

AB 500 Employee Conduct with Students

Assembly Bill 500 (AB 500), adds section 44050 to the California Education Code and requires schools to provide sections related to employee interactions with students in its code of conduct to parents and guardians of enrolled students on the school's website. Listed below are portions of Park Century School's policies, which are included in our Employee Handbook, and which include language relating to the interactions between students and employees.

PROFESSIONAL CONDUCT

At all times, employees are expected to respect the innate dignity of each person that they come into contact with in the course of employment with the School. This includes students and prospective students, co-workers, parents, and visitors. Working to create a positive and mutually respectful environment is the responsibility of each employee.

WORK RULES AND PROFESSIONAL CONDUCT

STUDENT POLICIES AND PROCEDURES

All employees are required to be familiar with student procedures and strictly enforce them. Classroom teachers are expected to review student policies and procedures with their students periodically throughout the year. Violations by students should be reported to the employee's supervisor.

EMPLOYEE/STUDENT BOUNDARIES

The School encourages a close, warm, and considerate relationship between students and teachers. Our teachers serve as the students' role models, guides and mentors in learning as well as living. The purpose of this policy is to give clear direction regarding appropriate conduct and boundaries between staff and students. The rules of conduct set forth in this policy are not intended to serve as an exhaustive list of requirements, limitations, or prohibitions on staff conduct and activities established by school. Rather, they are intended to:

- Alert employees to some of the more sensitive and often problematic matters involved in employee-student relationships;
- Specify boundaries related to potentially sexual situations and conduct that is contrary to accepted norms of behavior and in conflict with duties and responsibilities of employees; and
- Provide employees with clear guidance in conducting themselves in a manner that reflects high standards of professionalism.

It is important for the School to maintain a school-wide culture in which students and employees understand their responsibility to report misconduct without fearing retaliation from students, staff, or administration. In order to prevent abuse and/or exploitation, students and employees must know that the Administration will support them when they report possible misconduct.

Although this policy gives clear direction regarding appropriate conduct between employees and students, each staff member is obligated to avoid situations that could prompt suspicion by parents, students, colleagues, or school leaders. One helpful standard that can be quickly applied when assessing whether your conduct is appropriate is to ask yourself, "Would I be doing this if the student's family or my colleagues or family were standing next to me?"

Boundaries

For the purpose of this policy, the term "boundaries" is defined as acceptable professional behavior by employees while interacting with a student. Trespassing the boundaries of a student/teacher relationship is deemed an abuse of power and a betrayal of public trust.

Acceptable and Unacceptable Behavior

Some activities may seem innocent from a staff member's perspective, but can be perceived as flirtation or sexual insinuation from a student or parent point of view. The objective of the following lists of acceptable and unacceptable behavior is not to restrain positive relationships between staff and students, but to prevent relationships that could lead to, or may be perceived as, sexual misconduct.

Staff must understand their own responsibility for ensuring that they do not cross the boundaries as written in this policy. Disagreeing with the wording or intent of the established boundaries will be considered irrelevant for disciplinary purposes. Thus, it is crucial that all employees learn this policy thoroughly and apply the lists of acceptable and unacceptable behavior to their daily activities. Although good-natured, heartfelt interaction with students certainly fosters learning, student/staff interactions must always be guided by appropriate boundaries regarding activities, locations, and intentions.

Unacceptable Behaviors

The following non-exhaustive list of behavior shall be considered violation of this policy:

- Giving gifts to an individual student that are of a personal and intimate nature;
- Kissing of any kind;
- Any type of unnecessary physical contact with a student in either a public or private situation;
- Intentionally being alone with a student on campus or away from the school;
- Making, or participating in sexually inappropriate comments;
- Sexual jokes, stories, or jokes/comments with sexual innuendo;
- Seeking emotional involvement with a student for your benefit;
- Discussing inappropriate personal troubles or intimate issues with a student; or
- Becoming involved with a student so that a reasonable person may suspect inappropriate behavior.

Unacceptable Behaviors without Parent and Supervisor Permission

The following behavior should only be exercised when an employee has parent and supervisor permission:

- Giving students a ride to/from school or school activities;
- Being alone in a room with a student at the school with the door closed;
- Allowing students in your home; or
- Sending emails, text messages, or letters to students if the content is not about school activities.

