Palmetto Academy of Learning and Success
Sexual Harassment of Employees

Sexual harassment of employees of the Palmetto Academy of Learning and Success is prohibited. All employees, including supervisory level employees and third parties associated with schools, must avoid any action or conduct which could be viewed as sexual harassment. Teachers and school administrators are expected to use judgment and common sense, which are important elements of a proper response to a particular allegation of sexual harassment or inappropriate conduct of a sexual nature.

Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: (1) submission to such conduct is made either expressly or impliedly a condition of employment; (2) submission to or rejection of such conduct by an individual is used as the basis for any employment decisions affecting the individual; or (3) such conduct has the purpose or effect of unreasonably interfering with the employee's work performance or creating an intimidating, hostile, or offensive working environment.

Any employee who believes he/she has been subjected to sexual harassment is encouraged to file a complaint in accordance with the School's procedures. All allegations will be investigated promptly and confidentially. Employees who file a complaint of sexual harassment will not be subject to retaliation or reprisal in any form. An employee, including a supervisory level employee or a third party associated with the School, who is found to have engaged in sexual harassment or inappropriate conduct of a sexual nature will be subject to appropriate action, up to and including termination of employment in the case of an employee, and all other appropriate steps will be taken to correct or rectify the situation.

Legal reference.
Federal.
Title VII of the Civil Rights Act of 1964.
Revised: 7-1-04.

The following procedures are intended to:
1. Discourage employees and third parties associated with schools from subjecting employees of the School to sexual harassment;
2. Promote a harassment-free work environment;
3. Effectively and appropriately address all sexual harassment found to have occurred or be occurring;
4. Establish on-going education and awareness of the problem of sexual harassment; and
5. Provide information about how to report allegations of sexual harassment.

Types of behavior which constitute sexual harassment
Sexual harassment includes unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature which:
1. Is made an employment condition, so that submission to such conduct is a term or condition of employment;
2. Has an employment consequence, so that submission to or rejection of such conduct is used as a basis for employment decisions affecting an individual employee; or
3. Is an offensive job interference, so that such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile, or offensive work environment.

Sexual harassment may include, but is not limited to: verbal harassment, including epithets, sexually offensive comments or slurs; physical harassment; physical interference with movement or work; or visual harassment, such as sexually offensive cartoons, drawings, or posters. Sexual harassment is prohibited against members of the same sex, as well as against members of the opposite sex.

Behavior prohibited of administrators/supervisors

1. No administrator or supervisor may condition any offer of employment, employee benefit, or continued employment on an employee's acquiescence to any of the sexual behavior defined above.
2. No administrator or supervisor may retaliate against any employee because that employee has opposed a practice prohibited by Title VII of the Civil Rights Act of 1964 and the South Carolina Human Affairs Law, or has filed a complaint, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing conducted by an authorized agency.
3. No administrator or supervisor shall cause or tolerate the creation of a sexually hostile or offensive work environment by any subordinate employee or third party associated with schools who engages in sexual harassment.
4. No administrator or supervisor shall destroy evidence relevant to an investigation of sexual harassment.

Behavior prohibited of all employees

1. No administrator, supervisor, or any other employee of the School and/or third party associated with the school shall create a sexually hostile or offensive work environment for any employee by engaging in any sexual harassment.
2. No administrator, supervisor, or any other employee of the School and/or third party associated with the school shall assist any individual in doing any act which constitutes sexual harassment against any employee.

Preventive action

Periodically, the School shall ensure that:

1. The policy on sexual harassment of employees and these procedures are fully referenced in the *Personnel Handbook.*
2. All employees are informed about the nature of sexual harassment, the procedures for registering a complaint, and the possible redress which is available.
3. Administrators and/or designated sexual harassment contact persons are informed of the School's sexual harassment procedures and understand how to implement them. For example, they should be made aware of the kinds of acts that constitute sexual harassment, the School's commitment to eliminating and avoiding sexual harassment in the school, the penalties for engaging in harassment, the procedures for reporting incidents of sexual harassment, and the procedures for conducting a sexual harassment investigation.
4. The Executive Director makes available information from the Equal Employment Opportunity Commission and the South Carolina Human Affairs Commission about filing claims of sexual harassment with these entities. The Executive Director or his/her designee shall serve as the school's Title IX Coordinator. His or her name, address, and business telephone number shall be disseminated throughout the School and referenced in employee handbooks.

