events.

#### **3. Coverage If You Leave NHREC**

If you leave NHREC, your dental coverage continues through the end of the month in which your termination occurs. Deductions for the remainder of the month will be taken from your last paycheck. See Section 10-Leaving the NHREC for additional details, particularly continuing your dental coverage pursuant to COBRA.

**Section:** NH – 6 – Benefits  
**Title:** Flexible Spending Accounts  
**Number:** Section 6-D  
**Status:** Active  
**Legal:**  
**Adopted:** September 2005  
**Last Revised:** February 2022

## **POLICY DETAIL**

### **D. FLEXIBLE SPENDING ACCOUNTS**

#### **1. Plan Overview**

A Flexible Spending Account ("FSA") allows you to pay for certain eligible, IRS-approved health care and dependent care expenses that are not covered by medical and dental plans. The expenses may be for you or for your dependents and are paid with your pre-tax dollars. Your contributions to an FSA are deducted from your pay before Social Security, federal, and state taxes are calculated. You will be reimbursed for certain eligible expenses through the FSA up to the maximum amount you have contributed. You cannot participate in FSA if you have a HSA Insurance Plan. More information regarding Flexible Spending Accounts can be found on the NHREC website in the Benefits Guide.

[https://nhrec.org/wp-content/uploads/2022/02/NHREC-Benefit-Guide-2021\\_FINAL-compressed.pdf](https://nhrec.org/wp-content/uploads/2022/02/NHREC-Benefit-Guide-2021_FINAL-compressed.pdf)

**Section:** NH – 6 – Benefits  
**Title:** Life Insurance  
**Number:** Section 6-E  
**Status:** Active  
**Legal:**  
**Adopted:** September 2005  
**Last Revised:** October 2012

## **POLICY DETAIL**

### **E. LIFE INSURANCE**

**Life Insurance:** Eligible employees are automatically enrolled in life insurance through the Virginia Retirement System (VRS). NHREC pays the total premium for group life insurance for these employees. The plan provides group term insurance protection to your designated beneficiary(ies) in the event of your death while covered by the Plan. Coverage is determined by rounding your annual salary up to the next \$1,000 then doubling it. (i.e., a salary of \$10,100 would be rounded to \$11,000 and doubled for coverage of \$22,000).

When you retire, your basic group life insurance coverage continues at no cost to you.

Unreduced Retirement Plan 1 - Normal retirement age under the VRS Plan 1 is age 65. You become eligible for an unreduced retirement benefit at age 65 with at least five years of service credit or at age 50 with at least 30 years of service credit.

Unreduced Retirement Plan 2 - You become eligible for an unreduced retirement benefit when you reach your normal Social Security retirement age and have at least five years of service credit or when your age and service credit equal 90.

In both cases you must have at least five continuous years as an employee, within the state system, immediately prior to termination of service. After retirement, the amount of your insurance reduces by 25 percent annually starting January 1 of your first full year following retirement, until your coverage reaches 25 percent of its retirement value.

#### **1. Optional Life Insurance:**

All full time employees covered by Virginia Retirement System are eligible to purchase Optional Life Insurance. The rates are based on your age and salary. If you are interested, please contact the Benefits Office for additional information.

#### **2. Income Protection (Short Term Disability):**

Unum is the Income Protection carrier for NHREC. Unum's plan provides insurance against absence from employment due to accidental injury or illness. You may purchase a monthly benefit in \$100 units, starting at a minimum of \$200 up to 66 2/3% of your monthly earnings rounded to the nearest \$100, but not to exceed a monthly maximum benefit of \$7,500. You may choose from three elimination period options which must be satisfied before you are eligible to receive benefits. (i.e., elimination period 0/3 means 0 waiting days for injury and 3 waiting days for illness.) Benefits are payable for up to 24 months for any one accident or for any one sickness. Benefits are in addition to the employee's sick leave. Any employee can purchase this coverage.

**Section:** NH – 6 – Benefits  
**Title:** Workers Compensation  
**Number:** Section 6-F  
**Status:** Active  
**Legal:**  
**Adopted:** September 2005  
**Last Revised:** January 2018

## **POLICY DETAIL**

### **F. WORKER' S COMPENSATION**

Employees will notify their immediate supervisor of all injuries that occur while on duty. The employee should then fill out clearly and completely the **Employer's Accident Report**. The Human Resources Specialist should immediately be contacted at **EXT. 3377** so efforts can be coordinated.

The "Employer's Accident Report" **should immediately** be faxed to the Human Resources Specialist at (757) 766-9402.

Upon completion of an Employer's Accident Report, the Workers' Compensation Clerk will call in the report to the Insurance Company within 24 hours of the actual occurrence. A claim number will be assigned to the case once all information is provided.

1. **If the injury or illness is acute, the employee should be sent to the nearest hospital emergency department without delay.**
2. If the employee seeks non-emergency care, they must choose a medical facility from the approved medical provider list. When the employee arrives at the medical facility, they should instruct the facility to call the Human Resources Specialist at 757-766-1100 ext. 3377.
3. The employee will be provided with a copy of the completed packet including claim number when they return to work. This claim number will be provided to the employee for future reference and pharmacy transactions.

The employee should return to work with all original medical paperwork and it should be sent via pony mail to the Human Resources Specialist at the Butler Farm campus.

If further treatment is recommended after the initial visit to the attending physician, the employee or medical facility must obtain approval from the workers' compensation carrier. Any follow up appointments or physical therapy appointments should be scheduled after the employees regular work schedule. Employees will use their sick leave for any appointments scheduled during school hours.

If a physician or medical facility should direct-bill an employee for a compensable injury, or if reimbursement is owed to the employee for purchasing medication prescribed by the physician, please forward the receipts/invoice(s) to the Human Resources Specialist for handling.

