



# **University Academy Policies and Procedures Manual**

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**University**

**Academy**

**Corporate Policy Manual**

# **(1) Foundation**

## **(1.1) Mission Statement**

The mission of University Academy is to establish a research-based school community that learns, leads, and lasts. The University Academy will offer an environment that emphasizes innovative teaching and learning in order to maximize academic achievement for all students and to promote high expectations for the school community to become responsible, productive, lifelong learners.

## **(1.2) Organizational Philosophy**

In carrying out its responsibilities, University Academy is guided by the desire to use the resources of its community, its staff and its students to provide the highest quality education permitted by its financial resources. In reaching decisions, the Board of Directors will attempt in every case to act in the best interest of its students.

## **(1.3) Organizational Structure**

University Academy is a not-for-profit corporation incorporated within the state of Florida. The organization is directed by the Board of Directors who set the policies and guidelines for the organization and delegate to staff day-to-day responsibilities for operational matters. The Director/Administrator consults with staff members in order to allow for the greatest possible staff participation in the decision making of the organization.

## **(1.4) Decision making**

The Board of Directors is responsible for setting the budget, establishing organization wide policies and overseeing the organization. General operations of the school should be left to the Director/Administrator. It is the Director's /Administrator's responsibility to ensure these policies are carried out, and to develop a system that ensures the input of staff, students, parents and community.

## **(1.5) Non Discrimination**

No person shall, on the basis of race, color, religion, gender, age, marital status, disability, political or religious beliefs, national or ethnic origin, or sexual orientation be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity, or in any employment conditions or practices conducted by this School, except as provided by law. The School shall comply with all state and federal laws, which prohibit discrimination and are designed to protect the civil rights of applicants, employees, and/or students, or other persons protected by applicable law. The School shall admit students to programs and classes without regard to race, color, religion, gender, age, national or ethnic origin, marital status, disability or handicap or sexual orientation.

# **(2) Board of Directors**

## **(2.1) Board of Directors Foundation**

The Board of Directors is a legal requirement for a charter school organized as a not for profit organization and ensures its operations continue to focus on service to the public. In addition to its legal responsibilities the Board of Directors supports the organization mission and seeks to promote it by advocating the educational philosophy.

## **(2.2) General Powers**

All affairs of the Organization shall be overseen by the Board of Directors. The Board of Directors primary duties include, but are not limited to, the hiring and evaluation of the Director/Administrator, setting of Policies and Procedures, strategic planning and assessment of the organization in accomplishing the missions of the organization as well as the oversight of the public trust.

## **(2.3) General Responsibilities**

The Board of Directors serves as guardians of the “public trust” since they are in charge of the direct or indirect assistance from state and federal governments and are put in a position of governance as a result of state charter school legislation, as well as non-profit corporate law. This structure makes the organization’s management accountable to the Board of Directors, who due to their voluntary nature, can effectively provide financial oversight since no personal gain is involved.

Selection to the Board of Directors carries with it a fiduciary responsibility. The directors are the custodians of the integrity of the organization; they hold in trust the school’s reputation as created by its founders and as developed by those who have shaped the school in the past. Current directors accept the obligation to not only preserve, but also add to this organization. In this way board members help form not only the present, but also the future composition of the organization.

## **(2.4) Board Membership**

### **(2.4.1) Board Powers**

The Board of Directors affirms that the directors, officers, administrators, faculty and other employees of the organization have an obligation to exercise their authority and to carry out the duties of their respective positions for the sole benefit of the organization. Other than described within these policies, individual members of the Board of Directors hold no authority or decision making ability outside of official meetings of the Board of Directors.

### **(2.4.2) Application Process**

Any person wanting to apply to serve as a member of the Board of Directors shall submit an application available from the organization’s website along with a letter of intent and resume, which shall be submitted to the Board of Directors for review and consideration. The applicant will agree to follow all Board policies and to submit to fingerprinting and a background check.

The Board of Directors may recruit new board members based upon the identification of strategic needs of the Board and Organization and solicit nominees whose qualifications meet those needs.

**(2.4.3) Election Process**

The Directors of the organization shall be selected on a rotation basis and confirmed by the Board of Directors at the annual meeting of the Board. If the approval of officers shall not be held at such meeting, such election shall be held as soon thereafter as is convenient. Vacancies may be filled or new offices created and filled at any meeting of the Board of Directors. When a newly appointed Board member is filling a vacancy, that member shall fill the remainder of the original member's term, and then be eligible for reelection to continue on the Board. Each officer shall hold office until his or her successor shall have been duly elected.

The Board will evaluate the needs of the Board of Directors at the annual meeting of the Board for the coming school year. After review of all nominees and applicants the Board shall recommend the acceptance or denial of the nominees.

**(2.4.4) Board Member Resignations**

Any Board member who wishes to resign from office shall inform the School Board Chairperson in writing. The resignation shall become effective upon receipt of the letter unless an alternative date is suggested within the resignation letter. The Board Chairperson shall certify to the Board that the office is vacant. Saint Andrew Bay Land will then appoint a replacement to serve using the process described within these policies.

**(2.4.5) Removal Process**

Any Director/Administrator appointed by the Board of Directors may be removed by the Board whenever, in its judgment, the best interests of the organization would be served thereby, but such removal shall be without prejudice. In order to remove a Director/Administrator, the Board must vote on the issue and must have quorum to take the vote. In order to remove a director, the Board must vote on the issue and the motion for removal must pass by a super majority vote of the entire board.

**(2.4.6) Operational Procedures**

Upon the appointment of new board members, the Board Chairperson or Director shall provide the new Board member with copies of important documents such as: Florida School Laws relating to charter schools, State Board of Education Rules relating to charter schools, Articles of Incorporation, Bylaws, Policies and Procedures, current Charter contract, current annual budget, and other documents the Board Chairperson deems essential to an understanding of the operation of the organization.

The Director/Administrator shall set aside such time as is necessary to answer any questions arising from the study of these documentations and shall cooperate fully in assisting the new member to become an informed and active Board member.

New Board Members shall be required to complete statutorily required training.

The organization shall provide the new Board member opportunities to attend a charter school conference or other training opportunities in regards to the responsibilities of Charter School Board Members.

## **(2.5)**

### **Meetings**

All meetings of the Board of Directors shall be held in accordance with Florida Government in the Sunshine laws. Except for special meetings described below, notice of all meeting and agenda shall be posted prior to each meeting. The agenda will be prepared by the Board Chairperson with input from the Administrator. Input into the agenda should consist only of the placement of items on it and not used as a means to circumvent the sunshine law. A working agenda will be distributed to Board members prior to the meeting for input prior to the distribution of the final agenda except for special meetings as described below. These meetings will be held at the school or other such place as designated by the Chair.

#### **(2.5.1)**

##### **Governance Meetings**

The Board of Directors shall fulfill these duties by meeting no less than quarterly. In compliance with the Florida Law the Board publishes the schedule of its meetings and holds them in open session. The Board will meet in accordance with the Florida Sunshine Law, Section 286.011 and shall meet in executive session only when and to the extent permitted by Florida law.

#### **(2.5.2)**

##### **Annual Meeting**

The annual meeting of the Board of Directors shall be held in June or July of each year. At the annual meeting the new Board Members will be elected.

#### **(2.5.3)**

##### **General Meetings**

An annual schedule of General Meetings will be set by the Board of Directors and made available for public review.

#### **(2.5.4)**

##### **Special Meetings**

Special Meetings of the Board may be called by the Chairman or any two voting members of the Board. The person(s) calling such meeting may set the location of the meeting as a conveniently accessible place for all Board members and the public. Special Meetings must be scheduled with no less than one (1) day prior notice and must be established to discuss only a single issue.

#### **(2.5.5)**

##### **Audience Participation**

At all Operational Board Meetings any non-Board member may elect to speak on each agenda item for up to three minutes. The posted agenda shall outline a time and procedure for individuals wishing to address the Board. Any audience member who becomes unruly or disruptive to the proceedings may be removed from the meeting.

#### **(2.5.6)**

##### **Voting by Proxy**

Board Members may not vote by proxy. In circumstances where attendance at the meeting is impossible, the Board member may participate by conference call provided that all members and the public are able to hear all discussion and votes

#### **(2.5.7)**

##### **Notice of Board Meetings**

Notice of meetings of the Board of Directors, including Committees of the Board as described elsewhere within these policies, will be given in a manner to reasonably inform the public of the matters to be considered by the Board.

Notice of the time, date, and place of the meeting as well as the tentative agenda will be provided prior regularly scheduled meetings of the Board of Directors. For special meetings or committee meetings the notice must be given at least twenty-four (24) hours prior to the meeting.

In order to maximize public participation, notice of Board meetings will be posted on the school's calendar, on the school's website and when possible in school publications such as newsletters. Upon request, members of the media will be provided with notice of the meeting at the same time notice is provided to members of the Board.

#### **(2.5.8) Records of Proceedings**

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

- 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, the nature of the financial interest, any action taken to determine whether a conflict of interest was present, and the governing board's or committee's decision as to whether a conflict of interest in fact existed.
- The names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection with the proceedings.
- A written memorandum from the interested person explaining the nature of the interest to be filed within 15 days after the vote to which s/he had exercised recusal steps under policy as described above.

### **(2.6) Committees**

#### **(2.6.1) Development of Board Appointed Committees**

The Board of Directors by resolution adopted by a majority of voting members may designate one or more committees, each of which shall consist of at least one voting Board member, plus any non-board members as the Board sees fit to appoint.

#### **(2.6.2) Meetings**

Committees that have been designated by the Board of Directors must be held in accordance with Florida's Government in the Sunshine law. The Director/Administrator shall ensure that all meetings are posted in the same way as Board of Directors Meetings are posted at least one (1) day prior to the meeting.

#### **(2.6.3) Committee Appointed Reports**

All Board Committees are subject to the direction and control of the Board and a designated Board member serving on that committee will serve as chairman or appoint a chairman who will report directly to the Board in the public Operational Board

meeting, unless a Special Meeting is called and lends itself to the function of the committee.

**(2.6.4) Authority**

The designation of such committees and the delegation thereto of authority shall not operate to relieve the Board of Directors or any individual member thereof of any responsibility imposed on it, him, or her by law. Committee recommendations are not binding until and unless adopted by a majority vote of the Board of Directors in session, provided a quorum is present.

**(2.7) Conflict of Interest Policy**

The purpose of the conflict of interest policy is to protect the interest of the organization when it is contemplating entering into a transaction or arrangement that might benefit the private interest of an officer or director of the organization 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 charitable organizations generally and public charter schools specifically, nor is it meant to replace any contractual requirements of the school within its Charter Agreement with the Sponsor.

**(2.7.1) Definitions**

**Interested Person:** Any director, principal officer, owner, president, chairperson, governing board member, or member of a committee with governing board delegated powers and any superintendent, principal, other administrator, or any other person employed by the organization who has equivalent decision-making authority who has a direct or indirect financial interest, as defined below, is an interested person.

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

- An ownership or investment interest in any entity with which the organization has a transaction or arrangement,
- A compensation arrangement with the organization or with any entity or individual with which the organization has a transaction or arrangement, or
- A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the organization is negotiating a transaction or arrangement.

**Family:** A “family” member means: father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, or half-sister.

**Compensation:** Compensation includes direct and indirect remuneration as well as loans, gifts, in-kind services, favors or anything of value. A financial interest is not necessarily a conflict of interest. Under Article III, Section 2, 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.

## **(2.7.2) Procedures**

### **(2.7.2.1) *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.

### **(2.7.2.2) *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.

### **(2.7.2.3) *Procedures for Addressing the Conflict of Interest***

- 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.
- 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.
- After exercising due diligence, the governing board or committee shall determine whether the organization can obtain with reasonable efforts a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest.
- If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a conflict of interest, the governing board or committee shall determine by a majority vote of the disinterested directors whether the transaction or arrangement is in the organization's best interest, for its own benefit, and whether it is fair and reasonable.
- In conformity with the above determination, the organization shall make its decision as to whether to enter into the transaction or arrangement, EXCEPT if the interested person or his/her spouse or child (i.e., immediate family) has a direct material interest in a transaction involving the purchase, rent or leasing of any realty, goods or services, the organization is prohibited from entering into such transaction without subjecting the decision to competitive bidding.

### **(2.7.2.4) *Violations of the Conflicts of Interest Policy***

- 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.



- 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.

**(2.7.3)**

**Compensation**

- A voting member of any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the organization for services is precluded from voting on matters pertaining to that member's compensation.
- No governing board member or his/her spouse or minor child may either solicit or accept anything of value (including a gift, loan, reward, promise of future employment, favor, or service) that is based on any understanding that the vote, official action, or judgment of the governing board member would be influenced by such gift. Gifts from family are not prohibited, nor gifts associated primarily with the recipient's employment or business. Food or beverage consumed at a single sitting or event may be accepted.
- Board members may receive compensation for expenses spent on behalf of the Organization if such expenditures are approved within the Budget or by the Board of Directors. This includes travel to conferences, meetings, seminars and conventions related to charter schools or the Organization. The Director shall follow the reimbursement processes described elsewhere within these policies.

**(2.7.4)**

**Nepotism**

The organization is prohibited from appointing, employing or promoting a family member of an interested person unless such family member has been in the continuous employ of the organization prior to July 1, 2009 and the organization discloses the nature of such employment.

**(2.7.5)**

**Annual Statements**

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

- Has received a copy of the conflict of interest policy,
- Has read and understands the policy,
- Has agreed to comply with the policy, and
- Understands the organization is (i) charitable and, in order to maintain its federal tax exemption, it must engage primarily in activities that accomplish one or more of its tax-exempt purposes and is (ii) a public charter school subject to applicable state and federal laws and regulations.

**(2.7.6)**

**Periodic Reviews**

To ensure the University Academy operates in a manner consistent with charitable purposes and does not engage in activities that could jeopardize its tax-exempt status,

periodic reviews shall be conducted. The periodic reviews shall, at a minimum, include the following subjects:

- Whether compensation arrangements and benefits are reasonable, based on competent survey information and the result of arm's length bargaining.
- Whether partnerships, joint ventures, and arrangements with management organizations conform to the organization's written policies, are properly recorded, reflect reasonable investment or payments for goods and services, further charitable purposes and do not result in inurement, impermissible private benefit or in an excess benefit transaction.

**(2.7.7) Use of Outside Experts**

When conducting the periodic reviews as provided for in this policy above, the organization may, but need not, use outside advisors. If outside experts are used, their use shall not relieve the governing board of its responsibility for ensuring periodic reviews are conducted.

**(2.8) Financial Interest**

Members of the Board shall not receive any monetary compensation for their services nor shall they have any financial interest in the organization other than their own monetary donations to the organization.

**(2.9) Employer Responsibilities**

**(2.9.1) Purview of Private Employer Matters**

Although the Director/Administrator is responsible for all faculty hiring and evaluations the Board sets general guidelines for the qualifications of staff, terms of contracts, performance evaluation expectations, administrative grievance procedures, non-renewal and termination processes.

**(2.9.2) Private Employment Matters**

Most private employment matters will be effectively handled by the Director/Administrator of the organization. On occasion, should the Director/Administrator need additional advice or recommendations, the Director/Administrator will consult with either the employee leasing company's HR department, or an employment attorney.

**(3) Employment Manual**

**(3.1) Equal Opportunity Employment**

The University Academy is an equal opportunity employer. The organization is committed to providing equal opportunity for all individuals in all areas of recruitment, selection, placement, training, assignment, transfer, compensation, benefits, discipline, retention, and promotion. The Board commits itself to the policy that there shall be no unlawful discrimination against any person because of race, color, religion, age, sex,

national origin or disability. All decisions with regard to employment shall be in compliance with applicable state and federal laws.

The University Academy is required by the Immigration Reform and Control Act to employ only American citizens and aliens who are authorized to work in the United States. The purpose of this law is to preserve jobs for those individuals who are legally entitled to them.

### **(3.2) Employment Non-Discrimination and Non-Harassment**

University Academy does not discriminate against anyone, to general operations of the organization, and to any basis prohibited by applicable law or regulation.

University Academy is committed to an environment in which all individuals are treated with respect and dignity. We believe that each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits discriminatory practices, including harassment. Therefore, the organization expects that all relationships among persons in the workplace will be business-like and free of bias, prejudice and harassment. Thus the organization does not and will not tolerate discrimination against or harassment of or by our employees, students, vendors, or other person. The term "harassment" includes, but is not limited to, slurs, jokes, and other verbal, graphic, or physical conduct relating to an individual's race, color, sex (including discrimination against or harassment of individuals of the same sex), pregnancy, religion, national origin, ancestry, citizenship, age, disability, workers compensation claims, marital, veteran or any other protected status. "Harassment" may include a range of subtle and not so subtle behaviors and also includes unwelcome or unwanted sexual advances, requests or demands for favors, offensive touching, and other types of conduct whether it be physical, verbal, graphic, or electronic communication of a harassing or sexual nature involving individuals of the same or different gender. This includes, but is not limited to:

- Unwelcome or unwanted physical contact or sexual advances including, but not limited to, patting, grabbing, pinching, brushing-up against, hugging, cornering, kissing, fondling, or any other similar physical contact.
- Unwelcome requests or demands for favors including, but not limited to, subtle or blatant expectations, pressures, requests or demands for sexual, unethical or illegal favors; or unwelcome requests for dates or contacts. Such unwelcome requests or demands may or may not relate to an implied or stated promise of preferential treatment, or a threat of negative consequences concerning employment, including, but not limited to, promotion, demotion, transfer, layoff, termination, pay or other form of compensation, and selection for training.
- Verbal and written abuse or unwelcome kidding including, but not limited to, that which is sexually-oriented, including same-sex harassment; commentary about an individual's body, sexual prowess or sexual deficiencies; inappropriate comments about race, color, religion, sex, pregnancy, national origin, ancestry, citizenship, age, disability, workers compensation claims, marital, veteran or other protected status; dirty jokes or other jokes which are unwanted and considered offensive or tasteless; or comments, innuendoes, epithets, slurs,

negative stereotyping, leering, catcalls or other actions that offend, whether sexually oriented or otherwise related to a prohibited form of discrimination or harassment.

- Any form of behavior that unreasonably interferes with work performance, including, but not limited to, unwanted sexual attentions, comments, interruptions, or other communications, whether sexually-oriented or otherwise related to a prohibited form of discrimination or harassment, that reduces productivity or time available to perform work-related tasks or otherwise interferes with work performance.
- Actions that create a work environment that is intimidating, hostile, abusive, or offensive because of unwelcome or unwanted conversations, suggestions, requests, demands, physical contacts or attentions, whether sexually-oriented or otherwise related to a prohibited form of discrimination or harassment.
- The distribution, display, or discussion of any written or graphic material, including calendars, posters, cartoons, or names, that belittles or shows hostility or aversion toward an individual, his/her relatives, friends or associates or a group because of race, color, religion, sex (including same sex discrimination or harassment), pregnancy, national origin, ancestry, citizenship, age, disability, workers compensation claims, marital, veteran or other protected status.

All employees and applicants are covered by this policy and are strictly prohibited from engaging in any form of discriminatory or harassing conduct. Further, no employee has the authority to suggest to another employee or applicant that the individual's employment, continued employment, or future advancement will be affected in any way by entering into, or refusing to enter into, a personal relationship. Such conduct is a direct violation of this policy.

Conduct prohibited by this policy is unacceptable in the workplace and in any work-related setting outside the workplace, such as business trips, business meetings and business-related social events.

Violation of this policy will subject an employee to disciplinary action, up to and including immediate discharge.

### **(3.2.1) Retaliation is Prohibited**

University Academy prohibits retaliation against any individual who reports discrimination or harassment or participates in an investigation of such reports. Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action, up to and including termination.

### **(3.2.2) Reporting Procedures and Investigation**

University Academy strongly urges the reporting of all incidents of discrimination, harassment or retaliation, regardless of the offender's identity or position. Individuals who believe they have experienced conduct they believe is contrary to the organization's policy or who have concerns about such matters should file their

complaints with the Director/Administrator or any Member of the Board of Directors or the Board's designee, whereupon the matter will be discreetly and thoroughly investigated. The organization will then take immediate steps to stop any behavior which violates this policy and see that it does not repeat itself. Disciplinary action, up to and including termination, calculated to end the discrimination or harassment, will be taken, when appropriate, against the offender(s).

Employees who have experienced conduct they believe is contrary to this policy have an obligation to take advantage of this complaint procedure. An employee's failure to fulfill this obligation could affect his or her rights in pursuing any claim.

Early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of discrimination or harassment. Therefore, while no fixed reporting period has been established, the prompt reporting of complaints or concerns is strongly urged so that rapid and constructive action can be taken.

The availability of this complaint procedure does not preclude individuals who believe they are being subjected to harassing conduct from promptly advising the offender that his or her behavior is unwelcome and requesting that it be discontinued.

### **(3.2.3) Responsive Action**

Conduct constituting harassment, discrimination or retaliation will be dealt with appropriately. Responsive action may include training, referral to counseling and/or disciplinary action such as warning, reprimand, withholding of a promotion or pay increase, reassignment, temporary suspension without pay or termination, as the organization believes appropriate under all of the circumstances.

Any person utilizing this complaint resolution procedure will be treated courteously, and the problem will be handled swiftly and as confidentially as possible in light of all the circumstances, with appropriate corrective action being taken. The registering of a complaint will in no way be used against that individual, nor will it have an adverse impact on their employment status. A record of the complaint and findings will become a part of the complaint investigation record and that file will be maintained separately from the personnel files.

### **(3.2.4) Conclusion**

Individuals who have questions or concerns about this policy may talk with the Director/Administrator or any member of the Board of Directors.

Please keep in mind that the very nature of discrimination, harassment and retaliation makes it virtually impossible to detect unless a complaint is appropriately reported. Do not assume that the organization is aware of your problem! It is your responsibility to bring this information to the attention of the organization so the issue can be resolved.

### **(3.2.5) Training**

New employee orientation training shall include a component on the harassment policy. All administrators are responsible for assuring that their staff members are familiar with the policy on harassment and that new employees are oriented as necessary throughout each school year. As part of the review of the Code of Student conduct at the beginning of the school year, this policy will be discussed in student classes, school

advisory councils, and parent and teacher associations. Students enrolled after the beginning of the school year will be provided a copy of the Code of Student conduct and advised of this policy.

### **(3.3)**

#### **Personnel Records**

Personnel records shall be maintained in accordance with State and Federal Laws. The following records for each employee shall be maintained in a secure file:

- a Evidence of successful completion of required education
- b Florida Teaching Certificate, certificate of law for the position
- c Employee assessments
- d Signed contract (if required)
- e Signed loyalty oath if required by the State of Florida or the Federal Government.
- f Withholding allowance certificate (W-4)
- g Copy of Social Security Card
- h Benefits enrollment documentation
- i Background verification (results of School District fingerprint test)
- j Letters of reprimand and information regarding any disciplinary action taken
- k Personal Data Sheet
- l Employment Eligibility Verification (I9 Form)
- m Arrest and Conviction Record
- n Drug-Free Workplace Policy.

It is the responsibility of the employee to obtain and submit these documents:

- a **Florida Certificate:** the employee must submit the original. A copy shall be made to keep within the file, and the original shall be returned to the employee.
- b **Health Certificate:** Prior to initial employment and re-employment following a termination, some employees may be required to submit a certificate of health signed by a licensed medical practitioner attesting to the employee's freedom from contagious and infectious diseases and other physical and medical impairments which would prevent the applicant from performing the duties for whom an employment contract is required.
- c **Contracts:** Each employee shall sign the offered contract and submit it to the school office within the specified time.
- d **Certificate Extensions/Additions:** Other official correspondence with the state Department of Education and any other documents which may be requested

shall be copied in the school office. Copies shall be retained and the originals shall be returned to the employee.

- e **Criminal Records:** The school shall determine if the prospective employee has an arrest/conviction record.

Personnel records shall be open for inspection and copying consistent with Florida law, Chapter 119 and Federal laws. Social Security numbers will not be disclosed to the public. Evaluations shall be confidential and not open to the public until the end of the school year immediately following the school year in which the evaluation was made. The following payroll deductions are not open to the public: credit union cards, W-4's, tax shelter information, tax levy, court records.

## **(3.4) Compensation and Benefits**

### **(3.4.1) Salaried Employees**

Instructional, administrative staff and some administrative support staff members shall be salaried employees. Salaries shall be made in accordance with schedules adopted by the Board of Directors of the school, and in accordance with state and federal law.

#### **(3.4.1.1) Initial Salary Placement**

The initial placement on the salary schedule shall be based upon the degree and experience held by the employee on their first day of work.

##### **(3.4.1.1.1) Degree**

A degree utilized for salary purposes must have been awarded by an institution, which was accredited at the time the degree was awarded or must have been validated by an accredited institution as covered under Department of Education procedures for implementation of applicable State Board Rule. It is the employee's responsibility to provide all applicable transcripts.

##### **(3.4.1.1.2) Experience**

Experience credit on the instructional salary schedule will be granted for all verified public school experience in accordance with state law. (Maximum of 8 years credit)

#### **(3.4.1.2) Benefits – Benefits include Health Insurance and Florida Retirement**

##### **(3.4.1.3) Paid Time Off**

Salaried employees will be granted Paid Time Off (PTO) within the contract/agreement with the organization. PTO for full time teaching staff is 10 days per year. Twelve month employees PTO will be based on experience. No PTO days roll over.

##### **(3.4.1.3.1) Approval**

PTO requests must be approved by the employee's immediate supervisor prior to the absence, unless the absence is a sick-day and prior notification is not possible.

##### **(3.4.1.3.2) Overuse of PTO**

If a staff member uses all PTO allotted to them, any additional sick days will be without pay. PTO time will be awarded at the beginning of the school year, should an

employee leave before the end of the school, PTO will be prorated and the employee will be expected to pay back over-used PTO.

**(3.4.1.3.3) Unused PTO for Salaried Employees**

If a staff member uses all PTO allotted to them, any additional sick days will be without pay. PTO time will be awarded at the beginning of the school year, should an employee leave before the end of the school, PTO will be prorated and the employee will be expected to pay back over-used PTO.

**(3.4.1.4) Vacation – Listed at 3.4.2.3**

**(3.4.2) Hourly Employees**

Non-instructional employees shall be paid hourly (classroom paraprofessionals, maids and other part time employees). Hourly rates will be set by the Board of Directors of the school and in accordance with state and federal law.

**(3.4.2.1) Initial Compensation**

Hourly employees shall be offered a specific hourly rate based on the responsibilities assigned to the employee.

**(3.4.2.2) Paid Time Off**

All full-time 12 month employees are eligible for PTO. Temporary and part-time employees are not eligible for PTO. PTO does not accumulate on overtime hours or on hours not worked, such as when you are using PTO or are on a leave of absence. You may begin using your PTO at any time after it is assigned, however you may not use PTO in advance. PTO does not accumulate and roll over each year.

| <b>Years of Experience</b> | <b>Approximate Weeks Off for Full Time Employees</b> |
|----------------------------|--|
| Year 1                     | (2 weeks)  |
| Year 2-5                   | (3 weeks)  |

**(3.4.2.2.1) Approval**

PTO requests must be approved by the employee's immediate supervisor prior to the absence, unless the absence is a sick-day and prior notification is not possible.

**(3.4.2.2.2) Unused PTO for Hourly Employees – Does not Apply**

**(3.4.2.3) Vacation**

Hourly employees who normally work during the following times will be provided holiday pay for the following days. The amount to be paid will be based on the annual average hours worked per day, which is calculated by finding the sum of hours in the work agreement with the employee divided by 52, divided by 5.