Cautionary Behaviors

Employees should only engage in the following behavior when a reasonable and prudent person, acting as an educator, is prevented from using a better practice or behavior. Employees should inform their supervisor of the circumstances and occurrence prior to, or immediately after, the occurrence.

- Being alone in a room with a student at school with the door closed;
- Remarks about the physical attributes or development of anyone;
- Excessive attention toward a particular student; or
- Sending emails, text messages or letters to students if the content is not about school activities.
- Acceptable and Recommended Behaviors
- Getting a parent's written consent for any after-school activity;
- Obtaining formal approval to take students off school property for activities such as field trips or competitions;
- Emails, text, phone, and instant messages to students must be very professional and pertaining to school activities or classes (and communication should be limited to school technology);
- Keeping the door open when alone with a student;
- Keeping reasonable space between you and your students;
- Stopping and correcting students if they cross your own personal boundaries;
- Keeping parents informed when a significant issue develops about a student;
- Keeping after-class discussions with a student professional and brief;
- Asking for advice from fellow staff or administrators if you find yourself in a difficult situation related to boundaries;
- Involving your supervisor if conflict arises with the student;
- Informing your supervisor about situations that have the potential to become more severe;
- Making detailed notes about an incident that could evolve into a more serious situation later;
- Recognizing the responsibility to stop unacceptable behavior of students or co-workers;
- Asking another staff member to be present if you will be alone with any type of special needs student;
- Asking another staff member to be present when you must be alone with a student after regular school hours;
- Giving students praise and recognition without touching them;
- High fives, and handshakes are acceptable;
- Keeping your professional conduct a high priority; or
- Asking yourself if your actions are worth your job and career.

Duty to Report

When any employee becomes aware of another employee crossing the boundaries specified in this policy, he/she must speak directly to this employee if the violation appears minor, and/or report the matter immediately to the Head of School. If the observed behavior appears significant, it is the duty of every employee to immediately report the matter to the Head of School. It is the duty of the Head of School or designee to thoroughly investigate and remediate the situation as necessary. Employees must also report to the Head of School any awareness or concern of student behavior that crosses appropriate boundaries, or where a student appears to be at risk of sexual abuse.

STANDARDS OF CONDUCT

The School expects its employees to use good judgment, perform well, and follow established rules and procedures. It may be helpful, however, to give some examples of the types of conduct that are not permitted. The following list is not exhaustive but does provide examples of behavior that is not acceptable to the School and will lead to disciplinary action up to and including discharge.

1. Physical or emotional abuse of a student.
2. Showing disrespect to a student, parent, or co-worker, including harassment, physical or emotional threats, intimidation, gossip, offensive tone of voice, whether they are made verbally, in writing, or on the internet.
5. Placing students in a situation in which they could witness conflict between co-workers.
18. Performing services for families in violation of the School's policy (see page 56).

PROTECTION OF STUDENTS

All employees are responsible for the safety and security of students and must be aware of the following rules:

1. Students are not allowed to be in rooms without adult supervision.
2. Students are required to use PCS tote bags to transport books and materials around the School.
3. Storage rooms must be kept locked at all times.
4. Faculty may not send students to a storage room to obtain materials or equipment, nor may they be sent to pick up keys to storage rooms.
5. Elevators are for adult use only. Students can only use the elevator with an adult.
6. Students are not allowed to be in locked rooms with or without adult supervision.
7. Students may not enter the public area of the School without permission and supervision.

8. Faculty members must be actively aware of and watch for any signs of child abuse and other mandated circumstances and behaviors, including on-campus sexual activity, which must be reported.

9. It is the responsibility of every faculty member to know where his or her students are at any time, including arrival and dismissal.

10. Classroom teachers are responsible for their students and must not leave campus until all of their students have been picked up from school.

POLICY AGAINST HARASSMENT, DISCRIMINATION AND RETALIATION

1. **Purpose.** The California Fair Employment and Housing Act (FEHA) prohibits coworkers and third parties, as well as supervisors and managers, with whom an employee comes into contact from engaging in conduct prohibited by the FEHA.

