****

School Policies

Personnel

and

Procedures Manual

2018-2019

Sandra Figueroa-Torres

Founder/CEO/Principal

Welcome Message

Dear Staff Member:

Welcome to the 10th Anniversary of Lincoln Leadership Academy Charter School! I am excited and extremely pleased to welcome you to our “Legacy 10 Year!” The truth is, “The Best Is Yet To Come!”

Lincoln is truly a very special school. Last year, two more students graduated with an Associate of Arts Degree while in high school. In the past two years, a total of 14 students have met this mark. In addition, nine students earned from 30 to 59 college credits. In total, 83% our high school students earned college credits.

This year, we get the opportunity to surpass our accomplishments as we continue to prepare our students for their futures.

This Staff Policies and Procedures Manual outlines both your rights and responsibilities at the workplace. The Manual provides an organizational structure that mirrors our school culture. Please take the time to review it.

This digital copy represents our effort to save approximately 6,000 sheets of paper. Feel free to print a hard copy, or keep it digitally.

While your employment contract states the terms of employment, this Staff Personnel and Policy Manual is important because both documents work equally together. In addition, Lincoln has a larger Personnel Policy Manual (200+ pages) that supports this smaller version. The goal this year is to condense both documents into one single document. If there is a “disagreement” in stated policies between an old and new, the new policy will govern.

Please direct any comment or question about either version to Mr. Torres, our Director of Operations. It is my wish and desire that we have a fantastic year together. The best is yet to come! Best wishes to everyone!!

Sincerely,

Mrs. Sandra Figueroa-Torres

Founder/CEO/Principal

Table of Contents

Welcome 2

Table of Contents .... ...... ..3-4

[Employee Files](#_Toc174974791) 5-6

[Employment Contracts, Attendance 6](#_Toc174974792)

Punctuality, [Unexcused Absences, Donating Days, Abandonment of Employment.... 7](#_Toc174974793)

Late Arrival/Leave Early Request Form, Vacaction Days 7

[Paid](#_Toc174974795) Holidays, Vacation Time………………………………………………………8, 9

Personal Leave and Absence Due to Illness, Disability and Life Insurance………… 10

 Family Medical Leave Act (FMLA), Return To Work.................................................11

 Medical Leave, Work Related Injuries (Worker’s Compensation Insurance) .............12

 Military Leave, Staff Attire and Appearance ...............................................................13

[Inclement Weather, Emergency School Closing Phone Chain .. 14](#_Toc174974800)

[Pay Practices and Payroll Deductions 15](#_Toc174974803)

[Equal Employment Opportunity/Affirmative Action 16](#_Toc174974802)

Procedure for New Enrollment of Special Education Students………………………17

Student [Promotion and Retention.................................................................................18](#_Toc174974808)

[Professional Development](#_Toc174974809)……………………………………………………………19

[Evaluation of Teachers……………………………………………………………20,](#_Toc174974804) 21

 Faculty Responsibilities/Standards for Evaluation................................................. 23-24

[Evaluation of Non-Certificated Employees…………………………………………..24](#_Toc174974807)

[Health Insurance Benefits …. .25](#_Toc174974830)

Visitors 28

Copyright Materials 29-30

[Computing Resources – Acceptable Use Policy for Staff 31-32](#_Toc174974816)

[Jury Duty/Court Appearance 33](#_Toc174974821)

Lost [Keys/Energy Conservation 34](#_Toc174974822)

[Section 504 of the Rehabilitation Act of 1973 and 504 Grievance Procedure 34](#_Toc174974813)-36

[Employee Conduct/Corrective Action/Complaint Process 37-39](#_Toc174974810)

[Resignation and Termination of Employment 40-41](#_Toc174974817)

[Discharge Procedures 42](#_Toc174974818)

[No Discrimination or Harassment 42](#_Toc174974820)

Student Bullying & Harrassment.................................................................................44

[Sexual Harassment - Employees/Students 44](#_Toc174974819)

Complaint Procedure 46

[Consolidated Omnibus Budget Reconciliation Act (COBRA) ....................................](#_Toc174974811)47

[Conflict of Interest 47](#_Toc174974815)-50

[Conflict Resolution - Staff](#_Toc174974812) 51

[Hiring Family Members 51](#_Toc174974798)

[Whistle Blower Act Notice 52](#_Toc174974826)-54

[Employment Protection – Whistleblower Act 54](#_Toc174974825)

[Substitute Teachers](#_Toc174974828) 56

Allowability Costs for Federal……………………………………………………57-71

 College Dual Enrollment Program……………………………………………… 72-75

Cash Management Procedure…………………………………………………….. 76-79

 Compulsory Recovery Attendance Notice (Letters) ………………………………80-81

Hearing Aids Procedure……………………………………………………………82

Pediculosis Procedure………………………………………………………….. …83-85

Employee Files

Personnel files are categorized into two types; general personnel files and employee health files. Employee health files may contain medically-related information that the employee provides to the employer during the course of employment. Personnel files contain all other non-medical work related materials, including health benefits applications, i.e. dental, vision), and life insurance and disability policies. These files are confidential. Employees may access their files, but files are restricted to our insurance carriers may “need-to-know” your information.

1. The Board designates the establishment and the maintenance of official personnel records to the CEO/Principal of the school. A central file shall be maintained; supplemental records may be maintained for ease in data gathering. Only that information which pertains to the professional and legal role of the employee and is submitted by duly authorized staff. Any Board entries and the Board may be entered in the official record file. A copy of each such entry shall be made available to the employee.

2. Personnel files are confidential and will not be disclosed to anyone outside the

 School, except upon written authorization of the employee, or in compliance with a

 lawfully served subpoena or other legally binding order upon the employer.

 Employee records shall not be available to the Board except as may be required in the

 performance of its’ function as a Board.

3. Each employee shall have access to his/her file with the exception of confidential

 recommendations which were submitted for your employment to the Board/CEO.

4. Employees wishing to review their own records shall do so in the presence of the

administrator designated to maintain such records and shall make no alteration or additions to the records nor remove any material without the prior written authorization of the CEO/Principal and shall sign a log attached to the file indicating the date and name of the reviewer.

5. An employee wishing to appeal material in his/her file shall make a request in writing to the CEO/Principal/designee delegated to maintain the records and specify therein name and date, material to be appealed and reason for the appeal.

6. The responsible administrator shall hear the appeal and make a determination for review by the CEO/Principal and permit the addition of employee comments.

7. Upon initial employment an employee file shall contain:

* A completed employment application and resume
* Federal and State withholding forms
* Direct deposit forms
* I-9 form
* Health Benefits form
* State Criminal, FBI, Child Abuse, Sex abuse certifications
* Confidentiality agreements (if applicable)
* References
* A copy of the applicable teaching certificate(s), PRAXIS
* College Transcripts
* Recommendations
* Physical examination record
* Retirement registration forms
* Hospitalization form
* Insurance beneficiary forms, where applicable
* Examination application and test scores

8. During the period of employment the following data shall be maintained in the personnel files (in addition to the data required upon initial employment):

1. Rate of compensation
2. Completed copy of employment contract, where applicable
3. Attendance records
4. Performance evaluations
5. Disciplinary incidents, Memorandums to the file
6. Special Awards, Distinctions or Honors, copies of newly acquired degrees

9. It is the responsibility of the employee to report any relevant changes in personal status

(E.g. change in name, address, marital status, births, beneficiaries, persons to notify in case of emergency)

Terminated employee personnel files may be destroyed only after Three (3) complete years from the date the employee was terminated from employment.

Materials maintained in an employee’s personnel file are confidential and shall not be disclosed to anyone outside the organization except upon prior written authorization of the employee or in compliance with a lawfully served subpoena or other legally binding order upon the Board/CEO. Upon prior written notice to the CEO/Principal or designee, employees have the right to review their personnel files, with the exception of confidential recommendations that were submitted upon employment with LLACS, but only in the presence of the CEO/Principal or designee. Under no circumstances may an employee remove personnel files or copies thereof from school premises, submit any documents for inclusion in the file, or remove any documents from the file, without the prior written authorization of the CEO/Principal. Violators of this policy will be subject to disciplinary action up to and including immediate termination.

Employment Contracts

The Board has the authority under law to prescribe employment conditions for the personnel of the Lincoln Leadership Academy Charter School. Any willful misrepresentation of facts and/or omissions of facts material to employment is cause for disciplinary action and/or dismissal.

It shall be the policy of this Board that all teaching employees shall execute an employment contract that shall include the beginning compensation, employment date, benefit package and job description.

Employment is on an “at-will” basis. An employee may be terminated at any time “Without Cause,” or “For Cause.”In the event that an employee is terminated during the school year, the staff member shall receive thirty (30) days notice prior to the termination, except in those cases where circumstances are such that an immediate termination is warranted.

The Board may amend or rescind its policies and procedures, and terms and conditions of employment, from time to time at the sole discretion of the Board.

Attendance

The efficient operation of the Lincoln Leadership Academy Charter School requires that each member of the school community carry his/her share of responsibility. When a member of the team is absent, instruction and productivity is interrupted to the detriment of the students.

The following procedures must be followed in reporting absences:

* All employees who will not be reporting to work must call the CEO/Principal/designee as soon as they are aware that they will be unable to work, but not earlier or later than 6:00 A.M. on the day of the absence. Please call: e-mails and text messages are inappropriate.
* You must call each day that you will be absent from work unless prior arrangements have been made as to your date of return.
* Substitutes may be secured through the authorization of the CEO/Principal.
* Upon returning to work, the employee must complete the Employee Absence Report and indicate the reason for the absence. The employee shall sign the absence report and return it to the CEO/Principal for his/her signature.
* The CEO/Principal shall maintain an electronic and/or hard copy office log of employee attendance/absence for all personnel.
* Continuous personal illness/absence of three (3) days or more must be certified to by a properly licensed physician. This note is to be attached to the Employee Absence Report.

The CEO/Principal shall report “excessive absences” to the President of the Board.

Punctuality

Employees must report to work on time. Discipline is progressive. One (1) tardy will result in a verbal warning. Two tardies: A written warning. Three (3) or more tardies: An official reprimand will be issued and placed in your Personnel file.

Subsequent tardiness will result in further disciplinary action, including but not limited to suspension without pay and /or termination of employment.

Unexcused Absences

All employees are expected to report to work on every workday designated by the official school calendar unless properly excused. Unexcused absences are to be treated as acts of insubordination and may be considered as cause for dismissal.

DONATING DAYS POLICY

As established in the 2011-2102 school year, an employee may “donate” a sick day/s to another employee who suffers a sudden or unexpected tragedy, and/or a long term illness during the school year (please see your contract for more details).

Donating days are not allowed when an employee files a Disability Claim or a Worker’s Compensation for a work-related injury.

To file these claims, our insurance policies require that you be absent from work before you can qualify to receive Disability Insurance or Worker’s Compensation.

Donating days in those circumstances would interfere with the time that an employee is required to be absent to be eligible for those insurance programs.

Abandonment of Employment

Any staff person who is absent for three consecutive unexcused work days without calling the CEO/Designee shall be deemed to have abandoned his/her employment unless the employee was unable to make contact (medically incapacitated or incarcerated) for three or more days.

Late Arrival and Leave Early Request (form)

These requests are limited for up to one hour per request. These requests are intended for unforeseen emergencies that may arise during a school day. This time will be pro-rated and charged to your Personal/Vacation days that you may have available. If no time is available, time used will be pro-rated and deducted from your next pay period.

Paid Holidays

HOLIDAYS, VACATION TIME

PAID HOLIDAYS

Paid Holidays for all 12 month (Administration and Hourly) employees:

New Year’s Day

Martin Luther King Day

President’s Day

Memorial Day

Independence Day

Labor Day

Indigenous People’s Day

Thanksgiving Day (and next day)

Christmas Day

Any other holiday not recognized as a school holiday must be taken as vacation day or without compensation if you plan to observe that day.

As a reminder, vacation days will not be granted the prior day before or after a paid school holiday.

