

MNOHS_02 Personnel Policy

Adopted: 6/7/2005

Modified: 2/28/2017, 7/24/2022, 12/20/2022

Last review:

1 Purpose

2 The purpose of this policy is to identify the following: a) required certification and licensure for
3 employment at MNOHS; b) benefits, requirements, and responsibilities of employment; c) conditions
4 allowing for dismissal, discipline, or termination; d) a performance review process; and e) a grievance
5 procedure.

6 Definitions

7 “Non-teaching staff” means any licensed or non-licensed staff member who are school counselors,
8 social workers or administrative staff.

9 “Spouse” means a marriage partner as defined or recognized in the state where the individual was
10 married and includes individuals in a common law or same-sex marriage. Spouse also includes a
11 marriage partner in a marriage that was validly entered into outside of the United States, if the
12 marriage could have been entered into in at least one state.

13 “Registered domestic partner” refers to two persons, age 18 or older, not related by blood closer than
14 permitted by the state of Minnesota marriage laws. The couple formally declares that they are in a
15 committed relationship of an indefinite duration, they are each other's sole domestic partner, and are
16 responsible for each other's welfare. This definition is intended to cover people who are partners
17 and not housemates.

18 Policy

19 I. Certification and Licensure

20 A. Licensed Staff

21 All teachers, counselors, and social workers of Minnesota Online High School (MNOHS) must hold
22 a current and valid Minnesota license either in the subject area(s) they teach or to perform the
23 service for which the school employs them. Teachers-in-training who are working toward state

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24 licensure and others with specialized and appropriate experience may be retained if their skills and
25 abilities will further the mission of the school and if appropriate permission is obtained from
26 Minnesota’s Professional Educator Licensing and Standards Board (PELSB).

27 It is the licensed staff member’s responsibility to ensure that their teaching license is current and
28 valid and appropriate to their assignment. It is the Academic Director’s responsibility to verify the
29 validity of all educator licenses annually, and to assist each in designing a personal professional
30 development plan that meets re-licensure requirements. The duty and responsibility of maintaining a
31 current and valid license appropriate to the assignment shall remain with the employee,
32 notwithstanding the Academic Director’s failure to discover a lapsed license or a license that does
33 not support the assignment.

34 Assignment of teachers to instruction will be consistent with the area(s) of Minnesota Licensure for
35 each teacher. In the event that a licensed teacher is not available, the Executive Director will follow
36 procedures established by Minnesota Department of Education. The Executive Director will propose
37 to the board each year the definition of a (FTE) Equivalent for each teacher job description.

38

B. Other Staff and Consultants

40 All other staff must demonstrate the abilities necessary to effectively carry out their responsibilities
41 per job description, employment agreement, or contract, and must hold valid and current licenses, if
42 required in statute for the areas in which they are working at MNOHS.

C. Professional Development

44 Each staff member is required to participate in ongoing professional development, which may
45 include, but is not limited to, workshops, coursework, or reflective peer workgroups as well as
46 online and on-site faculty and staff development days.

II. Requirements for Employment

47 A. Employees are expected to demonstrate the expected qualifications and/or competencies for
48 employment listed in each position’s job description.
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- 50 B. The Executive Director is charged with developing and maintaining a system for identifying,
51 hiring, and training of new employees.
- 52 C. All employment begins with a 90-day probationary period. During this period, the employee will
53 be given graduated access to systems based on their role at MNOHS. The graduated access will
54 be provided by the employee's supervisor as the employee progresses through training and the
55 probationary period.

56 III. Dismissal, Discipline, and Termination

- 57 A. All employees of Minnesota Online High School are hired on an "at will" basis, which means
58 that the school may terminate the employee's employment at any time, or the employee may
59 terminate their employment at any time.
- 60 B. Any employee may submit a grievance regarding dismissal, discipline, and termination pursuant
61 to the grievance process outlined in Section VIII, below.

62 IV. Personnel Evaluation

63 A. Performance Reviews

64 The Executive Director shall define and document a process for employee performance review.
65 Results of these reviews will be put in writing and a copy placed within a confidential personnel file
66 that the school shall maintain for each employee. The Board of Directors will define and document
67 a process for review of the Executive Director.

68 B. Response to Observations or Performance Reviews

69 All employees shall have the right to respond to a written observation or performance review within
70 two weeks of receipt by stating areas of agreement and disagreement in writing. The response will
71 be attached to the observation and/or performance review and kept in the employee's personnel file.

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72 V. Schedule and Location

73 A. All employees are required to work according to the schedule and dates stated in their
74 employment agreements unless their supervisor approves another arrangement.