2. **Policy.** The School will not tolerate any conduct that violates this Policy. Harassment, discrimination, or retaliation against an applicant, employee, student, contractor, unpaid intern, or volunteer, by an employee, student, or an individual with whom the School has a business, contractual, or professional relationship, such as parents, legal guardians, unpaid interns, volunteers, independent contractors, or vendors, on the basis of any protected classification, as defined in this Policy, is strictly prohibited and will not be tolerated. A single act can violate this Policy and provide grounds for discipline or other appropriate sanctions. Conduct need not be or rise to the level of a violation of law in order to violate this Policy. Similarly, a violation of this Policy does not necessarily qualify as a violation of law and there are many circumstances in which a violation of this Policy would not also constitute a violation of law. If an employee is in doubt as to whether any particular conduct may violate this policy, he/she may seek guidance from the Head of School, a Dean, or Human Resources.

3. **Definitions.**

a. **Protected Classification.** This policy prohibits harassment or discrimination because of an individual's actual or perceived protected classification(s). "Protected Classification" race, color, ancestry, national origin, ethnicity, religious creed (including all aspects of religious beliefs, observance or practice, including religious dress and grooming practices), age, sex (including gender, gender identity, gender expression, transgender, pregnancy and breastfeeding), sexual orientation (including heterosexuality, homosexuality and bisexuality), physical or mental disability, medical condition (including genetic characteristics or genetic information), marital status, military or veteran status, or any other consideration that is protected by federal, state or local laws.

b. **Policy Coverage.** This Policy prohibits employees, students, or individuals with whom the School has a business, contractual or professional relationship, such as parents, legal guardians, unpaid interns, volunteers, independent contractors, or vendors,

from harassing or discriminating against applicants, employees, contractors, unpaid interns, volunteers or students because: (1) of an individual's protected classification; (2) of the perception of an individual's protected classification; or (3) the individual associates with a person who has or is perceived to have a protected classification. This Policy also prohibits retaliation as defined below. This policy also prohibits retaliation as defined below.

c. **Discrimination.** Discrimination means treating individuals differently from other similarly situated individual's at the School, by taking an adverse action against or denying a benefit to that individual, because of the individual's actual or perceived protected classification, or the protected classification or perceived protected classification of a person with whom the individual associates.

d. **Harassment.** Harassment means words or conduct undertaken because of an individual's actual or perceived protected classification that is both objectively and subjectively offensive to another person.

Harassment is not limited to conduct by School employees. Under certain circumstances, harassment can also include conduct by students, or individuals with whom the School has a business, contractual, or professional relationship, such as parents, legal guardians, unpaid interns, volunteers, independent contractors, or vendors. Harassment may include, but is not limited to, the following types of behavior engaged in because of a person's protected classification

1. **Speech:** This includes epithets (nicknames and slang terms), derogatory or suggestive comments, propositioning, jokes or slurs, including graphic verbal commentaries about an individual's body, or that identify a person on the basis of his or her protected classification. This might include comments on appearance including dress or physical features, or dress consistent with gender identification, or race-oriented stories and jokes.
2. **Visual acts:** This includes derogatory posters, notices, bulletins, cartoons, drawings, sexually suggestive objects, or e-mails on the basis of a protected classification.
3. **Physical acts:** This includes assault, offensive touching, impeding or blocking movement, grabbing, patting, leering, making express

or implied job related threats or promises in return for submission to physical acts.

4. Sexual harassment: This is defined as unwelcome sexual advances, requests for sexual favors, and other conduct of a sexual nature where submission is made a term or condition of employment, where submission to or rejection of the conduct is used as the basis for employment decisions, or where the conduct is intended to or actually does unreasonably interfere with an individual's work performance or create an intimidating, hostile, or offensive working environment. This may include conduct between members of the opposite or same gender, and may also include conduct not motivated by sexual desire.

Guidelines for Identifying Harassment

To help clarify what constitutes harassment in violation of this Policy, use the following guidelines:

- Harassment includes any conduct which would be "unwelcome" to an individual of the recipient's same protected classification and which is taken because of the recipient's protected classification.
- It is no defense that the recipient appears to have voluntarily "consented" to the conduct at issue. A recipient may not protest for many legitimate reasons, including the need to avoid being insubordinate or to avoid being ostracized.
- Simply because no one has complained about a joke, gesture, picture, physical contact, or comment does not mean that the conduct is welcome. Harassment can evolve over time. The fact that no one is complaining now does not preclude anyone from complaining if the conduct is repeated in the future.
- Even visual, verbal, or physical conduct between two employees who appear to welcome the conduct can constitute harassment of a third party who observes the conduct or learns about the conduct later. Conduct can constitute harassment even if it is not explicitly or specifically directed at an individual.
- Conduct can constitute harassment in violation of this Policy even if the individual engaging in the conduct has no intention to harass. Even well-intentioned conduct can violate this Policy if the conduct is directed at, or implicates a protected classification,

and if an individual of the recipient's same protected classification would find it offensive (e.g., gifts, excessive attention, endearing nicknames).