Vacations

Permanent full-time instructional staff will receive paid time off on all holidays and vacation days as indicated on the school calendar. Permanent part-time instructional staff will be allowed paid time off according to your employment contract. It will be pro-rated according to the number of hours worked per week.

Full time non-instructional staff will receive paid time off on all holidays indicated on the school calendar, except those days during winter and spring breaks that are not federal holidays.

Permanent part-time non-instructional staff will receive paid holidays. Again, the amount paid will be pro-rated according to the numbers of hours worked per week, and your contract.

If the employee is eligible for any other vacation time, it shall be enumerated in the Employee’s Contract.

Temporary and casual employees will not be eligible for paid vacation.

Unused vacation days may not be carried over beyond June 30 of each year. Unused Vacation days for non-instructional staff will be forfeited on June 30.

All personal and vacation days must be approved two (2) weeks in advance by the CEO/Principal. Every effort will be made to ensure that an employee’s time-off may be taken at a time of his/her choosing. To ensure minimum disruption, however, work schedules must be coordinated. Work requirements and length of service will be taken into account in the event of a conflict. In addition, no faculty or staff member may take a personal day during the first week of school, immediately before or after a holiday, on a professional development day, or during the two-week period prior to the last day of school, except in case of an emergency that would be verified by the CEO/Principal.

The CEO/Principal may ask for medical certification of illness if an employee is absent three days in succession without prior approval. Failure to provide medical certification of illness or injury, or verification of emergency upon request may result in disciplinary action.

All twelve (12) month administrators are entitled a number of days designated in the contract of vacation per contract year, to accrue during the year, to be taken during the subsequent contract year and to be non-cumulative.

All other twelve (12) month personnel are entitled to vacation, on a non-cumulative basis, pursuant to the terms outlined in the Employment Contract.

Personal Leave and Absence Due to Illness

The purpose of this policy is to encourage employees to be present on the job every day and to minimize the occasional absences that might occur during the course of the year. This policy establishes a means whereby a cataclysmic illness will not result in the cession of an income for the employee.

The Board shall provide two (2) personal days to be used during the year. Such absences shall be allowed with the coordination of the CEO/Principal. Personal leave will not be granted for either of the two (2) days preceding or following a holiday or vacation period except in emergency cases. The number of unused days in any year shall not accumulate for the purpose of sick leave. For personnel who begin employment February 1st or thereafter, the leave shall be limited to one (1) day.

The Board shall provide a designated number of days as stated in the contract for full time employees to be used during the year for absences due to illness. Permanent part-time employees will receive sick days as designated in the contract. A physician’s note must be provided for absences of three (3) or more consecutive days. Unused sick days cannot accumulate from year to year.

Upon retirement or departure from Lincoln Leadership Academy Charter School, the employee will not be eligible to receive payment for unused sick days or unused personal days.

Disability and Life Insurance:

Budget permitting on a year-to-year basis, Lincoln (the employer) shall pay and provide Short Term Disability and Life Insurance for full time employees at no extra cost. The Employee, at his/her own expense, may purchase additional disability and/or life insurance coverage.

When funding is available, the Board shall provide for a disability income protection plan. The short-term plan will provide income protection between the time the employee’s accumulated sick leave days may be exhausted and the beginning of the benefits. If the budget cannot sustain the cost, employees will be offered the opportunity to purchase coverage (through payroll deductions).

Lincoln will provide Maternity Leave to all eligible childbearing employees in accordance with the provisions of the Equal Opportunity Act of 1972, the Civil Rights Act of 1964, Human Relations Commission regulations, and any and all applicable state and federal laws and/or regulations.

LEAVE OF ABSENCE

A Leave of absence may be granted to regular full-time and part-time employees for reasons including as listed below. A leave of absence may not exceed six (6) months with the exception of military leave or Worker’s Compensation. Employees are responsible for completing the Leave of Absence Request Form. The employee must submit this form to the CEO/Principal thirty (30) days before leave is to start. Any leave taken without the approval of the Board may be considered job abandonment, which could lead to termination of employment.

Family Medical Leave Act (FMLA)

Qualifying employees may take up to twelve weeks off from work without pay for certain family and medical reasons. Unpaid leave is granted for any of the following reasons: the employee has given birth or received placement of a child through adoption or foster care; the employee is caring for a spouse, child, or parent with a serious health condition; the employee has a serious health condition that prevents the employee from performing his/her job responsibilities.

Employees who have worked at Lincoln Leadership Academy Charter School for at least one year and who have worked 1,250 hours in the twelve months preceding the requested leave, are eligible to take an unpaid leave of absence in any twelve-month period for any of the conditions listed in the Family and Medical Leave Act. The twelve-month period is a “rolling” period measured back from the date the employee first uses any such leave. Employees may also combine any paid leave to which they are entitled with the unpaid leave allowed by the Family and Medical Leave Act, but the amount of time that employees take off for paid leave will run concurrently with their unpaid leave. Unpaid paternity leave also runs concurrently with leave under the Family and Medical Leave Act.

Employees do not earn vacation time, sick days or personal days while on an unpaid leave of absence. Employee health benefits will be continued on a normal basis, however, employees must continue to make their scheduled contributions, if any, for their benefits while on unpaid leave.

Whenever possible, employees should apply for a leave of absence at least thirty days in advance of the start of the leave, and state in writing the purpose for which the leave is requested. When the basis of the leave involves a health condition, medical certification may be required.

Employees taking Family or Medical Leave will have their jobs available upon their return.

MEDICAL LEAVE

Medical leave is time off from work due to non-work related illness or injury as determined by a qualified physician. A medical leave begins on the first day after the last day worked and ends the first day the employee is released by the attending physician. Unpaid leave may be granted for medical situations that do not fall under short-term disability. All personal and vacation days must be used prior to requesting leave without pay. The Board is not obligated to guarantee reinstatement if this leave extends beyond two (2) weeks.

Employees do not earn vacation time, sick days or personal days while on an unpaid leave of absence. Employee benefits shall be continued on a normal basis, however, employees must continue to make their scheduled contributions for their benefits while on unpaid leave.

Whenever possible, employees must apply for a leave of absence at least thirty (30) days in advance of the start of the leave, and state in writing the purpose for which the leave is requested. Employees should also make arrangements for payment of their employee benefit contributions, if any, before the leave begins. When the basis of the leave involves a health condition, medical certification may be required.

Work-Related Accidents: Worker’s Compensation

In case of an accident or injury to an employee while on duty, the employee shall notify the immediate supervisor and the CEO/Principal/Designee as soon as it is possible, and then provide in writing the details of the accident or injury.

The paid absence of an employee due to injury which is compensable under Pennsylvania law shall be subject to deduction of such payments as may be permissible according to the law and the insurance company (for loss of wages and medical treatment).

It is recommended that an employee who gets hurt on the job seek medical treatment as soon as possible.

RETURN TO WORK

An employee on medical leave is required to notify the CEO/Principal immediately upon release by a physician to return to work, and submit a Medical Release/Return to Work Note form the doctor. The employee should obtain specific written instructions concerning his/her work capacity, limitations and medications, if any. Termination may occur if an employee refuses to return to work after a physician has released him/her to return to work.

While the Board cannot guarantee that it will hold a position open for an employee on leave of absence, it will make every effort possible to do so. If it becomes necessary to fill the position, the Board will reinstate the employee in question to an equivalent position provided such a

position is available and provided his/her leave does not exceed twelve (12) weeks. If a leave of absence exceeds twelve (12) weeks, the Board cannot guarantee that the position will be held.

BEREAVEMENT LEAVE

Full-time and regular part-time employees are entitled to an absence of One (1) day without loss of pay in the event of a death of an immediate family member. An immediate family member is defined as an employee’s parent, spouse, sibling, child, grandparent, or spouse’s parent. Employees are eligible for bereavement leave at any time after their first day of employment. Requests for this type of leave should be made to the CEO/Principal in writing. Bereavement leave may be extended by the use of a personal(s) day as may be provided by Board policy.

MILITARY LEAVE

Employees serving in the National Guard or Reserve Units are granted a leave of absence without pay to participate in annual training programs. An employee may elect to use vacation time for military leave.

If an employee enters active military service, he/she will be placed on a leave of absence. Upon completion of active military duty, the employee may be rehired in accordance with federal regulations as described in the Uniformed Services Employment Rights Act of 1994 (USERA).

Staff Attire/Appearance

To help create an environment conducive to learning and to underscore the notion that educating children is a serious endeavor, it is important for every employee to maintain a professional image at all times. The Board, therefore, expects all employees to be neatly groomed and dressed in clothing suitable for the subject of instruction, the work being performed, or for a particular occasion.

The Board retains the authority to specify the following dress and grooming guidelines for staff, within the law, that will prevent such matters from having an adverse impact on the educational process. All staff members shall:

1. Be physically clean, neat and well groomed;
2. Dress in a manner reflecting his/her assignment, as well as a high degree of professionalism;
3. Dress in a manner that does not cause damage to school property;
4. Dress and be groomed in such a way so as not to cause a health or safety hazard, or dress in a manner that detracts from the educational process.

Men and women are not allowed to wear the following items:

* Tank tops
* T-shirts
* Shorts
* Body Suits
* Leggings
* Blue jeans
* Flip flops
* Sneakers (unless the position requires them)
* Fleeces

Men are required to wear collared shirts and neckties. For Women, examples of similarly appropriate choices include skirts, loose fitting slacks, khakis, blouses, jackets or blazers.

While the physical education teacher may wear shorts and a polo shirt, as befitting the requirements of the job, he/she should make every effort to present himself/herself in a professional manner.

If a staff member feels that an exception to this policy would enable him/her to carry out assigned duties more effectively, a request shall be made to the CEO/Principal.

Inclement Weather

On days when school is closed because of snow and/or other inclement weather, or a national or state of emergency has been declared, school staff will not be required to report to work. The decision to close school shall be made by the CEO/Principal when he/she determines that it would be unsafe for children to walk or be transported to school due to snow, inclement weather, or state or national emergency.

The CEO/Principal shall make the decision to close school no later than 7:00 a.m. of that day.

Notification of school closings will be announced on local news and radio stations, phone “Blasts” (mass calls) and such decisions shall be made on a day-by-day basis.

Please check the newscasts for inclement weather/emergency forecasts.

Emergency School Closing Phone Chain

This procedure has been established to provide a means of notifying staff that school will be closed as a result of inclement weather or other emergency:

1. The CEO/Principal shall annually prepare a telephone chain list that includes the telephone numbers of all employees. This list shall be distributed to all Lead Teachers, teachers and

supervisors no later than October 15.

2. When there is an emergency school closing the CEO/Principal shall decide, whenever possible, by 7:00 a.m. and immediately start the phone chain by calling those employees who have been assigned to call other employees. In turn,those employees will contact the other employees they have been assigned to call.

3. If for some reason an employee is unable to personally contact a person they have been assigned to call, it will be his/her responsibility to leave a voice and text message for that person and contact the next person on the phone chain.

4. Toll calls are reimbursable.

5. School closing information will also be sent out through PowerSchool, “Robo” calls and local media.

6. It is each employee’s responsibility to update and provide accurate phone/cell numbers to the school. Any miscommunication that results from failing to do so, shall fall on the employee who failed to provide the information to the school. Such information can be provided to the Lead Secretary, The PIMS State Reporting Secretary, or the Director of Operations.

Pay Practices and Payroll Deductions

Paychecks shall be issued to all employees bi-weekly. If the scheduled payday falls on an approved holiday or weekend, the preceding normal workday will be payday.

Officially, Fridays are paydays, not Thursdays (over 26 pays) per year. As a courtesy to staff, Lincoln will make an effort to pay the preceding Thursday, but paydays are officially on Fridays.

All employees are encouraged to use direct deposit. Paychecks that are not deposited directly into employees’ accounts will be available at the school office on the designated payday.

As a cost saving measure, Paper Paychecks will NOT be mailed over the summer. These checks will be placed in your mailboxes. If you do not have direct deposit, please inform the Main office and your paper check will be mailed to you.

