

PERSONNEL
POLICIES AND PROCEDURES MANUAL

**Child Development Academy
At Marshall University**
520 – 22ND Street
Huntington, West Virginia 25703

March 2004

Child Development Academy at Marshall University is an Equal Opportunity Employer

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INTRODUCTION

Overview of the Child Development Academy at Marshall University

The Child Development Academy at Marshall University was organized in 1999 as collaboration between the City of Huntington and Marshall University forming a corporation. This corporation contracted with River Valley Child Development Services to manage the CDA@MU until December 31, 2002. January 1, 2003, CDA@MU contracted with Marshall University Research Center (MURC) to be the management group for the Corporation.

Currently, CDA@MU provides a childcare program, parent support, and early screenings and interventions for children. The corporation has focused primarily on providing services to families with children age five and under. The CDA@MU also provides a training ground for Marshall University students.

Funding sources includes: West Virginia Department of Health and Human Resources, Child and Adult Care Food Program, U.S. Department of Education, Marshall University Student Activity Fees, Foundations, child-care fees, and donations.

Relationship with MURC Policies

Employees at CDA@MU are ultimately employees of MURC; therefore, MURC's Employee Handbook, a copy of which is attached, applies to you. Because CDA@MU has its own unique operations, clients, and licensing and accreditation requirements, this CDA@MU Handbook was created to give you additional policies and information, which relate specifically to your work at CDA@MU. If you have any doubt about how to interpret or apply the information in either of these handbooks, it is your responsibility to ask your supervisor. Failure to do so does not remove your responsibility to follow all applicable policies and procedures.

Mission Statement

The mission of the Child Development Academy is first and foremost to provide high quality child care and education to families of the Marshall University community with priority for children of Marshall University students. Secondly, the mission of the Child Development Academy is to provide high quality learning opportunities for Marshall University students. Third, the Child Development Academy strives for excellence in program and service and positions itself as a model of best practice for early care and education in the wider community.

Philosophy

We believe the purpose of childcare in the University setting is multidimensional:

- * Children require care in a safe, nurturing place that parents can trust when children and parents are apart.
- * Children require a developmentally appropriate program that fully promotes each child's physical, social, emotional and intellectual skills with respect for individual dispositions and interests.
- * Student parents need a support system as they confront the multiple demands of childrearing, school and work.
- * The University benefits from a learning laboratory where students can engage in meaningful experiences in their chosen field.

We strive for an atmosphere that respects the individual differences of children and their parents, and yet appreciates the similarity in all of us. Children are accepted on a first-come, first-served basis, without discrimination in regard to race, color, religion, gender, national origin, age or marital status of parents, socioeconomic status and abilities, as space is available. A pre-enrollment meeting is required to discuss the needs of individual children and their families to make certain that the facility can accommodate the requirements for care and education of each child and meet the expectations of families.

Statement of Standards

The Academy is licensed by the West Virginia Department of Health and Human Resources Day Care Licensing Bureau and is inspected by the West Virginia State Fire Marshal and the Cabell-Huntington Department of Health. The Academy participates in the Child and Adult Care Food Program (CAFCP) and accepts West Virginia childcare subsidies. The Academy follows best practice in the field of early childhood education as defined by the National Association for the Education of Young Children's Code of Ethical Conduct and Statement of Commitment.

All employees and board members receive regular training in the standards set forth by these bodies and are expected to support these standards and to guide adults such as parents, students, volunteers, and visitors to maintain these standards.

The Academy admits children and employs personnel without regard to race, color, creed, gender, religion, or national origin. The Academy will not discriminate against children or personnel with disabilities where reasonable accommodation can be made without undue hardship on the Academy. Employees with disabilities are protected by federal and local law.

POLICIES AND PROCEDURES

Employment

Also see MURC Policy 103.

Person

Responsible: Center Director, Board of Directors, Search Committee Members.

Documentation: Employment applications and written advertisements, employment files.

Policy/

Procedures: The Child Development Academy follows Marshall University Human Resources employment procedures.

Employment application forms do not request information on the sex, race, creed, national origin, age, or marital status of the applicant. The corporation collects information concerning the sex, race, age, and marital status after employment.

The Personnel Policy and Procedures Manual includes the above non-discrimination policy.

Written advertisements will include the letter "EOE" representing the agency as an Equal Opportunity Employer.

All job openings are posted through Marshall University Human Resources.

An employment requisition is filled out and sent to Marshall University Human Resources. Any position requiring a degree must be posted at least 30 days and any position that does not require a degree must be posted at least two weeks. At this time a search committee consisting of at least three persons: Program Director and/or Operations Manager and/or Office Manager and/or a lead teacher and/or a board member is designated to screen applications, rank, and interview applicable candidates in order to make a recommendation to the Director.

The Academy Director screens recommendations, and may decide to hold interviews and/or make a decision.

After the decision is made the appropriate letter is sent to all candidates.

The Academy Director conducting the interview with prospective employees requests completion of appropriate documentation.