The determination of what constitutes harassment will depend on specific facts and the context in which the conduct occurs.

4. **Adult Interactions with Students.** In faculty/staff relationships with students in particular, the power imbalance, coupled with the student's relative inexperience and immaturity, makes imperative a strong sense of responsibility by the School and by each individual employee or other adult. It is a violation of this policy for any employee or adult to engage in any sexual or other harassment, discrimination or retaliation, as described by this policy, towards students and any such conduct will not be tolerated. All interactions and communications with students must be professional and beyond reproach and consistent with the educational objectives of the School. Any inappropriate interactions with students will lead to discipline, up to and including discharge.

5. **Romantic and Sexual Relationships Between Supervisors and Subordinates.** Romantic or sexual relationships between supervisors and subordinate employees are discouraged. There is an inherent imbalance of power and potential for exploitation in such relationships. The relationship may create an appearance of impropriety and lead to charges of favoritism by other employees. A welcome sexual relationship may change, with the result that sexual conduct that was once welcome becomes unwelcome and harassing.

6. **Retaliation.** Retaliation means an adverse action taken because an applicant, employee, student, contractor, unpaid intern, or volunteer has reported harassment or discrimination, or has participated in the complaint and investigation process described herein.

7. **Reporting Harassment, Discrimination or Retaliation.** An applicant, employee, student, contractor, unpaid intern, or volunteer who feels he or she has been harassed, discriminated against or retaliated against in violation of this Policy should report the conduct immediately as outlined below, so that the complaint can be addressed in a timely manner.

a. **Talk to the Offending Party Directly.** An individual who believes this Policy has been violated is encouraged to help eliminate unwelcome and offensive behavior by talking with the offending party directly. Sometimes an individual is unaware that his/her conduct is offensive. The offensive behavior may be eliminated by simply informing the

offender that the conduct or language in question is offensive and request that it be discontinued immediately. When the conduct in question continues after the offending person has been informed it is offensive, or if a person does not feel comfortable talking to the offending person directly, the individual who believes this Policy has been violated should make a report in accordance with subsection 2 below or go directly to the formal reporting process.

b. **Oral Report.** If a person who believes this policy has been violated does not want to confront the offending person, he/she should report the conduct to a supervisor, a Dean, Human Resources, the Head of School, or any other school management employee. The individual may also seek the advice, assistance or consultation of any supervisor, a Dean, Human Resources, the Head of School, or any other school management employee. Any supervisor, Dean, or other management employee who receives such a report must in turn direct it to Human Resources or the Head of School, who will determine the appropriate level of investigation and response. In the event that the complaint is against the Head of School, the report must be directed to the Chair of the Board of Trustees.

c. **Written Process.** An individual who believes this policy has been violated may provide a written complaint to any supervisor, a Dean, Human Resources, the Head of School, or any other school management employee who in turn must direct the complaint to Human Resources or the Head of School. In the event that the complaint is against the Head of School, the complaint must be directed to the Board Chair.

d. **Option to Report to Outside Administrative Agencies.** Applicants, employees, unpaid interns, volunteers, administrators and contractors have the option to report harassment, discrimination, or retaliation to the U.S. Equal Employment Opportunity Commission (EEOC) or the California Department of Fair Employment and Housing (DFEH). The EEOC can be reached at 1-800-669-4000 or at www.eeoc.gov. The DFEH can be reached at 1-800-884-1684 or at www.dfed.ca.gov.

8. **School's Response to Complaint of Harassment, Discrimination or Retaliation.** After receiving an oral report or written complaint, Human Resources and/or the Head of School or his/her designee may request clarification to determine whether the oral report or written complaint alleges a potential violation of this Policy. In the event, the oral report or written complaint is against the Head of School, the Board Chair or his/her designee may request the clarification. To request clarification, Human Resources, the Head of School, Board Chair, or their respective designees may meet with the individual(s) who made the oral

report or written complaint and/or that was reportedly subjected to conduct that violates this Policy.

a. **Investigation.** If an oral report or written complaint alleges a potential violation of this Policy, or the School otherwise learns of an alleged potential violation of this Policy, the School will initiate an investigation. The investigation will be conducted by qualified personnel or a qualified outside investigator as determined in the sole discretion of the School.