Reporting and response procedures

1. Any employee who feels that he or she has been the object of sexual harassment is encouraged to file a complaint with his or her immediate supervisor or principal except for situations covered in item "2" immediately below. Complaint forms which may be used to file a complaint may be obtained from the Title IX Coordinator or Chair of the Grievance Committee.
2. Under no circumstances shall an employee be required to first report allegations of harassment to his or her immediate supervisor if that person is the individual who is accused of the harassment. In such cases, the employee shall file the complaint with the Executive Director or the Chair of the Grievance Committee.
3. Administrators/supervisors shall initiate an investigation of any incident of alleged sexual harassment reported to them or observed by them. The School shall be responsible for ensuring that reasonable efforts are made to prevent public disclosure of the names of all parties involved in the sexual harassment allegation, except to the extent necessary to carry out an investigation and comply with statutory obligations.
4. Administrators/supervisors shall report the general results of any investigation of sexual harassment, including corrective or disciplinary action taken, to the Title IX Coordinator and/or Chair of the Grievance Committee. The

employee who brought the sexual harassment allegation shall be informed that appropriate actions were taken and shall be advised as to how to report any subsequent problems.
5. If an employee is determined to have sexually harassed another employee, the administrator/supervisor shall take whatever disciplinary action he/she determines is warranted, up to and including termination of employment.
6. Administrators/supervisors shall follow up periodically on any incident of sexual harassment they were involved in investigating to determine whether the employee has been subjected to any further sexual harassment since the corrective action was taken.
7. No administrator/supervisor shall retaliate in any way against an employee who has provided information as a witness to or victim of an incident of sexual harassment.

Additional obligations of employees
1. Employees shall report to their immediate supervisor any conduct on the part of non-employees, such as sales representatives or service vendors, which is believed to constitute sexual harassment.
2. Employees shall cooperate with and maintain the confidentiality of any investigation of alleged acts of sexual harassment conducted by the School or by an appropriate state or federal agency. Failure to do so could result in disciplinary action against the individual who failed to cooperate or who violated the confidentiality of the matter.
3. No employee shall take any action to discourage any other employee from reporting alleged sexual harassment. However, any person who intentionally provides false information in connection with a report or investigation of sexual harassment may be subject to disciplinary action.
4. No employee shall retaliate in any way against another employee who has provided information regarding an incident of sexual harassment.

Adopted 1-18-2011

Whistleblower Policy:

If any employee reasonably believes that some policy, practice, or activity of Palmetto Academy of Learning and Success is in violation of law, a written complaint may be filed by that employee with the Chief Executive Officer.

It is the intent of Palmetto Academy of Learning and Success to adhere to all laws and regulations that apply to the organization, and the underlying purpose of this Policy is to support the organization's goal of legal compliance. The support of all employees is necessary to achieve compliance with various laws and regulations. An employee is protected from retaliation only if the employee brings the alleged unlawful activity, policy, or practice to the attention of Palmetto Academy of Learning and Success and provides the organization with a reasonable opportunity to investigate and correct the alleged unlawful activity. The protection described below is only available to employees that comply with this requirement.

Palmetto Academy of Learning and Success will not retaliate against an employee who, in good faith, has made a protest or raised a complaint against some practice of the organization, or of another individual or entity with whom Palmetto Academy of Learning and Success had a business relationship, on the basis of a reasonable belief that the practice is in violation of law or a clear mandate of public policy.