**Paid Holidays Time – Salaries include the following paid holidays**

**All full time personnel employed for 52 weeks are entitled to the following paid holidays:**



- Independence Day
- Labor Day
- Veterans Day
- Thanksgiving (total of 2 days)
- Winter Break (total of 3 days - Schedule to be determined by the Director/Administrator) Christmas Eve day, Christmas Day & New Year's day)
- Martin Luther King, Jr. Day
- Memorial Day

**(3.4.2.4)**

***Overtime Pay***

Whether an employee is exempt from or subject to overtime pay will be determined on a case-by-case basis and will be indicated in the employee's job description.

Non-exempt employees may be required to work beyond the regularly scheduled workday or workweek as necessary. In determining whether non-exempt employees are entitled to overtime pay, only actual hours worked in a given workday or workweek will be considered. All overtime work must be previously authorized by the Director/Administrator. The organization provides compensation for all overtime hours worked by non-exempt employees in accordance with state and federal law as follows:

For employees subject to overtime, all hours worked in excess of eight (8) hours in one workday or forty (40) hours in one workweek shall be treated as overtime.

Compensation for hours in excess of forty (40) for the workweek or in excess of eight (8) but not more than twelve (12) for the workday, and for the first eight (8) hours on the seventh consecutive day in one workweek, shall be paid at a rate of one and one-half times the employee's regular rate of pay. Compensation for hours in excess of twelve (12) in one workday and an excess of eight (8) on the seventh consecutive workday of the workweek shall be paid at double the regular rate of pay. Workweeks begin each Sunday at 12:01 a.m.

**(3.4.3)**

**Benefits**

The organization provides a comprehensive Benefit Plan which may vary from year to year as determined by the Board of Directors.

**(3.4.3.1)**

***Eligibility***

Regular employees who work at least thirty (30) hours per week including job-share employees are eligible for benefits, per individual contracts.

- **Initial Enrollment:** Enrollment and change forms are due in the office within thirty (30) calendar days of hire or change of eligibility status. Coverage becomes effective the first day of the month following thirty (30) days of employment in an eligible benefit status.
- **Open Enrollment:** The Board provides an annual open enrollment period during which an employee may add, cancel, or change coverage. If no action is taken

by the employee to change coverage, previous coverages will continue for the next calendar year.

**(3.4.3.2) Organizational Contribution**

The organization contributes toward the cost of certain employee benefits each pay period during the school year in which a paycheck is earned. In any period during which a paycheck is not earned, the employee will owe both the organization contribution amount and the normal insurance deductions. Organizational contribution amounts vary and are determined by the Board annual.

**(3.4.3.3) Termination of Coverage**

Insurance coverage ends the last day of the month in which an employee no longer meets eligibility requirements or terminates employment.

**(3.4.3.4) Leaves of Absence**

While on an approved, unpaid leave of absence, employees are required to pay the entire cost of all insurance plans, including the organization paid portion in order for coverage to continue. The appropriate person(s), agencies, and/or organizations must receive payment by the first of each month. Insurance coverage will be canceled for nonpayment if full payment is not received by the due date. When an employee is on an approved leave, the employee is responsible only for payment of the portion of premium(s) the employee normally pays. Nonpayment of premiums will result in cancellation of coverage.

**Suspension Without Pay:** While on suspension without pay, an employee is considered to be on unpaid leave of absence. As such, the employee is entitled to maintain insurance coverage by paying the total cost of insurance. If the employee elects to continue insurance and is reinstated, the employee will be refunded the organization contribution paid during the period of suspension. If the employee elects to continue insurance and is not reinstated, the insurance will terminate the last day of the month in which the employee is dismissed. If the employee chooses not to continue insurance and is reinstated, insurance will be reinstated the first of the month following the date of the final order and the employee will be responsible for any regular employee contributions.

**(3.4.3.5) Worker's Compensation**

The organization provides Workers' Compensation benefits pursuant to Florida law.

**(3.4.4) Miscellaneous**

**(3.4.4.1) Reclassification**

Employees who complete educational degrees or obtain a professional teaching certificate that would necessitate a move on the salary schedule or hourly rate are required to provide appropriate documentation to the Director/Administrator. Such changes to the salary shall only be made at three times during the year: at the start of the fiscal year, at the start of the school year, at the start of second semester of the school year.

**(3.4.4.2) Retroactive Payments**

When salary and benefit agreements are reached, any approved retroactive payments due employees will be paid only to those in active pay status on the date of Board approval.

**(3.4.4.3) *Return of Overpayments***

If an employee is overpaid due to an error, resignation, or any other reason, the Organization is entitled to recover any overpayment.

**(3.4.4.4) *Payroll Withholdings***

The organization shall withhold taxes from each employee's pay according to the law. Every deduction from your paycheck is explained on your check voucher. If you do not understand the deductions, ask the Bookkeeper to explain them to you.

You may change the number of withholding allowances you wish to claim for Federal Income Tax purposes at any time by filling out a new W-4 form and submitting it to the Bookkeeper or designee. The office maintains a supply of these forms.

All Federal, State, and Social Security taxes will be automatically deducted from paychecks. Federal Withholding Tax deduction is determined by the employee's W-4 form. The W-4 form should be completed upon hire and it is the employee's responsibility to report any changes in filing status to the Bookkeeper or designee and to fill out a new W-4 form.

**(3.5) *Dual Employment***

An employee may provide services regarding a non-school developed curriculum or program or participate in programs sponsored by other agencies when approved in writing by the Director/Administrator or his designee. An employee who chooses to request temporary paid leave when engaged in such activities must remit to the organization any remuneration (honorariums, stipends, consultant service fees, etc.) received. In addition, the employee shall remit any travel expense reimbursement provided by the sponsoring agency to the organization when the organization is liable for travel expenses authorized by the approved request.

An employee may not retain such compensation without utilizing personal leave chargeable to Paid Time Off (PTO), or personal leave without pay. An employee wishing such compensation must request the leave through the submittal and approval of the prescribed forms. The organization will not be responsible for workers' compensation or liability protection or any benefits for employees on personal leave.

An employee providing consultation concerning a curriculum developed by the organization or an individual school operated by the organization, must remit to the school any remuneration received.

**(3.6) *Substitutes***

The organization will utilize only qualified substitutes for all employee groups. The Director/Administrator or designee will develop procedures for reporting absences, assigning substitutes and developing a substitute compensation plan.

Substitute teachers shall meet all legal requirements for substitute teachers. The rate of compensation shall be according to the annual school budget approved by the Board of Directors. Records shall be kept by the Bookkeeper concerning number of days taught by substitutes and the amount of funds expended. The Board of Directors may be informed concerning this data at periodic intervals.

Staff members who require substitutes are responsible for making arrangements for substitutes themselves. A list of potential substitutes will be supplied to staff members annually.

## **(3.7) Leaves**

### **(3.7.1) Family and Medical Leave (FMLA)**

University Academy makes available various types of unpaid, job protected leave in accordance with the requirements of the Family and Medical Leave Act of 1993 (FMLA).

#### **(3.7.1.1) Eligibility**

Employees are eligible for unpaid FMLA leave if they:

- 1 have a cumulative (not necessarily continuous) 12 months of prior service;
- 2 have worked at least 1250 hours during the 12 months immediately preceding the date on which the FMLA leave would commence; and,
- 3 work at a location where at least 50 employees are employed within a 75-mile radius.

#### **(3.7.1.2) Basic Leave**

For eligible employees, up to 12 weeks of unpaid leave, in a 12-month period, is available for one or more of the following purposes:

- For the birth and care of a newborn child of the employee;
- For the care and/or placement of a child for adoption or foster care;
- To care for a spouse, child, or parent who has a serious health condition; a child, for purposes of this policy, includes an individual who is either (1) under the age of 18 or (2) older than 18 but incapable of self-care because of a physical or mental disability;
- For your own serious health condition.

The 12-month period is measured on a “rolling backward” basis. Leave measured on a rolling backward basis is measured backward from the date any FMLA leave would commence.

#### **(3.7.1.3) Qualifying Exigency Leave**

For eligible employees, up to 12 weeks of unpaid leave, in a 12-month period, is available for an eligible employee where the employee’s spouse, son, daughter or parent is on “covered active duty” and leave is needed for a “qualifying exigency.”

Covered Active Duty includes: (1) in the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country; and (2) in the case of a member of a reserve component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country under a call or order to active duty. A “qualifying exigency” is:

- Short notice deployment;
- Military events and related activities;
- Childcare and school activities;
- For the purpose of making financial and legal arrangements;
- Rest and recuperation;
- Post-deployment activities; and/or,
- Additional qualifying activities.

The “rolling backward” method used for measuring “Basic Leave” is also used to measure the 12-month period for “Qualifying Exigency Leave.”

**(3.7.1.4)**

***Covered Service Member Care Leave***

Leave is available for an eligible employee to care for a spouse, child, parent or next-of-kin who:

- is a current member of the Armed Forces or a member of the Armed Forces who is on the temporary disability list, and who has a “serious injury or illness” for which he or she is undergoing medical treatment, recuperation, or therapy; or, otherwise in outpatient status; or, otherwise on the temporary disability retired list, or
- is a veteran of the Armed Forces who is undergoing medical treatment, recuperation, or therapy, for a “serious injury or illness” and who was a member of the Armed Forces at any time during the period of 5 years preceding the date on which the veteran undergoing the medical treatment, recuperation, or therapy.

For purposes of this section the following definitions apply:

- the term “Armed Forces” includes Armed Forces, National Guard, and Reserves.
- the term “serious injury or illness” means:
  - For current members of Armed Forces – an injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or existed before the beginning of the member’s active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that render the member medically unfit to perform the duties of the member’s office, grade, rank, or rating.

- For veterans of the Armed Forces – an injury or illness that was incurred by the member in line of duty on active duty on the Armed Forces (or existed before the beginning of the member’s active duty and was aggravated by service in line of duty on active duty on the Armed Forces) and that manifested itself before or after the member became a veteran.
- Next-of-kin of a covered service member is the nearest blood relative other than the covered service member’s spouse, son, or daughter, unless the covered service member has specifically designated in writing another blood relative as his or her nearest blood relative for purposes military caregiver leave under the FMLA.

For Covered Service Member Care leave only, an employee is entitled to 26 work weeks of leave during any single 12-month period measured on a “rolling forward” basis. Service member Care leave measured on a rolling forward basis will be measured using the 12-month period forward from the date of the employee’s first instance of Service Member Care leave.

**(3.7.1.5) Intermittent Leave**

Eligible employees may take leave intermittently, as blocks of time off or in the form of reducing the employee’s normal weekly or daily schedule. If the employee needs leave intermittently or on a reduced-leave schedule for planned medical treatment, it is the employee’s obligation to schedule the treatment so as not to unduly disrupt the organization’s operations. Further, intermittent leave or leave on a reduced-leave schedule must be medically necessary due to a serious health condition or a serious injury or illness, except in the case of intermittent leave for a Qualifying Exigency. In addition, employees are permitted to take intermittent leave for the birth of a child or placement of a child for adoption or foster care; however, intermittent leave for these reasons is only permitted upon the approval of the Board.

**(3.7.1.6) Giving Notice of the Need for Leave**

Absent extenuating circumstances, an employee must provide the organization with at least 30 days’ advance written notice before FMLA leave is to begin. Failure to do so may cause delay or denial of leave.

If the need for leave is unforeseeable, then the employee must provide notice to the organization as soon as practicable under the facts and circumstances of your particular situation. For unforeseen leave, you must follow the normal procedure for contacting your supervisor to report an absence.

**(3.7.1.7) Approval**

The organization will generally notify you within 5 business days of receipt of your request for FMLA leave of your eligibility to take Family and Medical Leave. If you are not eligible, the organization will tell you why.

**(3.7.1.8) Providing Evidence of Need for Leave**

In most cases, the organization will request that the employee provide additional information regarding certification of the leave by providing the employee with a Certification form, specific to the type of leave the employee is requesting, to be

completed and returned to the Director/Administrator. Certification forms and any other requested documentation must be returned to the Director/Administrator within fifteen (15) days of the organization request for Certification (absent extenuating circumstances).

**(3.7.1.9) Designation of Leave**

Within five (5) business days after the employee has submitted the appropriate Certification form and/or the organization has sufficient information to determine whether the leave requested is FMLA covered, the Director/Administrator will complete and provide the employee with a written response to the employee's request for FMLA leave.

**(3.7.1.10) Intent to Return to Work from FMLA Leave**

Consistent with the manner in which the organization addresses other types of medical and personal leave, the organization may require an employee on FMLA leave to report periodically on the employee's status and intent to return to work.

**(3.7.1.11) Pay During Leave**

If the employee has available Paid Time Off (PTO), the organization requires the employee to use the remaining PTO at the start of FMLA leave. Once PTO is exhausted, the employee will go on unpaid leave. Both paid and unpaid leave count towards the 12 or 26-week (in the case of Covered Service Member Care Leave) limit.

**(3.7.1.12) Benefits During Leave**

Health insurance benefits will be maintained during leave, however, the employee must continue to pay his or her share of any premiums. If the employee falls more than thirty (30) days behind in making payments, the coverage may be canceled. In addition, should the employee fail to return to work at the expiration of the approved leave, under certain conditions, the organization is entitled to recover any premiums it paid on the employee's behalf in order to maintain the coverage. All insurances and retirement deposits other than health insurance shall be the employee's responsibility.

**(3.7.1.13) Return from Leave**

Upon the employee's release to return to work, the employee will be restored to the same or equivalent position, unless the employee would not otherwise have been employed at the time of reinstatement (e.g., due to an intervening reduction in force or discharge for misconduct or poor performance). The organization reserves the right not to rehire a "key" employee if rehire would cause substantial economic harm to the organization's operation. For the purpose of this policy, key employees are generally those in the top 10% of compensation.

**(3.7.1.14) Return From Leave**

**Fitness-For-Duty Certification:** Any employee who takes leave for the employee's own serious health condition will be required, as a condition of restoration, to obtain and provide certification that the employee is able to resume work and is able to perform the essential functions of his or her job. The cost of the Fitness-for-Duty Certification is paid by the employee. The organization may delay or deny restoration to employment if a Fitness-for-Duty Certification is not provided. The organization will request a Fitness-for-Duty Certification for leave taken on an intermittent or reduced-leave schedule

basis, if reasonable safety concerns exist regarding the employee's ability to perform his or her duties based on the serious health condition for which the employee took leave.

**(3.7.1.15) *Taking More than the Allowed Leave***

The organization is unable to keep jobs open indefinitely. If an employee fails to return to work at the end of an approved leave of absence, including any extension of the leave, the employee will be considered to have voluntarily terminated employment.

**(3.7.1.16) *Employee Rights and Responsibilities***

The Department of Labor has prepared a summary of an Employee's Rights and Responsibilities under the FMLA. This summary is available to any employee upon request or by visiting <http://www.dol.gov/whd/regs/compliance/posters/fmlaen.pdf>.

**(3.7.2) *Military***

If you enter military service while working for the organization, you will not lose your status as a regular employee. You will be given an unpaid leave of absence for the duration of your initial tour of duty and your time in the service will count toward your length of service with the organization. If you are a member of a reserve component of the armed forces, you will be granted unpaid leaves necessary to fulfill the requirements of this affiliation. You may use your vacation time instead of leave time for this purpose if you prefer, but you are not required to do so.

If you apply for reemployment within the time specified by federal law following an honorable discharge from the service, you will be given employment comparable to the position you previously held.

**(3.7.3) *Personal Leave of Absence without Pay***

Should a situation arise that temporarily prevents an employee from working, he/she may be eligible for a personal leave of absence without pay not to exceed 12 continuous weeks. However, employees must be employed for at least 12 months prior to the requested leave. Any request for a leave of absence without pay must be submitted in writing as far in advance as possible and it will be reviewed on a case-by-case basis by the Director/Administrator. The decision to approve or disapprove is based on the educational requirements of the students, the business needs of the school, the length of time requested, the employee's job performance and attendance and punctuality record, the reasons for the leave, the affect the employee's absence will have on the work in the department and the expectation that the employee will return to work when the leave expires. Leaves of absence will be considered only after all PTO leave has been exhausted.

Any planned salary increase for an employee returning from an unpaid leave of absence without pay will be deferred by the length of the leave.

Due to the nature of our business, the organization cannot guarantee either that an employee's job will remain available or that a comparable position will exist when return from an unpaid leave is sought. When an employee is ready to return from a leave of absence without pay, the organization will attempt to reinstate the employee to his/her former position or to one with similar responsibilities. If the position or a similar position



is not available, the organization will search for a suitable position for 30 days from the date the unpaid leave was to officially end. The employee will not be paid for this time. If the employee has not been placed by the end of this period, he/she will be administratively terminated.

An employee who returns to work following an unpaid leave will be considered as having continuous service. If an employee does not return from an unpaid leave of absence without pay, the termination date is the last day of the authorized leave period or the date the employee notifies the Director/Administrator that he or she is not returning, whichever is earlier. Employees who have been administratively terminated pursuant to this paragraph may be considered for reemployment.

**(3.7.4) Jury Duty**

If an employee is called for jury duty during a period you are regularly scheduled to work, you are not required to use PTO to cover your absence. When you are not impaneled for actual service and only on call, you shall report back to work unless authorized by your supervisor to be absent from your work assignment.

**(3.7.5) Bereavement**

When a death occurs in a regular full-time employee's immediate family, that employee may take up to three (3) days off with pay to attend the funeral or make funeral arrangements. The pay for time off will be prorated for a part-time employee if the funeral occurs on a scheduled work day. The organization reserves the right to require verification of the need for the leave. For the purposes of this policy, immediate family is defined as employee's spouse, parents, stepparents, siblings, children, stepchildren, grandparent, father-in-law, mother-in-law, sister-in-law, son-in-law, daughter-in-law, or grandchild. Should additional time off be needed, the employee may make arrangements with the Director/Administrator for additional PTO or unpaid days off.

**(3.8) Employee Behavior**

**(3.8.1) Hours of Duty**

Full time employees are required to work 8 hour days. Part time employee's hours may range from 2 hours to 6 hours a day, as determined by individual employee contracts.

**(3.8.2) Professional Conduct**

Employees shall not use the classroom, any part of school facilities, or out in the community as a platform for making disparaging remarks against students, parents, teachers or administrators. Conduct contrary to this policy will constitute grounds for disciplinary action up to and including dismissal. Upon the first offense the employee will receive a written reprimand/warning by the Administrator. The letter will be placed in the personnel record. Upon the second incident dismissal will be at the discretion of the Director/Administrator.

**(3.8.2.1) Ethical Standards**

All employees are required to comply with SBE Rule 6B-1.001, Code of Ethics of the Education Profession in Florida and SBE Rule 6B-1.006, Principles of Professional Conduct for the Educational Profession in Florida.

**(3.8.2.2) Reporting Requirements**

It is the duty of all employees to promptly report to the Director/Administrator or the Board Chairperson any alleged misconduct by any employee that affects the health, safety or welfare of a student. Failure of an employee to report such misconduct shall result in disciplinary action. The report may be made verbally, however, the Director/Administrator or Board Chairperson may request a written explanation, which the employee shall be required to provide.

**(3.8.2.3) Investigation**

The Director/Administrator shall investigate any allegation of misconduct by an employee that affects the health, safety or welfare of a student. In the event that the allegation is made against the Director/Administrator, the Board Chairperson may contact the authorizing school district to assist with investigating the situation.

Upon receiving a complaint of misconduct, a prompt preliminary investigation will be undertaken to determine if a reasonable basis exists. If the allegation warrants further investigation, the employee who is alleged to have committed such misconduct shall be reassigned to a position not requiring direct contact with students, or shall be placed on administrative leave with pay pending the outcome of the investigation.

Information related to the alleged misconduct shall be confidential during the investigation.

**(3.8.2.4) Legally Sufficient Complaint**

The Director/Administrator or Board Chairperson shall file any legally sufficient complaint with the Department of Education within thirty (30) days after the date the school became aware of the subject matter of the complaint. A complaint is considered to be legally sufficient if it contains ultimate facts that show that an instructional or administrative employee has committed a violation as provided in 1012.795, F.S., and defined by State Board of Education rule.

**(3.8.2.5) Resignation or Retirement in Lieu of Termination**

The organization, or any of its employees, shall not enter into a confidentiality agreement regarding terminated or dismissed instructional personnel or administrators, or personnel or administrators who resign in lieu of termination, based in whole or in part on misconduct that affects the health, safety, or welfare of a student, and may not provide instructional personnel with employment references or discuss the personnel's performance with prospective employers in another educational setting, without disclosing the personnel's or administrators' misconduct.

**(3.8.2.6) Training**

All employees shall be offered the opportunity to go through training on the Code of Ethics and Principles of Professional Conduct. Annually employees will be reminded of the reporting requirements of this policy, and participate in a refresher discussion regarding the Code of Ethics and Principles of Professional Conduct.

**(3.8.2.7) Confidentiality**

Employees, volunteers, and board members are bound by ethical and legal codes to protect the confidentiality and privacy of our students and their families and to protect

and maintain the confidentiality of all information related to them. Confidential communications include conversations, grades, progress, reports, forms, correspondence, and computer generated communications with, about or involving in any way any students or their families.

**(3.8.3)**

**Professional Standards**

Employees are expected to observe certain standards of job performance and good conduct. When performance or conduct do not meet organizational standards, the school will endeavor when it deems appropriate to provide the employee a reasonable opportunity to correct the deficiency. If, however, the employee fails to make the correction, he or she will be subject to discipline, up to and including termination.

The rules set forth below are intended to provide employees with notice of what is expected of them. Necessarily, however, such rules cannot identify every type of unacceptable conduct and performance. Therefore, employees should be aware that conduct not specifically listed below but which adversely affects or is otherwise detrimental to the interests of the school's other employees, students or parents may also result in disciplinary action.

**(3.8.3.1)**

***Job Performance***

Employees may be disciplined for poor job performance, including but not limited to the following:

- Below-average work quality or quantity;
- Poor attitude (for example, rudeness or lack of cooperation);
- Excessive absenteeism, tardiness, or abuse of break and lunch privileges;
- Failure to follow instructions or School procedures; or
- Failure to follow established safety regulations.

**(3.8.3.2)**

***Misconduct***

Employees may be disciplined for misconduct, including but not limited to the following:

- Insubordination;
- Dishonesty;
- Theft;
- Discourtesy;
- Misusing or destroying organization's property or the property of another on organization's premises;
- Violating conflict of interest rules;
- Disclosing or using confidential or proprietary information without authorization;

- Falsifying or altering Organization's records, including the application for employment;
- Interfering with the work performance of others;
- Altercations;
- Harassing, including sexually harassing, employees, students or parents;
- Being under the influence of, manufacturing, dispensing, distributing, using, or possessing alcohol or illegal or controlled substances on Organization property or while conducting School business;
- Gambling on School premises or while conducting organization business;
- Sleeping on the job or leaving the job without authorization;
- Possessing a firearm or other dangerous weapon on organization property or while conducting organization business; [or]
- Being convicted of a crime that indicates unfitness for the job or raises a threat to the safety or well-being of organization, its employees, students, parents or property; or
- Refusing to submit to testing for drugs and/or alcohol.

**(3.8.3.3)**

***Attendance***

In addition to the general rules stated above, employees may be disciplined for failing to observe the following specific requirements relating to attendance:

- Reporting to work on time, observing the time limits for rest and lunch periods, and obtaining approval to leave work early; and
- Notifying the Director/Administrator in advance of anticipated tardiness or absence.

**(3.8.4)**

***Discipline Procedure***

Except as set forth elsewhere in the organization's policies, discharge for poor performance ordinarily will be preceded by an oral warning and a written warning.

The organization reserves the right to proceed directly to a written warning for either misconduct or performance deficiency, or to terminate for misconduct without resort to prior disciplinary steps, when the organization deems such action appropriate.

**(3.8.4.1)**

***Suspension and/or Dismissal of Instructional and Administrative Support Personnel During Contract Period***

Suspension of instructional and administrative personnel during the contractual period shall be by the Director/Administrator. Whether such suspension will be with or without pay will be at the discretion of the Director/Administrator. The Director/Administrator (or designee) shall promptly notify each employee in writing who has been suspended or dismissed and set forth the basis for suspension or dismissal.

**(3.8.5) Employment At Will**

Nothing in this Guideline is intended to alter the at-will status of employment with the organization.

**(3.8.6) Conflicts of Interest**

No employee or directors of the organization shall solicit students, employees, or the organization for the selling of goods and services, other than as part of a school or PTA/PTO activity.

No employee shall accept any gift, favor, or service of value from companies or organizations that now are engaged in, or are being considered for, doing business with the organization, with the exception of the PTA/PTO.

Expenses for trips to evaluate products or equipment shall be paid by the organization if previously approved by the Director/Administrator or designee. However, once equipment is purchased or leased, personnel may attend training sessions at the expense of the organization if training is included as a service within the purchase or lease price, and is approved by the Director/Administrator.

When a seminar, training, or educational meeting or session is provided by an industry representing more than one company and offered at no cost, or at reduced or partial costs, to staff, and the resulting knowledge or training is judged by the Director/Administrator (or designee) to be in the organization's interest with no advantage or obligation given to an individual company, and to be no conflict of interest, the Director/Administrator (or designee) may authorize attendance.

No employee shall accept other employment which might impair the employee's independence of judgment in the performance of duties for the organization.

Violation of this policy may constitute grounds for dismissal from employment.

**(3.8.7) Financial Obligations**

Employees are expected to handle their personal financial obligations in such manner as to prevent the involvement of the organization.

**(3.8.8) Political Activities**

Employees are not allowed to conduct activities that support or denounce individual political candidates, views, or any issue on any referendum matter during work hours on organization property or while conducting activities for the organization.

**(3.8.8.1)** An employee who has been elected to a municipal, county, or national office shall, during the periods of time when he/she is required to be absent from duty, take leave in accordance with Leave Policies.

**(3.8.8.2)** No employee of the organization, or any other person, shall send political literature from the school to the home via the students, post any political literature on school property, nor permit such postings by another person. The display of a political sign on an organization employee's personal vehicle used going to and from work is not prohibited by this section.

**(3.8.9)**

**Academic Freedom**

It is the rightful duty of a qualified teacher to encourage within students a never-ending search for truth in its many forms. Such a search may inevitably lead to areas of controversy. It is the belief of the organization that discussion of such issues, dealing with local, state, national and international affairs, shall be encouraged. Free, logical, and intelligent dialogue within the classroom is a necessity in the search for truth. Such freedom of expression should be viewed, not simply as a constitutional guarantee, but as a fundamental necessity for the successful practice of scholarship in a free society. All sides of such controversial issues shall be presented where reasonable and feasible in the judgment of the teacher and Director/Administrator.

It is recognized that the application of this principle in a K-12 program differs somewhat from its application at higher educational levels. Teachers shall consider the relative level of maturity of their students and their need for guidance in the study of such issues to arrive at objective and balanced views.

Teacher use of potentially controversial materials: It is the responsibility of the teacher (or other instructional staff member) that intends to use materials that may be considered offensive to reasonable persons within the community, to notify the Director/Administrator of the potentially controversial materials. It is the Director's/Administrator's responsibility to insure that the materials used are at grade level or below, and appropriate and consistent with the Sunshine State Standards. If the materials are potentially controversial, a notice will be sent home to the parents giving them the opportunity to allow their student to do an alternative project.