## 1. Light Duty Policy

Upon notice of any work restrictions by his/her treating physician, the supervisor **may** place the employee in a light duty position at any campus on an individual basis. Instructional personnel on restrictions may not work in the classroom if involved in the special education program. The Human Resources Specialist will also inform the WC insurance company of the employee's status. If an injured employee refuses employment offered in accordance with his/her medical limitations, he/she will not be entitled to any compensation at any time during the continuance of such refusal, unless in the opinion of the Virginia Workers Compensation Commission, such refusal was justified.

When there is total incapacity for work resulting from a compensable injury, the employer will pay (or cause to be paid) the injured employee during such total incapacity a weekly compensation equal to 66-2/3% of his/her average weekly wages. No compensation will be allowed for the first seven (7) calendar days of incapacity resulting from an injury. If the injury extends beyond that period, compensation will commence with the eighth day of disability. If such incapacity continues for a period of more than twenty calendar days, then compensation will be allowed from the first day of such incapacity.

If an employee is still on light duty at the end of six weeks, the employee must be re-evaluated by their workers' compensation treating physician before being allowed to continue light duty or return to full duty. An employee who is unable to return to his/her position after re-evaluation may be subject to a position change, conditional leave without pay, disability retirement, short/long term disability or separation. The Human Resources Specialist will notify Benefits Specialists of the light duty schedule once it has been arranged.

**Section:** NH – 6 – Benefits  
**Title:** Education Benefits  
**Number:** Section 6-G  
**Status:** Active  
**Legal:**  
**Adopted:** September 2005  
**Last Revised:** February 2022

## **POLICY DETAIL**

### **G. EDUCATION BENEFITS**

#### **1. Tuition Reimbursement:**

Tuition reimbursement may be available for those courses for teacher licensure pre-approved by a Principal or Program Administrator and the Executive Director.

NHREC may pay up to \$550.00 (Five Hundred Fifty Dollars) per course for **one** successfully completed class per year based on the actual cost of the class. NHREC may pay up to \$1000.00 (One Thousand Dollars) for the cost of **two** classes per year for initial licensure, based on the cost of each class. Pre-approval of all requests are dependent on there being sufficient funds in the budget. **Employees must commit to at least one additional semester after being reimbursed for tuition; otherwise, the money must be paid back to NHREC.**

The cost of the class must be provided at the time of the request (see form) for pre-approval in order to encumber funds. If the class is for initial licensure, it is the responsibility of the person making the request for reimbursement to provide a copy of the Department of Education letter and a list of requirements to be completed to the Finance Office and the Human Resources Department.

Upon completion of the course the following **\*must** be attached to the tuition assistance form when turned into the Finance Office to request reimbursement:

- A copy of your personal canceled check (front and back) OR
- A copy of your bank statement showing the check clearing your bank account OR
- A copy of your credit card statement showing the payment (personal information on your bank statement or credit card statement should be blanked out, leaving your name and the name of the financial institution)  
AND
- An official transcript of your final grade on the letterhead of the educational institution.
- All employees are required to submit proof that they passed a class with a “C” or above to receive reimbursement.

The required paperwork and proper documentation for processing the request must be received in the Finance Office no later than June 1 of each fiscal year. Reimbursement of multiple classes will also be paid on an “as received” basis in the Finance Office.

[https://nhrec.org/wp-content/uploads/2019/01/Tuition-Assistance-Form-Jan-2018\\_FillableBlank.pdf](https://nhrec.org/wp-content/uploads/2019/01/Tuition-Assistance-Form-Jan-2018_FillableBlank.pdf)

Payments will be made within four weeks after the Finance Office receives completed documentation. Failure to provide necessary documentation and/or not following the proper procedures will delay or prevent the processing of your request.



## 2. **Adult Education:**

Full-time employees are eligible to take one tuition free course per semester on a first come first serve basis and upon space availability through the Center for Apprenticeship and Adult Training (apprenticeship programs not included). Employees may sign up during the registration period, and will be contacted if the class meets minimum enrollment requirement and is under class capacity. Employees are exempt from paying tuition; however, they will be required to pay for all book, lab, and supply costs as provided by the Center for Apprenticeship and Adult Training. Please visit us at <https://nhrec.org/cfaat/> for a list of course offerings or contact the Center for Apprenticeship and Adult Training Office at 766-1101.

**Section:** NH – 6 – Benefits  
**Title:** Education Benefits  
**Number:** Section 6-H  
**Status:** Active  
**Legal:**  
**Adopted:** September 2005  
**Last Revised:** February 2022

## **POLICY DETAIL**

### **A. EMPLOYEE ASSISTANCE PROGRAM**

The NHREC Employee Assistance Program (EAP) is offered through our medical benefits provider, and offers short-term counseling and, when needed, referral services for you and members of your family living in your household. NHREC employees can consult with a counselor for up to three sessions per issue annually. These sessions are free, confidential, and voluntary. The program provides assistance with a variety of common personal problems, emotional concerns, legal problems and budget and debt issues. In addition, EAP provides work/life referral services that can assist you in balancing the stresses of work and family life.

Please refer to the employee benefits guide for more information.

[https://nhrec.org/wp-content/uploads/2022/02/NHREC-Benefit-Guide-2021\\_FINAL-compressed.pdf](https://nhrec.org/wp-content/uploads/2022/02/NHREC-Benefit-Guide-2021_FINAL-compressed.pdf)

**Section:** NH – 7 – Time Away From Work  
**Title:** Time Away From Work  
**Number:** Section 7  
**Status:** Active  
**Legal:**  
**Adopted:** September 2005  
**Last Revised:** January 2016

## **POLICY DETAIL**

### **SECTION 8: TIME AWAY FROM WORK**

This section describes the various options for NHREC employees to take time away from work.