This procedure applies to all employees, whether salaried full-time or part-time, regular hourly, temporary worker, or on-call.

All applicants for positions requiring an academic degree, certification, license, or other special accreditation are asked to supply documentation (transcripts, license, etc) before an offer of employment is made.

Applicants who are interviewed as possible job candidates in the academy may be asked to observe for a reasonable period of time in that program.

If a temporary position is advertised (within and/or outside the academy) and that position is later made permanent, the temporary employee may become a salaried employee at

the Center Director's discretion, without advertising the salaried position. However, it is not binding that the person employed in the temporary position be employed as the salaried employee. It can be advertised as a salaried position.

If a temporary employee position was not advertised, either within or outside the academy, but the employee was moved from substitute position to temporary at the discretion of the Center Director, and the position is later made a salaried position must be advertised if the academy intends to fill it.

Orientation/Probationary Period

Also see MURC Policy 205.

Persons

Responsible: Academy Director and designated staff.

Documentation: Employment letters, evaluation forms, orientation checklists, and personnel data files.

Policy/

Procedures: After a decision to employ is made, the Academy Director and the Benefits Administrator schedules an orientation with the prospective employee. During the orientation, the prospective employee completes the requirements for a CIB check and all forms required for employment. The Academy Director and Benefits Administrator maintains these in a locked, secure area. The files are checked for any necessary updates at the end of each fiscal year and at each annual staff evaluation. Additionally, the Benefits Administrator and Academy Director shall review CDA@MU childcare and personnel policies and procedures as well as specifics regarding job benefits.

New employees are to sign a statement of understanding regarding employment at-will during the orientation.

Probationary period policy will be explained during staff orientation.

All newly employed staff in salaried or hourly positions shall be considered in a probationary period for 90 days from date of employment. If terminated during this probationary period, the employee does not have the option to appeal the dismissal to the Director or Board of Directors. Successful completion of the probationary period shall not alter the employment-at-will nature of continued employment.

All new employees shall be formally evaluated after six months and annually.

Personnel Files

Also see MURC Policies 202, 203, and 204.

Persons

Responsible: Center Director

Documentation: Personnel Files

Policy/

Procedures:

Personnel files at the Academy shall include application; two letters of recommendation or reference (three for director); letter of employment; CIB report (Criminal Identification Bureau Check); any transcripts and/or verification of education/experience applicable to the job; individualized staff development plan (ISDP); yearly proof of 15 hours of training; negative TB reading; physical examination; drug and alcohol free workplace policy acknowledgement; emergency information; reference check waiver; confidentiality commitment form; proof of current first aid and CPR training; and any other pertinent information as directed by the Academy Director.

Employment-at-Will

Also see MURC Policy 101.

Persons

Responsible: Board of Directors and all employees of CDA@MU.

Documentation: Applications, personnel policy manual, handbook, and letters of employment.

Policy/

Procedures:

Employment-at-will statements are included in job applications, letters of employment, and the employee policies and procedures manual.

Employee Categories and Classifications

Also see MURC Policy 201.

Persons

Responsible: Academy Director, Board of Directors

Documentation: Employment letters, weekly hours agreement, personnel data file, payroll, job descriptions, personnel policies, Fair Labor Standards

Policy/

Procedures:

Prospective employees are informed during the interview about the classification and benefits of the position they are seeking.

All salaried employees receive an employment letter specifying date of employment. A Personnel Action Request (PAR) stating employment, salary, and weekly hours must be signed by the employee, Academy Director, the Dean of the College of Education and Human Services, and the Child Development Academy Board Treasurer. It is then forwarded to MURC where it is approved and filed in respective personnel files.

The classifications of positions as exempt or non-exempt shall be determined by guidelines set forth in the Fair Labor Standards Act.

The following positions are classified as exempt employees:

- Center Director
- Program Director
- Office Manager
- Operations Manager

Exempt employees shall be expected to carry out the responsibilities of their job, regardless of the number of hours required per week.

All other positions are considered non-exempt. Salaried employees in non-exempt job classifications are eligible for time and one-half pay for hours worked beyond forty (40) hours per designated work week. Salaried employees whose agreements are for less than forty (40) hours a week will be paid at straight time for any hours worked beyond the agreed hours up to forty (40) hours per week and time and one-half for hours worked beyond forty (40) hours per designated work week.

Salaries are based on the following positions and grades outlined below:

Academy Director

Entry level includes B.A. in Early Childhood Education or a related field. B.A. + 15 add one level, M.A. add two levels, M.A. + 15 add three levels and add one level for each year of experience.

Program Director

Entry level includes B.A. in Early Childhood Education or a related field. B.A. + 15 add one level, M.A. add two levels, M.A. + 15 add three levels and add one level for each year of experience.

Office Manager

Entry level includes at least two years of relevant experience. Associate Degree add two levels, B.A. add four levels, and add one level for each year of experience.