75 B. Core Hours, Core Staff, and Work Schedules

76 MNOHS core hours are 10:00 AM Central Standard Time to 2:00 PM Central Time, Monday
77 through Friday. Staff members who are expected to be online during all or some core hours will
78 be considered core staff, as follows:

- 79 • Full-time special education faculty, counselors, social workers, and non-teaching
80 administrative staff are to be online and available to other staff, guardians and students
81 during all core hours. Full-time general education faculty, including ADSIS
82 interventionists, are to be online sixteen (16) core hours per week, according to a set
83 schedule established in consultation with the Executive Director.
- 84 • Part-time faculty whose employment agreements include a specific number of core hours
85 must be online and available to other staff, guardians and students during the hours
86 scheduled in consultation with the Executive Director. Core hours are determined based
87 on specific duties or projects assigned to the teacher.

88 If an employee is required to be online and not able to report during core hours, they must use
89 personal time off (PTO) or schedule with their supervisor when the time will be made up.

90 All employees must share their general weekly work schedule with their supervisor who will in
91 turn share it with the Executive Director. Also, all employees are required to report any outside-
92 of-MNOHS employment, whether or not this employment takes place during MNOHS core
93 hours. While outside-of-MNOHS work commitments are not prohibited, they may result in
94 reduced compensation and benefits, to be determined by the Executive Director.

95 A supervisor may require an individual employee to adhere to a defined schedule if needed for
96 the successful performance of their job duties as outlined in their job description.

97 C. Location

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98 The employment agreement or the job description referenced in the employment agreement may
99 specify where an employee should be physically located during work hours, or this may be
100 specified separately in consultation with the Executive Director.

VI. Leaves

A. Personal Time Off

103 Personal time off (PTO) hours are available to employees whose employment agreement includes
104 core hours and can be used for any reason, including personal illness or injury, court appearances,
105 deaths, emergencies, family responsibilities or personal vacation. Hours of PTO are limited to the
106 following rates based on job description, and prorated to reflect the proportion of FTE indicated in
107 the employee's employment agreement:

- 108 • Year-round staff, including administrative staff, social workers and counselors: PTO may not
109 exceed 10% of the FTE listed in the employment agreement.
- 110 • Full-time 10-month faculty and paraprofessionals, including ADSIS interventionists: PTO
111 may not exceed 5% of the FTE listed in the employment agreement.
- 112 • Part-time faculty with core hour assignments: 0.3 hours per pay period for each 4-hour core
113 day listed in the employment agreement and no more than 5% of the expected hours to be
114 worked per the employment agreement.
- 115 • Staff and faculty who do not have core hours listed in their employment agreements do not
116 earn PTO.

117 All employees may accrue a limited number of PTO hours, specified in the employment agreement,
118 that can be carried over beyond August 15 of each fiscal year if the employee continues to be
119 employed with the school. If employment is terminated, accrued PTO hours, up to the same number
120 specified in the employment agreement, will be paid to the employee. On August 15 of each year,
121 any unused hours above this number are forfeited. All employees shall inform their supervisor of an
122 anticipated absence as soon as possible. All PTO (other than for unexpected circumstances) must be
123 pre-approved by the employee's supervisor.

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124 Unpaid time off may be arranged with the employee’s supervisor and must be approved in writing
125 by the Executive Director.

B. School Holidays

127 All teaching faculty and paraprofessionals are not required to report for work on days marked as
128 “School holidays and breaks” in the published school calendar.

129 Unless otherwise specified in an employment agreement, all full-time year-round staff, including
130 administrative staff, counselors and social workers, are required to report on days marked as “School
131 holidays and breaks.” These employees are entitled to designate 14 days of paid holidays
132 throughout the fiscal year in addition to PTO. These days must be approved by the employee’s
133 supervisor and then noted in the employee’s personal shared calendar before the start of the fiscal
134 year (July 1) or by the end of a new employee’s 90-day probationary period.

135 Part-time year-round employees are entitled to designate a prorated number of holidays per year, to
136 reflect the proportion of FTE indicated in their employment agreements.

C. Long Term Leave

138 Long-term leave shall be defined as unpaid leave for an employee to care for a family member, for
139 the employee’s own physical/mental health care, and after the birth or adoption of a child.

140 The school will require certification from a qualified medical professional to document the reason
141 for the leave and/or to verify the employee's ability to return to work. Such leave shall be given in
142 accordance with the Family and Medical Leave Act (FMLA):

- 143 • An “eligible” employee allowed leave under the FMLA is an employee that has been
144 employed by MNOHS for at least 12 months (consecutive or non-consecutive) and who has
145 worked at least 1,250 hours during the 12 months prior to the start of the leave. The
146 employee requesting FMLA leave must make the request directly to the Executive Director,
147 in writing. The Executive Director will give an employee requesting FMLA leave written
148 notice, within two business days, if they are not eligible for FMLA.
- 149 • Spouses who are both employed by MNOHS are entitled to a combined total of 12 weeks for
150 the birth of a child, when adopting a child, or to care for a parent with a serious health
151 condition.