The Board is required by law to make the following involuntary deductions from the paycheck of employees:

* Federal Income Tax
* State Income Tax
* Social Security and Medicare
* State Disability Insurance where applicable
* Court-ordered withholding
* Local Income Tax where applicable
* PSERS (PA State Employee Retirement System) or other State-Mandated Retirement Plans (403 B)

Any other deduction(s) required by federal, state or local law.

Equal Employment Opportunity/Affirmative Action

It is the policy of the Lincoln Leadership Academy Charter School Board to promote diversity and equal access to all categories of employment, including retention and advancement, through a positive continuing program of specific practices designed to ensure full realization of equal employment opportunity without regard to race, religion, color, national origin, social or economic status, gender, age, sexual orientation, disability, medical condition, marital status, parenthood or veteran status. The Board believes that a diverse staff brings a valuable breadth of perspectives to tasks and decisions the school faces.

Equal employment opportunity is not only the law, but it is a principle of the Board’s operation. Employees are selected, retained and promoted solely on the basis of their qualifications and job performance, and all reasonable accommodations are made for those covered by the Americans with Disabilities Act. All employees are expected to cooperate in achieving this goal and the Board stands behind this principle. To implement this policy, the Board shall:

 A. Recruit, hire, train and promote persons in all job classifications without regard to race,

 Religion, color, national origin, social or economic status, gender, age, sexual

 orientation, disability, medical condition, marital status, parenthood or veteran status

 B. Ensure that all personnel actions, including but not limited to compensation, promotion,

 demotion, benefits, transfers, layoffs and return from layoffs, will be administered

 without regard to race, religion, color, national origin, social or economic status, gender,

 age, sexual orientation, disability, medical condition, marital status, parenthood or

 veteran status.

 C. Refrain from doing business with any vendor who does not adhere to the principles of

 Non-discriminatory employment practices.

The CEO/Principal is responsible for maintaining the highest standards for equal employment opportunity and affirmative action. This responsibility includes complying with applicable federal, state and local laws and regulations, and initiating and supporting programs and practices designed to create and sustain a diverse faculty and staff.

**Procedure for New Enrollment of Special Education Students**

When a new student enrolls at Lincoln Leadership Academy Charter School (LLACS) the family must fill out an application. Parents of students with an Individualized Education Plan (IEP) must indicate that their student has an IEP by checking ‘yes’ on the Charter School Student Enrollment Notification Form.

If this section is left blank, the Pupil Personnel Secretary will call the family to confirm if their student has an IEP or not. Next, the Pupil Personnel Secretary will ask the family to provide LLACS with any documentation they may have such as the *IEP, Evaluation/Re-Evaluation (ER/RR), Permission to Evaluate/Re-Evaluate (PTE/PTRE), Waiver, Inviation*, and the *Notice of Recommended Educational Placement (NOREP)*.

Whether or not they have these copies, the family will also fill out the Release of Special Education Records and Release of Student Records. The Pupil Personnel Secretary will then send the releases to the student’s home district to request the above documentation: *IEP, ER/RR, PTE/PTRE, Waiver, Invitation, and NOREP*.

Once all of the records are received from the district, the Pupil Personnel Secretary will pass the records on to the Special Education Coordinator.

As soon as the Special Education Coordinator receives the records she will stamp them with the date they are receieved. After that, an Adoption NOREP must be completed within 5 days of receiving the documents. The NOREP must be signed by the parent and then the Special Education teacher is required to hold a new IEP within 30 days after receipt of the signed NOREP.

Student Promotion and Retention

The personal, social, physical and educational growth of children will vary. They should be placed in the educational setting most appropriate to their needs at the various stages of their growth.

Each student shall be moved forward in a continuous pattern of achievement and growth that is in accordance with his/her own development. Such patterns coincide with the system of grade levels established by this Board and the instructional objectives established for each.

The extent of student progress toward state and school goals shall continually be of central concern. Student progress shall be viewed comprehensively in the light of such factors as:

* Age;
* Mental health;
* Social needs;
* Level of maturity;
* Ability as determined by objective and subjective data;
* Educational achievement; and
* Environmental influences.

The CEO/Principal shall develop procedures for promotion and retention of students which:

* Require the recommendation of the classroom teacher for promotion or retention with the approval of the CEO/Principal no later than by the end of the third marking period;
* Require that parents/guardians are informed in person, and in advance of the possibility of retention of a student at grade level; and
* Assure that every effort will be made to work with and assist the student before he/she is retained,
* The CEO/Principal must approve the retention.

Promotion and/or retention of students shall occur at the close of the school year. In regard to the timing of such action, exceptions to this guideline may be made by the CEO/Principal after consultation with the appropriate teacher(s).

Students who fail two or more major subjects in the same academic year must take and pass those subjects in an accredited summer school. Failure to do so may jeopardize their promotion to the next grade level.

Professional Development

The Board recognizes the importance of maintaining, developing and extending the skills of all staff members. The Board encourages employees at all levels to engage in programs and activities that will lead to their professional growth, expansion of skills, and increased job competence. Programs and activities may include in-service education, conferences, workshops and graduate study.

Programs and activities for professional growth shall serve the following purposes:

1. To improve the skills of professional staff members in their work with children, youth, and adults;
2. To increase the ability of staff members in their field of specialization;
3. To develop sensitivity to other human beings, their needs, aspirations, and abilities in relation to cultural, religious, socioeconomic and other differences;
4. To assist staff members in the implementation of innovative curricula and instructional practices;
5. To encourage staff members to examine new trends in education;
6. To promote evaluation of current practices; and
7. To facilitate the involvement of parents as partners of teachers in the education of their children.
8. Encapsulated Goals: Teacher learns the approved curriculum to a high level of proficiency; is up to date on professional knowledge; performs well in check-outs linked to in-service training; uses technological tools to maximize efficiency and effectiveness; accepts constructive suggestions or criticism in a professional manner; and works closely with other colleagues and the CEO/Principal to improve his/her own teaching skills

Within budgetary limitations, the CEO/Principal is authorized to initiate programs and activities to promote professional growth for employees of the Lincoln Leadership Academy Charter School.

As part of professional development, the Lincoln Leadership Academy Charter School Induction Plan has been established to assist new teachers in making the transition from student to teacher and to support them in enhancing their skills consistent with the mission and operating procedures of the school.

It shall be the responsibility of the CEO/Principal to establish an Induction Plan for each new teacher and to implement a professional development plan for all individual faculty members as well as a school-wide professional development plan.

Evaluation of Teachers

The process of observation and evaluation is an ongoing process that exists to support and encourage instructional excellence. In this process, the teacher and supervisor work cooperatively in a professional atmosphere conducive to mutual growth. The process of observation and evaluation should promote teacher self-esteem. It is characterized by its fairness, consistency and collegiality. The recognition of different teaching styles, levels of experience and expertise form the basis for this process. Endowing the process with meaning is the joint responsibility of the supervisor and the teacher.

The purposes of the evaluation program are:

1. To improve teacher effectiveness;
2. To motivate teachers to attain high, outcome-based performance levels;
3. To promote teacher self-esteem;
4. To provide a basis for self-improvement;
5. To objectively and fairly assess performance;
6. To support the teacher in the development of teaching and classroom management skills;
7. To provide a basis for decision-making relative to employment;
8. To foster a cooperative professional atmosphere; and
9. To increase teacher and administrator awareness with regard to curriculum, methodology and activities in the classroom.

The CEO/Principal shall have the responsibility for observing and evaluating personnel under his/her supervision. Other certified supervisory administrators may also be called upon to conduct formal classroom observations.

The number and length of classroom observations shall vary in accordance with the needs and status of the employee. The observer shall give consideration to the type of class, the intellectual level of the students, any students with special learning or behavior problems, and special circumstances that could affect classroom conditions.

Each observation shall be followed by a conference that stresses the cooperative sharing of ideas and focuses on the assessment of the employee’s performance and the improvement of instruction.

In addition to the categories identified in the Board’s Administrative Procedure - Teacher Evaluation, evidence of student achievement and other objective data shall serve as components of the school’s comprehensive faculty evaluation system. In addition each faculty member shall be required to perform an annual self-assessment based on the standards for evaluation used by the CEO/Principal.

Performance determines whether a salary increase is warranted. A pay increase will not be based on length of service alone.

Based on the standards outlined in this Administrative Procedure, the CEO/Principal/Designee shall conduct a formal review of all staff members. Evidence of student achievement and other objective data shall also serve as components of the school’s comprehensive staff evaluation program. In addition, each faculty member shall be required to complete an annual self-assessment based on the standards for evaluation used by the CEO/Principal. Each staff member shall receive an overall performance evaluation rating based on his/her evaluation.

At a minimum, teachers will be evaluated, following their date of hire, at intervals of three and six months, one year, and thereafter annually, on their anniversary date. The CEO/Principal may complete additional evaluations at his/her discretion.

FACULTY RESPONSIBILITIES/STANDARDS FOR EVALUATION

Faculty evaluations will be based on performance in the categories listed below:

Academic Progress of Students

* Students attain targets for lesson progress and mastery test scores (generally, student scores are within the allowable range unless there are relevant extenuating circumstances.)
* Students’ scores improve on independent standardized tests and other independent assessments.
* Students achieve targeted performance in other subjects on available measures.
* Periodically reviews and documents student progress; communicates with parents and staff on the progress and performance of students.

Student Adherence to Code of Conduct and Take 5

* Results from parent surveys and other indicators reflect satisfaction with the individual’s implementation of effective behavior management methods.
* Demonstrates the effective use of time, smooth transitions between activities, effective room arrangements, appropriate movement, clear expectations for student conduct, a greater frequency of praising students to correcting them, effective use of reward systems, proper referrals to the CEO/Principal’s/designee’s office, and fairness and consistency in recognizing negative behavior and imposing appropriate consequences.
* Students demonstrate instructional/ task focus and appropriate character virtues in the classroom as well as appropriate conduct in the halls, restrooms, play areas, and other non-classroom environments.
* Use of multi-disciplinary team (Student Support Team) to prevent and correct issues.

Initiative

* Classroom appearance, wall displays, participation in extracurricular activities.
* Overall contributions to the school.

Diligent and Competent Performance of All Duties

* Diligently and effectively implements the policies and procedures of the school, demonstrating a strong work ethic and a positive attitude.
* The individual is punctual and meets other basic school expectations, including organizing student extracurricular activities and fulfilling such assigned duties as morning and lunch monitoring.
* Responsiveness to emails, memos, phone calls, text messages to getting paperwork done.

Planning and Instruction Implementation

* The instructional program is planned based on the needs of the assigned students and the approved curriculum. Lesson plans allow for varying learning styles and abilities.
* Prepares and submits plans as required for daily instruction and substitute teacher use.
* Effectively implements all curricula, demonstrates strong lesson presentation skills, uses appropriate correction procedures, monitors students’ independent work in class, and provides sufficient reinforcement or practice to verify understanding and/or mastery.
* Provides for continuity of instruction with tasks appropriate to the class level.
* Student interest and motivation is maintained through appropriate instruction; the teacher involves the student in the lesson.
* Effectively implements assessments, parent progress reports and report cards.
* Appropriately assigns homework and corrects papers.

Interpersonal Skills

* Works well with other school staff, contributes to the development of a collegial work culture, participates in informal professional development discussions, shares expertise with colleagues, and participates in team planning meetings.
* Relates well to students and parents. Demonstrates an interest in and concern for all students.

Evaluation of Non-Certificated Employees

The CEO/Principal shall prepare a plan, including procedures, for the evaluation of all non-certified employees.

The goals of the evaluation plan for non-certificated employees are:

1. To identify, improve and reinforce the skills, attitudes and abilities which enable an employee to be effective; and
2. To identify and improve upon those areas which prevent an employee from effectively carrying out assigned duties.