Cook 1

This job does not include paperwork or ordering. Add one level for each year of experience.

Cook 2

This job does include paperwork and ordering. Add one level for each year of experience.

Operations Manager/Assistant Teacher

With CDA add one level.

With each two semesters of ACDS add one level.

With completed ACDS add two levels.

With Associate Degree add three levels, unless acquired through ACDS and additional college hours; if this is the case, add one level.

With B.A. add four levels.

And add one level for each year of experience.

Lead Teacher 1

Entry level includes any college credits in Early Childhood Education or a related field but without a degree. Entry level also includes a completion of the ACDS.

Lead Teacher 2

Entry level includes B.A. in Early Childhood Education or a related field. B.A. + 15 add one level, M.A. add two levels, M.A. + 15 add three levels, and add one level for each year of experience.

Teacher Assistant

With CDA add one level.

With each two semesters of ACDS add one level.

With completed ACDS add two levels.

With Associate Degree add three levels, unless acquired through ACDS and additional college hours; if this is the case, add one level.

With B.A. add four levels.

And add one level for each year of experience.

Substitutes

Substitute pay is based on the position without regard to grade of education or experience, and is paid at an hourly rate.

A high school diploma or equivalent is required.

Compensation

Persons

Responsible: Academy Director and Board of Directors

Documentation: Salary/hourly wage schedule, Board minutes, and personnel data file.

Policy/

Procedures: Salaries and hourly wages for incumbent employees and entry-grade employees shall be determined by a schedule approved by the Board of Directors considering among other things, position, experience, work history, performance and education of the individual involved as well as other factors such as the cost-of-living indicators, the financial situation of CDA@MU, etc. Salaries for full-time employees are based upon a forty (40) hour work week; salaries for part-time employees are based upon the normal hours they are scheduled to work each week. All other employees receive an hourly rate for all hours worked in the workweek up to forty (40). Credit shall be given for advanced degrees and certifications and/or years of relevant paid experience before CDA@MU employment.

This schedule will be used to determine starting salary as well as yearly increases. Salary increases are based on the same salary schedule. The Director will advise the Board to review this schedule as necessary.

The Board will review the Board approved salary schedule as needed to maintain appropriate entry-level salaries as well as cost of living salary increases. The Board will also review the salary schedule as needed to assure that it can be supported by the current budget.

Transfer Within CDA@MU

Persons

Responsible: Center Director and Board of Directors

Documentation: Employment letter

Policy/

Procedure: During the interview process, the employee is informed of the classification and salary of the position to which he/she is moving.

Employee receives an employment letter specifying date and length of employment, and new salary that will be received.

Staff who moves from one position to another within the agency may receive a salary increase/decrease equal to the difference of the minimum entry-level salary for each position.

Staff who have left the CDA@MU and return shall be employed at their exit salary level, if employed in a comparable position and educational/experience level. If the position,

education, or experience level(s) is different, salary adjustments shall be made at the discretion of the Academy Director. Returning staff shall not receive salary increases implemented during the period they were not employed by CDA@MU.

Working Hours

Also see MURC Policy 704.

Persons

Responsible: All employees

Documentation: Payroll records, time sheets

Policy/

Procedures: The company complies with the definition of “working hours” in the Fair Labor Standards Act (FLSA). Special rules apply to travel, breaks, and trainings. These rules will be explained by the Academy Director as needed.

The designated workweek shall be Sunday-Saturday.

Regular hourly, temporary, and on-call employees are scheduled as necessary and receive a straight hourly rate for all hours worked up to forty (40) in one work week and time and one-half that rate for all hours in excess of forty (40) in the work week.

Employees whose schedule will result in more than the agreed upon number of hours shall consult with the Academy Director to set an adjusted work schedule to ensure that the employee’s work week does not exceed beyond the agreed upon hours.

Anyone leaving the building must use the time clock to check in and out. All staff must use the time clock at all times.

Breaks

All full-time employees scheduled to work 40 hours weekly shall schedule a half-hour of break time each workday, during which time they must sign out and in appropriately.

Only the Director or Program Director can give permission to leave the building. If leaving the building during break the office must be notified.

Employees may not smoke on their breaks, regardless of where the break is taken.

Adjusted Time/Overtime

Work beyond the 40-hour week shall be required only in times of emergency, i.e., when an absence of a schedule employee necessitates another employee remaining to meet licensing regulations.

Non-exempt employees shall not extend working hours beyond forty (40) hours per week without the authority of the Academy Director.

If adjusted time is not possible during the same workweek, the Academy Director approves overtime or comp-time as allowed by law-documented on time sheets. It is the employee's responsibility to notify the Academy Director when there is the possibility of overtime. When this occurs the Academy Director is to adjust the employee's work schedule, if possible, to limit the workweek to 40 hours.

When employees attend staff development sessions, time sheets do not have to include time out for breaks, but must include time out for any meal. Employees who must travel out-of-town to conferences or workshops are to include travel time, as well as actual time spent in sessions (including breaks, but not mealtimes).