**Section:** NH – 7 – Time Away From Work  
**Title:** Vacation  
**Number:** Section 7-A  
**Status:** Active  
**Legal:**  
**Adopted:** September 2005  
**Last Revised:** August 2015

## **POLICY DETAIL**

### **A. VACATION**

**Twelve-Month Employee Vacation:** All full time employees will be eligible for paid vacation according to the following provisions:

- 0-5 years employment - 1 day per month
- 6-10 years employment - 1 1/4 day per month
- 11-14 years employment - 1 ½ day per month
- 15+ years employment - 2 days per month

*Vacation accrues based on employment as a 12 month employee at NHREC*

February 1<sup>st</sup> of each year, 12 month employees will have the option of converting excess vacation over 36 days, to their sick leave balance. Once the request is approved, it cannot be changed back to vacation. Upon termination or retirement, any converted leave will be treated as sick leave. Vacation accumulation cannot exceed 36 days.

Upon termination of employment, employees will be paid for unused accumulated vacation not to exceed 36 days.

**Section:** NH – 7 – Time Away From Work  
**Title:** Holidays/NHREC Closing  
**Number:** Section 7-B  
**Status:** Active  
**Legal:**  
**Adopted:** September 2005  
**Last Revised:** February 2022

## **POLICY DETAIL**

### **B. HOLIDAYS/ NHREC CLOSING**

Generally, the NHREC observes the following 12 holidays each year:

- New Year's Day
- Martin Luther King Day
- President's Day
- Spring Break
- Regional Holiday
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving
- Friday after Thanksgiving
- Winter Break

If you are a regular full-time employee, you are eligible to be paid for each of the above holidays as well as for the period of time the NHREC is closed. If you are a half-time contracted employee, your eligibility for pay depends on your regular schedule, as described below:

- 10 and 11 month employees are not paid for holidays, however; school closings due to inclement weather are paid for.
- If a holiday/closed day falls on one of your regularly scheduled workdays, you will be paid in the amount that you would have received if you had worked a regular day. For example, if you were scheduled to work 5 hours, you would receive 5 hours pay.
- If a holiday/closed day falls on one of the days you are not scheduled to work, you will not be paid. For example, if a holiday falls on a Monday, and your regularly scheduled work days are Tuesday, Wednesday, and Thursday, you will not receive pay for that holiday/closed day.

**Section:** NH – 7 – Time Away From Work  
**Title:** Sick Leave  
**Number:** Section 7-C  
**Status:** Active  
**Legal:**  
**Adopted:** September 2005  
**Last Revised:** February 2022

## **POLICY DETAIL**

### **C. SICK LEAVE**

On the first day of the contract year, full-time and half-time (contracted) employees will be granted one half of annual sick leave allowance. Employees will be granted the other half of sick leave allowance in February. An unlimited number of sick leave days may be accumulated. Sick leave will be charged as taken.

12 month employees: allowed 15.6 sick days annually  
11 month employees: allowed 14.3 sick days annually  
10 month employees: allowed 13.0 sick days annually  
Half-time contracted employees: earn 6.00 sick days annually

Employees moving from a FT status to a PT status will be able to carry over their sick leave balance.

Sick leave will be awarded twice a year (July and February) in a lump sum. This is an excellent benefit for new employees or staff short on sick leave.

Supervisors may be required to request all employees to provide written documentation, including a doctor's certificate, regarding absences as long as it does not violate employee privacy act. The Human Resources Office may receive additional information as required and protect the privacy of the employees.

**The Human Resources Department must be informed of any illness/absence that is longer than three (3) consecutive days in length.** Employees will thereafter comply with the directions of Human Resources personnel if a determination is made that further documentation of absence is necessary. NHREC has set up a procedure to ensure that proper notification is made to Human Resources.

### **PROCEDURES**

- Employees will receive half of their annual sick leave in July and the remaining half in February, at the beginning of the month.
- Employees taking sick leave when there is zero balance will have their pay reduced accordingly.
- Employees taking unapproved leave without pay is an occurrence.
- Employees will still be allowed to use three sick leave days a year for personal leave. Employees with a balance of forty or more sick days at the beginning of the contract year will still be eligible to use four days of sick leave, as personal leave.

See chart on next page.

IF YOU ARE AN:	TOTAL ANNUAL SICK LEAVE	AMOUNT TO BE FRONT LOADED IN JULY	AMOUNT TO BE FRONT LOADED IN JANUARY
10 MONTH EMPLOYEE	13.00	6.50	6.50
11 MONTH EMPLOYEE	14.30	7.15	7.15
12 MONTH EMPLOYEE	15.60	7.80	7.80
HALF TIME CONTRACTED EMPLOYEES	6.00	3.00	3.00

## 1. STAFF ATTENDANCE AND ABSENTEEISM

Refer to Newport News Public Schools Policy GBEBB and GBEBB-E  
<http://go.boarddocs.com/vsba/nnps/Board.nsf/goto?open&id=896CEP7EB060>

## 2. SICK LEAVE FOR VRS PLAN 1 AND PLAN 2 MEMBERS

This Policy applies to employees who are eligible for VRS Plan 1 and Plan 2 membership.

1. Definitions. The following definitions apply to the application and interpretation of this Policy.
  - a. Sick Leave is an absence for: personal illness including pregnancy, childbirth and recovery periods specified by a physician; religious holidays; death in the employee's immediate family; attendance at a funeral of persons not included in the definition of immediate family; sickness in the employee's immediate family; quarantine; or other reasons of a personal nature;
  - b. Immediate family: includes husband, wife, children, parents, adoptive parents, siblings, grandparents, grandchildren, in-laws (mother, father, sister, brother, daughter or son), or any relative living in the household of the employee;
  - c. Personal Leave is a pre-approved absence for which no specified reason must be offered by an employee except in the case of emergency, when the employee has no opportunity for advance approval.
2. Accumulation/Payment for Leave
  - a. The number of Sick Leave days actually used by an employee will be deducted from the accumulated leave and when applicable, count towards the leave taken under the Family and Medical Leave Act.