The evaluation plan shall group classified employees into position classes based upon similarities of duties, responsibilities, and qualifications; the evaluation process shall be similar for all classes of employees. The evaluation plan shall ensure that appropriate evaluation of performance takes place during probationary periods of employment.

**H**ealth Insurance Benefits

The Board shall provide all faculty and staff regularly employed full time, with a hospitalization and medical insurance plan selected by the Board and provided through a carrier chosen by the Board. The plan will include dental, vision and a prescription drug plan. The employee shall pay a reasonable deductible per pay period toward health insurance, dental and vision coverage.

The Board will not provide dual coverage. The Board will provide coverage to all employees as described above. Married spouses are entitled to such coverage either as two single employees or one family, but coverage will not be duplicated under any circumstance including any subsequent opt-out decision by the employee. Spouses who are currently covered by a plan through their own place of employment are not eligible.

Health insurance benefits will be made available to part-time employees who work at least thirty (30) hours per week with a reasonable deduction per pay period payable by the part-time employee through a payroll deduction.

The Board’s goal is to provide adequate health insurance coverage for its full-time faculty and staff. The Board reserves the right to change carriers, co-payments, deductibles, and all other elements of the health insurance plan designs at any time. Employees will be informed of any pending changes. The Board will attempt to maintain the best possible coverage affordable for its employees.

\*Dependent means a legally married spouse and unmarried dependent children living at home as determined by federal or state law.

If a spouse needs coverage, a spouse is defined as someone who is legally married to an employee.

A full-time employee may “opt out” of the health plan as long as the employee is covered by a spouse. In this event, the employee must provide proof of coverage.

The employee is required to inform the employer if he/she is opting out within 15 days of employment.

The opting-out employee shall receive an extra $1,000.00 to his/her salary, which will be paid out over a 26 pay period.

Benefits available to employees, by employment category are outlined below.

Benefit Regular Full-time Regular Part-time Temporary/Casual

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Health, Vision Yes Yes, must work more No

Dental, prescriptions than 30 hours per

 week, but not full-time.

 Yes Employee pays deduction

 (reasonable) per pay period.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Paid Vacation Yes Outlined in contract No

(for non-instructional

12 month staff)

Short Term and Yes No No

Life Insurance\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Leave of Absence Yes No No

 SEE FMLA

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

VISITORS

When a visitor arrives on campus, he/she must first go to the Main office at 1414 East Cedar Street or the Elementary building, known as 855 N. Maxwell Street. Visitors are not permitted to enter the First/K Building, the Middle School, or the Creative Arts Building WITHOUT first reporting to the Main building or the Elementary School. A Visitor who needs to go to one of these other buildings SHALL be escorted to and from the Building.

The visitor is required to identify himself/herself to gain entry to the building, AND provide a picture ID like a driver’s license. If the person does not have an ID, the receptionist is required to request the first and last names, and the date of birth. The receptionist will print a pass and the visitor shall wear the pass on campus. A frequent visitor who is already known to the school and/or the receptionist can provide the visitor with a “Frequent Visitor Pass.”

All visitors must log into the “Visitor’s Log In” Book.

We recognize that this policy may cause some inconvenience to visitors, but our first task is to protect the children as best as we can on an ongoing basis.Copyright Material

The Board recognizes that the United States Code makes it illegal for anyone to duplicate copyrighted materials without permission. The Board further realizes that severe penalties are provided for unauthorized copying of audio, visual or printed materials unless the copying falls within the bounds of the “fair use” doctrine.

Under the “fair use” doctrine, unauthorized copying of copyrighted materials is permissible for such purposes as criticism, comment, news reporting, teaching, scholarship or research. If duplicating or changing a product is to fall within the bounds of the fair use, these four standards must be met for any of the foregoing purposes:

Staff members who fail to follow this policy may be held personally liable for copyright infringement.

THIS DOES NOT APPLY TO THOSE PRODUCTS PURCHASES WITH THE PERMISSION AND INTENT TO COPY.

A. Permitted Copies

1. Multiple copies, not exceeding more than one per pupil, may be made for classroom use or discussion if the copying meets the tests of “brevity, spontaneity, and cumulative effect” set by the following guidelines. Each copy must include a notice of copyright.

a. Brevity

* For poems, not more than 250 words can be copied;
* For prose, a complete article of less than 2,500 words or an excerpt of less than 1,000 words or 10% of the work, whichever is less, can be copied;
* Copies of illustrations can be one chart, graph, diagram, drawing, cartoon or picture per book or periodical.

b. Spontaneity: The copying is initiated by the individual teacher (not an administrator or supervisor).

c. Cumulative Effect: The copies are for use in one course. No more than one short poem, article, story or two excerpts can be copied from a given source or during one class term.

Multiple copying in a term is limited to nine (9) instances. Limitations do not apply to current news periodicals, newspapers and current news sections of other periodicals.

1. A library or archive may reproduce one copy or recording of a copyrighted work and distribute it if: the reproduction or distribution is made without any purpose of direct or indirect commercial advantage; the collection of the library or archives is open to the public, or available not only to researchers affiliated with the library or archives or with the institution of which it is a part, but also to other persons doing research in a specialized field; and if the reproduction or distribution of a work includes a notice of copyright. Libraries and their employees are not liable for unsupervised use.

B. Prohibited Copies

1. Copying cannot substitute for compilations or collective works.
2. Consumable” works cannot be copied. They include: workbooks, exercises, standardized tests, test booklets and answer sheets. Teachers cannot substitute copies for the purchase of books, publishers’ reprints
3. The same copies cannot be copied form term to term
4. Schools must be licensed to play copyrighted music where the performer is paid or an admission is charged, even if the admission is used to cover refreshment costs.

Legally, the length of the life of a copyright is the life of the author plus 50 years. The law also applies to photocopying, Cable TV, and public broadcasting.

**Computing Resources – Acceptable Use Policy for Staff**

New technologies are shifting the ways that information may be accessed, communicated, and transferred. Those changes may also alter instruction and student learning. LLACS offers staff members access to extensive computing resources, including access to the Internet, electronic mail services, and the school’s computer network. Along with access to computers and people all over the world, comes the availability of materials that may not be considered appropriate in the workplace. However, on a global network it is impossible to control all materials. Ultimately, the staff is responsible for setting and conveying the standards that should be followed when using media and information sources.

**Rules and Responsibilities:**

Staff members are responsible for good behavior on computer networks just as they are in an office setting. Communications on the network are often public in nature. General rules for behavior and communications apply. Access to LLACS’s computer network is provided for staff members to conduct research and communicate with others in relation to schoolwork. Access to network services is given to staff members who agree to act in a considerate and responsible manner. Access is a privilege, not a right. Therefore, based upon the acceptable use guidelines outlined in this document, the system administrator will deem what is inappropriate use. The system administrator may close an account at any time. The administration, faculty, and staff of LLACS may deny, revoke, or suspend specific user accounts.

Individual users of LLACS’s computer network are responsible for their use of the network. The use of an account must be in support of education and research and must be consistent with academic expectations of LLACS. Use of other organizations’ networks or computing resources must comply with the rules appropriate for that network. Transmission of any materials in violations of U.S. or state regulations including copyrighted, threatening, or obscene materials is prohibited. Use for commercial activities by for-profit organizations, product promotion, political lobbying, or illegal activities is strictly prohibited. Use of public property for personal gain is a felony and is subject to prosecution.

It is to be understood that the following uses of the network and associated activities are unacceptable and may result in suspension or revocation of network privileges:

 1. Sending or displaying offensive messages or pictures

 2. Using obscene or inflammatory language

 3. Sending harassing or insulting messages

 4. Damaging computers, computer systems, or computer networks

 5. Violating copyright laws

 6. Using another’s password

 7. Trespassing in another’s folder, work, or files

 8. Intentionally wasting limited resources

 9. Employing the network for commercial purposes or financial gain

 10. Employing the network to provide addresses or other personal information that may be used inappropriately by someone else

 11. Employing the network for unethical or illegal solicitation

 12. Placing a computer virus on the network

 13. Employing the network to send/receive messages that are inconsistent with the school’s code of conduct

 14. On-line gambling

 15. Receiving, viewing, and/or disseminating pornography

 16. Receiving, viewing and/or disseminating hate sites

**Use of Computers for Social Networking:**

Networking on social websites with students, either verbally, through Instagram, Kick, My Space, Face Book, Skype, Chat, or any other means, texting, sexting, or by email or other electronic transmissions, including pictures between and students of LLACS, is **strictly prohibited**. Any staff member who has or is presently communicating with any student shall discontinue the communication immediately, and remove any images of students on social sites immediately.

The use of social websites to discuss or make any negative comments about any student, fellow employee, or LLACS, which puts the school, the student or the fellow employee in a “bad light,” meaning that the reader will come to believe something negative of that individual as a result of having read the “bad light comment,” will be subject to a reprimand, and/or possible loss of employment, depending on the severity of what was said.

The inappropriate use of electronic, digital and/or written information can be a violation of local, state, or federal laws. Violations may result in a loss computer access, employment, disciplinary, or legal action. Any criminal violation (i.e., child pornography) can also lead to prosecution.

The only permissible form of electronic/digital communication with students by any staff shall be through the use of POWERSCHOOL, STUDY ISLAND, or any other forms of electronic academic programs that LLACS shall adopt in the future for academic purposes.

A copy of this policy shall be included in the Appendix of the Employee Handbook.

Employees shall sign the Computing Resources Acceptable Use Policy Acknowledgment Form and return the form to the Building CEO/Principal.

Jury Duty/Court Appearances

School employees are encouraged to exercise their civic responsibility through jury duty.

1. Should an employee be called for jury duty, a copy of the notice shall be submitted to the CEO/Principal upon receipt of the notice.
2. Employees serving on jury duty will receive the difference between their normal rate of pay and the jury duty pay.
3. If the jury is not in session for a day or more, the employee shall return to work at theLincoln Leadership Academy Charter School.
4. An Employee Absence Report shall be submitted upon return to work.

In case of a required appearance in a court of law involving no moral turpitude or any other breach of the criminal code on the part of the employee, he/she shall be granted time off (use of personal days) for such appearances. An Employee Absence Report shall be submitted upon return to work.

Voluntary court appearances will require the use of personal days.

Official school business appearances will not be charged to personal days.

CLASSROOM AND BATHROOM KEYS:

One means of protecting school property against vandalism and/or theft is to limit access to classrooms, offices, and other work areas in the school to only those staff members who have a need to be in those work areas.

Therefore, keys will be issued only to the staff member(s) assigned to a particular work area, and to the staff and student bathrooms. It shall be the responsibility of the staff member to secure his/her work area by locking the door to that room any time he/she leaves the room during the school day. At the end of the school day, staff members are to lock the door of their work area as they leave the school.

A master key, which allows access to all areas of the school, shall be given only to the following people:

1. CEO/Principal
2. Director of Operations
3. Director of Student Development
4. Facilities Director
5. Lead Secretary

The Lincoln Leadership Academy Charter School Board President reserves the right to maintain a master key for the facility.

Lost Keys:

Any staff member who loses a key must report the loss immediately. Staff members will be required to pay a replacement fee for the loss of keys that includes the making of a new key and/or the cost of re-keying a lock(s).

CONSERVATION OF ENERGY:

As a school community, we should seek to conserve energy. Staff members should turn off the lights in their classrooms at the end of the day. Air conditions should be turned on and off as needed, and not allowed to run over night.

Whenever possible, all staff and students are urged to recycle paper, cardboard, and plastics.

Section 504 of the Rehabilitation Act of 1973

Section 504 is an Act which prohibits discrimination against persons with a handicap in any program receiving federal assistance. As defined in the Act, a person with a handicap is anyone who:

1. has a mental or physical impairment which substantially limits one or more major life activities (major life activities include activities such as caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working);
2. has a record of such an impairment; or
3. is regarded as having such an impairment.

In order to fulfill its obligation under Section 504, Lincoln Leadership Academy Charter School recognizes a responsibility to avoid discrimination in policies and practices regarding its personnel and students. No discrimination against any person with a handicap will knowingly be permitted in any of the programs and practices in the school.