In general, time spent in staff development sessions and travel out-of-town sessions is considered work time. If staff development sessions result in more than the agreed upon hours of work, the employee is to consult with the Academy Director to set an adjusted work schedule when possible.

If an employee is asked by the Academy Director to work beyond the scheduled workweek, the employee is to let the Academy Director know of the possibility of overtime.

Undocumented or Unreported Absence and Absence Without Accrued Leave

Attendance at work and proper use of leave are basic responsibilities of all employees. It is the responsibility of all employees to track their leave time and know whether or not accrued leave time is available. Any employee who has not submitted the appropriate leave form, signed by the employee and the Academy Director, is assumed to be on personal leave, vacation or absent without permission.

It is necessary to document an absence without accrued leave on the employee's current time sheet, which is forwarded to MURC. A copy is filed on-site. This is not a leave that can be requested.

The Academy Director is to initiate an investigation concerning any excessive absences or tardiness, and is to take whatever disciplinary action deemed necessary. The Academy Director is to notify MURC immediately.

Inclement Weather

The Academy is only closed when Marshall University is closed for inclement weather. This information will be provided by local radio and television stations.

Employees are to make all reasonable efforts to report to work during inclement weather. If weather prohibits an employee's travel to work, he or she should report the situation to the Academy Director at least two hours in advance of their work schedule. A Leave Request form is to be completed by the employee within the same week and given to the Office Manager. This form is always attached to the Academy's copy of the appropriate time sheet.

Benefits

Also see MURC Policies 301 through 315.

Annual Leave

Person

Responsible: Academy Director; all employees

Documentation: Personnel data files, payroll, and Leave Request forms.

Policy/

Procedure: Annual leave hours are not to be taken before they are earned.

Before requesting leave, employees need to check on their balance of accrued leave. Questions concerning their balance of annual leave hours are to be directed to MURC.

Employees are required to ask at least one week in advance for Annual Leave from the Academy Director on a "Leave Request form" to be approved. After being approved, this form is attached to the Academy copy of the employee's time sheet. If two or more employees request the same annual time and approval can only be made for one employee because it would affect the operation of the Academy, the first request received is the one approved. If requests are submitted simultaneously, the employee with the most seniority will be approved.

Sick Leave

Person

Responsible: Academy Director; all employees

Documentation: Personnel data files, payroll, and Leave Request form

Policy/

Procedure: Employees who require a replacement and need to use sick leave notify the Academy Director as soon as possible or at least two hours prior to the beginning of their work day. Employees not needing a replacement notify supervisors by the beginning of their work day. Sick leave can be used for a variety of reasons and when possible a Leave Request form should be filled out in advance to be approved. When no advance notice is possible it is still required that the Leave Request form be completed by the employee within the same week and given to the Office Manager. This form is always attached to the Academy's copy of the appropriate time sheet.

Supervisors need to limit time for doctor's appointments to a reasonable amount. Leave for a day for one appointment is considered excessive.

Before requesting leave, employees need to check on their balance of accrued sick leave. Questions concerning balance of sick leave hours are to be directed to MURC.

Staff Development

Persons

Responsible: All employees

Documentation: In-service agendas and individual staff development records for employees

Policy/

Procedures: The Academy Director and appropriate staff shall create an annual calendar for staff development. This calendar shall include monthly staff development meetings as well as at least one, if not two, in-service days which shall occur only on days that Marshall University is closed. Staff, and if necessary, parents, will be informed of in-service days at least two weeks in advance.

The Academy Director and employee develop an Individualized Staff Development Plan (ISDP) based on the employee's self-evaluation. The plan is developed at the time of the evaluation conference. It can be revised when less than satisfactory job performance necessitates a Performance Improvement Plan (PIP), or when the critical needs of the employee surface during the year.

The ISDP focuses on the individual employee's job-related needs and interests. The purpose of the ISDP is to improve the quality of each employee's job performance and professional demeanor. The ISDP should facilitate growth in all staff, regardless of each individual's stage of development.

After the employee and Academy director reach a consensus, the ISDP form is completed, with copies going to the employee. All staff are to maintain a personal portfolio that includes the ISPD and any handouts or other resources obtained in staff development activities. At the end of the year the Academy Director will file the ISDP in the employee's personnel file.

Staff development for all employees shall include a minimum of one day in-house in-service, one day's attendance in an annual conference, maintenance of an individualized staff portfolio, and completion of an Individualized Staff Development Plan (ISDP). Each employee shall be responsible for keeping a record of all staff development participation, including in-service. West Virginia State Day Care Licensing Regulations require that all employees have 15 hours of professional training annually.

In addition to, or in conjunction with, the above required staff development, it shall be the employee's responsibility to maintain any certification or credentials required by the position.