On the first day of the contract year, the following employees accrue one-half of their annual sick leave allowance. At the end of January, they accrue the other half of their annual sick leave allowance. The annual allowance will be prorated for employees who work less than a full contract year. The employee's salary will be charged if sick or personal leave is used beyond the amount accrued.

3. Use of Sick Leave  
Sick Leave may be used for any of the absences specified in the Sick Leave definition.

4. Transfer of leave  
Sick leave up to a total of ninety (90) days is transferable from any Virginia Public School Divisions. It is the responsibility of the employee to accomplish this transfer from eligible employers.
5. Administration of Sick Leave  
The Executive Director is authorized and directed to develop administrative procedures to implement the provisions of this policy.
6. Exclusions  
Absence for any purpose other than those defined above will not be considered permissible under this Policy and the employee's salary will be deducted in full for each day's absence (unless vacation leave is applicable).
7. Penalty for Fraudulent Use  
Sick Leave will be denied to any employee who makes a false statement of sickness and such false statement may be cause for dismissal.
8. Termination  
Upon termination of employment other than retirement, no payment will be made for accumulated sick leave.
9. Accrual  
Sick leave will not accrue during an unpaid leave of absence.
10. Pay for Sick Leave on Retirement  
At the time of retirement, each retiree may be paid for each day of accumulated unused sick leave, based on NNPS current policy, at a rate of \$30.00 a day with a maximum of \$5000.00 payout. The employee must be vested in VRS in order to take advantage of this benefit.

### **3. SICK LEAVE FOR VRS HYBRID PLAN MEMBERS**

This Policy applies to employees who are eligible for VRS Hybrid Plan membership.

1. Definitions. The following definitions apply to the application and interpretation of this Policy.
  - a. Sick Leave is an absence for: personal illness including pregnancy, childbirth and recovery periods specified by a physician; religious holidays; death in the employee's immediate family; attendance at a funeral of persons not included in the definition of immediate family; sickness in the employee's immediate family; quarantine; or other reasons of a personal nature;
  - b. Immediate family: includes husband, wife, children, parents, adoptive parents, siblings, grandparents, grandchildren, in-laws (mother, father, sister, brother, daughter or son), or any relative living in the household of the employee;
  - c. Personal Leave is a pre-approved absence for which no specified reason must be offered by an employee except in the case of emergency, when the employee has no opportunity for advance approval.
  - d. Short Term Disability: an illness, injury or other condition, such as surgery, pregnancy, complications from pregnancy or a catastrophic or major chronic condition that prevents an employee from performing the full duties of the employee's job; such disability may be non-work related or work-related; short term disability involves an employee's absence from work beginning with day 8 of the absence through day 125 of an absence;



- e. Long Term Disability: a non-work related or work-related condition that prevents an employee from performing the full duties of the employee’s job for an extended period of time; long term disability involves an employee’s absence from work after 125 days of absence.

2. Accumulation/Payment for Leave

The number of Sick Leave days actually used by an employee will be deducted from the accumulated leave and when applicable, count towards the leave taken under the Family and Medical Leave Act.

On the first day of the contract year, the following employees accrue one-half of their annual sick leave allowance. At the end of January, they accrue the other half of their annual sick leave allowance. The annual allowance will be prorated for employees who work less than a full contract year. The employee's salary will be charged if sick or personal leave is used beyond the amount accrued.

3. Use of Sick Leave

Sick Leave may be used for any of the absences specified in the Sick Leave definition.

4. Income Replacement Due to an Employee’s Personal Illness.

- a. Income replacement for VRS Hybrid Plan employees is a benefit which coordinates School Board Sick Leave benefits with short-term and long-term insurance required to be available for Hybrid Plan employees.
- b. Sick Leave accrual for Hybrid Plan members is the accrual established in Section 8-C. Sick Leave for Hybrid Plan members will be accrued and used consistent with this Policy provided that Sick Leave may also be used in a supplementary way to provide income replacement benefits for personal illness. The general provisions guiding use of Sick Leave for income replacement purposed are the following:
  - i. Short Term Disability begins on the 8th day of absence for personal illness; direct income replacement, if any, begins when Short Term Disability begins;
  - ii. Approved Short Term Disability cases may continue for up to 125 days with income replacement (this benefit is paid by the NHREC even if the employee has no sick leave);
  - iii. When Short Term Disability ends, employees will be placed on Long Term Disability (this benefit is paid by NHREC);
  - iv. Long Term Disability continues until an employee is able to return to work or is eligible to retire pursuant to Hybrid Plan requirements;
  - v. Short Term Disability runs concurrently with the Family Medical Leave Act; FMLA provisions are set forth in Policy GCCBB;
  - vi. Employees will use accrued sick leave (partial or whole days) to maintain their regular income.

- c. Income replacement during disability for Hybrid Plan members, if any, is based on the following schedule:

<b>Months of Continuous Service</b>	<b>Workdays of Income Replacement at 100%</b>	<b>Workdays of Income Replacement at 80%</b>	<b>Workdays of Income Replacement at 60%</b>
Less than 12	0	0	0
13 – 59	0	0	125

60 - 119	25	25	75
120 - 179	25	50	50
180 or more	25	75	25

5. Transfer of leave

Sick leave up to a total of ninety (90) days is transferable from any Virginia Public School Divisions. It is the responsibility of the employee to accomplish this transfer from eligible employers.

6. Administration of Sick Leave

The Executive Director is authorized and directed to develop administrative procedures to implement the provisions of this policy.

7. Exclusions

Absence for any purpose other than those defined above will not be considered permissible under this Policy and the employee's salary will be deducted in full for each day's absence (unless vacation leave is applicable).

8. Penalty for Fraudulent Use

Sick Leave will be denied to any employee who makes a false statement of sickness and such false statement may be cause for dismissal.

9. Termination

Upon termination of employment other than retirement, no payment will be made for accumulated sick leave.