**(3.8.10)**

**Reporting Legal Infractions**

All employees are required to promptly notify the Director/Administrator or Board Chairperson if they are arrested or given a Notice to Appear for any criminal offense, including driving under the influence (DUI) and other criminal traffic offenses and local ordinance violations punishable by any period of incarceration, or charged in any way with such offenses. In the event that the employee in question is the Director/Administrator, he or she shall report said legal infraction(s) to the Chairman of the Board. Once a report has been made, the supervisor shall determine whether this offense could make the employee ineligible for employment under § 1012.315, F.S., and take such actions as are deemed necessary.

**(3.8.11)**

**Whistleblower Policy**

The organization requires its directors, officers, employees, and volunteers to observe high standards of ethics in the conduct of their duties and responsibilities within the organization. As representatives of the organization, such individuals must practice honesty and integrity in fulfilling their responsibilities and must comply with all applicable laws and regulations. The purpose of this policy is to create an ethical and open work environment, to ensure that the organization has a governance and accountability structure that supports its mission, and to encourage and enable directors, officers, employees, and volunteers of the organization to raise serious concerns about the occurrence of illegal or unethical actions within the organization before turning to outside parties for resolution.

All directors, officers, employees, and volunteers of the organization have a responsibility to report any action or suspected action taken within the organization that is illegal, unethical or violates any adopted policy of the organization. Anyone reporting a violation must act in good faith, without malice to the organization or any individual at the organization and have reasonable grounds for believing that the information shared in the report indicates that a violation has occurred. A person who makes a report does not have to prove that a violation has occurred. However, any report which the reporter has made maliciously or any report which the reporter has good reason to believe is false will be viewed as a serious disciplinary offense. No one who in good faith reports a violation, or who, in good faith, cooperates in the investigation of a violation shall suffer harassment, retaliation, or adverse employment action. .

**(3.8.12)**

**Occupational Safety**

The organization is committed to the safety of its employees, vendors, contractors and the public and to providing a clear safety goal for management.

The prevention of accidents is the responsibility of every employee. It is also the duty of all employees to accept and promote the established safety regulations and procedures. Every effort will be made to provide adequate safety training. If an employee is ever in doubt how to perform a job or task safely, assistance should be requested. Unsafe conditions must be reported immediately.

It is the policy of the organization that accident prevention shall be considered of primary importance in all phases of operation and administration. The organization's administration is required to provide safe and healthy working conditions for all employees and to establish and require the use of safe practices at all times.

Failure to comply with or enforce the organization's safety and health rules, practices and procedures could result in disciplinary action up to and including possible termination.

**(3.8.12.1)**

***Accident/Incident Reporting***

It is the duty of every employee to immediately, or as soon as is practical, report any accident or injury occurring during work or on the organization's premises so that arrangements can be made for medical or first aid treatment, as well as for investigation and follow-up purposes.

**(3.9)**

**School Rights**

**(3.9.1)**

**Employment of Relatives**

No prospective employee shall be hired in which a close relative holds an administrative or supervisory position that directs an employee directly or indirectly.

No prospective employee shall be hired without disclosure of a close relative holding any position within the school or as a member of the Board of Directors.

If a close relative is employed by the organization, both parties shall agree in writing to maintaining professional conduct while on duty or at school related activities.

If the close relative is a member of the Board of Directors, the Board member shall abstain from any motions that directly involve employment matters or financial gain for the specific relative employee.

Close relative shall be defined as the first degree of kindred: husband, wife, father, mother, brother, sister, son, daughter, and in-laws of the same degree.

**(3.9.2) Pre-Work Physical Examinations**

Pre-work physical examinations are required of some employees, as mandated by Florida Law, and as prescribed by these policies.

**(3.9.3) Initial Appointment**

Except as otherwise provided for in Florida Statute, applicants for teaching positions must be eligible for a Florida Certificate and qualified for the positions for which they are recommended.

Employment decisions shall be made only by the Director/Administrator. The organization may offer contracts to outstanding applicants as early as November in anticipation of openings for the following school year. Priority shall be given to the employment of elementary teachers who are competent to teach reading and/or mathematics skills and concepts. Teachers, who profess such competencies but do not or cannot demonstrate them, whether deliberately or not, may be terminated at the discretion of the Director/Administrator. The organization may require newly appointed teachers to participate in staff development. Such training shall be given outside regular school hours at no cost to the teacher.

Employment decisions shall be made by the Director/Administrator, subject to guidelines and requirements set forth by the Board of Directors and to the annual budget.

**(3.9.3.1) Background Screening**

Prior to employment, candidates must be screened by the organization using the Department of Education's electronic screening tools. The school shall also check each reference from the prospective employee's previous employers and character references when provided and reasonably feasible. All employment candidates that pass the screening shall undergo a level 2 background check with the school district to ensure they are eligible for employment under § 1012.315, F.S.

**(3.9.3.2) Initial Probationary Period**

Employees shall be subject to an initial probationary period of ninety (90) calendar days. Should the employee be discharged for unsatisfactory performance during such initial probationary period, as provided in Section 443.131, Florida Statutes, the School will not be liable for any unemployment compensation benefits.

**(3.9.4) Employee Evaluations**

**(3.9.4.1) Intent**

It is the intent of the organization that assessments of personnel be used for two reasons: 1) Determining the suitability for retention of the continuing and professional service of contract personnel; and 2) Method of assisting staff in their professional



development to best impact the education of students and operation of the school. The organization acknowledges and agrees to follow all legal requirements as set forth in Florida Statute as they apply to charter schools.

**(3.9.4.2)**

***Observations***

Teachers will have formal observations during the academic year by the individual's supervisor. The evaluation procedure is described in detail in the Instructional Assessment Manual that was approved by the DOE and the Bay County School Board. The supervisor will share with the Teacher the evaluation criteria and expectations prior to conducting an observation. The supervisor will either provide a written summary or a personal conference to discuss the results the observation within two weeks after the observation.

**(3.9.4.2.1)**

***Foundations***

Teacher evaluations and observations shall be based on the Florida Educator Accomplished Practices, or the Florida Leadership Standards for administrative staff members. These standards are defined in Florida Administrative Codes.

**(3.9.4.3)**

***Student Performance Data***

Professional staff members shall have a portion of their annual evaluation based upon student performance indicators, as required by Florida law. If the student performance data is not available prior to the due date of the annual evaluations, the evaluations may be amended to incorporate the data once it becomes available.

**(3.9.4.4)**

***Annual Evaluation***

Each staff member will receive a written annual evaluation each year, and the evaluation shall be presented to the employee each year before the last working day of the school year.

**(3.9.4.4.1)**

***Individual Writing Evaluation***

Each employee shall be notified at the start of each year who will be conducting their annual evaluation. Teachers and support staff will be supervised by an administrative member of the staff. The Director/Administrator will be evaluated by the Board of Directors.

**(3.9.4.4.2)**

***Categories***

As required by law, the organization shall use the following indicators of student performance as the result of the annual evaluation: Highly Effective, Effective, Needs Improvement or Unsatisfactory. For teachers in their first 3 years of employment, the Needs Improvement rating shall be replaced by Developing.

**(3.9.4.4.3)**

***Miscellaneous***

Following the completion of the evaluation, the supervisor shall meet with the employee to discuss the evaluation. Employees may provide a written response to the evaluation as a permanent attachment to the evaluation. Employees will be expected to sign the evaluation; however the signature does not necessarily indicate consent with the findings, only that the employee has received a copy of the evaluation. If the employee refuses to sign the document, the supervisor shall provide a written amendment

documenting the date the evaluation was discussed with the employee and that the employee refused to sign the document acknowledging its receipt.

**(3.9.4.4.4) *Unsatisfactory Evaluations***

If an employee has received an unsatisfactory performance assessment or concerns exist throughout the year such as following a formal observation, the supervisor shall confer with the employee and shall make specific recommendations for actions the supervisor believes should result in improvement. The supervisor and employee shall develop a plan which shall include a prescribed period of time in which the corrective actions must be completed. If the employee has received an unsatisfactory evaluation, the employee shall be placed on a 90-day probationary period in which the employee shall receive assistance and training to correct the deficiencies noted in the evaluation.

**(3.10) Employee Rights and Responsibilities**

**(3.10.1) Professional Education**

The organization and the school district conduct various types of professional development opportunities which shall serve to increase the efficiency of all staff members, instructional, administrative and supportive. Staff members are expected to participate in such professional education activities. Days and times designated as pro-ed or training must be used as such unless the Director/Administrator agrees to another use of the time in writing.

**(3.10.2) Copyrights and Patents**

In those instances in which a product is clearly outside the job description of an employee, the results of those employee's work are the employee's private property. Organization employees have the privilege to do research, write articles, pamphlets and books, and to present papers before learned societies, to enter into contracts for the publication of their works, to procure copyrights and patents for their products, and to receive royalties that may accrue to them as a result of the sale of such works. Such work may not interfere with the performance of the employee's regular or assigned duties.

When such a product is connected with the employee's work assignment, and the employee desires to obtain a copyright or patent, a written outline of the project and a statement of the employee's intent to acquire a copyright or patent shall be presented to the Director/Administrator who shall have sixty (60) days to determine whether the school shall have an interest in such a product. If, at the end of such a sixty (60) day period, the employee has received no such statement from the Director/Administrator, the employee shall be free to consider such a product as personal property. In the event the Director/Administrator informs the employee that the organization has an interest in such product, the employee and the organization may enter into whatever contractual agreement(s) may be in their mutual interests.

**(3.10.3) Reproduction of Copyrighted Materials**

Organization employees are expected to be familiar with and adhere to the provisions of the copyright laws currently in force under Title XVII of the United States Code. Any reproduction of copyrighted materials shall be done either with permission of the

copyright holder or within the bounds of the “fair use” doctrine of the copyright law; otherwise, the individual employee responsible for reproduction may be liable for breach of copyright under existing laws.

**(3.10.4) Transporting Students**

No employee will transport students. This organization does not expect employees to transport students except when such transportation is provided during an emergency-

An employee only transports students at the direction of the Director/Administrator.

**(3.10.5) Smoking of Tobacco Products on School Property**

The purpose of this policy is to comply with the “Florida Clean Indoor Air Act” in protecting the public health, comfort and environment by creating areas in all school facilities that are free from tobacco smoke. No person may be in possession of a lighted cigarette, electronic cigarette, personal vaporizer, electronic nicotine delivery system, lighted pipe, lighted cigar, or any other lighted tobacco product, in any school facility, including the outside grounds, or within 100 feet of any building or area used by the organization. No areas for smoking shall be designated on the organization’s property, or within 100 feet of any building or area used by the organization. Students and staff members found in possession of tobacco products will face disciplinary actions as described within this policy manual. Other adults found in possession may be restricted from access to organizational property based on the circumstances of the incident.

**(3.10.6) Drug-Free and Alcohol-Free Workplace**

This policy is derived from, and complies with, the Drug-Free Workplace Act of 1988. Additionally, the purpose of this policy is to comply with the Federal Highway Administration (FHWA) regulations for the establishment and implementation of anti-drug programs in the motor carrier industry as set forth in Title 49 of the Code of Federal Regulations (CFR) Parts 391 “Qualifications of Drivers” and 394 (Notification and Reporting of Accidents.” These parts of the CFR include, by reference, the requirements of 49 CFR Part 40 “Procedures for Transportation Workplace Drug Testing Programs” which apply to all Department of Transportation regulated industries and set forth the procedural requirements for testing, from urine sample collection through analysis and verification of test results.

**(3.10.6.1) Prohibition**

Employees are prohibited from engaging in the unlawful manufacture, distribution, dispensing, possession, being under the influence of, or use of alcohol and/or a controlled substance (as defined in Chapter 893 of the Florida Statutes): in the workplace; or during the workday; or when on duty; or in the presence of students or students’ families as part of any work-related activities. Violation of this prohibition shall result in appropriate disciplinary action up to and including termination and referral for prosecution.

**(3.10.6.2) Drug-Free and Alcohol-Free Workplace**

A drug-free and alcohol-free workplace shall be maintained. Each employee shall be given a copy of this policy as part of this Policy Manual. Additionally, each employee shall be notified that, as a condition of employment, the employee will abide by the terms of this policy and notify the employer of any criminal drug and/or alcohol statute

conviction for a violation occurring in the workplace no later than five days after such conviction. The employer will initiate certification/revocation proceedings pursuant to Section 1012.795 F.S. for certificated employees convicted of criminal charges. Within thirty (30) days of notification, appropriate personnel action against such an employee shall be taken, up to and including termination. Employees can also be required to participate satisfactorily in a drug and/or alcohol abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency.

**(3.10.6.3) *Drug and Alcohol Testing***

The organization retains the right to perform testing for Drugs and Alcohol at the following times:

- **Pre-employment testing:** All individuals whom the organization intends to hire on a permanent or temporary basis may be tested at the discretion of the organization.
- **Reasonable Suspicion Testing:** When a covered employee's conduct or appearance is directly observed as indicative of being under the influence of a drug or alcohol during on-duty time.
- **Post-Accident Testing:** As soon as practicable following an accident, a driver (unless deceased) shall be tested for alcohol and controlled substances when any person involved in the accident has been fatally injured or the covered employee received a citation for a moving traffic violation arising from the accident. Testing will be conducted not later than thirty-two (32) hours after the accident for drugs and not later than eight (8) hours after the accident for alcohol. For the purpose of this rule an accident is defined as an incident involving a commercial motor vehicle in which there is either a fatality, an injury treated away from the scene, or a vehicle is required to be towed from the scene.
- **Follow-Up Testing:** As part of or as a follow-up to counseling or rehabilitation the covered employee is subject to unannounced follow-up drug or alcohol testing. The covered employee shall be subject to a minimum of six (6) follow-up drug or alcohol tests in the first twelve (12) months.
- **Random Testing:** Random testing can be performed at any point in time at the discretion of the Director/Administrator.
- **Return to Duty Testing:** Before a covered employee returns to duty requiring the performance of a safety-sensitive function after engaging in a prohibited conduct the covered employee shall undergo a return-to-duty test. In the event a return-to-duty test is required, a substance abuse professional (SAP) must also evaluate the covered employee and the employee must participate in any assistance program prescribed.

**(3.10.6.4) *Testable Substances***

Individuals shall be tested for the following drugs: marijuana, cocaine, opiates, amphetamines, phencyclidine (PCP), alcohol, and all other illegal or controlled substances. Covered employees who engage in prohibited drug and/or alcohol related

conduct must be immediately removed from duties. Such removal shall be affected for the following, in addition to other actions deemed dangerous or improper by the Director/Administrator.

- a Using alcohol while performing safety-sensitive functions.
- b When required to take a post-accident alcohol test, using alcohol within eight (8) hours following the accident or prior to undergoing a post-accident alcohol test, whichever comes first.
- c Refusing to submit to a drug or alcohol test required by post-accident, reasonable suspicion or follow-up test requirements.
- d Reporting for duty or remaining on duty, requiring the performance of safety-sensitive functions, when the covered employee uses any drug, except when instructed by a physician who has advised the covered employee that the drug does not adversely affect the covered employee's ability to safely operate a CMV.
- e Reporting for duty, remaining on duty or performing a safety-sensitive function, if the covered employee tests positive for drugs.

**(3.10.6.5)**

***Disciplinary Consequences If Positive Results***

Disciplinary action up to and including termination may be instituted against covered employees who have violated the standards of conduct cited in this policy. Nothing will preclude the organization from seeking prosecution for violation of this policy where the Board deems appropriate. An employee who receives a positive drug test result or an alcohol test result (.04 or greater concentration) from a required test during on-duty time will be immediately suspended without pay and recommended for dismissal. An employee who refuses to submit to a required alcohol or controlled substances test will be immediately suspended and recommended for dismissal. Refusal to submit to an alcohol or controlled substances test is defined as: (1) failing to provide adequate breath for testing without a valid medical explanation after the employee has received notice of the requirement for breath testing; (2) failing to provide adequate urine for controlled substances testing without a valid medical explanation after the employee has received notice of the requirement for urine testing; or (3) the employee engaging in conduct that clearly obstructs the testing process. The employee will be provided with the name(s) of a qualified substance Abuse Professional (2) (SAP) and resources available from which the employee may choose to seek assistance.

An offer of employment will be withdrawn for any individual who receives a positive drug test result or who receives a result showing an alcohol concentration of .02 or greater on a required pre-employment test.

An employee who receives a result showing an alcohol concentration of .02-.039 from a required test shall be removed from performing any safety-sensitive function for a minimum of twenty-four (24) hours. Duty time missed shall be charged to unpaid leave or may be charged to PTO time if available. Disciplinary action will be taken in accordance with these policies.

An employee who receives a result showing an alcohol concentration of .02-.039 from a required post-accident test shall be removed from performing any safety-sensitive function for a minimum of twenty-four (24) hours. Duty time missed shall be charged to unpaid leave or may be charged to PTO time if available. Any covered employee who is cited and found guilty of a violation as a result of involvement in an accident will also receive a letter of reprimand. Disciplinary action for subsequent incidents will be taken in accordance with these policies.

An employee who is convicted of felony driving under the influence (DUI) or any drug related offense will be recommended for dismissal. As used in this policy, conviction is defined as a finding of guilt, a plea of guilt, a plea of Nolo Contendere, or entering a Pre-Trial Intervention (PTI) program, whether or not there is a formal adjudication of guilt.

**(3.10.6.6)**

***Confidentiality***

The laboratory may disclose test results only to the Director/Administrator. Any positive results which the organization justifies by acceptable and appropriate medical or scientific documentation to account for the result as other than the intentional ingestion of an illegal drug will be treated as a negative test result and may not be released for the purpose of identifying illegal drug use. Test results will be protected under the provision of the Privacy Act, U.S.C. Section 552 a et seq., and Section 503(e) of the Act, and may not be released in violation of either Act. The School may maintain only those records necessary for compliance with this order. Any records of the organization, including drug test results, may be released to any management official for purposes of auditing the activities the organization, except that the disclosure of the results of any audit may not include personal identifying information on an employee.

The results of a drug test of an employee may not be disclosed without the prior consent of such employee, unless the disclosure would be:

- a To the Director/Administrator, who has authority to take adverse personnel action against such employee; to any supervisory or management official within the organization having authority to take adverse personnel action against such employee.
- b Pursuant to the order of a court of competent jurisdiction or where required by the organization to defend against any challenge against any adverse personnel action.

Any covered employee who is the subject of a drug or alcohol test shall, upon written request, have access to any records relating to the employees drug test, the results of any relevant certification, review or revocation of certification proceedings as referred to in 49 CFR Part 40 of this Act. Except as authorized by law, an applicant who is the subject of pre-employment drug testing, however, shall not be entitled to this information.

All drug testing information specifically relating to individuals is confidential and should be treated as such by anyone authorized to review or compile program records. In order to efficiently implement this order and to make information readily retrievable, the Administrator shall maintain all records relating to reasonable suspicion testing,

suspicion of tampering with evidence, and any other authorized documentation necessary to implement this order. Such shall remain confidential and maintained in a secure location with limited access. Only authorized individuals who have a “need to know” shall have access to them.

**(3.10.7) Teacher Certification Standards**

**(3.10.7.1) *Applicable Standards***

In the absence of Florida Statutes or State Board of Education Rules mandating teacher certification requirements, the Director/Administrator is directed to establish and keep in force procedures for appropriate certification guidelines. The provision of the Standards shall apply to all teaching certificates issued for grades K-12. When state-mandated certificates are available, all such certificates issued by the organization shall become null and void.

**(3.10.7.2) *Certification Renewals***

Professional staff members are required to maintain their state educator certification in accordance to Florida regulations. Staff members are responsible for the completion and submission of all applicable forms and fees for the certification renewals. Once a professional staff member has renewed their certification, they must provide a copy of the certification to their supervisor.

**(3.10.8) Familiarity with Statutes, Rules and Policies**

All instructional personnel are expected to be familiar with Florida Statutes, State Board of Education Rules, and Policies of the School, which have particular reference to their responsibilities as educators. When in doubt about the existence or applicability of any such statute, rule or policy, personnel should check with the Director/Administrator or review Florida Statutes and State Board of Education Rules.

**(3.10.9) Tutoring**

No teacher shall receive compensation for tutoring a student who is enrolled in the teacher’s class during the regular school term. No tutoring by teachers for compensation is allowed on the organization’s property. Tutoring is defined as reviewing curriculum that is taught within the classroom.

**(3.10.10) Membership in Organizations**

Membership in any organization shall not be a condition for employment by the organization.

**(3.10.11) Professional Development Trade Hours**

In an attempt to encourage instructional and administrative staff members to participate in outside professional development activities, the school agrees to offer Professional Development Trade Days [PDTD] to employees. Periodically throughout the year professional development days are scheduled, staff members may utilize accumulated PDTD so that they may not report to work on some professional development days, or be allowed to leave early on early release days. If a staff member wants to participate in a professional development activity outside of their normal work hours, and count the training as a PDTD, the employee will ask the Director/Administrator for permission to

attend the training as a PDTD. The Director/Administrator has the discretion to allow or disallow the training to be used as PDTD. The Director/Administrator also has the option to disallow specific professional development days to be missed by staff members if the offering on that day is important to the mission of the school.

**(3.10.12) Reappointment or Non-Reappointment of Certified Personnel**

Teachers with contracts will receive notification by the end of the school year term if they are being asked to return the following school year.

**(3.11) Resignations**

**(3.11.1) Instructional Staff**

Instructional employees who for any reason intend to retire or resign at the end of the current school year are encouraged to indicate their plans in writing to the Director/Administrator as early as possible. Letters of resignation shall be submitted to the Board/Administrator/designee. The letter should state reasons and an effective date for the resignation.

It is the practice of the organization to release individuals who resign for good cause prior to July 1 of each year. After July 1, a certificated employee may resign, however, the organization reserves the right to pursue any and all legal options available to it and may require monetary restitution from the employee for any funds the employee may have received for the new fiscal year.

**(3.11.2) Support Staff**

Support staff who wish to resign should address a letter of resignation to the Director/Administrator. The letter should state reasons and an effective date for the resignation. The organization requests employees provide fourteen (14) days written notice prior to resignation whenever possible.

**(3.12) Reduction in Force**

**(3.12.1) Instructional Staff**

If it becomes necessary to reduce the number of teachers due to a decrease in enrollment, school reorganization or the financial condition of the School, the organization will act to retain the most qualified teachers best able to serve the needs of the School's students. Seniority will not be the primary consideration for which staff members will be retained.

**(3.12.2) Support Staff**

The organization is authorized to reduce the number of support staff when in the Director's /Administrator's sole discretion factors including, but not limited to, decreases in student enrollment, School reorganization or financial reasons necessitate such reduction. In making such staff reductions, the organization will seek to retain those staff members best able to serve the needs of School's students.

**(3.13) Travel and Entertainment Expenses**



**(3.13.1)**

**Prior Approval**

The charter school recognizes that employees who travel far from home to represent the charter school's business interests must forego their living accommodations and may forfeit personal time. Accordingly, the charter school will make efforts to provide comfortable and secure accommodations for lodging, meals and travel for employees. However, these items are not intended to be perquisites and the charter school reserves the right to deny reimbursement of expenses that are considered lavish or extravagant. Prior to any travel or entertainment being conducted on the organization's behalf the employee must first obtain the prior approval of the Director/Administrator if the person making the request is the Director/Administrator permission should be obtained from the Board Chairperson.

**(3.13.1)**

**Travel Arrangements**

All arrangements required for business travel are to be made by the individual participating in the travel. The Director/Administrator shall provide a form which will collect all pertinent travel information. For maximum savings on airfares, this form should be completed 30 days in advance unless this is not possible due to the nature of the trip. Unless otherwise agreed to by the Director/Administrator all expenses shall be paid by the employee to be reimbursed by the organization afterwards. The organization discourages the use cash advances to pay for travel expenses. However, should a cash advance be necessary under special circumstances and the Director/Administrator approves such, all receipts must be submitted for the funds advanced. Any amount not covered by the receipts shall be returned to the school upon the conclusion of the travel. If the funds are not returned, they shall be deducted from the employee's paycheck. Direct billing to the charter school from hotels, restaurants, etc., are not permitted.

**(3.13.2)**

**Expense Guidelines**

**(3.13.2.1)**

***Air Travel***

Make airline reservations based on the following criteria:

- **Expediency:** Getting the employee to their destination in an expedient way. (Direct flights when possible or connecting flights if necessary for faster flight schedules).
- **Cost:** Employees will fly coach class.
- **Carrier:** An employee's preferred airline can be utilized as long as expediency and cost factors are equal.
- Employees must use regularly scheduled airlines and obtain the lowest (discount) fare available. This may mean that the employee will fly at times that are not always the most convenient for them.

**(3.13.2.2)**

***Lodging***

Employees are expected to use sound business judgment in selecting accommodations. In many cases a corporate rate is available and the employee should request this rate when registering at the hotel.

Suite accommodations are not permitted; the organization pays only for single rooms. An upgrade to a security room is a personal expense unless the hotel is in a place or a city that is designated to be a risk to all travelers.

If late arrival is guaranteed and the reservation must be canceled, the cancellation must be made within the time allowed. The organization will not pay for no-shows. All charges shown on the expense report form should be itemized to show hotel charges, meals, telephone charges, etc. In-room movies and use of mini-bars are considered personal expenses and therefore not reimbursable.

The employee will be reimbursed, less any travel advance for bills paid. The original detailed hotel bill as to be attached to the expense report. The employee will use the organization's sale tax exemption certificate; Florida sales taxes will not be reimbursed.

Employees will not be reimbursed for overnight travel within fifty (50) miles (one way) of the organization's office or their residence unless the circumstances necessitating the overnight stay is fully explained by the employee and approved by the Director/Administrator.

**(3.13.2.3) Meals**

For out of county travel, employees shall be allowed reimbursement for subsistence. Subsistence allowances for meals shall be paid at the following current rates:

- **BREAKFAST:** When travel begins before 6:00a.m. and extends beyond 8:00a.m., the traveler is entitled to an allowance for breakfast of \$9.00.
- **LUNCH:** When travel begins before 12:00 noon and extends beyond 2:00p.m., the traveler is entitled to an allowance for lunch of \$12.00.
- **DINNER:** When travel begins before 6:00p.m. and extends beyond 8:00p.m., the traveler is entitled to an allowance for dinner of \$18.00.

In lieu of receiving subsistence allowances for meals and actual expenses for lodging at the single occupancy rate, employees who are traveling may elect to receive a per diem rate of \$125.00 for overnight travel.

**(3.13.2.4) Car rentals**

The use of a rental car is permitted ONLY when it is in the interest of the organization to do so. Personal medical insurance should NOT be purchased from the car rental agency since employees are already covered under worker's compensation insurance.

For fewer than three (3) employees traveling together, the charter school will reimburse for the cost of a compact car. Upgrades to mid-size are permissible if three (3) or more employees travel together.

If rental cars are retained over a weekend, such expenses are personal except when used to travel on a weekend to another location on organizational business.

**(3.13.2.5) Personal Vehicles**

An employee required to use their own automobile for business will be reimbursed at the prevailing rate per tax guidelines for per-mile deductions. The employee must

provide on the expense report, documentation including dates, miles traveled and purpose of each trip. The organization assumes no responsibility for personal automobiles used for business. Further, any parking or speeding violation is the sole responsibility of the employee.

**(3.13.2.6) Telephone**

Business related telephone charges on an itemized lodging receipt and/or telephone charge card should be itemized under telephone expense.