Job Related Travel

Persons

Responsible: All employees

Documentation: Travel Expense Account, Travel Request Form

Policy/

Procedures: All job related travel must first be approved by the Academy Director and MURC. Employees who request travel reimbursement shall fill out a Travel Request Form prior to the travel. Upon return, the employee must turn in all receipts and mileage to the Office Manager. After the Office Manager completes the Travel Expense Account, the employee is required to sign off on the form.

Transportation in an employee's own vehicle shall be reimbursed at a mileage rate set by MURC for employees who are required to travel as part of their jobs and who drive privately owned cars. Travel expenses away from the employee's work site shall be reimbursed. Reimbursable mileage is actual mileage or mileage to and from the work site, whichever is less.

Reimbursable travel expenses for workshops and meetings shall include: transportation and/or actual mileage or mileage to and from the employee's work site, registration fees, parking fees, and toll fees. Lodging is also reimbursable if the meeting is more than one day in length or if the required travel lengthens the work day two hours or more or if travel conditions are not safe because of weather. Receipts are required for registration fees; parking fees amounting to more than \$2.00 per day; and lodging. Limits on mileage rates and meals shall be determined by MURC.

Travel expense accounts shall be considered sworn affidavits for the expenditure of CDA@MU funds, and falsifying and/or duplicating requests to the financial benefit of the employee shall be considered justification for termination of employment.

Presentations During Work Time

Persons

Responsible: All employees

Documentation: Written request by employee and written approval/denial by the Academy Director.

Policy/

Procedures: When an employee receives a request to present at a workshop/seminar in which the presentation and/or travel will be during the regular work day, a written request is submitted to the Academy Director, noting whether expenses and/or honorarium are offered. The Academy Director initials approval or denial. A copy of the approved request is then returned to the employee. If an honorarium is to be paid to the employee, a request for leave time must also be approved.

Presentations by staff at workshop/seminars for other organizations during regular work hours shall require prior approval by the Academy Director. If expenses are paid by the other organization, the employee shall not bill said expenses to CDA@MU. If an honorarium is to be paid to the CDA/MU, the employee will be considered to be on work time. If paid to the employee, he/she must take leave.

Staff Evaluation

Persons

Responsible: All employees

Documentation: Job performance evaluations, letters concerning job performance, data documented by Academy Director and/or Program Director, Individualized Staff Development Plan, Individualized Staff Portfolios, and Performance Improvement Plans.

Policy/

Procedures: All employees shall receive consistent and constructive information concerning their job performance. The evaluation process shall include evaluation by the Academy Director and/or Program Director on a regular basis. All evaluations are discussed in a private conference between the Academy Director/Program Director and the employee documenting areas that need improvement. All written or oral evaluations shall be discussed by the Academy Director/Program Director and employee, and shall be signed by both parties and filed in the employee's personnel folder.

If a probationary employee's job performance is less than satisfactory and there is little or no consistent improvement in performance within the first month's employment, Center Director initiates the steps outlined in the procedures for the policy on discipline/suspension/termination of staff due to Unsatisfactory Job Performance. The employee is evaluated annually thereafter, unless more frequent evaluations are necessary due to unsatisfactory job performance.

All evaluations are discussed by the Academy Director/Program Director and employee, and goals are set for improving job performance. The ISDP can be completed at the time of the annual conference or within three months following the conference.

Evaluations are filed in each employee's personnel folder at the end of each fiscal year. In the event that an employee leaves, the last three evaluations are kept in the inactive personnel file.

Harassment Policy

Also see MURC Policy 703.

Person

Responsible: All staff

Documentation: Written complaints, investigation reports, interview notes

Policy/

Procedures: In all cases of alleged harassment, the Dean of the College of Education and Human Services shall be notified.

Confidentiality

Persons

Responsible: All employees

Documentation: "Confidentiality Commitment" forms

Procedures: All employees are asked to sign the "Confidentiality Commitment" form upon employment.

In accordance with the NAEYC Code of Ethical Conduct, all information pertaining to children, families, and employees served by Child Development Academy at Marshall University and to staff employed by the CDA@MU shall be confidential. Staff shall not divulge any records or information pertaining to clients enrolled (past or present) in CDA@MU programs or staff employed by the CDA@MU (past or present) without prior

written permission from said clients or staff. An exception shall be made when abuse/neglect of children is known or suspected, in which case, state law requires that it be reported to Child Protective Services. If the suspected abuse/neglect includes a staff member, the allegation must also be reported to the appropriate West Virginia Day Care Licensing Specialist.

Certain information required by law or regulatory agencies on children, families, and staff shall be provided upon request, as required. All others shall secure written permission from the person for confidential information.

The only staff who shall have access to confidential information on staff are the Academy Director, Program Director, Office Manager, and Board of Directors. All employment reference checks on former employees shall be directed to the Academy Director.

Drug and Alcohol Free Workplace

Also see MURC Policy 702.

Persons

Responsible: All employees

Documentation: Signed copy of the Academy's drug free workplace policy acknowledgment statement.