10. Accrual

Sick leave will not accrue during an unpaid leave of absence.

11. Pay for Sick Leave on Retirement

At the time of retirement, each retiree may be paid for each day of accumulated unused sick leave, based on NNPS current policy, at a rate of \$30.00 a day with a maximum of \$5000.00 payout. The employee must be vested in VRS in order to take advantage of this benefit.

**Section:** NH – 7 – Time Away From Work  
**Title:** Personal  
**Number:** Section 7-D  
**Status:** Active  
**Legal:**  
**Adopted:** September 2005  
**Last Revised:** November 2021

## **POLICY DETAIL**

### **D. PERSONAL LEAVE**

The sick leave policy provides that three days of sick leave may be used for personal leave during the year. The reasons for taking personal days do not have to be provided to the Supervisor unless it is an emergency and the employee has no opportunity for advance approval. Personal leave may be used in such cases; however, the employee must notify the appropriate supervisor immediately, giving the particulars that necessitated the use of a personal day without advance approval. Personal leave allowance is not cumulative and must be approved in advance by the Supervisor. Personal leave requests must be submitted at least three (3) days prior to the requested leave date or can be taken for authorized emergency use only.

Employees having accrued at least 40 days of sick leave at the beginning of the contract year may use up to four (4) days per year for personal leave.

**Section:** NH – 7 – Time Away From Work  
**Title:** Sick Leave Bank  
**Number:** Section 7-E  
**Status:** Active  
**Legal:**  
**Adopted:** September 2005  
**Last Revised:** February 2022

## **POLICY DETAIL**

### **E. SICK LEAVE BANK**

This is a voluntary program to assist NHREC employees unable to work due to a non-job related injury, temporary disability or illness or incapacity of a family member providing the injury, disability, illness or incapacity is the result of an unforeseen medical emergency of a serious and unplanned nature and in the opinion of a licensed physician, is expected to last at least 20 consecutive working days after all accrued paid leave is exhausted. Guidelines governing the Sick Leave Bank Program are available through the Human Resources Department.

**Section:** NH – 7 – Time Away From Work  
**Title:** Family Medical Leave Act  
**Number:** Section 7-F  
**Status:** Active  
**Legal:**  
**Adopted:** September 2005  
**Last Revised:** October 2012

#### **POLICY DETAIL**

- F. **FAMILY AND MEDICAL LEAVE (Refer to NN Policy GCCBB and GCCBC-P)**  
<http://go.boarddocs.com/vsba/nnps/Board.nsf/goto?open&id=8A9NUE611DB4>  
<http://go.boarddocs.com/vsba/nnps/Board.nsf/goto?open&id=9LLGAY42ED73>

**Section:** NH – 7 – Time Away From Work  
**Title:** Your Responsibilities When Absent Form Work  
**Number:** Section 7-G  
**Status:** Active  
**Legal:**  
**Adopted:** September 2005  
**Last Revised:** February 2022

## **POLICY DETAIL**

### **G. YOUR RESPONSIBILITIES WHEN ABSENT FROM WORK**

When you cannot report to work due to illness or injury, you have certain obligations to your Program Administrator:

Unless on an approved leave of absence, whenever you will be absent from work and your Program Administrator does not expect you absence, you must call him or her as soon as possible to let them know:

- that you will not be at work;
- the reason for your absence;
- when you expect to return to work;
- how your responsibilities can be handled while you are out; and
- how you may be reached.

If you are on an approved leave of absence, you must comply with the requirements specific to the type of leave you are on. You must provide medical certification and/or other documentation as requested by the Human Resources Office, in a timely manner, and it is your responsibility to ensure that your medical professional provides NHREC with complete information.

You must inform HR if the reasons for your leave change or the circumstances surrounding your need for leave change. You are obligated to communicate those changes to HR in a timely manner.

While you are on leave, you may not do anything that is inconsistent with the purpose for your leave.

**Requests from instructional staff to be off immediately prior to or after a holiday must be approved by the Principal/Director AND Executive Director.**

Your compliance with notice and informational requirements related to your time away from work is a condition of your employment at the NHREC.

**Section:** NH – 7 – Time Away From Work  
**Title:** Jury Duty  
**Number:** Section 7-H  
**Status:** Active  
**Legal:**  
**Adopted:** September 2005  
**Last Revised:** February 2022

## **POLICY DETAIL**

### **H. JURY DUTY**

NHREC recognizes the civic responsibility of serving on jury duty. An employee called for jury duty during the school year will be granted leave for this purpose.

- An employee called for jury duty during the school year will notify his/her immediate Program Administrator and the office of the Human Resources Department immediately upon receiving the jury summons notification.
- Leave under this provision will not be deducted from sick leave, personal leave, or vacation leave.
- Employees must complete a leave form and attach the jury duty summons.
- Employees are paid by NHREC when serving on jury duty. Checks issued by the courts must be signed over to NHREC.

**Section:** NH – 7 – Time Away From Work  
**Title:** Bereavement Leave  
**Number:** Section 7- I  
**Status:** Active  
**Legal:**  
**Adopted:** September 2005  
**Last Revised:** October 2012

## **POLICY DETAIL**

### **I. BEREAVEMENT LEAVE**

In case of death in the immediate family, employees are permitted to use a maximum of six days of accumulated sick leave. In cases of undue hardship, the employee may apply in writing to the Executive Director for the use of additional leave.