**(3.13.2.7) Entertainment**

In order to be reimbursable, entertainment expenses must be ordinary and necessary expenses directly related or associated with the active conduct of business. It is very important to properly document entertainment expenses and substantiate the following elements:

- The date
- The place (name and location)
- Description or type of entertainment
- The business purpose and the nature of the business benefit expected to be gained by the organization. The business relationship to the organization of the persons entertained (name, occupation, title, etc.).

**(3.13.2.8) Miscellaneous Expenses**

Any additional business expenses that are not categorized above should be listed under miscellaneous expenses and documented with all pertinent information to substantiate the expense.

Unexplained items labeled "miscellaneous" are not allowable items of expense. Some examples of items not considered allowable are: newspapers, magazines, movies, shoe shines, personal expenses incurred for household services due to an employee's absence on a business trip, etc.

**(3.13.3) Expense Report Preparation and Reimbursement**

All business travel and entertainment expenditures incurred by employees are reimbursed through the use of a standard Expense Report via TDY form which shall be made available by the Director/Administrator. Expense reports should be completed and turned in within two weeks of return or incurrence of expenses. Expense report forms must be filled out and totaled completely. Use the appropriate headings and total on a daily basis. Required receipts for items charged must be attached to the report. Any questions regarding completion of the report should be directed to the Director/Administrator or bookkeeper for the organization.

Upon completion, the expense report along with all attachments should be turned into the employee's supervisor for approval. After approval, the expense report is submitted to the bookkeeper or designee for processing and reimbursement. In order to expedite reimbursements, the employee should ensure that the report is completed properly, required documentation is attached, proper authorization has been obtained, and any

unusual items are properly explained and documented. Authorized expense reports will be reimbursed by check, normally within two weeks after receipt by the bookkeeper or designee

**(3.13.4) Local Travel Reimbursement Report Preparation**

All local travel expenditures incurred by employees on behalf of the organization are reimbursable if approved by the employee's supervisor. Employees should complete an Expense Report/TDY form to request reimbursement for these expenses. Upon completion, the expense report along with all attachments should be turned into the employee's supervisor for approval. After approval, the expense report is submitted to the bookkeeper or designee for processing and reimbursement. In order to expedite reimbursement, the employee should ensure that the report is completed properly, required documentation is attached, proper authorization is obtained, and any unusual items properly explained and documented.

**(3.14) Staff Teams**

The Director/Administrator shall designate specific teams of staff members to accomplish various tasks throughout the year. The following are required staff teams that will be set each year, and the Director/Administrator may appoint others on an as needed basis:

**(3.14.1) School Advisory Team**

The advisory team will consist of representatives from various teams of staff members throughout the organization. The advisory team will advise the Director/Administrator as part of a decision making process to ensure staff participation in decision making.

**(3.14.2) Staff Behavior Team (Positive Behavior Support)**

The behavior team will review the school's behavior policy, matrix, and consequences annually and advise the Director/Administrator on necessary changes to these documents. The behavior committee shall also serve as an appeal board when a parent wishes to appeal a referral or decision made by administrator, as outlined elsewhere within this policy. The team shall be comprised of five members in addition to the Director/Administrator. A staff member shall be appointed as chair, who shall not be the Director/Administrator.

**(3.14.3) School Based Leadership Team (School Improvement)**

The School Based Leadership Team shall be a group of experienced educators who come together to brainstorm researched based interventions to assist specific students and student groups who are struggling. The school based leadership team is further defined in Teaching and Learning section of this policy manual.

## **(4) Student Policies**

**(4.1) Admission of Students**

The schools operated by the organization are a public charter schools which receive their Charters from the local school district, and as such, complies with all applicable requirements of state law and the public school system as well as their Charters. Federal Law may also apply if the school is the recipient of federal grant funds. As such, we must admit all students based on space availability. The parent may receive a tour, information about the school, and share information regarding the student that would assist us in meeting the student's needs as is permitted under the law. Provided that the school is able to meet the child's needs, and that seats are available, the children will be admitted based on availability for the current year. If they are applying for the following year, they will follow the lottery procedure as described below.

**(4.1.1) Lottery Procedures**

In the event that more students have enrolled to a specific school than there are spots available by the deadline established by the organization, a lottery will be held to determine which students will be accepted. Students will be given a priority in the admission process under State law.

**(4.1.2) Late Entries**

Students who enroll into the organization after the start of a term will need to work with each teacher to determine what back work, if any, needs to be completed. Some assignments or testing which are essential to the completion of the required State Standards may be required. Teachers will give students until the end of the current term to complete assignments.

**(4.1.3) Withdrawals**

Students who choose to leave the organization's school will be assisted in their transition to their new school by having the School create a report indicating the student's performance and current grade in each class. The organization reserves the right to follow up with the student's future placement to ensure compliance with compulsory attendance laws.

**(4.2) Attendance**

Florida Statutes § 1003.21 mandates that all students are required to attend school, and sets forth specific requirements for the school. Parents and students can be held legally accountable for truancy.

**(4.2.1) Parental Reporting**

Within 48 hours of a student's absence, the parent will send a note or call the school explaining the absence. If that contact does not occur, the absence will be recorded as unexcused. In the case that an unexcused absence is recorded, the school will attempt to contact the student's parent or legal guardian regarding the absence to prevent a pattern of nonattendance. Under some circumstances, more than parental notification may be required by the Director/Administrator.

**(4.2.2) Excused Absences**

The following absences will be considered excused:

- a Student is ill. (If illness persists for three or more consecutive days, or requires numerous nonconsecutive absences, a doctor's note may be required, as requested by the Director/Administrator).
- b Major illness in the family. (If illness persists for three or more consecutive days, or requires numerous nonconsecutive absences, a doctor's note may be required, as requested by the Director/Administrator).
- c Death in the immediate family of the student. A student's immediate family includes biological parents, grandparents, siblings, or adults and siblings from an immediate extended family unit, at the Director's /Administrator discretion.
- d Religious holiday of the student's faith. This requires a parent's note seventy-two (72) hours prior to the absence.
- e Religious institutes, conferences, or workshops (only two days allowed if the request is signed by a parent and given to the school at least forty-eight (48) hours before the absence).
- f Subpoena or forced absence by any law enforcement agency. A copy of the subpoena or summons will be given to the school's Director/Administrator (or designee). This includes detention at a juvenile center in which the student continues his/her education.
- g Mental health counseling for the student. A note on business stationery from the mental health facility or personnel may be required.
- h A major disaster, as decided by the administration.
- i Any absence, including those for field trips or other parental requests as judged appropriate by the school's Principal, provided that the request is submitted to the Director/Administrator forty-eight (48) hours in advance of the absence. The Director/Administrator may waive the requirement for advance notice if extenuating circumstances exist.

### **(4.2.3)**

#### **Tardiness**

The organization believes it is extremely important that students arrive at school on time and ready to learn. Students are allowed to enter the building 15 minutes prior to the start of school. We recommend students arrive a minimum of 5 minutes prior to the start of school to ensure ample time to reach their classroom before the start of class. We have created strict guidelines in regards to students who are tardy to school in the morning:

- a Students who are not in class at the time class begins will be considered tardy.
- b For the legal purposes of truancy, numerous tardies can be equated to absences. When a student is excessively tardy, (five (5) unexcused such events) these tardies will equate a single absence. The Director/Administrator can disallow individual instances of being tardy from this rule if a written explanation is provided to the school upon the return of the student.

**(4.2.4) Early Removal / Dismissal**

Students are expected to attend the entire day of school. The early release of students causes disruption to academic performance of all students and may create safety and security concerns. Students who are removed early from school are missing valuable instruction time, and this will be treated in the same manner as tardiness. A student who is removed fifteen minutes or more early from school three (3) times will be equated to one (1) absence. Six (6) occurrences in 90 days will result in administrative involvement. (Parents have signed an attendance agreement in the University Academy registration packet emphasizing the importance of attendance.)

**(4.2.5) Make Up Work**

Students who miss school for any reason (excused or not) will be expected to make up all work missed during their absence, tardiness, early removal from school, or suspensions. Parents may contact the school to request work, but should provide at least a 24-hour turn around to prepare such materials. Students whose absences are excused will not receive an academic penalty for made up work unless the work is not made up within the time limits explained within the Homework Policy.

**(4.2.6) Truancy Consequences**

If a student has at least five (5) unexcused absences within a calendar month, or ten (10) days out of ninety (90), the student's homeroom teacher shall report to the Director/Administrator that there may be a pattern of absence existing. After this referral, the Director/Administrator will consider referring the student to the School Based Leadership Team (SBLT). The SBLT is a "child study team" for the purposes of satisfying the requirements of § 1003.26, Florida Statutes. If the SBLT finds a pattern of nonattendance, the team will meet with the parent to identify potential remedies; the Director/Administrator must notify the School District's charter school office of the identified pattern of nonattendance. If the initial meeting with the parent does not resolve the problem, the SBLT shall have documentation of the following:

- 1 Frequent attempts at communication between the teacher and the family.
- 2 Evaluation for alternative education programs.
- 3 Attendance contracts.

The SBLT may also, but is not required to, implement other interventions that include referral to other agencies for family services or changes to the learning environment. Additionally, legal authorities will be notified if the problem is not corrected.

If the parent refuses to participate in the remedial strategies because he or she believes those strategies are unnecessary or inappropriate, the parent may appeal to the Director/Administrator, at this point the administrator may dismiss the student and inform the school board of the situation.

**(4.3) Behavioral**

**(4.3.1) Code of Student Conduct**

Unless otherwise spelled out within these organizational policies, the organization will adhere to the Bay District's Code of Student Conduct. Copies of the organizations student policies and the District's Code of Conduct will be made available to all parents and students.

**(4.3.2) Behavioral Expectations**

Students are expected to behave in a respectful manner while under the responsibility of school staff (this includes during the school hours, after school activities, or any activity in which school staff members are responsible for the students). The Director/Administrator shall ensure that a document explaining student expectations and sample misbehaviors are developed which clearly describe behavioral expectations and consequences for misbehavior. This document shall be shared with families at the start of each school year and as often as needed thereafter. Each year, the school staff shall review the document and may make appropriate revisions.

**(4.3.3) Behavioral Consequences**

The following is a list of possible consequences that may be given to students for inappropriate behavior. In certain instances, other consequences that appropriately match the misbehavior may also be used.

**(4.3.4) Verbal Warning**

If a student is exhibiting a relatively minor behavioral infraction, the staff at their professional discretion, should give the child verbal warnings that their behavior is inappropriate, and the warning may be documented by that staff member for future reference.

**(4.3.5) Written Warning**

If the behavior was a minor infraction and/or was the first or second occurrence, the student may receive a written warning to let the student know that if similar inappropriate behavior continues there will be similar and more significant consequences in the future. This written notice will be sent home through either written or email form for the parents to make them aware of the issue.

**(4.3.5.1) Referral To Permanent File**

A referral to a permanent file will be a paper that is completed by the Director/Administrator (or designee) after an internal investigation, including the student's comments regarding the misbehavior. This hard copy must be taken home, signed by the parent, and returned to school the next school day. Indication of the incident will be recorded within the student's permanent school records, and appropriate sanctions levied according to existing behavioral expectation guidelines. If the student does not return the referral with a parent signature, they may receive additional consequences, and the parent will be called.

**(4.3.5.2) Detention**

A detention is an extension of the school day where the students will be expected to stay after school. The student must report immediately after school and stay until the time designated by the Director/Administrator. If the student does not report immediately on the assigned school day, or is absent for any reason (except having an



official doctor's note on physician stationery), that detention will be rescheduled and an additional penalty detention added.

**(4.3.5.3) *In School Suspension***

An in school suspension, if possible, is a consequence which secludes a student from his or her peers and allows the student time to reflect on his or her misbehavior. Students will be removed from class and located in an area outside the common areas where students are typically present. While suspended, students are not allowed to participate in any school related activities, including common lunch room. In school suspensions shall not be considered an absence from school. However, students are required to complete, on their own time, all make up work from the time missed. Computers may not be used by students in ISS, unless a teacher gives specific permission. ISS will be provided if financially feasible.

**(4.3.5.4) *Out of School Suspension***

An out-of-school suspension will be time away from school to consider and reflect their misbehavior. When suspended, a student is not allowed on school property, and if seen on school property, will be considered trespassing. While suspended, students are not allowed to participate in any school related activities. Out-of-school suspensions will be considered unexcused absences, and the student will be required to make up on their own time all work from time missed. When returning, students may not be allowed to participate in extracurricular activities or non-educational field trips for a period of thirty (30) days following the suspension.

**(4.3.5.5) *Recommend Reassignment***

Under serious circumstances, the organization may consider recommending the student be reassigned to another school by the School District. Should this become necessary the Director/Administrator shall work with District personnel to ensure proper District protocol and expectations are adhered to.

**(4.3.5.6) *Discipline of Students with Disabilities***

The obligation and the responsibility to attend school regularly and to comply with the organization's discipline policies apply to all students. When appropriate, the School may discipline a student with a disability who has not complied with the discipline organization's policies. Special education services will be provided to a disabled student if the student has been removed from school for more than ten (10) school days. If a student with a disability is removed for less than ten (10) cumulative days, educational services will be provided only if such services are provided to students without disabilities who have been similarly removed.

**(4.3.6) *Appeal Process***

**(4.3.6.1) *Foundation***

Every effort is taken to ensure students are treated equitably and fairly when investigating a behavioral concern and issuing referrals. However, should a parent/guardian feel that such issuance is unwarranted; they may use the following procedure to appeal the referral.

**(4.3.6.2) *Requesting An Appeal***

If a parent/guardian wishes to request an appeal to a referral, the parent/guardian must submit such a request in writing to the Director/Administrator within four (4) school days of the issuance of the referral. Failure to make a written appeal will forfeit the parent/guardians right to any further appeal hearing. Upon receipt of the request, the Director/Administrator shall decide if the request is warranted. If the Director/Administrator decides to overturn the referral he or she may do so. If not, the appeal may be referred to the staff behavior team. The decision of the Staff Behavior Team shall be final in regard to the issuance of the referral.

**(4.3.6.3) *Student Consequences***

During the appeal process, the consequences the student was issued will stand and must be met by the student while any final decision is pending. If the student was suspended, he or she must also honor the terms of the suspension including accompanying consequences until the behavior team makes its decision. If the referral is appealed successfully all record of the consequence will be expunged and the students will be excused from any missed work during that time.

**(4.3.6.4) *Behavior Team Meeting***

After receiving a request and deciding not to overturn the referral personally, the Director/Administrator will coordinate a behavior team meeting, making an effort to schedule the meeting at a time that is convenient for all involved, including the parent/guardian who requested the appeal. The meeting shall be scheduled within four (4) school days of receiving the request. At the meeting the parent/guardian will be allowed the opportunity to present their case as to why the referral is being contested. The Director/Administrator (or designee) shall provide information regarding the investigation and justifications for why the referral was earned by the student. The behavior team can ask questions of either the parent or Director/Administrator in clarifying the issue. At the appeal meeting the Director/Administrator will serve as non-voting members of the team, and the Director/Administrator will leave with the parents during the committee's deliberation of the appeal and decision-making process. After gathering information, the team's deliberation shall be limited to the following:

- 1 Deciding whether the student's behavior or act was in clear violation of the organization's policies, the behavioral expectations outlined by the school, the District's Code of Student Conduct, and/or the mission of the school;
- 2 Deciding whether the student(s) is/are known to have committed the violation;
- 3 Deciding whether to uphold the initial findings and decision, or whether an appropriate alternate sanction should be issued based on established parameters of the Behavior Program for the school.

**(4.3.6.5) *Reporting of Decision***

Under most circumstances, the behavior team will make a decision at the initial meeting, however, the team reserves the right to meet within four (4) school days to review and make a final decision. The final decision will be determined by a simple majority vote and will be presented to the Director/Administrator. The decision of the committee will be documented and a copy of the decision will be mailed to the parent/guardian within four (4) business days of the completion of the appeal

committee's hearing. The decision of the behavior team is considered a final decision. In all cases, members' individual votes remain confidential.

**(4.3.6.6) Further Appeals**

Should a parent/guardian be dissatisfied with the decision of the behavior team, they may further appeal the decision only on the grounds that the school violated a procedural safeguard. The parent/guardian may submit a written request to the Director/Administrator requesting an appeal to the Board of Directors. The Board of Directors will only consider whether procedures were followed, and will not address questions or concerns regarding the appropriateness of a consequence. Parents are advised to consider that all meetings of the Board of Directors are considered public meetings, and as such any information shared with the Board is a matter of public record.

**(4.3.7) Student Conduct on Buses**

The safety of students during their transportation to and from school as well as while on field trips is a responsibility which they and their parents/guardians share with the bus drivers and school officials. Therefore, the rules of student conduct will be issued to all students at the beginning of the school year, and to new students upon enrollment.

Students are subject to all school rules and potential consequences while utilizing school transportation. Additionally, suspension of transportation privileges is another possible consequence for misbehavior during transportation.

**(4.3.8) Teen Dating Violence and Abuse**

The organization strictly prohibits any act of teen dating violence and abuse committed by one student against another on school property, during a school-sponsored activity, or during school-sponsored transportation.

**(4.3.8.1) Definition**

Teen Dating Violence and Abuse shall be defined as a pattern of emotional, verbal, sexual, or physical violence and/or abuse by one person in a current or past relationship of a romantic nature to exert power and control over another when one or both of the partners is a teenager. Abuse may include insults, coercion, social sabotage, sexual harassment, threats and/or acts of physical or sexual abuse. The abusive partner uses this pattern of violent and coercive behavior to gain power and maintain control over the dating partner. To be subject to this Policy, teen dating violence and abuse committed by one student against another must occur on school property, during a school sponsored activity, or during school-sponsored transportation.

**(4.3.8.2) Reporting**

Any student who is the victim of an act of teen dating violence and abuse, or has cause to believe that s/he is in immediate danger of becoming the victim of an act of teen dating violence and abuse, should report the matter to the Director/Administrator or to any member of the school staff. Any employee who has received a report of, or has any reason to suspect that acts of teen dating violence and abuse may be occurring shall report such report, observations, or suspicions to the Director/Administrator or designee. Any student, parent or community member who has reason to suspect that a student may be the victim of dating violence and abuse should report it to the

Director/Administrator or designee, or use the anonymous reporting measures identified in policy against Bullying and Harassment. The Director/Administrator shall ensure the school community is made aware of how to report an act of dating violence and abuse.

**(4.3.8.3)**

***Investigation***

The investigation of a report or suspicion of teen dating violence and abuse shall follow the same procedures as a bullying investigation identified elsewhere within these policies, including parent notification. At no time will the alleged perpetrator and victim be interviewed together. The written report of the investigation shall include all pertinent information and a determination upon whether an act of teen dating violence and abuse occurred based upon the definition above. The organization reserves the right to investigate a report of teen dating violence and abuse regardless of whether the student who is allegedly the victim wants to pursue the matter. If an investigation is pursued against the alleged victim's wishes, the Director/Administrator or designee will notify the victim and refer the victim to appropriate services for safety planning.

**(4.3.8.4)**

***Consequences***

At the conclusion of the investigation the Director/Administrator or designee will determine whether or not the allegation of teen dating violence and abuse was substantiated. If the situation is substantiated, consequences will be assigned based upon policy the behavioral consequences listed within these policies. All disciplinary action shall be taken in accordance with State law and applicable policy. In addition to school consequences, if the Director/Administrator or designee believes a crime has been committed, law enforcement will be immediately notified. In those cases where teen dating violence and abuse is not substantiated, the Director/Administrator or designee may consider whether the alleged conduct nevertheless warrants disciplinary action in accordance with the school policies.

**(4.3.8.5)**

***Support and Reasonable Accommodations***

If requested during or after the investigation, the Director/Administrator shall make reasonable accommodations for the student who is allegedly experiencing teen dating violence and abuse including, but not limited to the following:

- 1 "Stay Away Contract," that is, a contract with the alleged perpetrator to stay away from the victim, including electronic contact, while on school grounds, on school transportation, and during school sponsored programs and events;
- 2 Class schedule changes;
- 3 Protection that will enable safe egress/regress from school, as well as movement within the school; and
- 4 Referrals for outside support or counseling.

Students should provide the Director/Administrator with a copy of an order of protection that has been issued by the court. The Director/Administrator shall then contact the student whose behavior is to be regulated by that order of protection and initiate a Stay Away Contract that is consistent with the terms of that order and provides penalties for known violations of the contract. Further, the Director/Administrator or designee shall immediately notify law enforcement immediately if a restraining order has been violated.

**(4.3.8.6) Other violations**

Individuals who maliciously or knowingly make a false report or complaint of teen dating violence and abuse, or individuals who retaliate against a person who has made such a report or was a witness in such an investigation shall be subject to disciplinary actions. Additionally, any staff member who does not inform the Director/Administrator of a report or suspicion of teen dating violence and abuse shall be subject to disciplinary action.

**(4.3.8.7) Confidentiality**

The organization will respect the privacy of the complainant, the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the school's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the terms of this policy and its related administrative procedures shall be maintained as confidential to the extent permitted by law.

**(4.3.8.8) Education and Training**

The Director/Administrator shall, along with the publication of the anti-bullying policy as defined within this policy manual, inform school staff, students and parents/guardians of the prohibition and reporting requirements regarding teen dating violence and abuse. In addition, in accordance with the state standards regarding the Health Curriculum, include instruction regarding teen dating violence and abuse.

**(4.3.9) Student Participation in Secret Organizations and Gangs**

The organization prohibits membership in secret fraternities or sororities, or in other clubs or gangs not sponsored by established agencies or organizations recognized by the organization. The organization feels that the presence of gangs and gang activities can cause a substantial disruption of or material interference with school and school activities. A "gang" as defined in this policy is any group of two or more persons whose purposes include the commission of illegal acts. By this policy, the organization acts to prohibit existence of gangs and gang activities as follows:

No student on or about school property or at any school activity:

- 1 Shall wear, possess, use, distribute, display, or sell any clothing, jewelry, emblem, badge, symbol, sign, or other things which are evidence of membership or affiliation in any gang.
- 2 Shall commit any act or omission or use any speech either verbal or non-verbal (gestures, handshakes, etc.) showing membership or affiliation in a gang.
- 3 Shall use any speech or commit any act or omission in furtherance of the interests of any gang or gang activity, including but not limited to:
  - a Soliciting others for membership in any gangs.
  - b Requesting any person to pay protection or otherwise intimidating or threatening any person.

- c Committing any other illegal act or other violation of school District policies.
- d Inciting other students to act with physical violence upon any other person.

Students committing these infractions will be referred for disciplinary action.

## **(4.4) Academic**

### **(4.4.1) Grading Policy**

There are multiple purposes for the assignment of grades, including but not limited to the documentation of student and teacher achievement; providing teacher feedback on student progress to students, parents and fellow teachers; monitoring for continuous student growth and concept mastery; and informing instructional practices and small-group instruction in the classroom.

#### **(4.4.1.1) Traditional Grading System**

The following grade scale will be used by the organization:

- A (90% - 100%) Superior
- B (80% - 89%) Above Average
- C (70% - 79%) Average
- D (60% - 69%) Below Average
- F (0% - 59%) Unsatisfactory  
I – Incomplete
- S, N, U, or DV may be used for lower grades such as kindergarten

#### **(4.4.1.2) Standards Based Grading System**

Standards based assessment provides an accurate snapshot of student abilities based on the standards which they are accountable for at their individual grade level. The following scale may be utilized by specific grade levels:

##### **4 - Has demonstrated advanced, in-depth understanding of the standard**

(I know it even better than my teacher taught it)

- **3 - Has demonstrated a complete understanding of the target learning goal**  
(I know it just the way my teacher taught it)
- **2 - Has demonstrated a simple understanding of the target learning goal**  
(I know some of the simpler stuff but can't do the harder parts)
- **1 - Is able to partially demonstrate understanding with assistance**  
(With some help, I can do it)
- **0 - Is not successful with the learning goal, even with assistance**  
(Even with help, I can't do it).

In order to report grades to the school district and for traditional transcript purposes, a student's scores for each standard shall be averaged together to determine a term grade for the course based on the following scale.

- A 3.00 - 4.00
- B 2.50 - 2.99
- C 2.00 - 2.49
- D 1.50 - 1.99
- F Below 1.50

**(4.4.2) Honor Roll/Principal's List**

Any student who receives all As and/or Bs on their report card will be considered to be on the Honor Roll. Any student who receives all As will be added to the "Principal's List."

**(4.4.3) Graduation and Promotion Requirements**

**(4.4.3.1) *Elementary Students – as outlined in Bay District's Pupil Progression Plan***

**(4.4.3.2) *Middle School Students – as outlined in Bay District's Pupil Progression Plan***

**(4.4.3.3) *High School Students - Does Not Apply***

**(4.4.3.4) *Grade Level Retention***

The purpose of promotions and retentions is to provide maximum consideration for the long-range welfare of the student and to provide an opportunity for each student to progress through school according to his/her own needs and abilities.

It is expected that most students will be promoted annually from one grade level to another upon completion of satisfactory work, however, a student may be retained when his/her standards of achievement or social, emotional, mental, or physical development would not allow satisfactory progress in the next higher grade. Retention normally occurs before the student leaves the primary grades.

Parents/guardians who wish to appeal the decision for retention must first contact the Director/Administrator. If parents/guardians do not accept the decision of the Director/Administrator, an appeal may be made in writing to the Board. All appeals must be requested within two (2) weeks after the close of school.

**(4.4.4) Homework Policy**

The organization believes that homework reinforces the learning happening in the classroom as well as gives students the opportunity to learn important lessons in responsibility and accountability. Therefore, homework is assigned to reinforce or serve as a precursory activity for learning that has taken or will take place in the classroom. Homework is an integral part of the students' education. Specific homework requirement is determined by each classroom teacher.

**(4.4.4.1) *Approximate Time Guidelines***

In general, the organization attempts to assign no more than ten minutes of homework per grade level to students. While we strive to use these guidelines, we like to make clear that it is impossible to gauge perfectly how long an assignment will take a given child, as some students take longer to complete tasks than others.

**(4.4.4.2) *Late Homework***

One of the responsibilities of homework is to teach students responsibility and accountability. In order to accomplish this, and to ensure students do not fall behind on their school work, it is essential that students complete their work on time. If homework is turned in late the grade the student receives shall be reduced. Students who have an excused absence will have the number of days equal to the number of days absent to make up class and homework without penalty up to 7 days.

**(4.4.4.3) *Posting of Homework***

All students will be required to use a daily planner book to document homework assignments in, reinforcing the idea of teaching our students responsibility.

**(4.4.5) *Dual Enrollment***

The organization understands that the services of one school may not be able to completely address the needs of every student, and recognizes the value of Dual Enrollment. Given the academic structure of our school and the scheduling concerns, we do not permit students to be enrolled with the organization part-time as the result of a dual enrollment agreement, except for as allowed below.

**(4.4.5.1) *Florida Virtual School***

Students whose academic needs require more than the course selections available within the organization will be allowed to enroll in courses through the Florida Virtual School or any similar approved program within the State.

**(4.4.5.2) *Extracurricular Activities- Does not apply***

**(4.5) *Extra-Curricular Activities***

**(4.5.1) *Attendance Required for Extracurricular Participation***

Students participating in any school sponsored event must have been in attendance at school the day of the event, otherwise they will be disallowed from participating in the event. Additionally, students who are considered truant based on this policy manual may be disallowed from participating in any extracurricular activities sponsored by the school.