During the pendency of the investigation, Human Resources, the Head of School, another member of the Administrative Team, or Board Chair, may take interim action as appropriate, such as placing the person alleged to have violated this Policy (the "Respondent") on paid administrative leave or temporarily transferring the Respondent. Generally, no interim action should be taken to change the working conditions of the individual(s) who made the oral report or written complaint and/or that was reportedly subjected to conduct that violates this Policy, unless that individual voluntarily consents to the temporary change.

The investigation will be conducted in a fair, timely, and thorough manner. The School will document and track the investigation for reasonable progress and timely closures. The investigation will normally include interviews with the individual(s) who made the oral report or written complaint and/or that was reportedly subjected to conduct that violates this Policy, the Respondent, and other persons believed to have relevant knowledge concerning the allegations. Witnesses will be advised that retaliation against those who report alleged harassment, discrimination, or retaliation, or who participate in the investigation is prohibited. The Respondent will be notified that a complaint has been made alleging that he or she has violated this Policy and a summary of the factual allegations that support the alleged violation of this Policy. Once the information gathering process is completed, the investigator will prepare an investigative report containing the investigator's findings of fact, which will be reasonable conclusions based on the evidence collected. To the extent practicable, before finalizing the report, the investigator will meet with the Respondent, notify him or her of the findings and a summary of the factual basis for the findings, and give the Respondent an opportunity to respond to those findings. The report will be shared with Human Resources, the Head of School and other school administrators who have a need to know the outcome. The results of the investigation will be communicated, as appropriate, to the individual that was reportedly subjected to conduct that violates this Policy, to the Respondent, and to any other person directly concerned who the School determines should receive such information.

b. **Remedial and Disciplinary Action.** Once the investigation is complete, the School will determine if the conduct violates the School's Policy and if so, the appropriate corrective action. Any employee or student determined to have violated this Policy will be subject to disciplinary action, up to and including termination or expulsion. Disciplinary action may also be taken against any supervisor, director or other management employee who condones or ignores potential violations of this Policy, or who otherwise fails to take appropriate action to enforce this Policy. Because an individual with whom the School has business, contractual, or professional relationship, such as parents, legal guardians, unpaid interns, volunteers, independent contractors, or vendors are not employees of the School, the School may not be able to take corrective action in the same way or to the same extent that it can with respect to School employees or students. However, the School will make appropriate efforts to take corrective action for violations of this Policy, or if appropriate, to cause others to take corrective action.

Please be advised that an employee who engages in unlawful harassment of a co-employee is personally liable for the harassment, regardless of whether the School knew or should have known of the conduct and/or failed to take appropriate corrective action. The School does not consider conduct in violation of this Policy to be within the course and scope of employment or the direct consequence of the discharge of one's duties at the School. Accordingly, to the extent permitted by law, the School reserves the right to refuse to provide a defense or pay legal fees and costs or to pay damages assessed against any employee based on conduct in violation of this Policy.

c. **Closure.** The investigation will be closed in a timely manner. At the conclusion of the investigation, Human Resources, the Head of School or his/her designee, will notify the individual that was reportedly subjected to conduct that violates this Policy in general terms of the outcome of the investigation.

d. **Confidentiality.** The School cannot keep oral reports or written complaints made under this Policy completely confidential due to the need to investigate potential violations of this Policy and take effective remedial action, or to comply with other legal requirements. The School will, however, keep oral reports or written complaints made under this Policy, confidential to the extent possible. The School will not disclose a completed investigation report except as it deems necessary to support a disciplinary action, take remedial action, defend the School in adversarial proceedings, or to comply with the law or a court order.

9. Responsibilities of Employees, Management and Supervisory

Employees:

- *Employees.* In order to establish and maintain a professional working environment, while at the same time preventing harassment, discrimination, and retaliation, employees are expected to:
 - Set an example of acceptable conduct by not participating in or provoking behavior that violates this policy. Try not to be angry or insulted if an individual tells you that your behavior is offensive. People have different ethical values and standards and may be offended by behavior you think is proper. Tell the individual you did not realize your behavior was offensive, and immediately cease the conduct.
 - Let fellow employees know when you consider behavior offensive. The School hires people from a wide variety of cultural and ethnic backgrounds, and an individual may not realize the behavior he or she thinks is proper could be seen by others as offensive.
 - Report harassment or retaliation as quickly as possible, whether the employee is the target of the conduct or a witness.
 - If an employee witnesses harassment, he or she should tell the individual being harassed that the School has a policy prohibiting such behavior, and that he or she can demand that the harasser cease the behavior.
 - Refrain from unnecessarily discussing a complaint and/or investigation, except when directed by a supervisor, exercising a protected right, or as permitted by law, including labor laws protecting concerted activities.
 - Fully cooperate with the School's investigation of complaints made under this policy.
- *Managers and Supervisors.* In addition to the responsibilities listed above for employees and others, managers and supervisors are responsible for the following:
 - Informing all employees of this policy.
 - Taking all steps necessary to prevent harassment, discrimination, or retaliation from occurring.

- Receiving complaints in a fair and serious manner, and documenting steps taken to resolve complaints.
- Monitoring the work environment and taking immediate appropriate action to stop potential violations, such as by removing inappropriate pictures or correcting inappropriate language.
- Following up with those who have complained to ensure that the behavior has stopped and that there are no reprisals.
- Informing those who complain of harassment or discrimination of his or her option to contact the U.S. Equal Employment Opportunity Commission (EEOC) or California Department of Fair Employment and Housing (DFEH) regarding alleged policy violations.
- Assisting, advising, or consulting with employees and Human Resources regarding this policy and the School's complaint procedure.
- Assisting in the investigation of complaints involving employee(s) in their departments and, if the complaint is substantiated, recommending appropriate corrective or disciplinary action in accordance with the School's policies and rules, up to and including discharge.
- Implementing appropriate disciplinary and remedial actions.
- Reporting potential violations of this policy of which he or she becomes aware to Human Resources or the Head of School, regardless of whether a complaint has been submitted.
- Participating in periodic training and scheduling employees for training.

9. **Mandatory Training.** As part of its commitment to ensuring a work environment free from harassment, discrimination and retaliation, the School requires that all of its supervisors, directors, or any other management and supervisory employees receive training on these policies at least once every two years. The School will schedule training sessions so employees are able to complete the mandatory training. Attendance at the training will be documented.

10. **Dissemination of Policy.** All employees shall receive a copy of this Policy when they are hired. The Policy may be updated from time to time and redistributed with a

form for the employee to sign and return acknowledging that the employee has received, read, and understands this Policy.

POLICY AGAINST WORKPLACE BULLYING

The School is committed to a workplace environment that fosters mutual respect, integrity, and professional conduct. The School considers workplace bullying unacceptable and it is School policy that all employees should be able to work in an environment free of bullying. The School prohibits workplace bullying by employees, students, or an individual with whom the School has business, contractual, or professional relationship, such as parents, legal guardians, unpaid interns, volunteers, independent contractors, or vendors.

Definition of Workplace Bullying

Workplace bullying is conduct with malice that a reasonable person would find hostile, offensive, and unrelated to the School's legitimate educational, operational and other interests. Workplace bullying may include repeated infliction of verbal abuse, such as the use of derogatory remarks, insults and epithets, verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating, or the gratuitous sabotage or undermining of a person's work performance. A single act shall not constitute workplace bullying, unless especially severe and egregious. While discriminatory harassment may involve bullying, bullying is not limited to conduct against another person because of his or her membership in a protected classification.

Reports of Workplace Bullying

If an employee believes he or she has been subjected to workplace bullying or is aware of conduct towards another employee that is believed to be workplace bullying, the employee may talk to the offending party directly. Sometimes an individual is unaware that his/her conduct is offensive. The offensive behavior may be eliminated by simply informing the offender that the conduct or language in question is offensive and request that it be discontinued immediately.

When the conduct in question continues after the offending person has been informed it is offensive, or if a person does not feel comfortable talking to the offending person directly, the individual who believes this Policy has been violated should make a verbal or written report to his or her supervisor, the Director of Human Resources, or any other supervisor, director, or other management employee of the School. Any supervisor, director or other management employee who receives such a report must in turn direct it to the Head of School. In the event

that the complaint is against the Head of School, the report must be directed to the Board Chair.

School's Response to Complaint of Workplace Bullying

After receiving an oral report or written complaint, the Head of School or his/her designee may request clarification to determine whether the oral report or written complaint alleges a potential violation of this Policy. In the event, the oral report or written complaint is against the Head of School, the Board Chair or his/her designee may request the clarification. To request clarification, the Head of School, Board Chair, or their respective designees may meet with the individual(s) who made the oral report or written complaint and/or that was reportedly subjected to conduct that violates this Policy.