*Immediate family is defined as the employee's spouse, children, grandchildren, stepchildren, parents, grandparents, foster parents, foster children, stepparents, father/ mother-in-law, sister, brother, sister/brother-in-law, aunt, uncle, and any relative living in the household of the employee.*



**Section:** NH – 7 – Time Away From Work  
**Title:** Military Leave  
**Number:** Section 7-J  
**Status:** Active  
**Legal:**  
**Adopted:** September 2005  
**Last Revised:** October 2012

## **POLICY DETAIL**

### **J. MILITARY LEAVE**

We support employees who serve our country by fulfilling military obligations. Eligibility for military leave extends to part-time employees but not to temporary workers. When you are notified that you have been scheduled for reserve duty, reserve training, or active duty, you should immediately notify your Program Administrator and the HR Office. Whenever possible, all military leave requests should be submitted in writing and include the following:

- Documentation detailing the specifics of the request, including departure date and return date.
- Documentation from the military indicating the dates of service.
- A written statement from you indicating that you intend to return to work at the end of your leave.

The written request for leave must be submitted as soon as you receive orders, which indicate that a leave may be necessary. If your period of duty is extended during the leave, you must notify the HR Department of the need for an extension of the leave immediately upon learning of the extension. If the possibility of a leave or of the need to extend a leave is known to you, you should verbally notify your supervisor and the HR Office of that possibility as soon as possible.

Please refer to NNPS Policy GCCA-P4

<http://go.boarddocs.com/vsba/nnps/Board.nsf/goto?open&id=AUXPRH61AEFA>

**Section:** NH – 7 – Time Away From Work  
**Title:** Religious Leave  
**Number:** Section 7-K  
**Status:** Active  
**Legal:**  
**Adopted:**  
**Last Revised:** November 2021

K. All NHREC employees are eligible to request leave to observe bona-fide religious holidays and practices. Employees may use any of the following types of leave to cover the absence:

- Compensatory Time - If available, must be used before any other forms of paid leave.
- Vacation Leave
- Personal Leave
- Unpaid Leave

Employees who do not have paid leave available may request a schedule adjustment to make up time missed due to the observance of religious holidays and practices. However, such schedule adjustments should occur, whenever possible, in the same work week during which the leave was taken. If it is not possible to make up the time missed within the same work week, it should be made up within the same pay period, as long as the employee is not scheduled to work more than 40 hours in a single workweek. Schedule adjustments must be requested and approved in advance of taking leave and are granted at the sole discretion of the employee's program administrator.

To use religious leave, whether paid or unpaid, an employee must complete a leave form and secure approval from his/her administrator in advance of the need for leave. Program Administrators will make every effort to grant leave that has been properly requested. However, such a request may be denied if granting the leave would create an undue hardship on NHREC.

**Section:** NH – 8 – Leaving NHREC  
**Title:** Leaving NHREC  
**Number:** Section 8  
**Status:** Active  
**Legal:**  
**Adopted:** September 2005  
**Last Revised:** October 2012

## **POLICY DETAIL**

### **SECTION 9: LEAVING NHREC**

When your employment with NHREC ends, we hope that you will be able to look back upon your NHREC experience as positive and productive. We also hope that you will celebrate the distinction of being an employee of NHREC and speak well of your time here. It is important for you to know several things as you prepare to leave the NHREC.

Please note: special information for employees holding grant-funded positions can be found at the end of this Section.

**Section:** NH – 8 – Leaving NHREC  
**Title:** Exit Packet and Interviews  
**Number:** Section 8-A and B  
**Status:** Active  
**Legal:**  
**Adopted:** September 2005  
**Last Revised:** February 2022

## **POLICY DETAIL**

### **A. EXIT PACKET**

Prior to your last day of work, you will receive an Exit Packet from Human Resources. This packet contains important information about continuation of certain benefits as well as information about unemployment insurance in the event you qualify to receive it.

### **B. EXIT SURVEY**

An HR representative will talk with departing faculty and staff about their working experience at NHREC. These exit interviews are voluntary, but NHREC encourages you to take advantage of this confidential opportunity to tell us about your experiences as an employee of NHREC. Information about this new Exit Interview program can be found in the Exit Packet you will receive from HR on or near your last day of employment.

**Section:** NH – 8 – Leaving NHREC  
**Title:** Resignation  
**Number:** Section 8-C  
**Status:** Active  
**Legal:**  
**Adopted:** September 2005  
**Last Revised:** October 2012

## **POLICY DETAIL**

### **C. RESIGNATION**

If an employee finds it necessary to terminate employment at any time during the school year, notice of this request will be made in writing to Human Resources. Request for termination of contract should be forwarded at the earliest possible date and provide a minimum of two weeks' notice of termination of contract as well as the reason for termination. Management employees are expected to provide additional notice. In addition to notifying Human Resources, the employee should also notify his/her immediate supervisor in writing. The Executive Director will accept or decline resignations on behalf of the Board of Trustees. Such accepted resignations will be reported to the Board of Trustees at a regularly scheduled meeting.

No later than their last work day, resigning employees must return all NHREC property in their possession relating to security (keys, locks, etc.), confidential (including grade books) and proprietary information, tools, technology support equipment (such as laptop computers), uniforms and other items of value or which require replacement. The replacement value of items not returned will be charged against the employee's remaining or final paycheck, in accordance with the law.

If an employee is absent from work and fails to properly contact his/her supervisor or other authorized management representative for three consecutive work days (unless a confirmed emergency prevents communication), the employee will be deemed to have resigned his/her job, voiding the employment relationship. The resignation will be reported to the Board of Trustees.

Resigning employees may be requested to complete an exit questionnaire.

#### Teachers and Licensed Administrators:

In the event that the request for release is denied on the grounds of insufficient or unjustifiable cause, and the staff member breaches such contract, the license of said staff member may be revoked under rules and regulations prescribed by the State Board of Education.

Legal References: Board of Education Regulation 8 VAC 20.440-130\Uniform Hiring Process

*Code of Virginia Section 22.1-304*

<https://law.lis.virginia.gov/vacode/title22.1/chapter15/section22.1-304/>

**Section:** NH – 8 – Leaving NHREC  
**Title:** Involuntary Termination  
**Number:** Section 8-D  
**Status:** Active  
**Legal:**  
**Adopted:** September 2005  
**Last Revised:** November 2021

## **POLICY DETAIL**

### **D. INVOLUNTARY TERMINATION**

There will be occasions when NHREC must terminate an employee's employment. Below is important information to know if your employment is terminated involuntarily.