**(4.5.2) *Extra Curricular Activities***

Participation in interscholastic and extracurricular activities is a privilege and not a right. Interscholastic competition and participation in extracurricular activities may be withheld from any student as a condition of discipline. Furthermore, all policies that apply to the regular school day apply also to interscholastic competition and extracurricular



activities. Coaches and sponsors may establish policies for their groups in addition to those set out by athletic associations.

**(4.5.2.1)**

***Clubs***

The organization supports the use of clubs to allow students extracurricular experience at school. When clubs are available, they will be advertised amongst the students and parents. All students participating in a school club are required to maintain a 2.0 GPA, have no behavioral concerns, and meet the expectation of the club. A copy of the club expectations will be provided to students joining an individual club. Clubs must be sponsored and supervised by a school staff member.

**(4.5.2.2)**

***Hazing***

Student hazing is inconsistent with the educational goals of the organization and poses a significant risk to the physical and mental welfare of students. Hazing of students, on or off School property, is prohibited and may result in suspension from school and from activity/athletic participation.

**(4.5.3)**

***Field Trips, Off Campus Events***

Field trips are school-related events for which school staff arranges transportation and ensures an appropriate number of chaperones. All trips shall be subject to prudent safety precautions and conducted according to the rules established by the school. Every effort will be made to schedule field trips without interrupting other school functions. Parental behavior contract rules apply here.

**(4.5.3.1)**

***Approval***

All trips off campus must be approved by the Director/Administrator at least two weeks prior to the event occurring. Field trips should have an educational purpose to be approved. All trips must be conducted under the supervision of a certified School employee, and additional chaperones may be necessary dependent upon the activity. The request for approval must include all locations the students will visit while on the trip, the details of transportation, and any other logistical issues the Director/Administrator requests. Students will follow the specific itinerary provided to the administration on the field trip request.

**(4.5.3.2)**

***Behavioral Exclusion***

Field trips can be a valuable learning opportunity for students; however, behavioral expectations are even more important when students are taken off campus. As a result, if a child has demonstrated an inability to control their behavior in school, extra steps may need to be taken to ensure the student has a successful experience.

- a The school reserves the right to require parents or guardians of some students to attend the field trip to provide supervision for their child. In such cases, if a parent is unable to attend, the student will be required to remain at school.
- b If a student has received a referral, or has demonstrated unsafe behavior, the student's parent or guardian may be required to attend as a chaperone.
- c End of the year class field trips are reserved for students who show responsibility during the school year and meet school expectations. Students who have been

issued a suspension during the year may be disallowed from attending the end of the year field trip.

- a Parents or guardians of students who have earned only one (1) suspension have the option of asking the staff behavioral team for an exception to this rule. They can present the reasons they feel their child should be allowed to attend. The staff behavioral team can decide to 1) disallow the student from attending, 2) allow the student to attend unaccompanied, or 3) allow the student to attend with conditions, possibly including requiring the student to be accompanied by a parent.
- b Students must have an average GPA of 2.0 or better for the current quarter in order to attend.

**(4.5.3.3) *Financial Limitations***

Students cannot be excluded from a field trip based on the inability to pay the accompanying fee. If a family is facing financial difficulties and unable to pay the accompanying fee, the student's parent or guardian must contact the Director/Administrator (or designee) prior to the date the field trip permission slip is due back to school to make alternative arrangements.

**(4.5.3.4) *Student Supervision***

While attending field trips, students will be closely monitored and supervised. Each student shall be directly assigned to a staff person or chaperone for the duration of the trip.

**(4.5.3.5) *Chaperones***

Chaperones for field trips must follow the volunteer guidelines found within the policies of the organization. Chaperones must be registered with the school prior to attending the field trip. All chaperones must be provided with a detailed list of the students they are responsible for, emergency contact information to reach the teacher in charge, as well as students' parents if the need arises. Parent chaperones **can not** bring siblings on field trips.

**(4.5.3.6) *Teacher Check Ins***

While attending field trips where groups are separated from one another, the teacher in charge of the trip will coordinate times and locations where all staff and chaperones shall rendezvous periodically throughout the day.

**(4.5.3.7) *Student Counts***

Before transporting students to or from any field trip the teacher and at least one other adult will do a complete a roll call of all students to ensure all students are accounted for. At any given time each staff member and chaperone should know the number of students they are currently responsible for.

**(4.6) *Medical Policies***

## **Inoculations of Students**

All students accepted by the organization are required to be in compliance with state programs mandating immunization against specific diseases. Failure to comply with the state requirements will result in the students being unable to attend classes, and receiving unexcused absences, until proof of compliance is provided.

The Director/Administrator shall institute procedures for the maintenance of health records, which are to show the immunization status of every student enrolled, and for the completion of all necessary reports in accordance with guidelines prepared by the Florida Department of Health.

### **(4.6.2)**

## **Administering Medications**

It shall be the organization's policy that the giving of medicine to students during school hours be discouraged and restricted to medication that cannot be given on an alternative schedule. The organization recognizes that some students may require medication for chronic or short-term illness/injury during the school day to enable them to remain in school and participate in their education.

For those students who require medications, the parents must complete a medication form, and all doses administered must be administered according to standard school health procedures.

### **(4.6.3)**

## **Students With Communicable Diseases**

A student shall not attend classes or other school-sponsored activities, if the student (1) has, or has been exposed to, an acute (short duration) or chronic (long duration) contagious or infectious disease, and (2) is liable to transmit the contagious or infectious disease, unless the Director/Administrator or its designee has determined, based upon medical evidence, that the student:

- 1 No longer has the disease.
- 2 Is not in the contagious or infectious stage of an acute disease.
- 3 Has a chronic infectious disease that poses little risk of transmission in the school environment with reasonable precautions.

School officials may require any child suspected of having a contagious or infectious disease to be examined by a physician and may exclude the child from school, in accordance with the procedures authorized by this policy, so long as there is a substantial risk of transmission of the disease in the school environment.

A student who has a chronic infectious disease, and who is permitted to attend school, may be required to do so under specified conditions. Failure to adhere to the conditions will result in the student being excluded from school. A student who has a chronic infectious disease and who is not permitted to attend school or participate in school activities will be provided instruction in an alternative educational setting in accordance with the organization's policy.

Students with acute or chronic contagious or infectious diseases and their families have a right to privacy and confidentiality. Only staff members who have a medical reason to

know the identity and condition of such students will be informed. Willful or negligent disclosure of confidential information about a student's medical condition by staff members will be cause for disciplinary action.

The organization will implement reporting and disease outbreak control measures as necessary if a communicable disease seems to be spreading amongst the student body.

#### **(4.6.4) Student Physical Examination**

The organization may require any student to be examined by a physician for the purpose of determining whether the student is afflicted with a contagious or infectious disease or have the liability of transmitting the disease.

The organization may also require certification from a physician indicating a student's fitness to participate in specific educational programs or extra-class activities.

Refusal on the part of parent/guardian to obtain the required examination and to submit the certification indicating freedom from contagious or infectious disease may result in student exclusion from school.

Students may be excused from engaging in required educational activities upon proper certification from a physician advising of student disability.

All costs of physical or other examinations shall be at the expense of students unless state or federal law specifically mandates the examination to be the responsibility of the school.

### **(4.7) General**

#### **(4.7.1) Releasing a Student from School**

The organization is concerned about the safety of our students. Students will only be released to people who are their parents or legal guardians, unless we have received written permission to release the student to another adult. In the case of divorce or separation of the parents, both parents shall have full rights until legal notification is provided to the school limiting the rights of either parent.

#### **(4.7.2) Relations with Law Enforcement Authorities**

It is the Organization's policy to cooperate fully with law enforcement agencies in promoting the welfare of students, staff and the community.

##### **(4.7.2.1) Child Abuse, Molestation, Neglect**

The organization considers the welfare of students to be of paramount concern in its responsibilities. Therefore, all organization employees and volunteers are directed to take whatever action may be necessary as required by Chapter 39, and 827 F.S. and all statutes and laws of the State of Florida as regards to all instances of suspected child abuse, molestation and child neglect.

Any employee of the organization or volunteer who has reasonable cause to suspect child abuse shall immediately make an oral report to the Department of Children and Families Abuse and Neglect Hotline. A person who is required to report known or

suspected child abuse, abandonment, or neglect and who knowingly and willfully fails to do so, or who knowingly and willfully prevents another person from doing so, is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. Further, a person who does make a report of suspected abuse in good faith has immunity from civil and criminal liability pursuant to § 39.203, F.S. The person making the call (if other than the Director/Administrator) shall notify the building Director/Administrator immediately. Any person who reports should keep a record of the date and time they made the report, whom they spoke to and the general information they provided to the Abuse Hotline. The Director/Administrator should maintain records of the report but these should not be placed in a student cum folder.

The report shall be made under the following circumstances: When there is reasonable cause to suspect that child abuse or maltreatment has been inflicted through willful or negligent acts which result in neglect, malnutrition, sexual abuse, physical injury, or mental injury. Neglect is a failure to provide sustenance, clothing, shelter or medical condition. Abuse of maltreatment may also include aiding, abetting, counseling, hiring or procuring a child to perform or participate in any photographic motion picture, exhibition show, representation or other presentation which, in whole or in part, depicts sexual conduct, sexual excitement or masochistic abuse involving a child as defined by law.

**(4.7.2.2)**

***Interviews, Interrogations and Removal From School by Law Enforcement***

***Interview or Interrogation*** - The School has legal jurisdiction over students during the school day and hours of approved extracurricular activities. The school administration is responsible for making an effort to protect each student's rights with respect to interrogations by law enforcement officials. When law enforcement officials find it necessary to question students during the school day or periods of extracurricular activities, the Director/Administrator or designee will be present and the interview will be conducted in private.

The Director/Administrator will verify and record the identity of the officer or other authority and request an explanation of the need to question or interview the student at school. The Administrator /CEO ordinarily will make reasonable efforts to notify the student's parents/guardians.

***Removal of Students From School*** - Before a student at school is arrested or taken into custody by law enforcement or other legally authorized person, the Director/Administrator will verify the official's authority to take custody of the student. The school Director/Administrator will attempt to notify the student's parent/guardian that the student is being removed from school.

**(4.7.2.3)**

***Reporting Violent Behavior***

The Organization requires school administrators to report acts of school violence to teachers and other employees who are directly responsible for the student's education or who interact with the student in the performance of the employee's duties. School administrators will also disclose to appropriate staff members portions of any student's individualized education program that is related to past or potentially future violent behavior. Violent behavior and the phrase acts of school violence are defined as the use of physical force by a student with the intent to do serious physical injury to another

person while on school property, including a school bus, or while involved in school activities.

In addition the Director/Administrator will report to law enforcement officials, as soon as is reasonably practicable, the commission of any of the acts or related juvenile offenses which are committed on school property, including school buses, or while involved in school activities.

**(4.7.3) School Calendar**

The organization shall follow the school calendar of the authorizing school district. The Director/Administrator will, however, set the start and stop times for the school.

**(4.7.4) Dress Code**

The Board expects student dress and grooming to be neat, clean and in keeping with community standards, so that each student may share in promoting a positive, healthy and safe atmosphere within the School. This expectation includes the school day and school sponsored extracurricular activities.

Students shall observe modes of dress and standards of personal grooming that are in conformity with the educational environment and necessary to maintain an orderly and safe atmosphere for all students. Apparel is expected to conform to reasonable student standards of modesty, and as such, no excessive or inappropriate areas of skin or undergarments may be exposed. No apparel or grooming which presents a safety concern is permitted. No apparel displaying messages that are gang-related, sexually explicit, vulgar, violent, or advocating illegal activities is permitted. Further, no clothing or personal grooming that disrupts, or can be forecasted to disrupt, the educational environment is permitted. The Director/Administrator shall ensure that strict dress code expectations are made available to students and parents at the start of each school year which will include examples of acceptable and unacceptable attire.

**(4.7.5) Cell Phone Policy**

The organization allows students to have cellular phones at school only if parental permission is given to have the device at school, and with the Director's /Administrator's approval. Once approved, students may keep their phones turned off and in their backpack or cubbies, unless they receive permission from their current teacher to use the phone for educational purposes. If a phone is seen or heard while under school supervision without teacher permission, they will be taken away and existing behavioral sanctions will apply. All confiscated cell phones or other electronic devices will be made available only to the parent/legal guardian for direct pick-up at their convenience. When a student has a legitimate need to make a call during the school day, they may use a school telephone, provided they obtain permission from a staff member prior to use. Parents who need to contact their children during the school day for valid emergencies should contact the school office to relay a message, and that message will be relayed to your child in a timely fashion.

**(4.7.6) Games and Electronic Devices**

Toys, games, playing cards, electronic devices and other non-academic items or games are only allowed with specific permission from a staff member (for example, clubs or special events). All usage of these items should be educationally focused and directed

by a staff member. Any items found without permission will be confiscated and made available to parents for direct pick up. Items not picked up within five (5) school days may be discarded or given to charity. The organization cannot be held liable for any lost, damaged or stolen items.

**(4.7.7) Textbook Policy**

Students may be issued books in some of their classes, which remain the property of the school. Textbooks include either the physical copy of the book itself, or the digital version (i.e. CD-Rom). Any lost, stolen, or damaged books are the sole responsibility of the student whom the book has been checked out to. If something occurs to this property, the incident must be reported immediately. Students not returning books or returning severely damaged books or digital media will be required to make payment for the replacement or repair costs to the school.

**(4.7.8) Computers and Internet Acceptable Use Policy**

By virtue of using a school computer, network or online tool the students and parents of the organization agree to abide by the organization's acceptable use policy. This policy will be sent home annually. If a parent wishes to opt out of accepting this policy, they should notify the school in writing, and access to all school electronic resources will be denied for the individual student.

**(4.7.8.1) Acceptable Use Policy**

The organization offers Internet access for student and staff use at school and various online tools for staff, student and parent use. This policy is the Acceptable Use Policy for your use of our online tools and Internet use at school. The Internet system and online tools have been established for a limited educational purpose to include classroom activities, career development, and limited high quality, self-discovery activities as well as research. It has not been established as a public access or public forum and the organization has the right to place reasonable restrictions on the material you access or post, the training you need to have before you are allowed to use the system, and enforce all rules set forth in the school code and the laws of the state of Florida. Further, you may not use this system for commercial purposes to offer, provide, or purchase products or services through the system or use the system for political lobbying. Access to the Internet is available through this school only with permission of the Director/Administrator or his or her designee and your parents. This policy applies to the use on school equipment at school, or the use of services established or maintained by the school which may also be used off property.

The following uses of the organization's Internet are acknowledged:

**(4.7.8.1.1) Personal Safety**

- a You will not post contact information (e.g., address, phone number) about yourself or any other person.
- b You will not agree to meet with someone you have met online without approval of your parents. Any contact of this nature or the receipt of any message you feel is inappropriate or makes you feel uncomfortable should be reported to school authorities immediately.

**(4.7.8.1.2) *Illegal Activities***

- a You will not attempt to gain unauthorized access to this or any other computer system or go beyond your authorized access by entering another person's account number or accessing another person's files.
- b You will not deliberately attempt to disrupt the computer system or destroy data by spreading computer viruses or by any other means.
- c You will not use our system to engage in any other disruptive or illegal act, such as cyberbullying, arranging for a drug sale or the purchase of alcohol, engaging in criminal gang activity, threatening the safety of a person, etc.

**(4.7.8.1.3) *System security***

- a You are responsible for your individual accounts and should take all reasonable precautions to prevent others from being able to use your accounts. Under no condition should you give your password to another person.
- b You will immediately notify a teacher or the system administrator if you have identified a possible security problem. Do not look for security problems; this may be construed as an illegal attempt to gain access.
- c You will avoid the inadvertent spread of computer viruses by following the district virus protection procedures when downloading software.

**(4.7.8.1.4) *Inappropriate Language***

On any and all uses of the Internet, whether in application to public or private messages or material posted on the Web pages, you will not use obscene, profane, lewd, vulgar, rude, inflammatory, threatening, or disrespectful language. You will not post information that could cause danger or disruption or engage in personal attacks, including prejudicial or discriminatory attacks. You will not harass another person by a persistent action that distresses or annoys another person and you must stop if asked to do so.

**(4.7.8.1.5) *Respect for Privacy***

- a You will not repost a message that was sent to you privately without permission of the person who sent you the message.
- b You will not post private information about yourself or another person.

**(4.7.8.1.6) *Respecting Resource Limits***

- a You will use the system only for educational and career development activities and limited, high quality, self-discovery activities.
- b You will not post chain letters or engage in "spamming" (that is, sending an annoying or unnecessary message to a large number of people).

**(4.7.8.1.7) *Plagiarism and Copyright Infringement***

- a You will not plagiarize materials that you find on the Internet. Plagiarism is taking the ideas or writings of others and presenting them as if they were yours.



- b You will respect the rights of copyright owners. Copyright infringement occurs when you inappropriately reproduce a work that is protected by copyright. If a work contains language that specifies appropriate use of that work, you should follow the expressed requirements. If you are unsure whether or not you can use a work, you should request permission from the copyright owner. Direct any questions regarding copyright to a teacher.

**(4.7.8.1.8) *Inappropriate Access to Material***

- a You will not use the organization's computer system to access material that is profane or obscene (pornography) or that advocates illegal acts or violence or discrimination toward other people (hate literature). A special exception may be made for hate literature if the purpose of the access is to conduct research with both teacher and parental approval.
- b If you mistakenly access inappropriate information, you should immediately tell your teacher or another staff member. This will protect you against a claim of intentional violation of this policy.
- c Your parents should instruct you if there is additional material they think would be inappropriate for you to access. The school fully expects that you will follow your parents' instruction in this matter.

**(4.7.8.1.9) *Your Rights***

- a Free Speech. Your right to free speech, as set forth in the school disciplinary code, applies also to your communication on the Internet. The Internet is considered a limited forum, similar to the school newspaper, and therefore the school may restrict your right to free speech for valid educational reasons. The school will not restrict your right to free speech on the basis of its disagreement with the opinions you express.
- b Search and Seizure. You should expect no privacy of the contents of your personal files on the school system. Routine maintenance and monitoring of the system may lead to discovery that you have violated this policy, the school code, or the law. An individual search will be conducted if there is reasonable suspicion that you have violated this acceptable use policy, the school disciplinary code, or the law.
- c Due Process. The school will cooperate fully with local, state, or federal officials in any investigation related to illegal activities conducted through the organization's Internet system. In the event of a claim that you have violated this policy, the school disciplinary code, or the law in your use of our system, you will be given written notice of suspected violations and an opportunity to present an explanation according to school code and/or state and federal law. Additional restrictions may be placed on your use of your Internet account.

**(4.7.8.1.10) *Other Acknowledgements***

The Organization makes no guarantee that the functions or the services provided by or through the system will be error free or without defect. The organization will not be responsible for any damage you may suffer including, but not limited to, loss of data or

interruptions of service. The school is not responsible for the accuracy or quality of the information obtained through or stored on the system. The school will not be responsible for financial obligations arising from unauthorized use of the system.

Anyone caught breaking these rules will be subjected to disciplinary procedures depending upon the severity of the infraction. Additionally, any student caught intentionally damaging or vandalizing a school computer may be disallowed from utilizing computer resources. Any such act may result in partial or full restitution being required by the student and/or family.

**(4.7.9) Dances**

The organization may periodically sponsors dances for students. Attendance is limited to those students who are enrolled with the organization, are achieving academically, and following the rules of conduct set forth by the school. Dances may be held separately for different age levels. Students are required to follow the rules and regulations of the organization while attending any dance. All Dress Code restrictions and intent for modest and acceptable fashion wear would apply. Parents are encouraged to attend as chaperones.

**(4.7.10) Movies in the Classroom**

The organization emphasizes the use of various media to educate students. Teachers are welcome to occasionally use videos in the classroom and at school sponsored events, providing that the following policies are adhered to:

**(4.7.10.1) Copyright**

Teachers are required to follow the legal copyright requirements of videos and media within the classroom

**(4.7.10.2) Elementary Students**

Elementary students may be shown "G" rated movies without parental permission. Movies which are "PG" require that the teacher notify parents at least one week in advance using the school's online communication system, giving parents the option to opt- their students out of watching the video.

**(4.7.10.3) Middle School Students**

Students in grades six through eight may be shown "G" or "PG" rated movies without parental permission. Movies with are rated "PG-13" require that the teacher notify parents at least one week in advance using the school's online communication system, giving parents the option to opt- their students out of watching the video.

**(4.7.10.4) "R" Rated Movies:**

No "R" rated movies may be shown to students during school events.

**(4.7.11) Searches by School Personnel**

In accordance with the state and federal law, should a school staff member have reasonable suspicion that a crime or violation of school rules has occurred; the school staff member has the authority to conduct an appropriate search.

Reasonable suspicion is defined to mean that the person initiating the search has a well-founded suspicion -- based on objective facts that can be articulated -- of either

criminal activity or a violation of school rules. Reasonable suspicion is more than a mere hunch or supposition.

If reasonable suspicion exists, and if the school staff can justify the search at its inception a reasonable search to can be conducted prove or disapprove the stated suspicion prior to starting the search.

Student lockers and desks may be searched by school administrators or staff who have a reasonable suspicion that the lockers or desks contain drugs, alcohol, material that violate school rules, stolen properties, weapons, items posing a danger to the health or safety of students and school employees, or evidence of a violation of school policy. In addition, the Board authorizes the use of trained dogs to sniff lockers or other school property to assist in the detection of the presence of drugs, explosives, and other contraband. The Board does not need reasonable suspicion to utilize drug sniffing dogs.

Students or student property may be searched based on reasonable suspicion of a violation of School rules, policy or state law. The privacy and dignity of students shall be respected. Searches shall be carried out in the presence of adult witnesses, preferably both the individual conducting the search and the witness will be of the same gender as the student. Students may be asked to empty pockets, remove jackets, coats, shoes and other articles of exterior clothing for examination if reasonable under the circumstances. No employee shall perform a strip search of any student

Law enforcement officials shall be contacted if the search produces a controlled substance, drug paraphernalia, weapons, stolen goods or evidence of a crime, in any case involving a violation of law when a student refuses to allow a search, or where the search cannot safely be conducted. Parents may also be contacted.

**(4.7.12)**

**Student Publications**

The organization encourages student production and distribution of publications which can provide opportunities for practical journalistic experience and for the written expression of differing opinions. The organization recognizes that freedom of speech and press bring corresponding responsibilities. The Director/Administrator, through appointment of a faculty advisor, shall provide guidance to students in appropriate methods for preparing and producing publications. The Director/Administrator or designee may delay or stop distribution of any materials proposed for printing or that have been printed which may be reasonably forecast to cause substantial and material disruption or obstruction of any lawful mission, process, or function of the school.

## **(5) Teaching and Learning**

**(5.1)**

**Curriculum Development**

The organization recognizes the need and value of a systematic and on-going program of curriculum review. The organization encourages and supports the professional staff in its efforts to identify and review new curricular ideas, develop and improve existing programs and evaluate all instructional programs.

The Director/Administrator will continuously carry out the curriculum development and implementation process. As used in this Policy, curriculum is the process, attitudes, skills and knowledge that is taught and learned at the appropriate levels.

**(5.1.1) Curriculum Research**

The organization directs that all curriculum developed and/or adopted by the organization shall be based on current research relative to how students best learn. Resources to be consulted include, but are not limited to, local or area universities, State Department of Elementary and Secondary Education services, Association for Supervision of Curriculum Development and similar national, state and/or local curriculum organizations. Every effort should be made to insure that the organization's curriculum is current and based on sound educational research findings.

**(5.1.2) Curriculum Map**

The Director/Administrator or designee will ensure that a current curriculum map is designed to identify the instructional objectives to be met at each grade level.

**(5.2) Textbook Adoption**

The Director/Administrator or designee will consult with teachers and administrators to review textbook offerings in specific instructional areas. The Director/Administrator will consider the findings and make a final decision.

**(5.2.1) Standards Alignment**

The organization shall ensure that all textbook and curricular materials utilized by the school will align with Florida's Common Core State Standards and / or the Next Generation Sunshine State Standards.

**(5.2.2) Challenged Materials**

The Board of Directors has the ultimate responsibility for establishing the curriculum and for purchasing instructional and/or media materials to be used in the School. While the Board of Directors recognizes the right of students to free access to the many different types of books and instructional materials, the Board also recognizes the right of teachers and administrators to select books and other materials in accord with current trends in education and the established curriculum.

It is therefore the policy of the organization to require that books and other instructional materials shall be chosen for values of educational interest and the enlightenment of all students in the community. Instructional materials shall not be excluded on the basis of the writer's racial, nationalistic, political or religious views. Every effort will be made to provide materials that present all points of view concerning international, national and local problems and issues of our times. Books, or other instructional or media materials of sound factual authority, shall not be prescribed, nor removed from library shelves or classrooms on the basis of partisan or doctrinal approval or disapproval. The organization will strive to provide stimulating, effective materials that will be appropriate to the community's values and the students' abilities and maturity levels.

Instructional or media materials used in the School's educational program consist of various types of print and non-print materials. Despite the care taken to select those materials deemed to be educationally useful, occasional objections to the selection of

instructional materials may be made by the public. However, the principles of academic freedom and the freedom to read must be defended, rather than the materials.

If a challenge is made, it should be properly channeled through the complaint process described elsewhere within this policy manual;

Classroom

Director/Administrator

Board of Directors

### **(5.3) Teacher's Lesson Plans**

Teachers will be expected to submit lesson plans that correlate with both the school's Curriculum Guide and aligned to the State and/or National Standards. Lesson plans shall be submitted by hard copy through the method identified by the Director/Administrator. Lesson plans will be reviewed to ensure compliance with school and state requirements and will be kept on file for five years.

### **(5.4) Reporting Student Progress**

The organization believes parents are an integral part in their child's education. To keep parents informed, students' progress will be formally reported eight times per year. At the end of each quarter report cards will be distributed documenting student progress.

### **(5.5) Exceptional Student Education**

#### **(5.5.1) Acceptance of Students**

The organization operates public schools that are required to admit all students, based on space availability. The school does not however serve the broad array of all exceptional educational needs. We provide classroom services, and contract with providers for therapeutic needs. If additional services are required that we are unable to provide or contract out, we will consider the option of dual enrollment at another with the School District.

#### **(5.5.2) Limitation of Services**

The organization strives to meet the needs of all of our students. We attempt to provide individualized instruction to all of our students. The organization does not, however, provide the full-range of ESE services that are available from other public schools in the county. When a child with special needs is considering enrolling with the organization the family will be informed of the services provided by the school and the current staffing levels.

#### **(5.5.3) Dual Enrollment**

If a child has special needs that are not able to be met by the staff of the organization, prior to enrollment, or during the staffing process for new referrals, staff will work with the school district's staffing specialist to find a nearby school which provides the required services. Should the parents choose to do so; the child could be dual enrolled

between the organization and the district school providing ESE services. The student would receive regular education services from the organization and would be transported to the district school for ESE services.

## **(5.6) Section 504**

### **(5.6.1) Section 504 Plans**

The organization provides a free and public education to each student who is disabled within the definition of Section 504 of the Rehabilitation Act of 1973 regardless of the nature of severity of the disability.

### **(5.6.2) When a 504 Plan will be considered**

The organization will consider a 504 plan for accommodations if a School Based Leadership Team feels that the child may have a disability which would meet the criteria for such a plan. This can occur when a teacher identifies a student who is having difficulties, a parent requests a team to consider the needs of a student, or if a medical report has been submitted identifying a student as having a disability.