Policy/

Procedures: It is the policy of CDA@MU to maintain a workplace free of alcohol and illegal drugs. All employees are prohibited from engaging in the unlawful manufacture, distribution, dispensation, possession or use of illegal controlled substances and/or abuse of alcohol/legally controlled substances on or adjacent to the job site. This policy shall be a condition of employment.

Upon employment, all employees will sign the Academy's drug free workplace policy acknowledgement statement. This acknowledgement is placed in the employee's personnel file.

Political Activity

Persons

Responsible: All employees

Documentation: Personnel Policy Manual, any reports of political activity during working hours, and annual audits.

Policy/

Procedures: Any employee who is aware that another employee is soliciting contributions or campaigning for a political party or candidate for a partisan political office during his/her working hours is to report such activity to the supervisor or Academy Director. The Academy Director is to investigate the report and take disciplinary action, if warranted by the results of the investigation.

Any employee who is aware that agency funds are being spent on partisan political activities is to report such activity to the Academy Director or President of the Board of

Directors. An investigation is to be conducted by the Academy Director or the Board, and any necessary action taken, if warranted by the results of the investigation.

Resignation

Also see MURC Policy 707.

Persons

Responsible: All employees

Documentation: Letters of resignation in personnel files

Policy/

Procedures: The employee who is planning to resign informs the Academy Director in writing ten(10) working days prior to date of resignation. Employees are urged to give 30 days notice, if possible. Following the notification, the Academy Director sets up an exit interview at which time an exit Personnel Action Request (PAR) is signed and sent to MURC.

The Office Manager reminds the employee that their ID badge, employee Policies and Procedures Manual, any keys, and other CDA@MU property needs to be returned.

Reduction of Staff Due to Funding/Enrollment

Persons

Responsible: Academy Director

Documentation: Written notification given to employee and put in employee file.

Policy/

Procedures: In situations where termination or reduced work time is due to a decrease in funds or enrollment, the Academy Director shall consult with Board of Directors in determining the order of staff to be terminated or given reduced work time. The order of lay-off/reduced work time shall take into consideration position, seniority, importance of position to the continuance of services, and job performance. Any employee laid off or reduced in work time due to decreased funding or decreased program enrollment shall have the right to be recalled to the previous position if funds or enrollment merit employment or increased work time within six months after notification of lay-off or reduced work time.

Employees who are laid off due to decreased funding or enrollment or given reduced work time shall also have the right to be considered for other positions that are vacated within six months after notification, if they have the appropriate credentials.

No severance pay is due any employee who is laid off due to a decrease in funds or enrollment.

Staff who are affected by the decision to terminate or reduce staff are personally notified prior to public announcement.

When an employee is laid off, the Academy Director and the MURC Benefits Administrator holds an interview.

When a position is vacated that could be filled by someone who has been laid off due to decreased funding or enrollment or given reduced work time within the prior six months, that person(s) is notified of the open position at the same time notification MU Human Resources is notified.

Discipline/Suspension/Termination

Also see MURC Policy 701.

Persons

Responsible: Academy Director, Board President, and Dean of the College of Education and Human Services

Documentation: Written and signed statements of any person or persons who witnessed any of the above violations by the employee, job performance evaluations, Performance Improvement Plans, and letter to the employee concerning outcome of investigation into alleged violation(s).

Policy/

Procedures: In a situation where a violation has allegedly occurred, the appropriate staff determines whether to remove staff from the immediate situation and notifies the Academy Director immediately. The Academy plans and implements an investigation into the alleged violations, and in determining whether there is a reason for disciplinary action or termination and, if so what action is to be taken. The investigation includes an offer to meet with the alleged violator in order to document his/her response to the alleged violation. Where required, before further action is taken, the Board President and the Dean of the College of Education and Human Services are notified and included in the decision-making process.

West Virginia Day Care Licensing regulations require that any day care facility staff member who is charged with or pleads guilty to any criminal offense be suspended or placed in a position that does not require contact with children until the charges are resolved.

Any conduct which interferes with or adversely affects employment shall be sufficient grounds for disciplinary action. Depending upon the conduct, discipline may be enforced by the following methods:

- verbal warnings
- written warnings
- suspension, or
- termination.

Factors that shall be considered in ascertaining the appropriate discipline include:

- severity of conduct
- past record of job performance
- prior violation(s) of similar nature
- action taken with respect to similar conduct by other employees; effect on clients and/or other employees, and
- mitigating circumstances.