After the School receives an oral report or written complaint, and any clarification requested, or the School otherwise learns of an alleged potential violation of this Policy, the Head of School or his designee (or if applicable, the Board Chair), will determine the appropriate course of action, which may include initiation of an investigation. During the pendency of any investigation, the Head of School, Director, other appropriate administrator, or Board Chair, may take interim action as appropriate, such as placing the person alleged to have violated this Policy (the "Respondent") on paid administrative leave or temporarily transferring the Respondent. Generally, no interim action should be taken to change the working conditions of the individual(s) who made the oral report or written complaint and/or that was reportedly subjected to conduct that violates this Policy, unless that individual voluntarily consents to the temporary change.

Remedial and Disciplinary Action

The School will determine if the conduct violates School policy and if so, the appropriate corrective action. Any employee or student determined to have violated this policy will be subject to disciplinary action, up to and including termination or expulsion. Disciplinary action may also be taken against any a supervisor, director or other management employee who condones or ignores potential violations of this Policy, or who otherwise fails to take appropriate action to enforce this Policy. Because an individual with whom the School has business, contractual, or professional relationship, such as parents, legal guardians, unpaid interns, volunteers, independent contractors, or vendors are not employees of the School, the School may not be able to take corrective action in the same way or to the same extent that it can with respect to School employees or students. However, the School will make appropriate

efforts to take corrective action for violations of this Policy, or if appropriate, to cause others to take corrective action.

Policy Against Retaliation

Any adverse conduct taken because an employee has reported or opposed alleged bullying, or has participated in an investigation of alleged bullying, is prohibited. Any actions of retaliation or reprisal will result in appropriate corrective action which may include appropriate disciplinary measures, up to and including termination.

Student Anti-Harassment and Bullying Policies

Employees must also familiarize themselves and adhere to the separately published Student Anti-Harassment and Bullying Policies, which prohibit harassment and bullying.

TRANSPORTING STUDENTS

Employees may not transport students in their own personal vehicles.

OUTSIDE EMPLOYMENT AND CONFLICT OF INTEREST

1. Providing services outside of working hours to currently enrolled Park Century students or families with a currently enrolled child is considered to be a conflict of interest and is prohibited. This includes activities relating to housesitting, childcare, travel, transportation of students or tutoring of students and/or their siblings. Violation of this policy may result in termination.

ACCEPTABLE USE POLICY REGARDING PARK CENTURY SCHOOL'S ELECTRONIC COMMUNICATIONS RESOURCES

Use of E-mail

The School email system is an official communication tool for all School business. All official School communications, including school employee e-mail communication with students or their parents, will be via this address. As described in the School's Internet, Social Media, and Electronic Communications Policy, School employees shall not communicate or interact with vendors, service providers, students, parents of students other than as authorized and through the official School resources.

Prohibited Use

Prohibited use of the School's Electronic Communications Resources includes, but is not limited to:

- (1) Violating any other policy or regulation of the School, including but not limited to the School's policy against harassment and discrimination.

No employee may install or use anonymous e-mail transmission programs or encryption of e-mail communications, except as specifically authorized by the Head of School. Also, employees, including faculty, should not use SMS, MMS or peer to peer (i.e. Messaging through iPhone) or any other texting, picture or video communication with students, especially services that are believed to disappear after receipt.

INTERNET, SOCIAL MEDIA AND ELECTRONIC COMMUNICATIONS POLICY

Introduction

This policy applies to all employees, including all faculty and staff of Park Century School in their use of the internet, social media, and electronic communications, regardless of whether the use is through devices and resources of the School or by any other means. The School is a private institution committed to the education, betterment, and safety of its pupils, who are minors, and also committed to establishing effective and satisfying working relationships among members of its community. This policy is designed to help the School carry out these commitments.

The School understands that its employees, including its faculty and staff, use social media sites to share events in their lives, to communicate, and to discuss their opinions with others, including family, friends, and co-workers. Through social media, individuals can create Web content, can organize, edit or comment on content, as well as combine and share content on their own web site or on someone else's. Social media uses many technologies and forms, including Web feeds, blogs, wikis, photography and video sharing, web logs, journals, diaries, chat rooms, bulletin boards, affinity web sites, podcasts, social networking, fan sites, mashups, and virtual worlds.