Palmetto Academy of Learning and Success will not retaliate against an employee who discloses or threatens to disclose to a supervisor or a public body any activity, policy, or practice of the organization that the employee reasonably believes is in violation of a law, or a rule, or regulation mandated pursuant to law or is in violation of a clear mandate or public policy concerning health, safety, welfare or protection of the environment.

Adopted 11-13-2013

Palmetto Academy of Learning and Success
Complaints and Grievances Policy

Palmetto Academy of Learning and Success encourages all employees to discuss their concerns or complaints associated with their employment informally with their supervisor. Often, the cause of a problem or concern is merely a misunderstanding among the individuals involved. Under normal circumstances, an employee should utilize the grievance procedure only after reasonable informal efforts have failed to produce a satisfactory result. If after reasonable and appropriate informal efforts have failed or for good reasons are inappropriate, an employee feels that a "formal" mechanism for raising his/her concern or problem is needed, he/she should follow the procedure below. Employees who utilize the grievance procedures have the right to do so with complete freedom from reprisal.

With respect to formal grievances, the Board recognizes the need to provide an orderly means for the efficient and expeditious resolution of disputes concerning the application of any of the provisions of the School's policies, rules, regulations and/or unsafe or unhealthy working conditions as they affect the activity of employees. Ideally, employees should secure an equitable solution of grievances at the most immediate administrative level possible.

Definition of a grievance
A grievance is a claim by an employee of a violation, misinterpretation, or misapplication of a provision of School policies, procedures, or rules and regulations as they directly affect the employment or working conditions of the employee filing the grievance.

The Board does not consider actions which are subject to the Teacher Employment and Dismissal Act, S.C. Code § 59-25-410 et seq, § 59-26-40 to be grievances under this procedure.

Definition of supervisor
The term "supervisor" means any person having the authority to recommend employment, transfer, suspend, layoff, recall, promote, discharge, assign, reward, or discipline an employee, or any person having the responsibility for directing or reviewing the work of an employee.

Definition of day
A "day" is any day on which the school office is open, excluding any days the school office is open during the winter break or spring break.

Grievance procedures
An employee who wishes to file a grievance must complete the prescribed grievance form (available from the Principal or Chair of the Grievance Committee) and present it to his/her direct supervisor within 15 days following either the event giving rise to the grievance or the time when the employee reasonably should have gained knowledge of its occurrence. The completed form must include a brief statement as to the nature of the grievance; identify the policy, rule or regulation violated; or with reasonable specificity the circumstances or situation, which is the subject of the grievance. Again, identify with reasonable specificity the relief the employee is requesting by filing the grievance. Should the employee believe that resolution of the grievance requires a decision beyond the supervisor's level or area of authority, the employee will so state such belief on the grievance form and submit the form to the Chair of the Grievance Committee. In no case shall a grievance be filed first with the Board or copied to the Board without first being handled by the administration or Grievance Committee.

1. The appropriate supervisor will hold a first-level (level one) meeting with the employee within 10 days of receipt of the grievance. The supervisor will provide the employee with a written response to the grievance within 10 days after the meeting. The response will include the name of the Chair of the Grievance Committee to whom the

grievance may be appealed. In the event an appeal is desired, such appeal must be presented in writing within 15 days of receipt of the response.

2. If the grievant is not satisfied with the response from the supervisor in level one above, the grievant may appeal the grievance to the Grievance Committee (level two) identified in the supervisor's response. In the appeal, the employee shall specify in writing his/her specific grounds for the appeal and objections to the supervisor's response to the grievance. Such administrator shall notify the employee promptly of the receipt of the grievance and schedule a time and place for the grievance to be heard by the Grievance Committee. This grievance conference should be held as promptly as practicable and within 15 days of receipt of the grievance. The original grievance and the level one supervisor's written response will serve as the basis for the second-level grievance determination. The Chair of the Grievance Committee will provide the employee with a written response to the grievance appeal within 10 days after the level two conference. Such written response shall indicate whether the grievance is being dismissed or being referred to the Board for action.

4. Nothing shall prevent the Executive Director or his/her representative from participating in the disposition of a grievance at the supervisory and/or School level.