The following list outlines examples of violations which are considered to be of a very serious nature, and based upon the circumstances, may result in immediate suspension or discharge. The listed reasons are for example and are not intended to be all inclusive:

1. Abuse and/or neglect of child or children. According to CDA@MU policy, abuse includes sexual abuse, physical abuse (such as slapping, hitting, pinching or shaking child), and emotional abuse (such as screaming at child, threatening to physically punish or withhold meals, or verbally demeaning child). Neglect includes leaving child/children without adequate supervision.
2. Failure to report suspected child abuse/neglect.
3. Abuse of prescription drugs on the job site. Personal possession, manufacture, distribution, dispensing or use illegal drugs and/or alcoholic beverages on the job site.
4. Failure to report knowledge or suspicion of drug abuse, manufacture, distribution, or distribution on the job site.
5. Theft of money or property belonging to the CDA@MU, center, staff, clients or visitors.
6. Willfully presenting misinformation to staff, parents or others which has a detrimental effect on program, CDA@MU or CDA@MU personnel/clients.
7. Falsifying information on job application or references.
8. Falsifying travel reimbursement requests, time sheets or any required records including failure to provide necessary documentation in support of required records.
9. Misuse of CDA@MU funds or other resources. (This includes misappropriation of funds or other resources, embezzlement of funds, etc.).
10. Excessive absences or tardiness without permission and/or accrued leave.
11. Insubordination. Insubordination is defined as abuse of/or failure to follow the orders of supervisor or refusal to follow the policies and procedures adopted by the Board of Directors, or refusal to fulfill job responsibilities as defined in job description. Refusal can be interpreted as failure to respond to written instructions concerning responsibilities.
12. Unsatisfactory job performance.
13. Failure to report charges, no contest or guilty plea or conviction of any criminal offense within 24 hours to the Academy Director and/or supervisor.
14. Physical altercations on the job.

15. Breach of confidentiality concerning children, parents, providers or staff. Unauthorized and prohibited disclosure of confidential information includes informal discussions with other CDA@MU employees who are not directly involved in the situation. CDA@MU employees must not discuss confidential information in hallways, restrooms and other public areas. Confidential information obtained as a result of employment with CDA@MU is not be disclosed to third parties or used for furthering any private interest or as a means of making personal gain.
16. Sexual harassment or other forms of harassment which affect conditions of employment or create a hostile working environment.
17. Failure to report knowledge of harassment.
18. Disrespectful treatment or use of abusive language toward a supervisor, employee, child, or family member. Disrespectful treatment of anyone in the presence of children.
19. Failure to report knowledge of disrespectful treatment.
20. Endangering the safety of a child, children or adult. This includes but is not limited to:
- A. Driving a bus, or personal car carrying CDA@MU families, children, or staff in an unsafe and unlawful manner;
 - B. Leaving a child or children unattended;
 - C. Crossing the street with children in an unsafe and unlawful manner; and
 - D. Leaving unattended any electrical appliances (such as irons and electric skillets) and other equipment or utensils which are unsafe for children to use without supervision while such equipment is in operation.
21. Smoking prior to beginning one's shift, or smoking during any break.
22. Any other act for which the employee has received previous verbal or written warning.

When a decision is made on the action to be taken, the alleged violator is notified in person, followed by a letter stating the outcome of the investigation, the resulting action to be taken and the grievance procedure.

Notice of suspension or dismissal states specific reasons for suspension or dismissal and provides information on the procedure for requesting a hearing by the grievance committee.

Mediation

Persons

Responsible: Director and staff requesting mediation of a problem.

Documentation: Letters requesting mediation and reporting results of mediation.

Policy/

Procedures: Any interpersonal conflict between, or among, CDA@MU staff that, in the judgment of the Academy Director, continues to be detrimental to the smooth functioning of the program shall be mediated by an external party. In situations where the problem remains unresolved, the Academy Director shall have the right to make any decisions necessary for continuation of services without interruption, including termination of any employee refusing to participate in the mediation process or any employee failing to fulfill written commitments made in the mediation process. The mediation process is confidential and failure to maintain confidentiality shall be cause for discipline, suspension or termination.

Staff are expected to try to resolve any conflicts or problems with the person(s) concerned. If the problem is not resolved to satisfaction through this process, employee may request mediation by a person outside the agency by filing a "Mediation Request" form with the Academy Director.

The written request for mediation by an external party is given to the director. The director notifies the other party (parties), arranges for outside mediation and confirms the date and location of the mediation meeting in writing to all parties concerned.

The external mediator must be trained on employee mediation and shall have no authority to make decisions on behalf of the CDA@MU or its employees or to modify CDA@MU policies.

If the problem is not resolved through the external mediation process, and any staff person is not satisfied by the decision(s) made by the director concerning the unresolved problem, that person(s) can file a grievance against the Center Director. (See Grievance Policy)

The Center Director can require staff whose conflict interferes with the smooth functioning of a program or service to participate in the mediation process. The same procedures are applicable.

Grievance

Also see MURC Policy 207.

Persons

Responsible: President of the Board of Directors, Academy Director, and aggrieved employee.

Documentation: Letters concerning the hearing and personnel files.

Policy/

Procedures: According to MURC Policy 207, when referring to the grievant's immediate supervisor, the Academy Director shall serve in such position. The Academy Director is also responsible for keeping the Board President and the Dean of the College of Education and Human Services abreast of the situation.

The Grievance Committee shall make the ultimate decision in all hearings. The aggrieved employee shall have the right to receive the committee's decision in writing within a reasonable period of time.