In general, employees are expected to use good and ethical judgment in their use of the internet, social media, and electronic communications generally. In addition, the following particular rules apply to employees:

- Adhere to School Policies and Regulations: To the extent your internet, social media, and electronic communications use affects School employees, students, or School families, or their participation in the School community through work, education, or otherwise, you are required to follow School policies and regulations, including but not limited to those that protect individual privacy rights, antidiscrimination and harassment policies, and the anti-workplace violence policy. If your use the internet, social media, and electronic communications adversely affects your job performance, the performance of your co-workers, or members of the public served by the School, such as students and School families, the School may take disciplinary action against you up to and including termination.

- Do Not Engage in Unlawful or Prohibited Harassment or Threats: You cannot post statements, photographs, video or audio that reasonably could be viewed as unlawful harassment or discrimination or otherwise violating the law, such as by constituting unlawful, threatening conduct. Examples of such conduct might include offensive posts that could contribute to a hostile work environment on the basis of race, religious creed, color, national origin, ancestry, physical or mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation or any other status protected by law. Examples of unlawful threatening conduct include posting material that would make a reasonable person afraid for his or her safety or the safety of his or her family.
- Do Not Make Inaccurate or Defamatory Statements: Never post any information or rumors that you know to be false about your co-workers, students, or School families. Strive for accuracy in any communication, be it a blog entry, post, or comment. You can include a link to your sources of information. If you make a mistake, correct the information, or retract it promptly.
- Do Not Infringe Others' Rights or Privacy: Do not disclose information that may violate student, School family member, or employee rights. For example, do not disclose another individual's social security number, medical information, or financial information in a manner that violates that person's rights. For reasons of safety, employees are prohibited from posting on-line photos of the School's students or members of School families.
- Do Not Disclose Confidential Information: Communicating confidential School information to unauthorized individuals within or outside of the School is prohibited. In addition, it is prohibited to disclose any pupil records. If there is any question about whether information is confidential or protected, you are encouraged to ask the Head of School.
- Make Clear When You Are Not Speaking for the School: If you publish a blog entry or post on-line content related to the work you do or subjects associated with the School, make it clear that you are not speaking on behalf of the School. It is best to include a disclaimer such as "The postings on this site are my own and do not necessarily reflect the views of the School." Employees should respect the intellectual property rights of the School, and should not make improper use of the school's logo, trademarks, official photographs, or any other of the School's proprietary materials.

- Do Not Use Social Media at Work: You must not use working hours when you are not on break for your personal social media use. Do not use your School email addresses to register on social networks, blogs, or other online tools utilized for personal use.
- Do Not "Friend" Or Interact with Students Through Social Media Outside the School: School employees, including faculty members, shall not communicate or interact with School students or their parents via Social Networking Sites, other than as authorized and through the official School sites. This restriction applies to former students and their parents as well, until the former student reaches the age of 18.
- Conduct School Business Only Through School Electronic Resources: Do not use personal e-mail addresses, texts from personally owned devices, or other personally owned resources to conduct School business. Instead, you must use School resources.
- For Media Contacts, Do Not Interfere with the School's Official Response: The School strives to anticipate and manage crisis situations in order to reduce disruption to our employees, maintain our reputation, and avoid disruption for the students and families who are part of our community. To best serve these objectives, the School will respond to the news media in a timely and professional manner only through its designated spokesperson. Employees are not authorized to comment for the School and should direct inquiries regarding the School's particular position on a matter to the Head of School or the Director of Communications.

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Although these are not part of any specific regulation of the School, the following are suggestions for use of the internet, social media, and electronic communications in general. First, in terms of relationships with fellow employees, keep in mind that you are more likely to resolve work-related complaints by speaking not through social media or other internet resources, but directly with your co-workers or via other channels such as by speaking with the School's Human Resources Department, or by filing an internal complaint, if applicable.

Second, if you would like to keep your personal life separate from your professional or work life, use privacy settings to restrict personal information on public sites. Consider whom you invite or accept to join your social network, as those individuals will have access to your

profile, photographs, etc. Understand that even if you have private settings, those you invite into your network can easily, print, save, cut, paste, modify or publish anything you post. Material can be archived on the Internet even after you remove it.

For more information: If you have questions or need further guidance, please contact the Director of Human Resources.