5. After the grievance is filed, time requirements under this procedure may be extended at any step with the mutual agreement of the two parties. Failure to adhere to procedural or agreed-upon timelines shall be grounds for ending the grievance process or moving the grievance to the next level.

6. A grievant may not, unless authorized by the Executive Director, bring an attorney to the initial grievance meeting before his/her supervisor. However, a grievant may, at his/her expense, bring an attorney to a hearing before the Grievance Committee if he/she chooses provided that sufficient notice is given to the Grievance Committee so that they can bring an attorney if they choose.

Adopted 1-18-2011

Palmetto Academy of Learning and Success
Conflict of Interest Policy

Purpose

The purpose of the conflict of interest policy is to protect **Palmetto Academy of Learning and Success' (PALS)** interest when it is contemplating entering into a transaction or arrangement that might benefit the private interest of an officer or director of **PALS** or might result in a possible excess benefit transaction. This policy is intended to supplement but not replace any applicable state and federal laws governing conflict of interest applicable to nonprofit and educational organizations.

Definitions

1. **Interested Person**

Any director, principal officer, or member of a committee with governing board delegated powers, who has a direct or indirect financial interest, as defined below, is an interested person.

2. **Financial Interest**

A person has a financial interest if the person has, directly or indirectly, through business, investment, or family:

a. An ownership or investment interest in any entity with which **PALS** has a transaction or arrangement,

b. A compensation arrangement with **PALS** or with any entity or individual with which **PALS** has a transaction or arrangement, or

c. A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which **PALS** is negotiating a transaction or arrangement. Compensation includes direct and indirect remuneration as well as gifts or favors that are not insubstantial. A financial interest is not necessarily a conflict of interest. A person who has a financial interest may have a conflict of interest only if the appropriate governing board or committee decides that a conflict of interest exists.

Procedures

1. **Duty to Disclose**

In connection with any actual or possible conflict of interest, an interested person must disclose the existence of the financial interest and be given the opportunity to disclose all material facts to the directors and members of committees with governing board delegated powers considering the proposed transaction or arrangement.

2. **Determining Whether a Conflict of Interest Exists**

After disclosure of the financial interest and all material facts, and after any discussion with the interested person, he/she shall leave the governing board or committee meeting while the determination of a conflict of interest is discussed and voted upon. The remaining board or committee members shall decide if a conflict of interest exists.

3. **Procedures for Addressing the Conflict of Interest**

a. An interested person may make a presentation at the governing board or committee meeting, but after the presentation, he/she shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement involving the possible conflict of interest.

b. The chairperson of the governing board or committee may, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.

c. After a review of the investigation, the governing board or committee shall determine by a majority vote of the disinterested directors whether the transaction or arrangement

is in **PALS**'s best interest, for its own benefit, and whether it is fair and reasonable. In conformity with the above determination it shall make its decision as to whether to enter into the transaction or arrangement.

4. **Violations of the Conflicts of Interest Policy**

a. If the governing board or committee has reasonable cause to believe a member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.

b. If, after hearing the member's response and after making further investigation as warranted by the circumstances, the governing board or committee determines the member has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

Records of Proceedings

The minutes of the governing board and all committees with board delegated powers shall contain:

a. The names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest and the governing board's or committee's decision as to whether a conflict of interest in fact existed.

b. The names of the persons who were present for discussions and votes relating to the transaction or arrangement and a record of any votes taken in connection with the proceedings.

Compensation

a. A voting member of the governing board who receives compensation, directly or indirectly, from **PALS** for services is precluded from voting on matters pertaining directly to that member's compensation.

b. A voting member of any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from **PALS** for services is precluded from voting on matters directly pertaining to that member's compensation.

Annual Statements

Each director, principal officer and member of a committee with governing board delegated powers shall annually sign a statement that affirms such person:

a. Has received a copy of the conflicts of interest policy,

b. Has read and understands the policy, and

c. Has agreed to comply with the policy.

Adopted by resolution 11/10/09