The school has specific responsibilities under the Act, which include the responsibility to identify, evaluate, and if the child is determined to be eligible under Section 504, to develop and implement a plan that affords access to appropriate educational services which generally include the development of classroom modifications and accommodations, therapy (occupational/physical), and other related services.

A group of persons knowledgeable about the student shall determine what services are needed. The group shall review the nature of the disability, how it affects one or more of the student’s major life activities, whether specialized services are needed, and if so, what those services are. Modifications, accommodations and/or services shall be documented in the student’s file and progression periodically monitored and reviewed.

The Board is aware that Section 504 is not an aspect of “special education.” Rather, it is a responsibility of the comprehensive general public education system. As such, the CEO/Principal is responsible for its implementation within the school. However, Special education personnel may be asked to participate in this process.

If the parent/guardian disagrees with the determination made by the professional staff of the school, he/she has a right to a hearing with the CEO/Principal, and may request one.

Grievance Procedure – Section 504 of the Rehabilitation Act of 1973

1. A 504 grievance shall mean a complaint by a student, an employee or the parent/guardian of a student attending Lincoln Leadership Academy Charter School in which there is an allegation that discrimination on the basis of handicap has occurred.
2. The grievant shall discuss the alleged violation within 60 days of its occurrence with the appropriate teacher/supervisor. The teacher/supervisor shall communicate his/her decision to the complainant within five (5) school days after having received the complaint.
3. If the complainant is not satisfied, he/she must submit the grievance in writing to the CEO/Principal (who shall serve as the 504 Compliance Officer) within five (5) school days.
4. The CEO/Principal may reply to the appeal based upon the record, or appoint a committee to investigate the facts and report the findings to him/her, or appoint a committee to conduct a hearing. A hearing shall be set within five (5) school days from the date of receiving of the appeal. The CEO/Principal shall render a decision within ten (10) school days of the appeal. Said decision shall be in writing with a copy to the President of the Board.

 If the complainant feels that the decision of the CEO/Principal is not satisfactory, the complainant within seven (7) school days may request a hearing with the CEO/Principal.

Employee Conduct

It is expected that school staff will reflect on their own conduct and assure that it models the conduct that is expected of our students. The CEO/Principal should regularly emphasize that each staff member contributes to the school’s friendly, inviting environment, and each helps set the tone for the school through his/her action and attitudes. The faculty and staff will provide continuous support and encouragement of students through their consistent implementation and support of the school’s core values:

* Faculty and staff will teach students expectations for reasonable behavior in every school environment by relating student actions to the school’s guidelines for success. Students will be encouraged to be responsible; try at all times, do their best, cooperate with others, and treat everyone with dignity and respect.
* Faculty and staff will provide positive feedback to students when they are meeting expectations and following the school’s guidelines for success.
* When misbehavior occurs, faculty and staff will view the misbehavior as a teaching opportunity, responding with calm, consistent corrections or consequences.
* Faculty and staff will work collaboratively to solve problems that are severe in nature.

Through consistency, faculty and staff will encourage all students to develop the skills and attitudes needed to build self-confidence and to maximize learning.

The following acts by employees may be considered cause for dismissal. This list should not be considered conclusive.

* Falsifying documents or records, such as an employment application or timesheets.
* Insubordination, or refusal to carry out reasonable instructions from responsible authority, or willful neglect of appropriately assigned duties.
* Misuse, unauthorized possession, destruction, or theft of school-owned or leased, equipment, or any other school property.
* Physical violence or harassment, including threats, intimidation, or retaliation against any individual.
* Possession, use, sale, or transfer of alcoholic beverages or illegal drugs, abuse of prescription drugs while at work, or reporting to work under the influence of any of the aforementioned substances. E Cigarettes or Vapor instruments are strictly prohibited.
* Divulging or using inappropriately any information of a confidential nature.
* Possession of firearms or dangerous weapons on school property.
* Absence from work for three (3) consecutive days without prior notification to and approval from the employee’s supervisor.
* Not reporting to work without prior notification.

Corrective Action

In cases where an employee’s behavior or performance is unsatisfactory, the CEO/PRINCIPAL shall inform the employee and offer suggestions to help correct the situation. The first corrective action may take the form of a conversation with the employee. If further action is necessary, the CEO/PRINCIPAL may address the situation in writing. Copies of any correspondence regarding an employee’s behavior or performance should be kept in the employee’s personnel file, along with the employee’s responses. Failure to meet performance expectations can result in suspension or termination. In cases of serious misconduct or in other situations where it is determined that disciplinary action would be appropriate, the procedures outlined below may not be applicable and employee may be terminated immediately “for Cause.”

In addition, if you believe that you have a complaint relating to the terms and conditions of your employment/education, you are eligible to file a complaint.

Complaint Process

1. All staff members are eligible to file a complaint. All complaints must be in writing.

The complaint must provide details (who, what, where, when and how).

If a crime appears to have been committed, the matter will be referred to the appropriate authorities.

A person, staff or student, may file complaint when his/her rights are violated in the following areas:

a. Feels he/she has been subjected to any form of physical, verbal, humiliating or frightening punishment of any kind;

b. Feels he/she has been subjected to corporal punishment and/or the use of excessive physical restraint under circumstances which do not indicate that the person’s behavior is harmful to himself/herself, others or school property;

c. Feels he/she has been subjected to any act of sexual harassment including any visual, verbal or physical conduct of a sexual nature when:

d. submission to the conduct is made either implicitly or explicitly as a condition of the child’s education or the staff person’s employment;

e. submission to or rejection of the conduct is used as the basis for academic decisions/employment affecting the person; or

f. the harassment has the purpose or effect of unreasonably interfering with a child’s academic performance/staff's work performance or creating an environment which is intimidating, hostile or offensive, or.

g. feels he/she has been subjected to any other kind of abuse, cruelty or neglect resulting in physical or mental injury by other than accidental means.

2. A complaint must be submitted to the CEO/Principal/Designee.

3. How does the Lincoln Leadership Academy’s complaint procedure work?

 After complaint is filed, the CEO/Principal will investigate the complaint. Upon investigation, a resolution will be provided within 30 calendar days of the filing the complaint.

4. What if I am not satisfied by the decision made by the CEO/Principal?

You may file an appeal in writing (hard copy) with the School’s Board President. You will receive a written response within 30 days stating the decision that was reached with an appropriate explanation.

If the matter is not resolved to your satisfaction, you may appeal the decision to the Board Chair. If the Board President decides that you have a valid complaint, he/she will forward it to the Chair of the Personnel Committee for review, who will render a decision.

If you remain dissatisfied, you have the right to request a Hearing before the Personnel Committee.

A Final Appeal may be made to the Board of Trustees if you remain dissatisfied.

After the hearing, a final written decision will be given to you or to your representative. Included in the decision must be a notice of your right to file a complaint at the state level, should you disagree with the Board’s decision.

In the event that an employee has a problem (other than a disagreement with a formal observation and/or evaluation report) requiring resolution, the employee should first speak with the individual that would be the cause for the complaint. If the matter is not resolved, the next step is to discuss the matter with the CEO/Principal in an effort to resolve the concern. If the problem is not resolved, the employee may seek further resolution by following the steps outlined below.  *This procedure shall be the employee’s sole and exclusive remedy with respect to that problem.*

*If an employee could not resolve a problem through the manner outlined above, he/she may file a complaint 5 work days from the date that he/she decides that the complaint was not resolved to his/her satisfaction, or the conclusion of the above process.*

*The CEO/Principal will respond to the complaint within 5 work days.*

*If the matter is not resolved, the employee can appeal the decision to the Board President.*

*The appeal must contain copies of the original complaint and other communications that were generated as a result of the disagreement.*

*The Board President shall investigate the matter and issue a decision within 15 days of receiving the appeal. At this point, the Board President’s decision is final.*

Resignation and Termination of Employment

VOLUNTARY SEPARATION OF EMPLOYMENT

1. An employee who intends to voluntarily resign and separate/sever his/her employment must notify his/her immediate supervisor and the CEO/Principal in writing at least 30 days in advance of the date of the separation. The Thirty Day Notice shall be submitted to the CEO/Principal by or before June 30 of the current contract year. All health benefits shall cease on June 30. A resigning employees shall not be eligible to take any paid sick, vacation or personal days after a resignation notice has been submitted. The employee shall receive his/her last paycheck, including any vacation time owed up to the date of the submission of the letter of resignation, on the next regular pay date.10-month contracted Employees shall also receive their pay for the time that the employee “banked” over a 26 pay period.
2. An Employee who does not report to work and fails to timely call the CEO/Principal for 3 three consecutive days will be deemed to have resigned from his/her employment. In such an instance, the employee will receive a letter by Certified Registered Mail stating that the employee has “resigned” by having abandoned his/her employment.

**TERMINATIONS**

**WITHOUT CAUSE**

1. LLACS may terminate Employee’s employment within thirty (30) days with or without cause. In the event that the termination is “WITHOUT CAUSE,” the employee shall be eligible to seek to collect Unemployment Compensation Benefits.

**FOR CAUSE**

1. In the event the Termination is “For Cause” or “WILFULL MISCONDUCT,” termination may be immediate, and LLACS shall have no further obligation to the employee, and, Employee shall have no further right to compensation except as set forth in this section. Employee shall not receive and LLACS shall not be responsible to pay compensation or severance pay for any day after the last day actually worked.
2. For the purposes of this Policy, termination FOR CAUSE or WILLFULL MISCONDUCT is any act that results in suspension or discharge from work. Typically this conduct is defined as an *“act or willful disregard of the employer’s interests, a deliberate violation of the employer’s rules, a disregard of standards of behavior which an employer has a right to expect of an employee, or negligence indicating an intentional disregard of the employer’s interest or of the employee’s duties and obligations to the employer.”*Such shall be determined by LLACS in its sole and absolute discretion, that the Employee has engaged in any of the following, or that any of the following has occurred:

Failure to obey any lawful instruction of the Board or CEO/Principal; failure to obey any policy of the Board; committing an act of immorality; engages in harassment or discrimination; reports to work impaired under the influence of alcohol, abuse of prescription drugs, use of illegal drugs, including reporting to work impaired as a result of a hangover, consumption of alcohol or use of any illegal or abuse of any prescription drug during working hours, engaging in any conduct harmful to any student; engaging in any conduct harmful to LLACS or which brings public discredit to LLACS; cruelty; persistent negligence in the performance of duties; willful neglect of duties, acts of insubordination, responsible for creating an unhealthy stressful work environment, inability to perform the essential functions of the position due to any physical or mental disability, which inability cannot be remedied by reasonable accommodation, to the extent that such accommodation is required by law and does not pose an undue hardship to LLACS; conviction of a crime or entry of a guilty plea or *plea of nolo contendere* for any crime; the failure to comply with the policies of LLACS; failure to obtain or maintain an appropriate Pennsylvania certificate; failure to provide to LLACS a satisfactory criminal history background check as required by law; failure to provide to LLACS a satisfactory child abuse clearance or certification as required by law; the existence of any undisclosed conflict of interest between the Employee and LLACS, or omits any material information that would be relevant to employment or continued employment. This list is not all inclusive but provided for the purpose of providing examples of impermissible behavior or conduct.

**FOR INCOMPETENCE AND/OR UNSATISFACTORY PERFORMANCE OF A NECESSITOUS OR COMPELLING NATURE**

e. IN ADDITION, the Employee’s employment may be terminated before the end of the Term of this Contract for INCOMPETENCE and/or UNSATISFACTORY PERFORMANCE. INCOMPETENCE and/or UNSATISFACTORY PERFORMANCE shall be sufficient grounds for immediate separation from employment (termination) for cause due to a “NECESSITOUS OR COMPELLING NATURE,” whether the termination is involuntary or voluntary.

LLACS shall have no further obligation to the employee and Employee shall have no further right to compensation except as set forth in this section. Employee shall not receive and LLACS shall not be responsible to pay compensation or severance pay for any day after the last day actually worked.