### **(5.6.3) Meeting to consider 504 Plan**

If the School Based Leadership Team recommends a student be considered for a 504 plan, the Director/Administrator or designee will coordinate a meeting among the student's teachers and school specialist. The teacher will also ensure the parents have been notified and invited to the meeting. While at the meeting, the team members will consider whether the student's disabilities qualify them for accommodations under Section 504 of the Rehabilitation Act. If so, the team will identify the accommodations necessary to allow the student to be successful within the school environment. The authorizing School District's forms will be used for both determination and the actual 504 Plan.

### **(5.6.4.) Eligibility**

To determine if a child has a disability that qualifies them for a 504 Plan, the team will utilize the policies of the authorizing School District in regards to eligibility.

## **(5.7) (MTSS) Multi-Tiered Support System**

### **(5.7.1) Purpose**

The purpose of MTSS is to provide additional supplemental interventions to the students that have academic difficulties. A child study meeting will be conducted to determine the eligibility of services. The meeting will also review the available student data and recommend modification for the classroom. The Director/Administrator shall make the determination whether parents will be invited and will coordinate their attendance if requested.

## **(5.8) English as a Second Language**

The organization is committed to identifying and assessing the educational needs of students whose native or home language is other than English. Once identified, University Academy will provide appropriate programs to address the needs of these students.

**(5.8.1) Home Language Assessment**

Upon being accepted to the school, the Director/Administrator will ensure each student's records are reviewed to ensure a home language survey/assessment has been completed, and if it has not, will ensure the survey is completed by the student's parents within the first two weeks of enrollment.

**(5.8.2) Services**

The organization will also take steps to ensure to the maximum extent practicable that the interests of ESOL students are included in the development and implementation of School programs and services that are offered by the School to and for its student body. The Director/Administrator will ensure that all legal requirements are adhered to in regards to the instruction and services provided to students who qualify for ESOL students.

**(5.9) Instructional Time**

The primary focus of the School's staff and programs is maximization of student learning. While learning occurs as a result of extracurricular activities and as a result of non-structured interaction between students and between students and staff, most learning occurs as a result of planned learning activities during class time. Therefore, every effort will be made to minimize disruptions in instructional time. Public address announcements and pull out programs will be planned to avoid loss of critical instruction time.

**(6) Management**

**(6.1) Students**

**(6.1.1) Supervision of Students**

Students are to be supervised at all times while under the control of the organization. This includes the time students are attending school, while away from the school on school-sponsored events, or while participating in extracurricular activities, such as clubs. Supervision will be provided for 15-minutes prior and 15-minutes after the start and end of school. Parents will be notified of supervision times at least twice per year in writing through the school's newsletter. Students may not be left alone without supervision.

**(6.2) School Records**

**(6.2.1) Security of Student Records**

All student information is considered confidential and will be maintained as such in compliance with all applicable laws and regulations. Such information shall be available to the parent or guardian or to the student himself who has attained the age of eighteen (18) years. Professionally competent personnel shall be available for interpreting any data with the student's cumulative folder. Copies of such contents shall also be made available to parents/students at cost, within the limitations of copying facilities.

The school may, without the consent of the student or his/her parents, release student records contained within the cumulative folder or any supplementary classifications to school officials who have a proper educational purpose in examining such information.

No other person may have access to or make copies of a student's records, except under the following circumstances:

- a The consent must be given by the student's parent or guardian except when a student reaches the age of eighteen (18) or is married, at which time his consent and not that of his parents shall be obtained in order to release the information; and a student who meets the foregoing requirements shall consent to parental access to his records.
- b The consent shall be written and shall specify the records to be released and to whom they are to be released. Each request for consent shall be handled separately; blanket permission for the release of information shall not be acceptable.
- c Under compulsion of law: courts, law enforcement agencies, agencies subpoenaing such records.
- d When data for outside purposes is released in such form that no individual student is identifiable.
- e When the Director/Administrator determines the release of specific information as described by the Family Education Rights and Privacy Act of 1974 is in the best interests of the student, provided such information has not been disallowed by the parents.

The parent or guardian, or an eighteen (18) year old or older student, shall have the right to challenge the accuracy and authenticity of data recorded within the student's cumulative folder. Any such data that is determined by the Director/Administrator to be inaccurate shall be expunged from the record; and an appeal from the decision of the Director/Administrator shall be made to the Board of Directors.

In each instance in which a student's record is transferred out of the organization, the school shall retain a complete copy of the student's academic record, together with all other confidential information and reports. After three (3) years this material will be sent to Central Files with the school district.

## **(6.2.2)**

### **Up-To-Date Records**

It is the parent/legal guardian's responsibility to keep the school office informed and up to date regarding any changes of names, addresses, telephone numbers, email addresses, etc. so that important student information may be received from or provided to the parent/legal guardian in a timely manner for the benefit and well-being of the student.

## **(6.3)**

### **Public Records Request**



It is the policy of the organization that all public records made or received in connection with the official business of the agency be made available upon request of any person for inspection, examination, and copying in accordance with applicable law and the following policy guidelines:

- All public records shall be available for inspection or copying under the supervision of the custodian (or designee) of the public records at reasonable times during normal office hour. All public records that are presently provided by law to be confidential or prohibited from being inspected by the public, whether by general or special law, are exempt from production.
- The Director/Administrator may from time-to-time direct that public records requests be handled in a specific manner in order to ensure that the public records are protected, that requests are complied with as expeditiously as is reasonably possible given the nature and scope of the request, and that confidential and exempt records are not disclosed except as required by law. Such directives must not be used in any way to hinder, delay, or circumvent a person's right of access to the public records.
- The fact that the originator of a public record asks or directs that it remain confidential does not in fact make that document confidential. Such record is still subject to disclosure unless the law makes it confidential or exempt. Except in the case of student records, if a public record contains information that is confidential or exempt by law, a true and correct copy of the original record shall be made, the confidential or exempt portions of copy shall be redacted, and the redacted copy of the record shall be made available to the requesting party. In the case of student records, the entire record is confidential and exempt and shall not be disclosed except as required or permitted by applicable law.
- The requesting party need not demonstrate any special or legitimate interest in the requested public records. Requests for public records shall be complied with regardless of the motivation of the requesting party.
- No automatic waiting period shall be imposed. The only delay permitted is that which is reasonably necessary to allow the custodian to compile the requested records and protect against disclosure of those records or portions of records that are confidential and exempt.
- Public records made or received by a third party pursuant to a contract or agreement with the agency shall be subject to disclosure to the same extent as public records in the physical custody of the agency.
- If a public records request is insufficient to identify the records sought, the requestor shall be promptly notified that more information is needed in order to produce the records. The agency shall offer reasonable assistance to the requestor in describing the nature and extent of such information.
- The maximum cost of duplication prescribed by law, shall be charged and collected before and as a condition to production. The requesting party shall be advised of these costs in advance of the duplication of the requested records.

- In the absence of a statutory exemption, all public records requested shall be produced regardless of the number of records involved or the time and inconvenience associated with the production. However, in addition to the actual cost of duplication, a special service charge shall be imposed for the cost of the extensive use of information technology resources or of clerical or supervisory personnel, where such extensive use is required because of the nature or volume of public records to be inspected, examined or copied. The requesting party shall be given an estimate of the cost before the services are undertaken. Such estimated cost shall be collected from the requestor before duplication of the public records. In the event that the actual cost exceeds the estimate, the difference shall be collected from the requestor before production of the public records. If the actual cost is less than the estimate, the requestor shall be reimbursed the difference at the time the public records are produced. For purposes of this rule, "extensive" means that it will take more than fifteen (15) minutes to identify, locate, compile, review, copy, and re-file the requested records. This service charge shall be computed to the nearest quarter hour exceeding fifteen (15) minutes based on the current rate of pay of the organization employee(s) and/or supervisors who perform these services.
- Definitions:
  - **Public Records:** The term public records includes all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by the agency. Public records encompass all materials used to perpetuate, communicate, or formalize knowledge, regardless of whether they are in final form.
  - **Public Records Request:** The term public records request means a request by any person, whether written or verbal, for inspection, examination, or copying of public records.
  - **Request for Information:** A request for information, as distinguished from a public records request, is one in which the requested information does not already exist in public record form.

## **(6.4) Emergency Procedures**

### **(6.4.1) Fire Drill Procedures**

The organization shall maintain an evacuation plan to be used in the case of fire or other emergency situations. This plan will be reviewed annually by the organization's administrators for effectiveness. All students and staff members will be made aware of the plan, and maps highlighting the escape routes will be posted in all school rooms. Fire drills will be conducted at least once per month. Drills will be held at various times throughout the day and will test various types of fire emergencies. Documentation of the drills will be maintained by the organization for review.

**(6.4.2) Tornado Drill Procedures**

The organization will maintain an emergency plan for use during tornado and inclement weather. This plan will be reviewed annually. All staff and students will be made aware of this plan. The plan will be practiced at least twice per year as is required by Florida law. Documentation of the drills will be maintained by the organization for review.

**(6.4.3) Hurricane Closures**

The organization will follow the same emergency closures as the authorizing school district. Parents should monitor local news outlets during inclement weather. If the public schools are closed, the organization will also be closed. In the event that too many closures occur, and time must be made up.

**(6.4.4) Intruder / Lock Down Procedures**

The organization will maintain an emergency Intruder / Lock Down Procedure. This plan will be reviewed annually for effectiveness and to ensure compliance by school personnel. All staff and students will be made aware of the procedures. The procedures will be practiced at least twice per year, and documentation of such will be maintained by the organization for review. The emergency procedures described within this policy are confidential documents which pursuant to Florida State Statute 1006.07(4) is not subject to open record laws.

**(6.5) Fund Raising**

The organization is a nonprofit organization which relies on governmental funds and contributions to effectively educate our students. As a result, fundraising is necessary to help support the educational programs offered. The Director/Administrator shall approve all fundraising activities and ensure that families are not being asked to contribute excessively at any given time. Efforts will be made to ensure only one fund raiser occurs at a time. All fundraisers will identify the purpose for the money raised.

**(6.6) Photographs of Students**

**(6.6.1) Portraits**

The organization will sponsor one or two formal portrait days for students. A company which best meets the needs of the families for a reasonable cost will be selected by school staff. These photos will be utilized for the creation of the yearbook in addition to being sold to the families.

**(6.6.2) Snapshots**

Frequently throughout the school year school staff take pictures of events that happen during the school day. Should a parent not want their child photographed in such a way, they must submit written notification of their request to the Director/Administrator. This request will then be passed along to school staff. Snapshots may periodically be used for promotional materials for the school. The school reserves the right to utilize such snapshots through electronic media which do not individually identify any specific student. If a parent or guardian requests the removal of such a photograph, the school staff will comply with the request within 72 hours.

**(6.7) Gifts**

Collections of funds from students by students for the purpose of giving gifts to a staff member of the organization is discouraged.

## **(6.8) Volunteers:**

### **(6.8.1) Background Checks**

All individuals who are not employed by the organization must enter through the main office. Should they wish to go beyond the main office, their identification must be scanned by the background check system, and given a badge to wear, identifying that they have properly checked in through the office. It is the responsibility of all staff members to help police the halls to ensure that all visitors have properly checked into the office. Any individual who does not have an appropriate name badge must be walked back to the office to ensure they are signed in properly.

### **(6.8.2) Background Check Concern**

If, during the background check, an individual is identified as having a background as a sexual predator, the Director/Administrator will immediately be notified by the system. The person running the check should call the Director/Administrator and/or designee to decide what to do about the situation. The following guidelines are in place:

- If the person trying to gain entry has a relative who is a student attending the school, and there are no outstanding court orders barring that person from having contact with the child, the person may enter the school only with a staff member escort. The individual may not be left alone with any student on school property.
- If the person trying to gain entry has a relative who is a student attending the school, and there are restrictions on the visitation, the appropriate action will be taken as identified by the court documents. In most situations, the Police Department will be notified.
- If the person trying to gain entry does not have any relatives attending this school, they will not be permitted access to the building, and the Police Department will be notified.
- If the person trying to gain access is a volunteer, the person will not be granted entry until after their information has been entered into school district's volunteer background check system, and a clearance is given from the Offices of Safety and Security.

### **(6.8.3) Student Supervision Background Checks**

If an adult plans to volunteer with students (such as field trip chaperones, student tutoring, etc.) the individual must complete a volunteer registration form. If the adult will be responsible for student supervision (such as running an after school club), the parent must go through a Level 2 background check, the cost of which the parent is responsible for. The school district conducts the complete background check to ensure the individual is clear of anything in their past which would prevent them from working with children.

## **(6.9) Policy Against Bullying And Harassment**

### **(6.9.1) Statement prohibiting bullying and harassment**

It is the policy of the organization that all of its students, employees, and volunteers learn and work in an environment that is safe, secure, and free from harassment and bullying of any kind. The organization will not tolerate bullying and harassment of any type. Conduct that constitutes bullying and harassment, as defined herein, is prohibited.

### **(6.9.2) Definition of bullying and definition of harassment**

Bullying means intentionally and repetitively inflicting physical hurt or psychological distress on one or more students or employees and may involve but is not limited to:

- a Constant Teasing
- b Social Exclusion
- c Continuous Threats
- d Intimidation
- e Stalking, including cyber stalking as defined herein
- f Physical violence
- g Theft
- h Sexual, religious, racial or gender orientation harassment
- i Public humiliation
- j Destruction of property

Harassment means any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal or physical conduct directed against a student or employee that:

- a Places a student or employee in reasonable fear of harm to his or her person or damage to his or her property.
- b Has the effect of substantially interfering with a student's or employee's educational performance, opportunities, or benefits.
- c Has the effect of substantially disrupting the orderly operation of a school.

Bullying and harassment also encompasses:

- Retaliation against a student or employee by another student or employee for asserting or alleging an act of bullying or harassment. Reporting an act of bullying or harassment that is not made in good faith is considered retaliation.
- Perpetuation of conduct listed in the definition of bullying or harassment by an individual or group with intent to demean, dehumanize, embarrass, or cause emotional or physical harm to a student or school employee by:

- Incitement or coercion
- Accessing or knowingly and willingly causing or providing access to data or computer software through a computer, computer system, or computer network within the scope of the school
- Acting in a manner that has an effect substantially similar to the effect of bullying or harassment
- Cyber stalking, which is defined as engaging in a course of conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at a specific person, causing substantial emotional distress to that person and serving no legitimate purpose. See s. 784.048(1)(d), F.S.

**(6.9.3) Expected Behavior**

The organization expects students to conduct themselves as appropriate for their levels of development, maturity, and demonstrated capabilities with a proper regard for the rights and welfare of other students and school staff, the educational purpose underlying all school activities, and the care of school facilities and equipment.

The organization believes that standards for student behavior must be set cooperatively through interaction among the students, parents/legal guardians, staff, and community members producing an atmosphere that encourages students to grow in self-discipline. The development of this atmosphere requires respect for self and others, as well as for school and community property on the part of students, staff, and community members. Since students learn by example, school administration, faculty, staff, and volunteers will demonstrate appropriate behavior, treat others with civility and respect, and refuse to tolerate harassment or bullying. The organization upholds that bullying of any student or employee is prohibited:

- a During any education program or activity conducted by the school;
- b During any school-related or school-sponsored program or activity;
- c On a school bus; or
- d Through the use of data or computer software that is accessed through a computer, computer system, or computer network within the scope of the district school system.

**(6.9.4) Consequences for an act of bullying or harassment**

Concluding whether a particular action or incident constitutes a violation of this policy requires a determination based on all of the facts and surrounding circumstances. The physical location or time of access of a computer-related incident cannot be raised as a defense in any disciplinary action. Consequences and appropriate remedial action for students who commit acts of bullying or harassment may range from positive behavioral interventions up to and including suspension or reassignment, as outlined in school's policies. Consequences and appropriate remedial action for an employee found to have committed an act of bullying or harassment may be disciplined in accordance with

school policies, procedures, and agreements. Additionally, egregious acts of harassment by certified educators may result in a sanction against an educator's state issued certificate. (See State Board of Education Rule 6B-1.006, FAC, The Principles of Professional Conduct of the Education Profession in Florida.) Consequences and appropriate remedial action for a visitor or volunteer, found to have committed an act of bullying or harassment shall be determined by the school administrator. After consideration of the nature and circumstances of the act, reports may be referred to appropriate law enforcement officials, and the individual will be given limited access on campus and at school sponsored activities. Accusations made in good faith, even though subsequently determined to be false, shall not be subject to discipline consequences or remedial action as called for by this section.

**(6.9.5) Consequences for intentional misreporting**

Consequences and appropriate remedial action for a student found to have wrongfully and intentionally accused another as a means of bullying or harassment range from positive behavioral interventions up to and including suspension or reassignment, as outlined in school's policies. Consequences and appropriate remedial action for an employee found to have wrongfully and intentionally accused another as a means of bullying or harassment may be disciplined in accordance with school policies, procedures, and agreements. Consequences and appropriate remedial action for a visitor or volunteer, found to have wrongfully and intentionally accused another as a means of bullying or harassment shall be determined by the school administrator after consideration of the nature and circumstances of the act, including reports to appropriate law enforcement officials.

**(6.9.6) Reporting an act of bullying or harassment**

The Director/Administrator or designee, is responsible for receiving complaints alleging violations of this policy. All school employees are required to report alleged violations of this policy to the Director/Administrator or designee. All other members of the school community, including students, parents/legal guardians, volunteers, and visitors are encouraged to report any act that may be a violation of this policy anonymously or in-person to the Director/Administrator or designee. In order to report incidents of bullying, individuals may meet with either the Director/Administrator or designee to make the report. Any report in person should be followed within one day with a written report or a written explanation to the school's office. Should the Director/Administrator wish, other forms of reporting may be created. The methods of reporting bullying will be prominently publicized to students, staff, volunteers, and parents/legal guardians, as well as how the report will be acted upon. The victim of bullying, anyone who witnessed the bullying, and anyone who has credible information that an act of bullying has taken place may file a report of bullying. An employee, school volunteer, student, parent/legal guardian or other persons who promptly reports in good faith an act of bullying or harassment to the appropriate official and who makes this report in compliance with the procedures set forth in the school policy is immune from a cause of action for damages arising out of the reporting itself or any failure to remedy the reported incident. Submission of a good faith complaint or report of bullying or harassment will not affect the complainant or reporter's future employment, grades, learning or working environment, or work assignments. Written and oral reports shall be considered official

reports. Reports may be made anonymously but formal disciplinary action may not be based solely on the basis of an anonymous report.

**(6.9.7) Investigation of whether a reported act is within the scope of the school**

A Director/Administrator (or designee) will investigate procedures to initiate an investigation of whether an act of bullying or harassment is within the scope of the school. The trained designee(s) will provide a report on results of investigation with recommendations for the Director/Administrator to make a determination if an act of bullying or harassment falls within the scope of the district and will act according to the following protocols:

- a If it is within the scope of the school, further investigation will commence in accordance with subsection (6.9.8) herein;
- b If it is outside scope of the school, and determined a criminal act, refer to appropriate law enforcement.
- c If it is outside scope of the school, and determined not a criminal act, inform parents/legal guardians of all students involved.

**(6.9.8) Prompt investigation of a report of bullying or harassment**

The investigation of a reported act of bullying or harassment is deemed to be a school-related activity and begins with a report of such an act.

The Procedures for Investigating Bullying and/or Harassment include:

- a a. The Director/Administrator (or designee employed by the school) will be assigned to initiate the investigation. The designee(s) may not be the accused perpetrator (harasser or bully) or victim.
- b b. Each individual (victim, alleged perpetrator, and witnesses) will be interviewed separately.
- c c. The investigator shall collect and evaluate the facts including, but not limited to:
  - a Description of incident including nature of the behavior; context in which the alleged incident occurred, etc.;
  - b How often the conduct occurred;
  - c Whether there were past incidents or past continuing patterns of behavior;
  - d The relationship between the parties involved;
  - e The characteristics of parties involved (i.e., grade, age, etc.);
  - f The identity of the perpetrator, including whether the perpetrator was in a position of power over the student allegedly subjected to bullying or harassment;



- g The number of alleged bullies/harassers;
  - h The age(s) of the alleged bullies/harassers;
  - i Where the bullying and/or harassment occurred; and
  - j Whether the conduct adversely affected the student's education or educational environment.
- d Whether a particular action or incident constitutes a violation of this policy requires a determination based on all the facts and surrounding circumstances and includes:
- a Recommended remedial steps necessary to stop the bullying and/or harassing behavior
  - b A written final report to the Director/Administrator.

Where the victim is a student, according to the severity of the infraction, the Director/Administrator (or designee) shall promptly notify the parent/legal guardian of the victim via telephone or personal conference of any actions being taken to protect the victim. The frequency of notification will depend on the severity of the bullying incident. The maximum of 10 school days shall be the limit for the initial filing of incidents and completion of the investigative procedural steps.

**(6.9.9)**

**Determination of consequences and due processes for a perpetrator:**

Concluding whether a particular action or incident constitutes a violation of this policy requires a determination based on all of the facts and surrounding circumstances, followed by the determination of disciplinary sanctions appropriate to the perpetrator's position within the school. Bullying/harassment by parents/guardians, visitors, school staff members or students will not be accepted as approved behavior on school campus or school sponsored activities.

- a Consequences and appropriate interventions for students who commit acts of bullying may range from positive behavioral interventions up to, but not limited to suspension, or reassignment as outlined in the organization's policies and school district's Code of Conduct.
- b Consequences and appropriate interventions for an employee found to have committed an act of bullying will be instituted in accordance with school policy. Additionally, egregious acts of bullying by certified educators may result in a sanction against an educator's state issued certificate (Rule 6B-1.006 F.A.C.).
- c Consequences and appropriate intervention for a visitor or volunteer, found to have committed an act of bullying shall be determined by the school administrator. After consideration of the nature and circumstances of the act, reports may be referred to appropriate law enforcement officials and the individual will only be given limited access on campus and school activities.
- d These same actions will apply to persons, whether they are students, school employees, or visitors/volunteers/independent contractors, who are found to

have made wrongful and intentional accusations of another as a means of bullying.

- e If a complaint of bullying or harassment is made by the alleged victim during or after the commencement of an investigation into employee or student misconduct, it shall not be a defense to the allegations of employee or student misconduct but may be considered as a mitigating factor under school policy, if appropriate.

**(6.9.10) Providing immediate notification to the parents/legal guardians of a student victim:**

The Director/Administrator, or designee, shall by telephone and in writing, report the occurrence of any incident of bullying as defined by this policy to the parent or legal guardian of all students involved on the same day an investigation determines that an act of bullying has occurred. Notification must be consistent with the student privacy rights under the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA).

If the bullying incident results in the perpetrator being charged with a crime, the Director/Administrator, or designee, shall by telephone or in writing by first class mail, inform parents/legal guardian of the victim(s) involved in the bullying incident about the Unsafe School Choice Option (No Child Left Behind, Title IX, Part E, Subpart 2, Section 9532)

Once the investigation has been completed, appropriate local law enforcement agencies will be notified by telephone and/or in writing to determine whether to pursue criminal charges.

**(6.9.11) Referral of victims and perpetrators of bullying or harassment for counseling**

After an investigation has determined that an act of bullying has occurred, as defined herein, the school shall discuss with both the victim's and perpetrator's parents/legal guardians options available for counseling. This may include referrals to community agencies or partner agencies the school has relationships with. Parents/legal guardians will be notified that the school does not have a counselor or mental health specialists on staff.

The Director/Administrator (or designee) shall also refer the perpetrator to the school's Discipline Team in an attempt to develop strategies to be used within school to prevent the bullying behavior from continuing. The Director/Administrator (or designee) shall decide if a similar recommendation would be prudent for the victim.

**(6.9.12) Providing instruction regarding bullying and/or harassment**

The organization seeks to ensure that schools sustain healthy, positive, and safe learning environments for all students. It is important to change the social climate of the school and the social norms with regards to bullying. This requires the efforts of everyone in the school environment including all school staff, parents/legal guardians, students and school volunteers.

Students, parents/legal guardians, all school staff and, and school volunteers shall be informed on an annual basis on the school's Policy and Regulations against bullying and harassment.

**(6.9.13) Regularly reporting of actions taken to protect the victim**

The Director/Administrator (or designee) shall by telephone and/or in writing report the occurrence of any incident of bullying as defined by this policy to the parent or legal guardian of all students involved on the same day an investigation of the incident has determined an act of bullying has occurred. According to the level of infraction, parents/legal guardians will be notified by telephone and/or writing of actions being taken to protect the child; the frequency of notification will depend on the seriousness of the bullying or harassment incident. Notification must be consistent with the student privacy rights under the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA).

**(6.9.14) Publication of the policy**

At the beginning of each school year, the Director/Administrator shall, in writing, inform school staff, parents/legal guardians, or other persons responsible for the welfare of a student of this policy. The Director/Administrator shall also make all contractors working with students aware of this policy.

The Director/Administrator shall ensure the development an annual process for discussing the policy on bullying and harassment with students in a student assembly or other reasonable format.

**(6.10) Computer, E-Mail and Cell Phone Usage**

**(6.10.1) School Telephones**

Telephones are provided for business use only. Personal use of telephone systems should be for emergency use only. Staff members shall refrain from making or receiving outside calls while they are responsible for the supervision or education of students.

**(6.10.2) Personal Cell Phone Use**

Student use of cell phones is not allowed within the school building without the expressed permission of the teacher in charge. Teachers are allowed to permit cell phone usage for educational purposes. Staff members use of personal cell phones are prohibited while responsible for the supervision or education of students. Staff may use personal cell phones during scheduled breaks, planning time, etc.

**(6.10.3) Social Media Policy**

The organization realizes that part of 21st century learning is adapting to the changing methods of communication. The importance of teachers, students and parents engaging, collaborating, learning, and sharing in these digital environments is a part of 21st century learning. To this aim, the organization has developed the following guideline to provide direction for instructional employees, students and the school community when participating in online social media activities. Whether or not an employee chooses to participate in a blog, wiki, online social network or any other form

of online publishing or discussion it is his or her own decision. Free speech protects educators who want to participate in social media, but the laws and courts have ruled that schools can discipline teachers if their speech, including online postings, disrupts school operations. The organization's social media guidelines encourage employees to participate in online social activities. But it is important to create an atmosphere of trust and individual accountability; keeping in mind that information produced by the organization teachers and students is a reflection on the entire organization and is subject to the organization's Acceptable Use Policy. By accessing, creating or contributing to any blogs, wikis, or other social media for classroom or district use, you agree to abide by these guidelines. Please read them carefully before posting or commenting on any blog or creating any classroom blog, wiki and/or podcast.

**(6.10.3.1) Social Media Guidelines for Faculty & Staff**

At no time should information about students such as names, grades, general class performance or any other personally identifiable student information or pictures be posted on a personal social media site.

**(6.10.3.1.1) Blogs, Wikis, Podcasts, Digital Images & Video**

- **Personal Responsibility**

- Organizational employees are personally responsible for the content they publish online. Be mindful that what you publish will be public for a long time—protect your privacy.
- Your online behavior should reflect the same standards of honesty, respect, and consideration that you use face-to-face.
- When posting to your blog be sure you say that the information is representative of your views and opinions and not necessarily the views and opinions of the organization (See Blogging Rules)
- Remember that blogs, wikis and podcasts are an extension of your classroom. What is inappropriate in your classroom should be deemed inappropriate online.
- The lines between public and private, personal and professional are blurred in the digital world. By virtue of identifying yourself as an organizational employee online, you are now connected to colleagues, students, parents and the school community. You should ensure that content associated with you is consistent with your work at the organization.
- When contributing online do not post confidential student information.