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- 152 • Spouses who are both employed by MNOHS are each entitled to a total of 12 weeks for the
153 care of a spouse or child with a serious health condition, a serious health condition that
154 makes the employee unable to perform the essential functions of his or her job; and any
155 qualifying exigency arising out of the fact that the employee’s spouse, child, or parent is a
156 military member on “covered active duty.”
- 157 • The employee is required to provide 30 days’ notice for foreseeable events that require
158 FMLA. Foreseeable events would include scheduled surgery, adoption, or birth of child.
- 159 • An eligible employee is allowed to take 12 weeks of unpaid leave in any 12-month period.
160 The employee's leave can be taken on an intermittent basis; for example, an employee may
161 drop to part-time status until the equivalent of 12 weeks has been obtained.
- 162 • During the 12 weeks of leave MNOHS, will continue the employee’s benefits as if they were
163 not on leave. The employee will continue to pay their portion of the benefits as if they were
164 not on leave.
- 165 • After the 12 weeks have been used, the employee will be entitled to return to their same
166 position or an equivalent position, similar benefits and working conditions, and same pay.
- 167 • In no event shall such leave extend beyond the end of the employee's annual employment
168 agreement unless the employment agreement is renewed.

D. Jury Duty

170 Upon notification by a court to report for jury duty, the employee shall immediately inform their
171 supervisor. Time off with no loss of salary limited to one (1) week will be provided for jury duty
172 that is required to be served during a period of time that the employee would normally be working.
173 Salary will be paid as usual, and the check for juror fees is to be signed over to the school.

VII. Compensation, Benefits and Domestic Partners

- 175 A. The Executive Director shall propose salaries, benefit packages, or other compensation
176 frameworks and rates, and will present them for approval to the Board of Directors in the annual

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177 budget. The Executive Director shall review compensation for each position each year and may
178 recommend increases or decreases as the school budget allows.

179 **B. Domestic Partners**

180 To the extent allowed by state law and by the insurance carriers with which MNOHS has
181 contracted, MNOHS shall provide the same benefit package to registered domestic partners of
182 employees as it does to legal spouses of employees. This includes benefits for the registered
183 domestic partner's children who are tax dependents of the insured employee.

184 The employee and their partner must complete an affidavit registering the domestic partnership
185 in order to establish their eligibility for any available benefits. Registration and application for
186 benefits must take place within the first 60 days of the hire date or within 30 days of a status
187 change.

188 C. Because the Internal Revenue Service does not recognize domestic partners, the value of any
189 MNOHS contribution for medical and dental benefits provided to a domestic partner will likely
190 be considered taxable income.

191 **VIII. Employee Grievance Procedure**

192 In the event of a dispute involving employment or the implementation of this Personnel Policy, any
193 employee may submit a complaint following the procedures outlined below.

- 194 1. The employee must submit their grievance in writing to the President of the Board of Directors
195 within five days of a failed effort to resolve the dispute.
- 196 2. Within ten working days of receipt of the written complaint, the Board officers shall schedule a
197 hearing within 20 days of the receipt of the written complaint at a mutually convenient time and
198 place to discuss the complaint with all parties involved. Board officers who have a conflict of
199 interest in the subject of the proceedings shall excuse themselves from the grievance
200 proceedings.
- 201 3. A decision as established by a majority vote of the Board officers hearing the grievance shall be
202 rendered within five working days of the completion of the hearing. Any such proceedings shall
203 be conducted in closed session, unless requested otherwise by the employee. If additional

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204 information, investigation, or hearings are necessary after the initial hearing, the hearing may be
205 continued, and the final decision shall be made within five working days of the last hearing, or as
206 soon thereafter as is practical. Any additional proceedings shall be completed as soon as is
207 practical.

208 4. The decision of the Board officers shall be final unless appealed by the employee to the Board of
209 Directors, which may review and modify the decision of the Board officers if the Board of
210 Directors finds that the Board officers failed to properly follow the grievance process described
211 above. A request for an appeal must be submitted to the President of the Board within five days
212 of the decision of the Board officers. After receiving an appeal request, the President shall
213 schedule a meeting to consider such an appeal as soon as practical. Board members who have a
214 conflict of interest in the subject of the proceedings shall excuse themselves from reviews of
215 grievance decisions to the extent permitted under law. Any such proceedings shall be conducted
216 in closed session, unless requested otherwise by the employee.

217 **X. Nondiscrimination**

218 Minnesota Online High School does not discriminate in any personnel matters or in the provision of
219 programs and services on any basis prohibited by law. It is the responsibility of every MNOHS employee to
220 follow this policy. Any employee who has been the subject of discrimination or harassment may bring
221 questions, concerns, and/or complaints to either the Executive Director or the Board President.

222 Legal References: Family Medical Leave Act (Public Law 103–3)