Discharge Procedures

All discharge procedures must be documented along with the reason(s) for discharge and filed in the individual’s personnel file.

The employee’s final paycheck will be available on the next regularly scheduled pay date. The employee may choose to have it mailed or deposited directly. The employee will be paid for any unused vacation days in accordance with the Board’s policies on Pay Practices and Payroll Deductions, and Paid Time Off. The employee will not be paid for any unused floating holidays.

The CEO/Principal should conduct an exit interview with every resigning employee for the following purposes: to clear the employee and the school of any outstanding obligations to one another, to provide the opportunity for employee feedback, and to help the school leadership in the ongoing task of assessing and improving the work environment.

The exit interview should be conducted during the resignation period with each resigning employee. Timeliness in conducting the exit interview may result in retaining a valued employee. A copy of the information obtained should be included in the employee’s personnel file.

**No Discrimination/Harassment**

Each individual employed by Lincoln Leadership Academy Charter School and each student attending our School has the right to be free from inappropriate conduct where that conduct could be viewed as harassment in the workplace or the school setting. We have a policy against harassment of any student, employee or applicant on the basis of religion, race, gender, sexual orientation, familial status, marital status, height, weight, color, age, national origin, handicap or disability.

Lincoln Leadership Academy Charter School does not permit any comments, statements, jokes, or stories, whether written, verbal, or electronic to be made in the workplace or at a School sponsored function where the basis for such comments is any protected status including religion, race, gender, sexual orientation, familial status, marital status, height, weight, color, age, national origin, handicap or disability.

Any individual who feels that they have been discriminated against or harassed, sexually or otherwise by anyone associated with Lincoln Leadership Academy Charter School or any parent/guardian who believes that his/her child has been harassed by anyone associated with the School is required to immediately report the conduct in writing to the School CEO/Principal. Such reports will be kept as confidential as possible, although investigation will normally require the involvement of third parties. The School will not permit any retaliatory conduct against an employee or student who comes forward with a genuine complaint or concern of discrimination or harassment or who assists in the investigation process, nor will any such individual be discharged, disciplined, or in any way adversely affected in his/her terms or conditions of employment with the Lincoln Leadership Academy Charter School or enrollment in the school.

Any individual who is found to be responsible for harassment of any type will be subject to appropriate discipline, the severity of the disciplinary action will be based upon the

circumstances of the infraction and could include termination of employment or suspension or expulsion from school.

**Student Bullying, Hazing and Harassment**

LLACS is committed to providing all students with a safe and civil school environment in which all members of the school community are treated with dignity and respect. To that end, the LLACS Board of Trustees has in place policies, procedures, and practices that are designed to reduce and eliminate bullying and harassment when they occur.

Bullying, hazing and/or harassment of students by other students, school officials, faculty, staff, and volunteers who have direct contact with students will not be tolerated in LLACS. LLACS prohibits harassment, bullying, hazing, or any other victimization based on real or perceived race, sex, creed, color, national origin, religion, marital status, disability, sexual orientation, physical appearance, and/or personality characteristics.

This policy is in effect when:

1. students are on the property within the jurisdiction of the school;
2. while on school-owned and/or school-operated vehicles;
3. while attending or engaged in school-sponsored activities;
4. or while away from school grounds if the misconduct directly affects the good order, efficient management and welfare of the school.
5. If after an investigation, a student or staff member is found to be in violation of this policy, the student and/or staff member shall be disciplined by measures up to and including suspension, expulsion, termination and reporting to the local police department.

Harassment as set forth above may include, but is not limited to the following behavior/overt acts and or circumstances:

 1. Verbal, non-verbal, physical or written harassment, bullying, hazing, or other victimization that have the purpose or effect of causing injury, discomfort, fear, or suffering to the victim.

 2. Repeated remarks of a demeaning nature that have the purpose or effect of causing injury, discomfort, fear, or suffering to the victim.

 3. Implied or explicit threats concerning one’s grades, achievements, property, etc. that have the purpose or effect of causing injury, discomfort, fear or suffering to the victim;

 4. Demeaning jokes, stories, or activities directed at the student that have the purpose of effect of causing injury, discomfort, fear, or suffering to the victim; and/or;

 5. Unreasonable interference witha student’s performance or creation of an intimidating, offensive, or hostile learning environment.

Sexual Harassment: Employees/Students

The Board recognizes that sexual harassment is a violation of both federal and state discrimination laws and that these laws apply to employees and students. Lincoln Leadership Academy Charter School shall provide a learning and employment environment free from sexual harassment and will not tolerate such conduct on the part of any employee or student.

Sexual harassment is prohibited at Lincoln Leadership Academy Charter School. We will provide a learning/teaching working environment free from sexual harassment and will not tolerate such conduct on the part of any employee or student. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, or any other visual, verbal, or physical conduct of a sexual nature when:

1. Submission to the conduct is made either implicitly or explicitly a condition of the individual’s employment or education

2. Submission to or rejection of the conduct is used as the basis for academic or employment decisions affecting the harassed individual; or

3. The harassment has the purpose or effect of unreasonably interfering with an individual's academic or work performance or creating an environment which is intimidating, hostile, or offensive to the employment or education environment;

4. Verbal harassment, such as derogatory comments, jokes, or slurs, sexually oriented sounds or remarks, inquires and/or discussions about sexual experiences and activities;

5. Physical harassment, such as unnecessary, unwanted, or offensive touching, pinching, patting, grabbing, brushing against another person’s body, or impeding or blocking movement; and

6. Visual sexual harassment, such as derogatory or offensive pictures, posters, cards, cartoons, graffiti, drawings, or gestures.

Any individual with a complaint of sexual harassment should file the complaint with the CEO/Principal/Designee AND the immediate supervisor. All complaints of sexual harassment will be investigated by the CEO/Principal/Designee and appropriate corrective action will be taken when deemed necessary. If the alleged perpetrator is the CEO/Principal, the complaint shall be filed with the Board President who will conduct the investigation.

It is a violation of this policy to retaliate or engage in any form of reprisal because a person has raised a concern, filed a complaint, or has been a witness to sexual harassment.

The legal definition of sexual harassment is broad. In addition to the examples provided above, other sexually oriented conduct that is unwelcome and has the effect of creating an employment or learning environment that is hostile, offensive, intimidating, or humiliating to male or female workers or students, whether intentional or not, may also constitute sexual harassment. Recent court cases have recognized acts of harassment directed at a person because of gender to be sexual harassment, despite the intent behind the act. The Board adopts this interpretation as part of its policy.

II. COMPLAINT PROCEDURE

1. If an individual believes that he/she has been subject to any form of harassment, that individual has the right to file a complaint with the CEO/Principal. Such complaints may be filed in writing or verbally. An initial verbal report must be submitted in writing. No individual will suffer reprisals for reporting any incidents of sexual harassment or making any complaints.
2. All complaints will be promptly investigated by the CEO/Principal/Designee. The investigation will be conducted in a fair and expeditious manner in such a way as to maintain confidentiality to the extent practicable.
3. The CEO/Principal will inform the person filing the complaint and the person alleged to have committed the conduct of the results of that investigation, as appropriate.

In addition to the above, any person has a right to file a complaint or a grievance alleging a violation of any federal or state anti-discrimination legislation.

If the complaint involves sexual assault, rape, or conduct of a criminal nature, the local police department shall be contacted and a report of the incident shall be made immediately.

III. DISCIPLINARY ACTION

 Any individual who is found to be responsible for sexual harassment will be subject to

 appropriate discipline; the severity of the disciplinary action will be based upon the

 circumstances of the infraction and could include termination of employment,

 suspension, expulsion from school, and criminal prosecution.

IV. NOTIFICATION

 Notification of this policy will be incorporated in teacher and student handbooks.

 Parents/guardians shall also be notified of this policy.

V. TRAINING

 It is the responsibility of the CEO/Principal to ensure that all employees and

 students receive the appropriate information/training to enforce this policy.

Consolidated Omnibus Budget Reconciliation Act (COBRA)

*(Only available when school has 20 or more full time employees)*

COBRA gives employees, spouses and dependent children the opportunity to purchase medical benefits coverage if they would otherwise lose their coverage due to:

1. the result of work termination;
2. a reduction in work hours;
3. the divorce or death of a spouse;
4. marriage (children); or
5. going beyond the age limit (children only).

If the decision is made to purchase COBRA benefits, the employee, spouse or dependent children must pay 100% of the cost of these benefits.

COBRA coverage may be purchased for up to 18 months if an employee ends his/her employment or no longer qualifies due to a reduction in hours, or are on an approved leave of absence. COBRA coverage may be extended to 29 months if you have a disability approved by the Social Security Administration that existed when you enrolled in COBRA. Coverage may be purchased by your dependent for up to 36 months if you die, divorce your spouse, or your dependent child marries or reaches the termination age of twenty-one and one-half years of age.

To apply for a purchase of COBRA coverage, you must apply within 60 days after the event (qualifying event) that caused you to lose eligibility.

The employer shall:

1. Instruct its Insurance carrier to send you a Notification Letter informing you of your eligibility for COBRA once you have left employment from Lincoln Leadership Academy Charter School.
2. Notify you, your spouse and your children of their right to purchase within 14 calendar days of receiving notice that a qualifying event has occurred.

The employee and his/her dependents are required to:

1. Notify the employer that a divorce, legal separation or death has occurred or that your child has married or reached the age of twenty-one and one-half years of age. Notification must be given within 60 days of the date the event occurred.
2. File an application form indicating the desire to purchase coverage.
3. Pay the required cost.
4. Pay retroactive premiums to date of group coverage termination.

Conflict of Interest

Officers and employees of the Lincoln Leadership Academy Charter School have a duty of loyalty to the school and to the public whose interests they are sworn to serve. The purpose of this Conflict of Interest policy, which provides guidance and a general standard of conduct with respect to actual or apparent conflicts, is in keeping with public official and employee ethics laws that the public has the right to be assured that the financial interests of public officers or employees do not conflict with the public trust, and the principle which prohibits public officers and employees from entering into situations where private interests may conflict with official duties.

The appearance of a conflict of interest undermines the public confidence in the integrity of the school, its officers and employees, and should be scrupulously avoided. Where an employee’s outside private activities could appear to an observer to be in conflict with the school employee’s job responsibilities or where the employee’s position with the school appears to give the employee a competitive advantage in his/her private activities, the employee must inform the CEO/Principal of the potential *appearance* of a conflict of interest. The CEO/Principal will investigate the matter and apprise the Board of his/her findings. Failure to report a potential appearance of a conflict of interest could result in the CEO/Principal recommending disciplinary action.

No Officer or Employee shall:

1. Engage in conduct that constitutes a conflict of interest, which shall be defined as use by an officer or employee of authority of his/her office or employment of any confidential information received through one’s employment for the private pecuniary benefit of the officer/employee, a member of the officer’s/employee’s immediate family, or a business with which the officer/employee or a member of the officer’s/employee’s immediate family is associated.

2. Engage, or have any interest, financial or otherwise, direct or indirect, in any business,

transaction or professional activity, which conflicts with or impairs the proper discharge of official duties or which could bring disfavor or disrespect upon the officer/employee of the school.

3. Accept an honorarium which represents a payment in recognition of published works,

 appearances, speeches, and presentations and which is not intended as consideration of

 the value of such services which are non-public, occupational or professional in nature.

4. Recommend, vote or otherwise participate in the decision to make any contract valued at

$200.00 or more between the school, including student activity funds, and any business or entity in which the officer or employee has a personal or financial interest without notice to the Board, the CEO/Principal, and the officer’s or employee’s superior. Such notice shall be in writing and shall include but not be limited to, the nature of the officer’s/employee’s association with the proposed contractor, both personally and financially. Clarifying financial documentation shall be provided, if requested. Formal approval of the contract by the Board is required. The foregoing would apply to any business in which the officer’s/employee’s spouse or child is associated.