- **Disclaimers**

- The organization's employees must include disclaimers within their personal blogs that the views are their own and do not reflect on their employer. For example, "The postings on this site are my own and don't

necessarily represent my organization's positions, strategies, opinions, or policies."

- This standard disclaimer does not by itself exempt organizational employees from a special responsibility when blogging.
- Classroom blogs do not require a disclaimer, but teachers are encouraged to moderate content contributed by students.

- **Copyright and Fair Use**

- Respect copyright and fair use guidelines. See U.S. Copyright Office - Fair Use (<http://www.copyright.gov/fls/fl102.html>)
- A hyperlink to outside sources is recommended. Be sure not to plagiarize and give credit where it is due. When using a hyperlink, be sure that the content is appropriate and adheres to the organization's acceptable use policy.
- It is recommended that blogs be licensed under a Creative Commons Attribution 3.0 United States License.

- **Profiles and Identity**

- Remember your association and responsibility with the organization in online social environments. If you identify yourself as an organizational employee, ensure your profile and related content is consistent with how you wish to present yourself with colleagues, parents, and students. How you represent yourself online should be comparable to how you represent yourself in person.
- No last names, addresses or phone numbers should appear on blogs or wikis.
- Be cautious how you setup your profile, bio, avatar, etc.
- When uploading digital pictures or avatars that represent yourself make sure you select a school appropriate image. Also remember not to utilize protected images. Images should be available under Creative Commons or your own.

**(6.10.3.1.2) Personal Use of Social Media such as Facebook, Myspace and Twitter**

- The organization's employees are personally responsible for all comments/information they publish online. Be mindful that what you publish will be public for a long time—protect your privacy.
- Your online behavior should reflect the same standards of honesty, respect, and consideration that you use face-to-face, and be in accordance with the highest professional Standards.
- By posting your comments having online conversations etc. on social media sites you are broadcasting to the world, be aware that even with the strictest privacy

settings what you “say” online should be within the bounds of professional discretion. Comments expressed via social networking pages under the impression of a “private conversation” may still end up being shared into a more public domain, even with privacy settings on maximum.

- Comments related to the school should always meet the highest standards of professional discretion. When posting, even on the strictest settings, staff should act on the assumption that all postings are in the public domain.
- Before posting photographs and videos, permission should be sought from the subject where possible. This is especially the case where photographs of professional colleagues are concerned.
- Before posting personal photographs, thought should be given as to whether the images reflect on your professionalism.
- Photographs relating to alcohol or tobacco use may be deemed inappropriate. Remember, your social networking site is an extension of your personality, and by that token an extension of your professional life and your classroom. If it would seem inappropriate to put a certain photograph on the wall - is it really correct to put it online?
- Microblogging (Twitter etc.) Comments made using such media are not protected by privacy settings. Employees should be aware of the public and widespread nature of such media and again refrain from any comment that could be deemed unprofessional.

#### **(6.10.3.1.3) Social Bookmarking**

- Be aware that others can view the sites that you bookmark.
- Be aware of words used to tag or describe the bookmark.
- Be aware of URL shortening services. Verify the landing site to which they point before submitting a link as a bookmark. It would be best to utilize the original URL if not constrained by the number of characters as in microblogs -- i.e. Twitter.
- Attempt to link directly to a page or resource if possible as you do not control what appears on landing pages in the future.

#### **(6.10.3.1.4) Instant Messaging**

- The organization’s employees are required to get authorization to have instant messaging programs downloaded on their school computers.
- The organization’s employees also recognize this same authorization is required for access to instant messaging programs that are available through web interfaces with no download
- Avatar images and profile information should follow the same guidelines as the above Profiles and Identity section

- A written request must be submitted to the Director/Administrator for approval.
- When submitting a request to the Director/Administrator please include your name, building, grade level, and provide a statement explaining your instructional purposes for using the program.
- It would also be beneficial if you can tie your request to state curriculum standards or the student or teacher National Educational Technology Standards.

**(6.10.3.1.5) Requests for Social Media Sites**

- The organization understands that 21st century learning is constantly changing technology and that many sites that are currently "blocked" by internet filter may have pedagogical significance for teacher and student use.
- If you would like to request that another online site be accessible to use for teaching and learning, please email the Director/Administrator to make such a request.
- Requests will be reviewed and the district social media guidelines will be updated periodically throughout the school year.
- A description should be provided of the intended use of the site and what tools on the site match your needed criteria.
- A link to the site's privacy policy should be included if possible.

**(6.10.3.2) Social Media Guidelines for Students:**

Due to the wealth of new social media tools available to students, student products and documents have the potential to reach audiences far beyond the classroom. This translates into a greater level of responsibility and accountability for everyone. Below are guidelines students enrolled with the organization should adhere to when using Web tools in the classroom.

- 1 Be aware of what you post online. Social media venues are very public. What you contribute leaves a digital footprint for all to see. Do not post anything you wouldn't want friends, enemies, parents, teachers, or a future employer to see.
- 2 Follow the school's code of conduct when writing online. It is acceptable to disagree with someone else's opinions, however, do it in a respectful way. Make sure that criticism is constructive and not hurtful. What is inappropriate in the classroom is inappropriate online.
- 3 Be safe online. Never give out personal information, including, but not limited to, last names, phone numbers, addresses, exact birthdates, and pictures. Do not share your password with anyone besides your teachers and parents.
- 4 Linking to other websites to support your thoughts and ideas is recommended. However, be sure to read the entire article prior to linking to ensure that all information is appropriate for a school setting.

- 5 Do your own work! Do not use other people's intellectual property without their permission. It is a violation of copyright law to copy and paste other's thoughts. When paraphrasing another's idea(s) be sure to cite your source with the URL. It is good practice to hyperlink to your sources.
- 6 Be aware that pictures may also be protected under copyright laws. Verify you have permission to use the image or it is under Creative Commons attribution.
- 7 How you represent yourself online is an extension of yourself. Do not misrepresent yourself by using someone else's identity.
- 8 Blog and wiki posts should be well written. Follow writing conventions including proper grammar, capitalization, and punctuation. If you edit someone else's work be sure it is in the spirit of improving the writing.
- 9 If you run across inappropriate material that makes you feel uncomfortable, or is not respectful, tell your teacher right away.
- 10 Students who do not abide by these terms and conditions may lose their opportunity to take part in the project and/or access to future use of online tools.

**(6.10.3.3) Social Media Guidelines for Parents:**

Classroom blogs and other social media are powerful tools that open up communication between students, parents, and teachers. This kind of communication and collaboration can have a huge impact on learning. The organization encourages parents to view and participate by adding comments to classroom projects when appropriate.

- 1 Parents should expect communication from teachers prior to their child's involvement in any project using online social media applications, i.e., blogs, wikis, podcast, etc.
- 2 Parents will not attempt to destroy or harm any information online.
- 3 Parents will not use classroom social media sites for any illegal activity, including violation of data privacy laws.
- 4 Parents are highly encouraged to read and/or participate in social media projects.
- 5 Parents should not distribute any information that might be deemed personal about other students participating in the social media project.
- 6 Parents should not upload or include any information that does not also meet the Student Guidelines.

**(6.11) Civility Policy**

In order to ensure all individuals associated with the organization behave civilly and with fairness and respect, several policies are in place to ensure that behavior is appropriate and not disruptive to the operation of the school.

**(6.11.1) Civility of Staff**



All employees of the organization shall behave with civility, fairness and respect in dealing with fellow employees, students, parents, patrons, visitors, and anyone else having business with the school. Uncivil behaviors are prohibited. Uncivil behaviors shall be defined as any behavior that is physically or verbally threatening, either overtly or implicitly, as well as behaviors that are coercive, intimidating, violent, or harassing or any other conduct that is disruptive to the operation of the school or a school activity or event. Examples of uncivil behavior include, but are not limited to: use of profanity; personally insulting remarks; attacks on a person's race, gender, nationality, religion, or sexual preference; or behavior that is out of control. Such interactions could occur in telephone conversations, voice mail messages, face-to-face conversations, or in written communication.

Any uncivil behavior should be reported to the immediate supervisor or the Director/Administrator. A record shall be made of the alleged incident and the action taken, which may include disciplinary action as defined within this policy manual. Confidentiality shall be observed whenever possible to protect the complainant and the alleged offending person. Students and employees may be subject to additional action under other state statute or school policies. Retaliation against a person who reports a claim of uncivil behavior shall be prohibited. Nothing in this policy should be construed to limit open and frank discussions of issues.

#### **(6.11.2)**

#### **Civility of Parents and Patrons**

All parents and patrons of the organization shall behave with civility, fairness and respect in dealing with fellow parents, patrons, staff members, students, and anyone else having business with the school. Uncivil behaviors are prohibited. Uncivil behaviors shall be defined as any behavior that is physically or verbally threatening, either overtly or implicitly, as well as behaviors that are coercive, intimidating, violent, or harassing or any other conduct that is disruptive to the operation of the school or a school activity or event. Examples of uncivil behavior include, but are not limited to: use of profanity; personally insulting remarks; attacks on a person's race, gender, nationality, religion, or sexual preference; or behavior that is out of control. Such interactions could occur in telephone conversations, voice mail messages, face-to-face conversations, or in written communication.

Any uncivil behavior by parents or patrons shall be reported to school administration. A record shall be made of the alleged incident and the action taken. Confidentiality shall be observed whenever possible to protect the complainant and the alleged offending individual. Repeated incidents of uncivil behavior can result in the individual being banned from the school premises. Retaliation against a person who reports a claim of uncivil behavior is prohibited.

#### **(6.12)**

#### **Prohibition Against Firearms and Weapons**

The presence of firearms or weapons poses a substantial risk of serious harm to organization students, staff and community members. Therefore, possession of firearms or weapons is prohibited on school premises at all times except for law enforcement officials, and may constitute a criminal act under Florida law. As used in this policy, the phrase "school premises" includes all organization buildings, grounds, vehicles and parking areas. This prohibition also extends to the sites of school

activities, whether or not those school activities are conducted on organizational property.

Individuals found to be in violation of this policy will be dealt with severely. Students will be disciplined up to and including reassignment as provided elsewhere within this policy manual. Law enforcement officials will be notified and the individual violating this policy will be directed to leave school premises. Non-students violating this policy will be barred from all school premises and school activities for a period of one (1) year. Subsequent violations by the same individual will result in a permanent bar from organizational properties and activities.

Student participation in school sanctioned gun safety courses, student military or ROTC courses, or other school sponsored firearm related events does not constitute a violation of this policy, provided the student does not carry a firearm or other weapon into any school, school bus, or onto the premises of any other activity sponsored or sanctioned by school officials. In addition, persons passing through organizational property for purposes of dropping off or picking up a student do not violate this policy if they possess a lawful permitted weapon in the vehicle during this time.

### **(6.13) Research Requests**

Requests for research studies involving students and/or staff of the Organization must be submitted to the Director/Administrator for approval. Any research utilizing human subjects must be authenticated by the sponsoring university. Written permission from parents of the students to be involved must also be obtained as well as approval of the Director/Administrator.

The organization will provide the university with the necessary information and data to conduct research and make decisions to support and improve Charter Schools. Student privacy will be respected in all such matters.

### **(6.14) Complaint Process**

Although no member of the school community shall be denied the right to petition the Board for redress of a grievance, the complaints will be referred through the proper administrative channels for solution before investigation or action by the Board. Exceptions are complaints that concern Board actions or Board operations only.

The Board advises the school community that the proper channeling of complaints involving instruction, discipline, or learning materials is as follows:

- 1 Teachers
- 2 Director/Administrator
- 3 Board of Directors

Any complaint about school personnel will be investigated by the Administration before consideration and action by the Board of Directors.

## **(7) Fiscal and Operational Management**

## **(7.1) General Office Procedures**

### **(7.1.1) Handling of Mail**

The office manager, or designee, will be responsible for checking the mailbox on a daily basis and receiving all incoming mail. All incoming mail will be date stamped before distribution.

A copy of all outgoing correspondence will be maintained in the appropriate office file.

### **(7.1.2) Property and Supplies**

Office equipment and supplies are to be used for official business only. All property and supplies should be stored in a secure location.

The clerical support staff will maintain an inventory of basic office supplies used. Request for supplies should be submitted to the office manager for approval through the Director/Administrator.

### **(7.1.3) Purchasing**

All office supplies must be ordered through the Director/Administrator or designee. Once a purchase has been approved, the requisite documentation required by specific grantors and/or the bookkeeper will be prepared and executed by the Director/Administrator or designee.

Purchase orders will include

- Date
- Purchase order numbers
- Vendor Name
- Vendor Telephone Number
- General Description
- Amount (Estimated)
- Preparer's Signature and Date

## **(7.2) Accounting Processes**

### **(7.2.1) Banking Policy and Relations**

The Director/Administrator or designee in conjunction with the Board Treasurer can arrange with several financial institutions to provide for the operational requirements of the organization and can invest excess capital funds in certificates of deposit, money market funds, Treasury Notes, Bonds and bills, equities, mutual funds and professionally managed accounts. Further, the organization will maintain positive relations with all sources of capital and banking service providers.

#### **(7.2.1.1) Banking Relations**

The Director/Administrator or designee will be the charter school's primary representative in dealing with financial institutions. The Director/Administrator or designee will be responsible for meeting with personnel of the primary financial institutions on a quarterly basis to provide consistent financial information reporting and updates on the charter school's operations to financial institution officials. The Director/Administrator or designee will be responsible for promoting a positive working relationship between the financial institutions. The Director/Administrator or designee will also provide the institution officials with the charter school's anticipated capital needs or financial service requirements to provide institution officials adequate time to understand, approve and prepare for the charter school's needs.

The Board Treasurer or designee will also perform an ongoing evaluation of the institution's abilities to satisfy the needs of the organization and will make appropriate changes whenever necessary. Criteria to be used in the evaluating institutions can include:

- Institution Size (appropriate size to meet charter school needs while being small enough to be responsive)
- Financial safety and capital structure
- Location
- Flexibility and lending philosophy/attitudes
- Operating efficiency and accuracy (computerization, employee training, etc.)

**(7.2.1.2) *Banking Policy and Arrangements***

The charter school shall establish a separate account for each fund and/or account group (internal funds, FTE funds, etc.) which will be used for all deposits and disbursements related to the fund.

**(7.2.2) *Accounts Payable, Cash Disbursements and Accrued Expenses***

Proper internal control will be followed to ensure that only valid and authorized payables are recorded and paid. Accounting procedures will be implemented to ensure the accuracy of amounts, coding of general ledger accounts and appropriate timing of payments.

**(7.2.2.1) *Documenting Accounts Payable***

After being stamped with the "date received" stamp, all Purchase Orders with purchase requisition, if applicable and Vendor invoices will be placed in an accounts payable file.

**(7.2.2.2) *Recording of Invoices and Check Requests***

- The invoices will be matched to the purchase order request from each campus.
- All invoices will identify the bank account and other special instructions for payment, if applicable.

- The Director/Administrator will approve all invoices before being delivered to the administration office.
- The Check Request Form will follow the same procedure 2.1-2.3 except purchase orders maybe omitted subject to Chairman of the Board approval.
- Approved invoices and check request will be entered into the accounting system for proper coding and payment

**(7.2.2.3) Payment of Accounts Payable**

Weekly, accounts payable invoices will be selected for payment according to their payment terms unless otherwise determined by the Director/Administrator or designee. Any credit balances (amounts owed to the organization) should be applied to the invoice amount when determining payment.

After the checks are printed, a copy will be made to attach to each invoice. The original checks will be paper clipped to the copied check and invoice. The original checks and all backup will be sent to the Director/Administrator for final approval and signature.

Original checks will be mailed as assigned by the Director/Administrator, while the attached backup will be returned to the administration office for filing.

**(7.2.2.4) Accrued Expenses**

The Director/Administrator will ensure that at the end of each month records are prepared for accrued expenses. Accrued expenses represent amounts due for services or benefits that the charter school has received but are not yet payable. Once all amounts have been determined, the accrued expenses will be recorded in the accounting system.

**(7.2.3) Bad/NSF Checks**

Checks returned by the bank and designated uncollectible are to be processed in a method to avoid confronting or embarrassing clients/donors while ensuring that the funds will be collected.

**(7.2.3.1) Returned Checks**

A returned check for less than \$500 or stamped "uncollected funds," should be re-deposited the following day, or when the next deposit is made.

For returned checks in amounts greater than \$500, the bank that the check is drawn against should be telephoned and requested to provide if the check amount will clear the client/donor's account. If sufficient funds exist the check should be re-deposited.

**(7.2.3.2) Redeposited Checks**

In the event a re-deposited check is returned or if sufficient funds do not exist to cover the check, the check should be turned over to the Director/Administrator or treasurer immediately.

Further, when more than one bad check is issued by the same party within any three-month period, notify the Director/Administrator. Do not redeposit the check unless instructed to do so.

The Director/Administrator or designee should contact the issuer by phone to report the problem and discuss how the matter will be resolved. At the Director's /Administrator discretion, a check may be re-deposited. Whenever a check is returned for insufficient funds, a handling fee of \$25.00 should be charged to the issuer.

**(7.2.4) Bank Account Reconciliations**

Errors or omissions can be made to the cash records due to the many transactions that occur. Therefore, it is necessary to prove periodically the balance shown in the general ledger. Cash on deposit with a bank or other financial institution is not available for count and is therefore proved through the preparation of a reconciliation of the organization's record of cash in the bank/financial institution and the bank/financial institution's record of the organization's cash that is on deposit.

**(7.2.4.1) Format**

The organization's format for monthly bank/financial institution reconciliations is composed of two distinct sections. One section begins with the balance as shown on the bank/financial institution statement and works to a corrected balance. That is the balance the bank/financial institution statement would show if all transactions were recorded by the bank (e.g. outstanding checks, deposits in transit, etc.)

The second section starts with the balance shown by the charter school records and also works to a corrected balance, the balance that should be shown in the organization's records after all transactions are properly recorded (e.g. bank charges, interest, etc.).

**(7.2.4.2) Preparation and Reconciling Items**

Upon receipt of the monthly bank/financial institution statement including cleared checks, deposit slips and any other transaction notifications, the monthly bank/financial institution reconciliation will be prepared by the accountant, bookkeeper or designee utilizing the following process:

- The first section of the monthly reconciliation will be started with the ending balance per the bank/financial institution statement.
- Next, any deposits in transit that were made by the organization, but were not yet recorded by the bank/financial institution will be listed and added to the bank/financial institution balance.
- Next, any checks that were written on the account prior to month-end but which have not yet cleared the bank/financial institution will be listed and deducted from the bank/financial institution balance.
- From these steps, the "corrected" ending balance will be derived for the first section.
- The second section of the monthly reconciliation will be started with the ending balance per the charter school's books.
- Next, any interest or any other bank/financial institution credit items will be listed and added to the balance.

- Next, any bank/financial institution charges, transfer fees, etc. will be listed and deducted from the balance.
- From these steps, the "corrected" ending balance will be derived for the second section and should equal the "corrected" balance for the first section.
- Any discrepancies between these two balances will require research by the accountant, bookkeeper, or designee to determine the cause, such as recording errors, omissions, mispostings, etc. This can also include recalculation of the bank/financial institution statement for any possible errors made by the bank/financial institution.

**(7.2.4.3) *Adjustments and Journal Entries***

Any book reconciling items such as interest, bank/financial institution charges and any recording errors will be summarized and drafted in journal entry form for recording in the general ledger. Further, any outstanding checks over six months old will be reviewed for disposition including write-off by journal entry.

**(7.2.4.4) *Review and Approval***

The monthly bank/financial institution reconciliation for each account should be reviewed and approved by the Director/Administrator or designee (an individual who did not prepare it), via signature and date on the completed forms.

**(7.2.5) *Bank Loan Applications***

The financial management function is responsible for developing the organization's financing plan for capital needs. To expedite loan approval processes, prepare for loan officer questions and as an aid in negotiating loan rates and other terms with multiple lenders, the treasurer or designee will prepare loan proposals according to established procedures.

**(7.2.5.1) *Assessment of Capital Requirements***

The Chairman of the Board of Directors will be responsible for directing the Treasurer in developing borrowing and financial plans to meet the needs of the organization's operations. These plans shall take into account current and projected business conditions and can include the following criteria:

- Capital requirements to satisfy the organization's growth in relation to risk.
- Ability of the organization to meet present obligations as well as new debt under worse case conditions.
- Appropriateness of capital or debt structure.
- Level or type of debt does not preclude future borrowing or funding capacity.
- Cost of capital in relation to return on investment from use of funds obtained.

The Board Chairman will designate which institutions are to be contacted for borrowing purposes and will prepare loan applications with all required supporting analyses and documentation.

**(7.2.5.2)**

***Preparation of Loan Applications***

Loan proposals will be drafted and presented to the Board of Directors with the following information, if applicable:

- **Date:** The proposal for each bank should be dated with the current date the proposal will be given to the bank.
- **Borrower:** The specific legal name of the intended borrowing entity should be listed. This will avoid confusion with other organization subsidiaries and personal loans to officers.
- **Type of Loan:** The specific type of loan requested should be listed (i.e. equipment loan, line of credit, etc.) This eliminates any guessing or assumptions by the loan officer.
- **Amount:** The amount of the loan requested should be determined and listed. It is very important to establish credibility with the loan officer and committees. All numbers should be carefully forecasted and supported with documentation. Asking for too much or too little money can convey uncertainty or doubt about the organization's ability to implement successfully the plans for the loan proceeds.
- **Use of Proceeds:** As above, the use of proceeds should be listed and well supported by documentation in the organization's business plan and forecasts.
- **Term:** The desired term of the loan should be listed. If deemed possible, longer terms should be requested to avoid the process of having to renew the loan frequently.
- **Closing Date:** Set a closing date. For renewals, approximately 30 days after application; for new bank or loan applications, approximately 60 days after application. This communicates a bit of negotiating edge for the organization by conveying the message that the matter is to be resolved or the organization will use other banks willing to work within this schedule.
- **Takedown at Closing:** The amount of funds to be drawn immediately at closing of the loan should be listed. As above, this should reflect the business plan and conveys that the organization understands its business and financial requirements.
- **Collateral:** Any assets (i.e., equipment, inventory, accounts receivable, etc.) to be used as collateral for the loan should be listed and appropriately reflect the type of loan.
- **Guarantees:** This should normally be completed with "none." The organization should always propose loans based upon the organization's credit worthiness. However, in certain situations, personal guarantees by the officers may be necessary in which case they must be indemnified by the school.
- **Rate:** For negotiating purposes, rather than have the bank "suggest" the interest rate, it is better to state a reasonable but fair rate for the charter school. The rate



should reflect the type of loan and the level of risk we think the charter school represents to the bank.

- **Repayment Schedule:** A realistic repayment schedule should be determined and should correspond to the charter school's business plan and financial forecasts.
- **Source of Funds for Repayment:** The specific source of cash flow to be used for repayment should be identified.
- **Alternate Source of Funds for Repayment:** To satisfy concerns by banks that in the event the organization does not meet financial projections, the plans on how the organization would meet the repayment schedule should be listed. For example, liquidating assets, etc., could be used to repay the loan.

## **(7.2.6) Capitalization & Depreciation of Fixed Assets**

Assets acquisitions with a useful life expectancy of greater than one year and with a material unit cost of over \$500 will be capitalized by the organization and depreciated.

### **(7.2.6.1) Capitalization**

Capitalization is the process of recording the purchase of a fixed asset that is generally recorded individually on an asset schedule. Examples of capital expenditures are purchases of land, buildings, machinery, office equipment, leasehold improvements, computer software and vehicles.

All assets with a useful life of greater than one year and a material unit cost of over \$500 will be capitalized and (except for land) will be recorded in the depreciation records. Any asset that does not meet the above criteria will be expensed such as small tools and equipment or repairs and maintenance.

The cost basis of furniture and equipment assets will include all charges relating to the purchase of the asset including the purchase price, freight charges and installation if applicable.

Leasehold improvements are to be capitalized if they relate to the occupancy of a new location or a major renovation of an existing location. Expenditures incurred in connection with maintaining an existing facility in good working order should be expensed as a repair.

The cost of buildings should include all expenditures related directly to their acquisition or construction. These costs include materials, labor and overhead incurred during construction and fees, such as attorneys and architects and building permits.

### **(7.2.6.2) Depreciation**

Depreciation represents the write-down or write-off of the cost of the asset over its estimated useful life.

In general, the depreciation methods/lives for assets should be selected for consistent financial reporting and tax purposes. The following depreciation methods and useful

lives should be used for the following asset classifications for financial reporting purposes:

| Asset Class                    | Useful Life   | Method  |
|--------------------------------|---|---------|
| Vehicles                       | Five Years  | Straigh |
| Office Equipment and Computers | Five Years  | Straigh |
| Furniture and Line Machinery   | Seven Years   | Straigh |
| Leasehold Improvements         | Remaining Life Of Lease Term, Including Option Renewals | Straigh |
| Buildings                      | Thirty Years  | Straigh |

The lowest life permitted by tax regulations for asset classes should be selected to optimize depreciation deductions.

**(7.2.7)**

**Check Requests**

To ensure efficient processing and record keeping, all manual check requests will be prepared on a written check request form.

**(7.2.7.1)**

***Origination***

Whenever an employee requires a manual check to be issued, such as picking up items or for cash on delivery items, a Check Request form should be completed with all pertinent information and receive appropriate approval.

**(7.2.7.2)**

***Processing***

The completed Check Request Form should then be forwarded to the bookkeeper for check preparation and signature by the authorized check signers. If a check is to be mailed directly to the vendor, any applicable documentation, such as order forms, etc., should be attached to the form.

**(7.2.8)**

**Check Signing Authority**

A limited number of employees and board officers will be authorized to sign checks, and there shall be no fewer than three individuals at all times.

**(7.2.8.1)**

***Authorized Check Signers***

Authorized check signers must be approved in writing and require Board of Directors authorization. The Director/Administrator will have check signing authority. Additional individuals with or without dollar limitations may be authorized as necessary.

The Chairman may revoke check-signing authority. Any person who is no longer entitled to sign charter school checks will be notified in writing. The Treasurer will oversee the proper notification of the charter school's financial institutions whenever authorized signature changes are made.

**(7.2.8.2)**

***Signature Levels Required***

The following signature levels will be required according to the dollar amount of the check:

**Less than \$500** - A check issued for an amount less than \$500 requires only one signature, typically by the Director/Administrator.

**Less than \$10,000** - A check issued for an amount less than \$10,000 requires two different authorized signatures.

**Greater than \$10,000** - A check issued for greater than \$10,000 requires two signatures, one of which must be that of the Chairman of the Board of Directors. The second signature can be that of any authorized check signer.

## **(7.2.9) Petty Cash**

To facilitate minor business expenses, a petty cash fund will be available to select employees as described below.

### **(7.2.9.1) Fund Control**

The secretary will maintain control of the cash box, petty cash journal and all petty cash transactions. The petty cash fund will be set up in the amount of \$100 for authorized out-of-pocket expenses and advances for minor business expenses.

Advances or reimbursements from petty cash will be limited to amounts of \$25.00 or less. If an employee requires funds in a greater amount, they should request a check.