If the aggrieved employee does not appear at the scheduled hearing, the Board of Directors shall determine whether the circumstance merits granting another hearing or declaring the request null and void.

Policy Changes

Persons

Responsible: Board of Directors and all employees

Documentation: Policy manuals and committee reports

Policy/

Procedures: The CDA@MU Board of Directors has an ongoing Personnel and Policy Committee which continues to monitor issues. When policies, or policy revision issues are brought to the committee they review the concerns and decide whether or not to make recommendations to the Board of Directors.

APPENDICES

Dress Code

Child Development Academy at Marshall University

Effective January 1, 2003

It is expected that the attire worn while working will be such as to reflect positively on you and CDA@MU. Your Center Director has the right, at any time, to ask you to change your attire if he/she deems that your dress does not adhere to the dress code, or in any way detracts from the agency, or your ability to successfully perform your job duties.

Dress should be neat with an emphasis on good grooming rather than style. Attire with suggestive language or pictures related to sex, alcohol, or drug use are prohibited. Leotard-type pants or other tight, revealing clothing are not to be worn. This includes but is not limited to low-cut tops/dresses, see through blouses, "muscle" shirts, tube tops, or shirts with thin straps. Spandex athletic wear and halter tops are not to be worn. Shorts must be at or near the knee (within 5 inches of the middle of the knee). Skirts must be no more than four inches above the knee.

Only those staff working directly with children may wear shorts. Jeans are to only be worn by staff who are working directly with children or on casual Fridays for office staff. Jeans may not be "cut off", fringed, ripped or torn and must be clean and neat. Baggy pants that expose the underwear are not permitted.

Swimsuits for women must be one piece suits that are not low cut or have high cut legs. Thongs are prohibited. Tank tops may be worn if they do not expose the midriff. Male swimsuits should be trunks. Spandex briefs are not allowed.

Jewelry for staff in centers should not include dangling earrings for the protection of the staff person. Women should have no more than 2 earrings in each ear lobe; men may have up to one earring in each lobe and limit their earrings to small studs. Other jewelry in pierced body parts such as, but not limited to, eyebrow rings, nose rings, and lip rings are not allowed.

Staff who work with young children should keep their hair well groomed, clean and away from the face in order to avoid contact with food, paints, or other materials typically used in early childhood classrooms. Any staff involved in food preparation must wear a hair covering. Except for personnel who are cooking, baseball caps are not to be worn inside.

When working with children, particular attention should be paid to keeping the hands and nails clean at all time. Fingernails must be kept short enough to avoid scratching children and to lessen the possibility of bacteria build up. Staff in the infant toddler programs are encouraged to wear smocks which will be provided, upon request. Smocks must be laundered after daily wearing.

Your professionalism is often judged first by your appearance. Our clients expect and deserve professional staff.

Remember, Center Director has the right to ask you to change attire if he or she deems your dress to be inappropriate, a poor reflection on the program or CDA@MU, or a hindrance to your

ability to perform your job effectively. In the event that you do not agree with the Center Director's decision, any appeal shall be made to the Board of Directors Chairperson who retains the right to a final decision.

Mediation Request

Current Date

Employee _____
Name

I, _____ request mediation by a person outside the
Child Development Academy at Marshall University as an attempt to solve problems/conflicts with

_____.

I understand that if the problem remains unresolved after the Mediation Process, the Center Director shall have the right of make any decisions necessary for the continuation of services without interruption.

I further understand that I do not forfeit my right to file a grievance against the Center Director if I am not satisfied with the decision made by the Center Director concerning the unresolved problem, and that mediators shall not be called as witnesses to provide testimony in unresolved problems that may proceed to a grievance hearing.

Signature of Employee

Date

Grievance Form

This form is to be completed and filed with MURC and copies sent to the President of the Board of Directors, Dean of the College of Education and Human Services, and the Academy Director within two weeks of the grieved event.

Grievant: Name: _____ Phone Number: _____
Address: _____

Grievant's
Representative: _____ Phone Number _____
Address _____

Date of grieved event or Occurrence: _____

Statement of Grievance:

A grievance claim is an allegation of a violation, a misapplication, or a misinterpretation of the statutes, policies, rules, regulations, or written agreements under which such employees work. Provide a complete description of grievance and support documents.

Relief Sought:

Facts: Specify the statutes, policies, and/or regulations that have been violated:

Grievant's Signature

Date

Grievance Appeal Form

Within ten working days after receiving the written notification of the Grievance Committee's decision, the aggrieved party may appeal that decision by filing this completed form with MURC and copies sent to the President of the Board of Directors, the Dean of the College of Education and Human Services, and the Academy Director.

Person appealing
the decision: _____

Address: _____

Phone: _____

—

Representative (optional): _____

Address: _____

Phone: _____

—

Identify specific decisions you are asking to be changed, what changes you are requesting, and provide justification for your requested changes. (Include attachments, if necessary).

Signature of person appealing grievance decision(s)

Date