The responsibility of the officer or employee who is excused from administration of the contract by reason of a conflict shall be assigned to an appropriately qualified employee by the disqualified officer’s/employee’s superior or supervisor. The assigned contract administrator shall report to the disqualified person’s superior or supervisor on that contract.

1. Advertise business or professional activities on school property or use school work hours, property or services to perform or promote personal or commercial enterprises, or to campaign or raise money for any candidates for political office.
2. Disclose confidential information concerning property, personnel matters, or affairs of

the school or its employees, without proper authorization, or use such information to

advance the financial or other private interests of the officer, employee, or others.

Nothing in this provision shall be interpreted as prohibiting the practice of “whistle-blowing.”

1. Accept anything of value including, but not limited to, a gift, loan, political contribution,

 reward, promise of future employment, favor, gratuity, entertainment, transportation or

 lodging based on any implied or actual understanding that the judgment of the public

 employee would be influenced thereby, or under circumstances which might be

 reasonably interpreted as an attempt to influence the public officer or employee favorably toward the benefactor. The appearance of impropriety should be avoided.

1. Solicit, directly or indirectly, from employees, students or their parents/guardians,

anything of value for the officer’s/employee’s personal benefit.

1. Purchase property of any kind from the school, either directly or indirectly, unless (A)

there is an open and public bid process including public notice and subsequent public

disclosures of all bids considered and contracts awarded, (B) the officer/employee did not

act in an official capacity in connection with the sale, and (C) the officer/employee was

not privy to information received in the course of employment.

1. Participate in the review and approval of publications or materials for school purchase if

 the officer/employee is the author/editor of or has any financial interest in the sale of such publication or materials.

1. Tutor or counsel as a private enterprise, for compensation, students assigned to any class

 of the employee. Employees may tutor or counsel students enrolled in other classes or

 schools unless such private enterprise conflicts with or impairs the proper discharge of

 official duties.

1. Refer a parent/guardian or student to a service, service provider or product in return for

anything of value. Officers/employees making referrals as part of their official duties shall make referrals to more than one provider of the services or product. For example, school counselors shall refer parents/guardians or students to more than one counselor or provider of medical services.

1. Upon separation from school employment, represent any individual or business entity on

any matter before the school for a period of one (1) year after such termination.

CONFLICT OF INTEREST RESOLUTION

1. In the event that a question of conflict of interest or the appearance of a conflict of interest arises, the matter shall be referred to and investigated by the CEO/Principal who will report the results of his/her investigation to the Board. CEO/Principal shall call all instances involving a conflict of interest to the attention of the Board with his/her recommendations as to how the conflict situation might best be resolved.

2. In the event that a question of conflict of interest or the appearance of a conflict of

interest arises involves the CEO/Principal, the matter shall be referred to and investigated by the Board President who will report the results of his/her investigation to the Board.

The Board President shall call all instances involving a conflict of interest to the attention of the CEO/Principal to the Board with his/her recommendations as to how the conflict situation might best be resolved.

3. In the event that a question of conflict of interest or the appearance of a conflict ofinterest

arises regarding a Board member, the situation shall be brought to the attention of the CEO/Principal. The matter will be presented at the next school Board meeting. The matter shall be investigated by a committee of at least three (3) Board members appointed by the President of the Board. If the question of conflict of interest involves the President, the investigating committee shall be appointed by the Vice President of the Board. The investigating committee shall report its findings to the Board along with any recommendations for Board action. After considering all facts in the matter the Board shall vote to take whatever action it deems appropriate. The Board member in question shall not be part of the investigation team nor vote in such matters.

3. All violations of the foregoing policy are subject to appropriate disciplinary action, including dismissal, Board Resignation, and/or any penalties as prescribed by law.

Hiring of Family Members

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest.

An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee (or a relative), as a result of the organization’s business dealings.

The Board recognizes that it may employ members of the same family. Such applications, interviews and determinations shall be made strictly by the Board President and a Committee consisting of other members of the Board of Directors.

Should a family member apply for a position, the candidate (family member) shall not be interviewed (and /or recommended) for employment by a relative (employee).

In addition, a family member may not directly or indirectly supervise another, or process, review, or audit the work of another family member, without written approval from the supervisor of the highest-ranking employee. Furthermore, confidential information may never be shared among family members employed by the school, unless the information is limited, and specifically relevant to the performance of an employee’s duties, (on a need to know basis).

Definition of “family” for these purposes includes a spouse, child, grandchild, parent, grandparent, brother, sister, stepchild, brother-in-law, sister-in-law, mother-in-law, father-in-law, aunt, uncle, cousin, and dependents, whether or not living in the same household.

WHISTLEBLOWER ACT NOTICE

The Whistleblower Act protects employees from the retaliatory action of an employer or an agent of the employer for disclosing policy, providing information, or objecting to an activity that the employee reasonably believes is in violation of a law.

* Any employer or an agent of the employer shall not take any retaliatory action against an employee because the employee does any of the following:
	1. Discloses, or threatens to disclose to a supervisor or to a public body, an activity, policy or practice of the employer that the employee reasonably believes is in violation of a law, or a rule or regulation promulgated pursuant to law;
	2. Provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into any violation of a law, or a rule or regulation promulgated pursuant to law by the employer; or
	3. Objects to, or refuses to participate in any activity, policy or practice which the employee reasonably believes is:

D. in violation of a law, or a rule or regulation promulgated pursuant to law;

fraudulent or criminal; or

E. incompatible with a clear mandate of public policy concerning the public health, safety or welfare.

* The protection against retaliatory action provided by this Act pertaining to disclosure to

 a public body shall not apply to an employee who makes a disclosure to a public body

 unless the employee has brought the activity, policy or practice in violation of a law, or

 a rule or regulation promulgated pursuant to law to the attention of a supervisor of the

 employee by written notice and has afforded the employer a reasonable opportunity to

 correct the activity, policy or practice. Disclosure shall not be required where the

 employee is reasonably certain that the activity, policy or practice is known to one or

 more supervisors of the employer or where the employee reasonably fears physical

 harm as a result of the disclosure; provided, however, that the situation is not an

 emergency.

* Upon a violation of any of the provisions of this Act, an aggrieved employee or former

 employee may institute a civil action in a court of competent jurisdiction, within one

 year, for relief.

* A court, upon notice of motion in accordance with the rules governing the courts of the

 State of Pennsylvania may also order that reasonable attorneys’ fees and court costs be

awarded to an employer if the court determines that an action brought forth by an employee under this Act was without basis in law or fact. However, an employee shall not be assessed attorneys’ fees under this section if, after exercising reasonable and diligent efforts after filing a suit, the employee files a voluntary dismissal concerning the

 employer within a reasonable time after determining that the employer would not be found to be liable for damages.

* Nothing in this Act shall be deemed to diminish the rights, privileges, or remedies of any employee under any other federal or state law or regulation or employment contract; except that the institution of an action in accordance with this Act shall be deemed a waiver of the rights and remedies available under any other contract, collective bargaining agreement if any, state law, rules or regulations or under the common law.
* Any employee who wishes to report an alleged violation of this Act shall submit that

 complaint, in writing, to the CEO/Principal and/or the President of the Board of

 Trustees.

Employment Protection Whistleblower Act

The Board recognizes its responsibility to keep its employees informed as to their rights, privileges, protection and obligations under the Whistleblower Act which was enacted to protect employees from the retaliatory action of an employer or an agent of the employer for disclosing policy, providing information, or objecting to an activity which the employee reasonably believes is in violation of a law.

In compliance with this Act, notices shall be conspicuously displayed as a means of informing employees of their protection and obligation under the Act. All such notices shall include the name of the person or persons designated by the Board to receive written notification of complaints. Other appropriate means of informing employees of their protection and obligations are to be utilized.

The CEO/Principal shall develop an administrative procedure to ensure that this Act is enforced. These procedures shall include appropriate means of notifying employees of their protection and obligations other than by use of posted notices.

1. In each school the attached notice shall be conspicuously displayed in the place(s) where notices to employees are customarily posted.
2. Each year during the month of September, all employees shall receive a memorandum describing their rights, privileges, protection and obligations under the Whistleblower Act. It shall be the responsibility of the CEO/Principal or supervisor to distribute this memorandum.
3. All employees new to the school shall receive this memorandum when they begin their employment.
4. Other means of informing employees might include coverage of the topic at meetings or in-service programs.

Substitute Teachers

In order to provide for the continuation of the instructional program during the absence of the regular classroom teacher, the CEO/Principal shall assign a substitute teacher to take over classroom responsibilities if and when a substitute teacher is available.

The CEO/Principal shall develop a list of qualified substitute teachers in sufficient number to ensure that an adequate number of substitute teachers will be available on any given school day. This list shall include the name, address and telephone number of the substitute teacher.

Whenever possible, the substitute teacher shall be called the night before his/her services are needed. However, substitute teachers must be available to report to work on those occasions when they are called on the morning of the day their services will be needed.

**Substitute teachers are per diem employees.**

**Allowability Costs of Federal Programs**

Expenditures must be aligned with approved budgeted items. Any changes or variations from the state-approved budget and grant application need prior approval from the state.

# Delegation of Responsibility

When determining how the school district will spend its grant funds, the

{x} Business Manager

{ } Federal Programs Coordinator

will review the proposed cost to determine whether it is an allowable use of federal grant funds

*before* obligating and spending those funds on the proposed good or service.

# Allowability Determinations

All costs supported by federal education funds must meet the standards outlined in EDGAR, 2 CFR Part 3474 and 2 CFR Part 200, Subpart E, which are listed below. The

{ x } Business Manager

{ } Federal Programs Coordinator

must consider these factors when making an allowability determination. A section entitled, *Helpful Questions for Determining Whether Costs are Allowable,* is located at the end of this document.

Part 200 sets forth general cost guidelines that must be considered, as well as rules for specific types of items, both of which must be considered when determining whether a cost is an allowable expenditure of federal funds. The expenditure must also be allowable under the applicable program statute (e.g., Title I of the Elementary and Secondary Education Act (ESEA), or the Carl D. Perkins Career and Technical Education Act (Perkins)), along with accompanying program regulations, non-regulatory guidance and grant award notifications.

Restrictions in state and local rules or policy also must be considered. For example, travel and other job-related expenses incurred by employees are not allowable unless they also are in compliance with Board Policy 331 (Job Related Expenses) and related administrative regulations.

Whichever allowability requirements are stricter will govern whether a cost is allowable.

General allowability determination factors include the following:

1. **Be Necessary and Reasonable for the performance of the federal award.** A cost is reasonable if, in its nature and amount, it does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision to incur the cost was made. For example, **reasonable** means that sound business practices were followed, and purchases were comparable to market prices.

When determining reasonableness of a cost, consideration must be given to:

* + Whether the cost is a type generally recognized as ordinary and necessary for the operation of the district or the proper and efficient performance of the federal award.
	+ The restraints or requirements imposed by factors, such as: sound business practices; arm’s-length bargaining; federal, state and other laws and regulations; and terms and conditions of the federal award.
	+ Market prices for comparable goods or services for the geographic area.
	+ Whether the individual incurring the cost acted with prudence in the circumstances considering responsibilities to the district, its employees, its students, the public at large, and the federal government.
	+ Whether the district significantly deviates from its established practices and policies regarding the incurrence of costs, which may unjustifiably increase the federal award’s cost. (2 CFR Sec.200.404)

Whether a cost is **necessary** will be determined based on the needs of the program. Specifically, the expenditure must be necessary to achieve an important program objective. A key aspect in determining whether a cost is necessary is whether the district can demonstrate that the cost addresses an existing need, and can prove it. For example, the school entity may deem a language skills software program necessary for a limited English proficiency program.