Unemployment Compensation: If you have not been terminated for gross misconduct (as defined by the Virginia Employment Commission), and you meet other eligibility requirements set by the DOL, you may be eligible to receive unemployment compensation. Eligibility for such compensation is determined by the VEC and not by NHREC. NHREC cannot make any representations to you that you will be eligible to receive unemployment compensation.

Please note: Unemployment compensation is typically not available to persons who voluntarily resign from their employment without sufficient cause. What constitutes "sufficient cause" is determined by the VEC. NHREC will contest VEC payments to you if you voluntarily resign from your position.

If reemployed by NHREC within 30 days of involuntary termination due to reduction in force etc. the employee will retain their NHREC seniority from previous employment.

**Section:** NH – 8 – Leaving NHREC  
**Title:** Retirement  
**Number:** Section 8-E  
**Status:** Active  
**Legal:**  
**Adopted:** September 2005  
**Last Revised:** October 2012, August 2014

## **POLICY DETAIL**

### **E. RETIREMENT**

**Virginia Retirement System:** The Virginia Retirement System (VRS) was established on March 1, 1952, and administers a statewide multiple-employer public employee retirement system providing defined benefits pension plan coverage for state employees, teachers, and non-professional employees of public school boards. An eligible employee is automatically enrolled in VRS with full membership contributions being paid by NHREC. An eligible member becomes vested after five years of service. Active members of VRS may be eligible to purchase prior service credit.

Retirees, employees eligible for and have filed to receive VRS benefit, have the option of receiving payment of \$30.00 per day (up to 200 days) for unused sick leave accumulated at NHREC **OR** use accumulated sick leave to purchase group health insurance that is offered through NHREC until the employee is eligible for Medicare. You must have been employed with NHREC for five (5) years to take advantage of the health insurance coverage.

For **VRS Plan 1** - For unreduced retirement Plan 1 - Normal retirement age under the VRS Plan 1 is age 65. You become eligible for an unreduced retirement benefit at age 65 with at least five years of service credit or at age 50 with at least 30 years of service credit.)

For **VRS Plan 2 and Hybrid Plan** the normal retirement age is your normal social security age. You are eligible for unreduced benefit when you reach your normal Social Security retirement age and have at least five years of service credit or when your age and service credit equal at least 90.

In addition, the retiree must have a minimum of 24 months participation in the health care/ hospitalization insurance program prior to retirement date. If the employee was not participating in the health insurance option, it may not be added to retirement.

Retirees may opt to apply accrued sick leave as credit toward NHREC's contribution for "single employee" coverage based on the *HMO plan*. NHREC will pay the allowable % of its contribution until the retiree is eligible for Medicare. The retiree pays the employee cost plus the remaining % of NHREC contribution. A retiree may opt for family coverage and/or other available plans but will assume additional cost or savings.

<b>Number of Sick Leave Days Earned</b>	<b>Amount NHREC Pays of Single Employee's Coverage Only</b>
<b>1-49</b>	Retiree to pay entire cost
<b>50</b>	<b>50%</b>
<b>100</b>	<b>65%</b>
<b>150</b>	<b>80%</b>
<b>200</b>	<b>95%</b>
<b>201 or more</b>	<b>100%</b>



**Section:** NH – 8 – Leaving NHREC  
**Title:** Job Abandonment  
**Number:** Section 8-F  
**Status:** Active  
**Legal:**  
**Adopted:** September 2005  
**Last Revised:** February 2022

## **POLICY DETAIL**

### **F. JOB ABANDONMENT**

If you miss three (3) consecutive days of work, and if you do not notify your program administrator of your reason for your absence, NHREC may conclude that you have resigned from your position. If your condition or circumstances prevent you from notifying your program administrator yourself, you should ask a family member to notify your program administrator for you.

**Section:** NH – 8 – Leaving NHREC  
**Title:** NHREC Property  
**Number:** Section 8-G  
**Status:** Active  
**Legal:**  
**Adopted:** September 2005  
**Last Revised:** February 2022

## **POLICY DETAIL**

### **G. NHREC PROPERTY AND TECHNOLOGY ACCOUNTS**

When your employment ends, you must return to your manager all NHREC property, including:

- Your NHREC I.D. card
- Key Card
- Parking pass(es),
- Credit, travel, and phone cards
- Office and desk keys
- Computers, laptops, and other office equipment
- Books, files, and manuals

HR will notify the Network Administrator of an employee's separation date from NHREC. On or after that date the following will occur:

1. Termination and deletion of all email accounts with NHREC. This will mean no log-in to those accounts and the permanent deletion of all emails and addresses associated with those accounts. This action is NOT reversible and records CAN NOT be recovered.
2. Deletion of log-in and access to server data files, server web pages and other server content. The data, web pages and content WILL BE preserved and made available to the administrator of that program and anyone designated by the administrator.
3. Any exceptions, changes to the above must be received in writing or email by the Network Administrator from the administrator by the separation date as set by HR.
4. All other special circumstances will be handled as directed by the Executive Director.

**Section:** NH – 8 – Leaving NHREC  
**Title:** Final Pay  
**Number:** Section 8-H  
**Status:** Active  
**Legal:**  
**Adopted:** September 2005  
**Last Revised:** February 2022

## **POLICY DETAIL**

### **H. FINAL PAY**

Upon termination final pay is calculated to be paid out the following pay period if applicable. Please note: Your last paycheck may be different from your regular paychecks. Questions should be directed to the Payroll Office.