### **(7.2.9.2) Draws**

When an employee requests a petty cash draw, the cashier will record the amount disbursed, date of disbursement, reason for the disbursement and the name of the employee receiving the disbursement.

The employee should, by the next business day, return the receipt(s) and any change to the cashier. A petty cash voucher will then be completed with the receipt(s) attached.

### **(7.2.9.3) Replenishment**

At the end of each month or whenever the petty cash fund drops below a balance of \$25.00, the cashier will complete the reimbursement paperwork from the journal with itemized descriptions of expenses and attach all vouchers. The cashier will then be issued a check in the amount of the reimbursement and will be responsible for obtaining cash from the bank to replenish the cash box.

## **(7.2.10) Recording Transactions in the General Ledger**

The business manager or designee is responsible for the proper posting of journals and entries to the general ledger and for the maintenance of the accounts to ensure accuracy, validity and reliability of financial records.

### **(7.2.10.1) Posting Transactions and Journals**

The computerized accounting system aids in the maintenance of journals and posting of transactions to general ledger accounts. The following functions should be performed on a monthly basis to update the general ledger for the month's activities:

- All activities recorded in journals will be posted to the general ledger using the computerized posting feature. These journals include:
  - General Journal
  - Purchases Journal
  - Cash Receipts Journal
  - Cash Disbursements Journal - Payroll Journal
- The recurring adjusting journal entries will be posted via the general journal. Recurring journal entries will be established for adjustments that occur equally each monthly accounting period. Recurring journal entries can include the following:
  - Accruals of interest expense not paid during the accounting period. Amortization of prepaid expenses Depreciation of fixed assets
  - Recurring journal entries will be reviewed monthly and adjusted accordingly.
- Adjusting journal entries will be prepared for transactions that have not been recorded in other journals or to correctly restate account balances to accurate amounts. The need to make adjusting journal entries may be due to the following:
  - Accrual of income and expense items
  - Correction of errors
  - Recording non-cash transactions

All journal entries will be reviewed and authorized by the Director/Administrator or designee before being posted. Adequate supporting documentation will be prepared for each journal entry.

**(7.2.10.2)**

***Trial Balance***

After posting all journals and adjusting entries, a trial balance will be printed at year end. The trial balance will be reviewed to ensure that the general ledger is in balance. Next, all control accounts in the general ledger will be reconciled to subsidiary ledgers. Any differences will be investigated and appropriate adjustments will be made.

The Director/Administrator or designee will make final review of the trial balance for accuracy and proper reflection of account balances before printing financial statements.

**(7.3)**

**Fixed Asset Control**

Proper control procedures will be followed for all capital asset acquisitions, transfers and dispositions in order to provide internal control of capital equipment and to assist in reporting. The Director/Administrator is responsible and accountable for furniture, equipment, machinery and any other capital assets and will maintain some type of

control over capital assets. The Director/Administrator or designee will assist and evaluate the capital asset control procedures.

**(7.3.1)**

**Acquisitions**

All purchases of assets costing more than \$500 and authorized within the annual operating budget must be approved by the Director/Administrator. Assets that are not included within the annual budget must be approved by the Board of Directors.

A Capital Asset Requisition form (Exhibit 1) must be completed and approved for all purchases. This form is to be attached to all purchase orders or check authorization forms submitted to the bookkeeper. Management may source the vendor for the purchase of the capital asset or can submit the request to solicit bids to the board of directors for assets costing \$1000 or more.

All purchases for items over \$200 must include a completed purchase order, with the form indicating that the item is a capital purchase. When the bookkeeper is entering the records into the accounting system, the item will be recorded in the official school inventory documentation as well.

Any internally constructed or donated equipment will be reported to the bookkeeper if the item cost or has a FMV of \$100 or more. A complete description of the property, date manufactured or received, number of items, cost or estimated value and a statement that it was internally constructed or donated will be included on the organization's in-kind contributions log/records.

**(7.3.2)**

**Dispositions**

Capital assets may be sold or traded-in on new equipment. An Asset Disposition form is to be completed and approved by the Director/Administrator. Any assets with an original value greater than \$1,000 will also require the Board of Director's approval.

Upon approval, the charter school may advertise the property for sale or submit a list to the bookkeeper for sale and disposition. After completion of the sale, the Asset Disposition form will be submitted to the accountant, and the item will be transferred out of the inventory records. The accountant will delete the item from the asset records and record any gain or loss on the disposition.

Worn-out or obsolete property with no cash value will be reported to the bookkeeper on the Asset Disposition form with description, serial number and condition. The bookkeeper will inspect all worn-out or obsolete property before it is removed from the charter school and discarded. The asset will then be removed from the asset records.

Any asset that is missing or has been stolen will be reported in writing as soon as possible. The description, serial number, and other information about the lost item should be included in the report. The Director/Administrator will determine the proper course of action and will notify the charter school's insurance carrier and any outside authorities if deemed appropriate. If not recovered, the asset will then be removed from the asset records.

**(7.3.3)**

**Asset Records**

Upon any asset acquisition, the bookkeeper or designee is responsible for assigning and attaching asset number labels to the property where it can be readily located. The bookkeeper will then maintain a detailed Tangible Asset Log. Each asset that receives an asset label will be recorded on the log. This log will display the asset label number assigned to the asset, the date the asset was purchased, the date the asset was labeled, the cost or FMV of the asset, the location of the asset, the description of the asset and the date the asset was disposed of, if applicable.

On an annual basis, the Tangible Asset Log should be reviewed to verify the accuracy of the log. Any discrepancies noted should be reported to the bookkeeper to be resolved.

## **(7.4) Payroll Processes**

### **(7.4.1) Payroll Records and Procedures**

Payroll will be processed to ensure accuracy, validity of transactions and proper internal control procedures will be maintained to assure that all disbursements are for valid services performed.

### **(7.4.2) Personnel Records, Management and Changes**

Personnel records for hiring, classification, rate changes and termination are explained in the section 3 of this policy manual. Payroll processing will be performed in conjunction with the following related personnel procedures.

- Employee Hiring and New Employee Orientation
- Paid and Unpaid Time Off - Pay and Payroll matters
- Performance Appraisals and Salary/Wage Adjustments - Resignations and Terminations

### **(7.4.3) Payroll Processing**

The bookkeeper will receive completed and approved timesheets from the Director/Administrator or designee(s) according to the procedures outlined elsewhere within this policy manual.

Once timesheets have been received, the bookkeeper or designee will review for completeness and then perform calculations for payroll, payroll deductions and other accruals. The bookkeeper or designee will then prepare summary worksheets of payroll information and present along with supporting documentation to the Director/Administrator for review and approval.

Once the summary has been approved, the bookkeeper or designee will enter the information into the computer for processing. A payroll report will be printed before printing checks to verify accuracy and completeness. If correct, checks should be printed. If incorrect, the necessary corrections should be made and reviewed (validated). Validated payroll checks will then be presented for signing and distribution.

Payroll tax deposits will be determined and timely submitted to the Department of Treasury (IRS), as required, using Form 8109 "Federal Tax Deposit Coupon" or the Electronic Tax Payment System.

All payroll related returns will be prepared by the accountant or designee, and approved/signed by the Director/Administrator or any board officer.

**(7.4.4)**

**Payroll Returns**

Quarterly prepare Form 941 - Employers Quarterly Federal Tax Return and file with the Internal Revenue Service, which is due on the last day of the month following the end of the quarter being filed (i.e. the first report Form 941 is for the period January 1 through March 31 and is due April 30).

If the organization has four (4) or more employees, then Form UCT-6, Employer's Quarterly Tax Report is required to be filed with the Florida Department of Labor, and is due on the last day of the month following the end of the quarter being filed.

At the end of the calendar year, Forms W-3, Transmittal of Wage and Tax Statement and Form W-2, Wage and Tax Statement are to be completed for all employees and submitted to the Social Security Administration.

**(7.5)**

**Property Tax Assessments**

All non-exempt property tax assessments will be reviewed for accuracy and proper assessed valuations to ensure minimum property tax costs to the organization.

**(7.5.1)**

**Review of Assessments**

All assessments are to be promptly reviewed. Any qualified properties used by the organization for its exempt purpose should apply for exemption annually. Many jurisdictions only allow a challenge to an assessment within 30 days after the annual notice as assessed value is sent. If the charter school misses the deadline, it loses the chance to reduce the year's property tax. There are normally no refunds for prior years' property taxes even if successfully challenged in the future. Often, it may be advisable to begin the analysis process prior to receiving the assessment notice.

When reviewing an assessment, the first step is to find out how the property was assessed. Ask for a full explanation of how the assessed value was derived. Assessors are usually cooperative in providing this information.

**(7.5.2)**

**Appealing of Assessments**

If upon review of the assessment and all other factors, the organization believes a downward adjustment to the property assessment is appropriate, an appeal should be prepared.

Once a sound case is prepared, an appeal can be sought by simply calling the local assessor's office and asking for an appointment to discuss the assessment. The meeting with the local assessor will generally be informal. It is important not to be adversarial with the assessor but to present the attitude that the organization is helping the assessor to reach a more accurate valuation for the property by presenting additional information.

## **(7.6) Release of Financial Information**

The release of financial, personnel, statistical or other information that may be of a confidential nature will be controlled and every request will be referred to the Director/Administrator or treasurer.

### **(7.6.1) Written Request**

Typical requests are for additional information concerning details of the published financial statements, litigation progress, insurance coverage, personnel, students, etc. If the request is by letter or written correspondence, the materials shall be forwarded to the Director or treasurer who will review the information to be released and who will be authorized to reply. All legal requirements regarding public records, and the policy regarding public records requests elsewhere in this policy manual will be adhered to.

### **(7.6.2) Telephone / Personal Request**

If the request is by telephone or a personal visit to our office, the requester will be referred to the Director/Administrator or designee. If either one is unavailable, the requester should be asked to provide their name, organization, telephone number and address, if possible. Also they should be asked the reason for the request and a brief description of the information desired. This information should be written down and forwarded to the Director/Administrator or designee for follow-up.

## **(7.7) Year-End Closing**

An orderly, timely and comprehensive closing of all accounts will be performed by the accountant or designee to assure an accurate representation of the organization's financial statements and to provide the necessary documentation for the organization's independent auditors.

### **(7.7.1) Assets**

Assets should be fairly stated, generally at realizable amounts. Work papers should show the basis and when required, how the amounts were calculated.

- **Cash** - Prepare bank reconciliations for year-end of balance per bank to the balance per books for each account. Show original dates and descriptions of each reconciling item. Prepare necessary journal entries and adjust the reconciliations. Prepare a summary of all petty cash and change funds. Totals must agree with the general ledger.
- **Investments** - Prepare a list of all securities on hand at year-end by location held such as broker or bank. Use full names and show the face amount or number of shares and date of acquisition. Determine cost and market values. Calculate accrued interest.
- **Accounts Receivable** - Obtain aged trial balances and reconcile to general ledger. Calculate possible allowance for uncollectible accounts and obtain approval of treasurer. Adjust allowance to calculated amount. Write off any unallocated differences.



- **Other Receivables** - Prepare schedule of grants and other miscellaneous receivables and reconcile to general ledger. Comment on collectability, if material.
- **Inventories** - Prepare a summary of all properties held in inventory. Reconcile inventories from physical inventory to year-end balances. Explain significant variations from prior year.
- **Fixed Assets** - Prepare a schedule of assets and related allowances for depreciation. Reconcile allowance additions to total depreciation expense. Trace disposals to capital gain and loss schedule or to expense if items were scrapped or discarded.

### (7.7.2)

#### **Liabilities and Net Assets**

Liabilities are shown as the amount to be paid in the subsequent period. Overstatement rather than understatement is the rule for liabilities. If in doubt, record the liability.

- **Accounts Payable** - Determine that all items paid through year-end are not shown on the accounts payable list. Accounts payable shall be kept open for 45 days after year-end in order to receive invoices and record in the accounts payable list. After this 45 day period, maintain a list of any items over \$1,000 that are received or paid that are not included in accounts payable but relate to that year-end period.
- **Accrued Payroll** - Calculate accrued payroll and vacation pay due by the number of days outstanding at year-end. Include any incentive bonuses or other special payroll payments.
- **Other Accrued Expenses** - Review accruals for payroll taxes, payroll deductions payable, interest expense on short term borrowings and long term debt. Determine cost of audit and legal services through year-end and record.
- **Income Taxes Payable** - The Federal tax payable schedule will be prepared with the assistance of the auditors. (This is applicable only if the organization has unrelated trade or business income, which does not relate to its exempt purpose).
- **Current Liabilities** - Prepare a schedule of debt and calculate and record the current portion due within one year and accrued interest.
- **Contingent Liabilities and Commitments** - Prepare a schedule of any outstanding litigation and possible loss. Prepare a schedule of all long-term rental agreements.
- **Net Assets** - Bring permanent file of all net asset accounts up to date.

### (7.7.3)

#### **Revenues**

Prepare a schedule of all revenues and compare amounts to prior year. Evaluate and comment on any significant differences. Prepare a memorandum on new revenue accounts. Also prepare a schedule of revenues by program for inclusion in the annual report.

#### (7.7.4)

### **Expenses**

Each expense total should be compared to the prior year and unusual variances reviewed and explained. Several expense items are directly related to asset or liability accounts and the worksheets for the related accounts should be prepared at the same time and shown on one schedule.

- **Payroll** - Prepare a schedule of all payroll and employer taxes and reconcile to payroll expense. Prepare a schedule of annual payroll and benefit levels for each organization employee for the auditors and annual report.
- **Legal and Professional Fees** - Prepare a schedule of all legal invoices with the amount and brief description of services rendered. Reconcile total to Legal expense.
- **Bad Debt Expense** - Prepare a list of all accounts written off during the year. Note specifically any additions to the allowance for uncollectible accounts.
- **Interest Expense** - Prepare a schedule of interest expense by source. Reconcile amounts to short term borrowing and long-term debt.

#### (7.8)

### **Files and Record Management**

The organization will retain records in an orderly fashion for time periods that comply with legal and governmental requirements and as needed for general business requirements.

#### (7.8.1)

### **Current Filing System**

To ensure efficient access, filing centers will be established. To reduce the amount of duplicate and unnecessary record retention, individual desk files should be avoided unless they are used in daily operations. All other records should be filed in central filing areas, unless necessary, records should usually only be kept by the originator or sender and not by the receiver to avoid duplicate filing systems. The following guidelines should be adhered to optimize filing efficiency and records access:

- All file cabinets and files will follow recognized rules of order, such as Left to Right, Top to Bottom, Front to Back and in the case of chronological records, newest to oldest.
- File markers and label headings will always be placed at the beginning or front of a file or group of files.
- Alphabetical files should always be filed under broad topical categories. Files should never be filed under individual employee names (except personnel) to avoid confusion and refiling in the event of turnover. Files should always be filed under the "proper" or charter school's name whenever appropriate. In the case of individuals, files should be maintained according to the persons "Last name", then "First name and Middle initial".

#### (7.8.2)

### **Record Retention and Long Term Storage**

Storage of archived records will be maintained in the locked storage area of the organization or designated public storage facility. Access to this area will be limited to

the Director/Administrator, treasurer, officers of the charter school and the Office Manager.

Non-permanent files will be stored in cardboard file boxes. Each file box will be labeled on the front with the contents, dates covered, and destruction date if applicable. Permanent records will be maintained in metal fire-resistant file cabinets.

Files should be stored in boxes with similar items, dates and retention periods. This will allow for easier access and purging of records. A general rule to keep in mind is that it is better to only half fill a file box than to file dissimilar types of files in the same box. The file manager will be responsible for categorizing and maintaining a listing of records maintained and the location (i.e. by wall unit and shelf row number).

These holding periods will be maintained for the document listed below. Any questions regarding documents not listed should be directed to the Office Manager.

| <b><u>Document</u></b>                            | <b><u>Holding Period in Years</u></b> |
|---|---------------------------------------|
| ● Accident Reports After Settlement               | 8                                     |
| ● Accounts Payable (Vouchers & Invoices)          | 6                                     |
| ● Bank Statements and Reconciliations             | 6                                     |
| ● Canceled Checks                                 | 6                                     |
| ● Cash Receipt Books                              | 6                                     |
| ● Claim Files (Against Us)                        | 6                                     |
| ● Claim Files (By Us)                             | 6                                     |
| ● Contracts, Agreements & Leases after Expiration | 6                                     |
| ● Credit Files                                    | 6                                     |
| ● Employee Records (Terminated)                   | 6                                     |
| ● Financial Statements (internal)                 | 5                                     |
| ● Financial Statements (External)                 | 5                                     |
| ● General Ledgers and Journals                    | 6                                     |
| ● Income and Other Tax Returns                    | 6                                     |
| ● Insurance Claims After Settlement               | 6                                     |
| ● Patents and Licenses                            | 17                                    |
| ● Payroll Registers and Time Sheets               | Permanently                           |
| ● Payments and Reports to Government Agencies     | 6                                     |
| ● Physical Inventory Records                      | 6                                     |

- Purchasing Correspondence 6
- Sales/Reimbursement Correspondence 2
- Sales/Reimbursement Invoices 6
- Student Records 12
- Travel and Expense Reports 6

**(7.8.3) Record Destruction**

Three to six months after each year-end, the office manager will proceed with the destruction of all files that have exceeded their recognized holding period. A listing of file categories to be destroyed will be circulated to all the officers thirty days prior to destruction for review and comment. The actual listing of records destroyed will be maintained permanently for future reference. Destruction of the files will be by shredding. Disposal of records into the organization's general trash service is not allowed.

**(7.9) Charter of Accounts**

To facilitate the record keeping process for accounting, all ledger accounts will be assigned a descriptive account title and account number consistent with the Financial and Program Cost Accounting and Reporting for Florida Schools manual (The Red Book).

**(8) Facilities**

**(8.1) Facilities Rental**

The organization may rent its facilities not in use for educational purposes to other organizations from time to time so long as such rental does not interfere with any school function or purpose and is permitted under any lease. The following policies are in place regarding such rentals:

- The Director/Administrator shall create administrative policies, forms and price schedules to ensure for equitable use of the facilities.
- The Director/Administrator may refuse the use of school facilities if the use is determined to be inadvisable.
- The organization's staff members are required to be present during the entire rental of the facility, payment of such staff shall be worked into the pricing schedules.
- The Director/Administrator shall be allowed the option of charging a security deposit of up to \$500 should it be deemed appropriate.
- Charter School Sponsored Programs and Parent Teacher Organization Activities

- Parent Teacher Organizations and school related activities shall be granted free use of the facilities for school-related activities. Such activities may include: performances, fund raising events, etc.
- Activities must be approved by the Director/Administrator prior to notice of the event being distributed.
- The Director/Administrator reserves the right to charge a cleaning fee if the facility is not left in the state it was found.
- The Director/Administrator shall ensure that party renting space has completed a Building Use Agreement, collects appropriate fees.
- Disputes between the Director/Administrator and the party requesting or renting the facility may be appealed to the Board of Directors.
- The party renting space shall be responsible for all damages or loss of school property.
- Parties renting space shall provide a certificate of insurance for liability and property damage before the event. Such certificate shall be for at least one million dollars (\$1,000,000) per occurrence. The Director/Administrator shall have the ability to waive this requirement in rare, necessary circumstances.
- The party renting the facilities is subject to adherence to applicable standards of behavior and law.

## **(8.2) Animals In School**

### **(8.2.1) Special Events**

Special events involving animals must be approved by the Director/Administrator at least two weeks prior to the event. If such an event is approved, a list of all animals to be present must be sent home to parents so as to ensure that no students will have allergies to the animals. If a student has allergies to an animal, the teacher is responsible for finding another environment for that student and providing opportunities to gain from the learning experience as other students who do not have allergies.

### **(8.3.2) Classroom Pets**

Teachers will be allowed to have classroom pets, if such pets pertain to the curriculum the teacher is offering. The teacher will be responsible for the care, clean up and well being of classroom pets. Prior to bringing the pet into the classroom, the Director/Administrator must approve of the proposed animal, then signed consent forms must be obtained from the parent/guardian of each student who would access the classroom. These forms must be submitted to the Director/Administrator prior to bringing the animal into the school. The Director/Administrator has the right to ask that the animal be removed at any time.

## **(8.4) Classroom Decor**

### **(8.4.1) Custom Paintings/Murals**

Prior to any staff member permanently affixing any design or color to a classroom wall (i.e. painting, permanent markers, etc.), a plan for the design must be submitted to the Director/Administrator for approval. The Staff member should also be prepared to paint over any designs should the Director/Administrator deem they are a distraction or no longer appropriate for the classroom.

**(8.4.2) Affixing Items To Walls**

Methods for affixing any items to common school areas, such as hallway walls, etc., shall be prior approved by the Director/Administrator. Methods of affixing typically approved would be sticky materials or tape which can be removed without leaving any holes of any kind or defacing walls by paint removal, etc. Methods of affixing requiring approval include, but are not limited to, staples, nails, tacks, or any objects requiring repairing, patching, or rebuilding surface areas to restore ready for painting.

**(8.5) Hazardous Materials**

To ensure that all chemicals and materials used in the care and maintenance of the building are stored and recorded in an appropriate manner. The Director/Administrator will ensure that appropriate documentation will be kept on the purchase, use, storage and disposal of substances designated as hazardous by local, state and federal authorities.

**(8.6) Key Distribution and Control**

Keys will be issued to employees at the beginning of the school year and will be collected at the termination of the school year. Employees are responsible for their keys, and if they lose their keys they may be responsible for the cost of rekeying the locks on the building as well as the cost of additional keys. When utilizing keys to enter the building during non-business hours, the employee is responsible for ensuring the building is properly secured.

**(9) Transportation**

**(9.1) Student Transportation Services**

The organization, in accordance with state law, shall provide free transportation for eligible students attending the organization's schools. The Director/Administrator shall ensure that the transportation services of the School meet all of the guidelines established by the State of Florida, as well as the policies that pertain directly to the qualifications of bus operators and operational procedures adopted by the organization.

Transportation for a student with disabilities will be provided between schools if the Individualized Education Plan (IEP) team determines that such transportation is necessary as a related service due to the student's disability. Eligibility must be stated in the student's IEP.

**(9.2) School Bus Safety**

Safe transportation of students shall be the paramount obligation of the transportation staff. State and local laws pertaining to the operation of buses and vehicles used to transport students will be observed by drivers, students and staff.

All behavioral policies within this manual also are applicable to students while on school provided transportation. Transportation rules and regulations will be distributed annually to parents/guardians. Students will receive instruction for the safe loading, riding, unloading and emergency evacuation procedures.

The Director/Administrator or designee will file criminal charges of trespass against any person who unlawfully enters a school bus where entry is not approved by Board policy or where the individual does not have written approval of the organization.

### **(9.3) Drivers**

The safety and welfare of our students is of paramount importance to the organization. Accordingly, no person will operate a school bus unless the person possesses a valid school bus permit and has complied with the regulations of the State of Florida and other regulatory agencies.

### **(9.4) Routes and Schedules**

The administration will monitor the District's bus routes and schedules for our students. The Director/Administrator will initially approve all bus routes each school year; the final bus routes must be approved by July 30 of each school year. Buses will be routed with student safety, efficiency and economy as the controlling factors. The school will contract with Bay District Schools to provide transportation for University Academy's students.

### **(9.5) Inspection**

All vehicles that are used to transport students will be inspected annually by state approved inspectors each school year.

### **(9.6) Use of school buses**

School buses will be used only for the transportation of students to and from school or for School educational purposes.

## **(10) Food Service Program**

### **(10.1) Food Service Management**

The Director/Administrator or designee will develop and implement procedures for operating a food services program. In addition, the Director/Administrator or designee will monitor the quality and efficiency of the School's food service program.

The School's food service program will comply with all state and federal regulations for food quality and financial reimbursement.

The organization may elect to contract with a food service management company to manage the School's food service program.

The duration of contracts with food service management companies will be limited to one (1) year.

## **(10.2) Uniform Policy for Free and Reduced-Price Meals**

The organization will participate in the national school lunch program. Eligible students will be identified for participation in the free and reduced-price lunch program based upon federal and state guidelines.

Information concerning the eligibility standards will be distributed annually within the School. The identification of student participants in the program will be confidential with such information disclosed to staff members on a strict need-to-know basis.

## **(10.3) Competitive Food Sales**

In order to comply with requirements of the National School Lunch Program and the School Breakfast Program respecting the sale of food in competition with meals served under the National School Lunch Program and the School Breakfast Program, the sale of categories of foods of minimal nutritional value during the meal periods in the cafeteria is prohibited. The restricted categories of foods are identified as soda water (carbonated beverages), water ices, chewing gum and certain candies (hard candies, jellies and gums, marshmallow candies, fondants, licorice, spun candies and candy-coated popcorn).

## **(10.4) Food Safety**

The purpose of organization's food safety program is to ensure the delivery of safe foods to children in the school meals program by controlling hazards that may occur or be introduced into foods anywhere along the flow of food from receiving to service.

Serving safe food is a critical responsibility for school food service and is a key aspect of a healthy school environment. Keeping foods safe is a vital part of healthy eating. When properly implemented, the School's food safety program will help ensure the safety of school meals served to School students.

In order to carry out these goals and comply with federal law, the School's Food Safety Program will include written plans for each school and will be consistent with Hazard Analysis and

Critical Control Point (HACCP) principles.

The School's Food Safety Program will focus on three (3) key points.

- 1 Food preparation areas will be maintained in a clean and sanitary manner. This includes ensuring that workers hands, utensils, and food contact areas are clean and sanitary so as to avoid cross contamination.
- 2 Temperature controls will be strictly adhered to. Food will be cooked and served at the proper temperature.



- 3 Standard Operation Procedures should be developed to ensure sanitation; to ensure that food is maintained at the proper temperatures, and to facilitate other safety aspects of the food service program.

## **(11) Before and After Care**

### **(11.1) General**

#### **(11.1.1) Hours of Operation**

The Director/Administrator will establish and post the hours of operation for the before and after care program annually. Parents may drop off and pick up their students within the posted times.

#### **(11.1.2) Fees**

The Director/Administrator shall annually develop a fee schedule to be used for the before and after care program as part of the annual budgeting process, and these fees and budget should be incorporated into the budget assumptions and approved by the Board of Directors.

#### **(11.1.3) Emergency closings / delays**

If school is delayed, released or canceled due to severe weather or emergencies, after-care will also be canceled. If severe weather develops after after-care has begun, parents will be expected to make arrangements to pick up children as soon as possible.

#### **(11.1.4) Registration**

Students wishing to enroll in before- or after-care must complete a registration form which documents important information which may be needed by Before and After Care. These forms must be completed prior to the student starting the program.

#### **(11.1.5) Consistent Use**

When a family signs up for Before and After Care, they are expected to have consistent use of the service.

### **(11.2) Student Expectations**

#### **(11.2.1) Student Rules**

Students are required to follow the same school rules in the Before and After Care program.

#### **(11.2.2) Consequences for Misbehavior**

Students who disregard the rules shall receive consequences within the program that will be identified. Should the student's behavior not improve, the parents shall be given written warning advising them that the student is at risk of no longer being allowed to utilize the Before and After Care services should their behavior not improve. The Director/Administrator retains the right to use the school's discipline policies as described within this policy manual for student misbehavior.

### **(11.3) Staffing**

Before and After Care shall always have at least two (2) staff persons on duty while children are present. The staff will ensure that all children are supervised at all times. Procedures in effect during the normal school day regarding the supervision, safety, and accountability of staff and students remain in effect for Before and After Care.