**Section:** NH – 8 – Leaving NHREC  
**Title:** Your Benefits  
**Number:** Section 8-I  
**Status:** Active  
**Legal:**  
**Adopted:** September 2005  
**Last Revised:** February 2022

## **POLICY DETAIL**

### **I. YOUR BENEFITS**

#### **1. Continuation of Health Benefits**

Please note: Your rights under the federal law known as COBRA take effect under a variety of circumstances. The information below pertains exclusively to your COBRA rights upon the termination of your employment at NHREC.

The Consolidation Omnibus Budget Reconciliation Act (commonly known as ("COBRA")) permits you and your covered dependents the opportunity to continue your group health insurance coverage when it would otherwise end because your employment was terminated, unless your termination is the result of gross misconduct, your work hours were reduced to less than 28 hours per week which make you ineligible for NHREC-provided coverage.

For the purpose of COBRA, these circumstances are known as qualifying events. In the case of one of these events, you and/or your covered dependents will be eligible to continue health insurance coverage by acting within 60 days from the date of the COBRA notification. Generally, except during open enrollment periods, you cannot change the type of membership you have; you may simply continue the health insurance you had prior to the qualifying event.

If your coverage ends because your employment was terminated or work hours reduced, you may choose to continue your health care coverage for up to 18 months. If you or one of your covered dependents are disabled, you or the dependent(s) may be able to extend this period up to 29 months if the U.S. Social Security Administration determines that you or the covered dependent(s) were disabled within the first 60 days of continuation of coverage.

Coverage will end before the periods stated if:

- You fail to pay NHREC any required premium on a timely basis. In such a case, will terminate at the end of the period for which you were paid.
- You or a covered dependent become employed and are eligible for benefits under another plan, unless the new plan limits or excludes coverage for a pre-existing condition.

**Section:** NH – 8 – Leaving NHREC  
**Title:** Insurance Coverage  
**Number:** Section 8-J  
**Status:** Active  
**Legal:**  
**Adopted:** September 2005  
**Last Revised:** February 2022

## **POLICY DETAIL**

### **J. INSURANCE COVERAGE**

#### **1. Group Life and Accidental Death and Dismemberment Insurance**

Your Group Life Insurance coverage ends the last day of the month in which your employment terminates. You may be eligible to convert your Group Life Insurance coverage to an individual policy. Information about conversion can be found in your exit package. The entity that provides Group Life Insurance coverage to NHREC employees may also notify you directly of any options that may be available to you to purchase individual (non-group) coverage.

**Section:** NH – 8 – Leaving NHREC  
**Title:** Flexible Spending Accounts  
**Number:** Section 8-K  
**Status:** Active  
**Legal:**  
**Adopted:** September 2005  
**Last Revised:** October 2012

## **POLICY DETAIL**

### **K. FLEXIBLE SPENDING ACCOUNTS**

#### **1. Dependent Care Reimbursement Account**

When your employment terminates, your dependent care account with Flexible Benefit Administrators will include only the payroll deductions for dependent care up to the date of termination, provided dependent care services were provided during this period. As with active employees, a terminated employee has until the end of the plan year (September 30) plus a 90-day grace period to submit claims for services rendered up to your termination date for reimbursement.

#### **2. Medical Care Reimbursement Account**

When your employment terminates, you are entitled to submit claims to Flexible Benefits Administrators for the period during which you were enrolled in the plan (up to the date of your termination). Unlike the dependent care reimbursement account, you are allowed to submit claims to the Flexible Benefit Administrators for all eligible expenses equal to the amount of the total annual election for the plan year, as long as these expenses were incurred up to the date of termination. As with active employees, a terminated employee has until the end of the plan year (September 30) plus a 90-day grace period to submit claims for reimbursement.

In some cases, you may decide to elect COBRA coverage for medical care reimbursement. COBRA coverage will cover the period only from the date of termination up to 18 months.

**Section:** NH – 8 – Leaving NHREC  
**Title:** Employment references  
**Number:** Section 8-L  
**Status:** Active  
**Legal:**  
**Adopted:** September 2005  
**Last Revised:** February 2022

## **POLICY DETAIL**

### **L. EMPLOYMENT REFERENCES**

If you want an employment reference to be given, you must ask your future employer to contact Human Resources directly. Generally, only a representative from Human Resources will provide employment references for former NHREC employees. HR will confirm the dates you worked for NHREC, your title, and your salary. If you desire more information to be shared with a potential employer, you should discuss your needs with your Program Administrator and a representative from HR.

**Section:** NH – 8 – Leaving NHREC  
**Title:** Special Information for Employees in grant-Funded Positions  
**Number:** Section 8-M  
**Status:** Active  
**Legal:**  
**Adopted:** September 2005  
**Last Revised:** February 2022

## **POLICY DETAIL**

### **M. SPECIAL INFORMATION FOR EMPLOYEES IN GRANT-FUNDED POSITIONS**

Grant funded positions are of limited duration and are contingent upon sufficient grant funding. When funding is exhausted or not renewed, employees whose positions are eliminated are not eligible for severance pay but may apply for Unemployment Compensation with the Virginia Employment Commission. NHREC will accurately report the reason for your separation of employment and will not contest these claims; however, final determinations as to your eligibility for unemployment compensation are made by the State.

When the ending of funding is foreseeable, NHREC shall endeavor to provide grant-funded employees with as much as two (2) months' notice prior to the end of the funding. Grant-funded employees facing job loss are welcome to apply for another position within NHREC, but NHREC is not required to continue your employment when the grant-funding ceases.



**Section:** NH – 8 – Leaving NHREC  
**Title:** Special Information for Employees in grant-Funded Positions  
**Number:** Section 8-N  
**Status:** Active  
**Legal:**  
**Adopted:** September 2005  
**Last Revised:** March 26, 2013

## **POLICY DETAIL**

### **N. RIF Policy**

NHREC follows the NNPS RIF policy GCQA based upon the code of Virginia Section 22.1-304.

<http://go.boarddocs.com/vsba/nnps/Board.nsf/goto?open&id=896CGR7EB87C>