When determining whether a cost is necessary, consideration may be given to:

* + Whether the cost is needed for the proper and efficient performance of the federal award program.
	+ Whether the cost is identified in the approved budget or application.
	+ Whether there is an educational benefit associated with the cost.
	+ Whether the cost aligns with identified needs based on results and findings from a needs assessment.
	+ Whether the cost addresses program goals and objectives and is based on program data.
1. **Allocable to the federal award.** A cost is allocable to the federal award if the goods or services involved are chargeable or assignable to the federal award in accordance with the relative benefit received. This means that the federal grant program derived a benefit in proportion to the funds charged to the program. (2 CFR Sec.200.405)

For example, if fifty percent (50%) of a teacher’s salary is paid with grant funds, then that teacher must spend at least fifty percent (50%) of his/her time on the grant program.

# Consistent with policies and procedures that apply uniformly to both federally-financed and other activities of the school entity.

1. **Conform to any limitations or exclusions set forth as cost principles in Part 200 or in the terms and conditions of the federal award.**
2. **Consistent treatment.** A cost cannot be assigned to a federal award as a direct cost if any other cost incurred for the same purpose in like circumstances has been assigned as an indirect cost under another award.
3. **Adequately documented.** All expenditures must be properly documented.

# Be calculated in accordance with generally accepted accounting principles (GAAP), unless provided otherwise in Part 200.

1. **Not included as a match or cost-share, unless the specific federal program authorizes federal costs to be treated as such.** Some federal program statutes require the nonfederal entity to contribute a certain amount of nonfederal resources to be eligible for the federal program.
2. **Be the net of all applicable credits.** The term “applicable credits” refers to those receipts or reduction of expenditures that operate to offset or reduce expense items allocable to the federal award. Typical examples of such transactions are: purchase discounts; rebates or allowances; recoveries or indemnities on losses; and adjustments of overpayments or erroneous charges. To the extent that such credits accruing to or received by the state relate to the federal award, they shall be credited to the federal award, either as a cost reduction or a cash refund, as appropriate. (2 CFR Sec.200.406).

# Selected Items of Cost

Subpart E of Part 200 sets forth principles to be applied in establishing the allowability of fifty- five (55) specific cost items (commonly referred to as Selected Items of Cost), at 2 CFR Sec.

200.420-200.475. These specific cost items are listed in the chart below along with the citation to the section of Subpart E addressing the allowability of that item. These principles are in addition to the other general allowability standards, and apply whether or not a particular item of cost is properly treated as direct cost or indirect (F&A) cost. Meeting the specific criteria for a listed

item does not by itself mean the cost is allowable, as it may be unallowable under other standards or for other reasons, such as restrictions contained in the terms and conditions of a particular grant or restrictions established by the state or in Board policy. If an item is unallowable for any of these reasons, federal funds cannot be used to purchase it.

School district personnel responsible for spending federal grant funds and for determining allowability must be familiar with and refer to the Part 200 selected items of cost section. These rules must be followed when charging these specific expenditures to a federal grant. When applicable, employees must check costs against the selected items of cost requirements to ensure the cost is allowable, and also check state, district and program-specific rules.

 The selected item of cost addressed in Part 200 includes the following (in alphabetical order):

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Item of Cost** | **Citation of Allowability Rule** |  |
| Advertising and public relations costs | 2 CFR § 200.421 |
| Advisory councils | 2 CFR § 200.422 |
| Alcoholic beverages | 2 CFR § 200.423 |
| Alumni/ae activities | 2 CFR § 200.424 |
| Audit services | 2 CFR § 200.425 |
| Bad debts | 2 CFR § 200.426 |
| Bonding costs | 2 CFR § 200.427 |
| Collection of improper payments | 2 CFR § 200.428 |
| Commencement and convocation costs | 2 CFR § 200.429 |
| Compensation – personal services | 2 CFR § 200.430 |

|  |  |
| --- | --- |
|  |  |
| Compensation – fringe benefits | 2 CFR § 200.431 |
| Conferences | 2 CFR § 200.432 |
| Contingency provisions | 2 CFR § 200.433 |
| Contributions and donations | 2 CFR § 200.434 |

|  |  |
| --- | --- |
| Defense and prosecution of criminal and civil proceedings, claims, appeals and patent infringements | 2 CFR § 200.435 |
| Depreciation | 2 CFR § 200.436 |
|  |  |
| Employee health and welfare costs | 2 CFR § 200.437 |
| Entertainment costs | 2 CFR § 200.438 |
| Equipment and other capital expenditures | 2 CFR § 200.439 |
| Exchange rates | 2 CFR § 200.440 |
| Fines, penalties, damages and other settlements | 2 CFR § 200.441 |
| Fund raising and investment management costs | 2 CFR § 200.442 |
| Gains and losses on disposition of depreciable assets | 2 CFR § 200.443 |
| General costs of government | 2 CFR § 200.444 |
| Goods and services for personal use | 2 CFR § 200.445 |
| Idle facilities and idle capacity | 2 CFR § 200.446 |

|  |  |
| --- | --- |
| Insurance and indemnification | 2 CFR § 200.447 |
| Intellectual property | 2 CFR § 200.448 |
| Interest | 2 CFR § 200.449 |
| Lobbying | 2 CFR § 200.450 |
| Losses on other awards or contracts | 2 CFR § 200.451 |
| Maintenance and repair costs | 2 CFR § 200.452 |
| Materials and supplies costs, including costs of computing devices | 2 CFR § 200.453 |
| Memberships, subscriptions, and professional activity costs | 2 CFR § 200.454 |
| Organization costs | 2 CFR § 200.455 |
| Participant support costs | 2 CFR § 200.456 |
| Plant and security costs | 2 CFR § 200.457 |
| Pre-award costs | 2 CFR § 200.458 |
| Professional services costs | 2 CFR § 200.459 |
| Proposal costs | 2 CFR § 200.460 |
| Publication and printing costs | 2 CFR § 200.461 |

Expenditures must be aligned with approved budgeted items. Any changes or variations from the state-approved budget and grant application need prior approval from the state.

# Delegation of Responsibility

When determining how the school district will spend its grant funds, the

{x} Business Manager

{ } Federal Programs Coordinator

will review the proposed cost to determine whether it is an allowable use of federal grant funds

*before* obligating and spending those funds on the proposed good or service.

# Allowability Determinations

All costs supported by federal education funds must meet the standards outlined in EDGAR, 2 CFR Part 3474 and 2 CFR Part 200, Subpart E, which are listed below. The

{ x } Business Manager

{ } Federal Programs Coordinator

must consider these factors when making an allowability determination. A section entitled, *Helpful Questions for Determining Whether Costs are Allowable,* is located at the end of this document.

Part 200 sets forth general cost guidelines that must be considered, as well as rules for specific types of items, both of which must be considered when determining whether a cost is an allowable expenditure of federal funds. The expenditure must also be allowable under the applicable program statute (e.g., Title I of the Elementary and Secondary Education Act (ESEA), or the Carl D. Perkins Career and Technical Education Act (Perkins)), along with accompanying program regulations, non-regulatory guidance and grant award notifications.

Restrictions in state and local rules or policy also must be considered. For example, travel and other job-related expenses incurred by employees are not allowable unless they also are in compliance with Board Policy 331 (Job Related Expenses) and related administrative regulations.

Whichever allowability requirements are stricter will govern whether a cost is allowable.

General allowability determination factors include the following:

1. **Be Necessary and Reasonable for the performance of the federal award.** A cost is reasonable if, in its nature and amount, it does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision to incur the cost was made. For example, **reasonable** means that sound business practices were followed, and purchases were comparable to market prices.

When determining reasonableness of a cost, consideration must be given to:

* + Whether the cost is a type generally recognized as ordinary and necessary for the operation of the district or the proper and efficient performance of the federal award.
	+ The restraints or requirements imposed by factors, such as: sound business practices; arm’s-length bargaining; federal, state and other laws and regulations; and terms and conditions of the federal award.
	+ Market prices for comparable goods or services for the geographic area.
	+ Whether the individual incurring the cost acted with prudence in the circumstances considering responsibilities to the district, its employees, its students, the public at large, and the federal government.
	+ Whether the district significantly deviates from its established practices and policies regarding the incurrence of costs, which may unjustifiably increase the federal award’s cost. (2 CFR Sec.200.404)

Whether a cost is **necessary** will be determined based on the needs of the program. Specifically, the expenditure must be necessary to achieve an important program objective. A key aspect in determining whether a cost is necessary is whether the district can demonstrate that the cost addresses an existing need, and can prove it. For example, the school entity may deem a language skills software program necessary for a limited English proficiency program.

When determining whether a cost is necessary, consideration may be given to:

* + Whether the cost is needed for the proper and efficient performance of the federal award program.
	+ Whether the cost is identified in the approved budget or application.
	+ Whether there is an educational benefit associated with the cost.
	+ Whether the cost aligns with identified needs based on results and findings from a needs assessment.
	+ Whether the cost addresses program goals and objectives and is based on program data.
1. **Allocable to the federal award.** A cost is allocable to the federal award if the goods or services involved are chargeable or assignable to the federal award in accordance with the relative benefit received. This means that the federal grant program derived a benefit in proportion to the funds charged to the program. (2 CFR Sec.200.405)

For example, if fifty percent (50%) of a teacher’s salary is paid with grant funds, then that teacher must spend at least fifty percent (50%) of his/her time on the grant program.

# Consistent with policies and procedures that apply uniformly to both federally-financed and other activities of the school entity.

1. **Conform to any limitations or exclusions set forth as cost principles in Part 200 or in the terms and conditions of the federal award.**
2. **Consistent treatment.** A cost cannot be assigned to a federal award as a direct cost if any other cost incurred for the same purpose in like circumstances has been assigned as an indirect cost under another award.
3. **Adequately documented.** All expenditures must be properly documented.

# Be calculated in accordance with generally accepted accounting principles (GAAP), unless provided otherwise in Part 200.

1. **Not included as a match or cost-share, unless the specific federal program authorizes federal costs to be treated as such.** Some federal program statutes require the nonfederal entity to contribute a certain amount of nonfederal resources to be eligible for the federal program.
2. **Be the net of all applicable credits.** The term “applicable credits” refers to those receipts or reduction of expenditures that operate to offset or reduce expense items allocable to the federal award. Typical examples of such transactions are: purchase discounts; rebates or allowances; recoveries or indemnities on losses; and adjustments of overpayments or erroneous charges. To the extent that such credits accruing to or received by the state relate to the federal award, they shall be credited to the federal award, either as a cost reduction or a cash refund, as appropriate. (2 CFR Sec.200.406).

# Selected Items of Cost

Subpart E of Part 200 sets forth principles to be applied in establishing the allowability of fifty- five (55) specific cost items (commonly referred to as Selected Items of Cost), at 2 CFR Sec.

200.420-200.475. These specific cost items are listed in the chart below along with the citation to the section of Subpart E addressing the allowability of that item. These principles are in addition to the other general allowability standards, and apply whether or not a particular item of cost is properly treated as direct cost or indirect (F&A) cost. Meeting the specific criteria for a listed

item does not by itself mean the cost is allowable, as it may be unallowable under other standards or for other reasons, such as restrictions contained in the terms and conditions of a particular grant or restrictions established by the state or in Board policy. If an item is unallowable for any of these reasons, federal funds cannot be used to purchase it.

School district personnel responsible for spending federal grant funds and for determining allowability must be familiar with and refer to the Part 200 selected items of cost section. These rules must be followed when charging these specific expenditures to a federal grant. When applicable, employees must check costs against the selected items of cost requirements to ensure the cost is allowable, and also check state, district and program-specific rules.

If the selected item of cost addressed in Part 200 includes the following (in alphabetical order):

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Item of Cost** | **Citation of Allowability Rule** |  |
| Advertising and public relations costs | 2 CFR § 200.421 |
| Advisory councils | 2 CFR § 200.422 |
| Alcoholic beverages | 2 CFR § 200.423 |
| Alumni/ae activities | 2 CFR § 200.424 |
| Audit services | 2 CFR § 200.425 |
| Bad debts | 2 CFR § 200.426 |
| Bonding costs | 2 CFR § 200.427 |
| Collection of improper payments | 2 CFR § 200.428 |
| Commencement and convocation costs | 2 CFR § 200.429 |
| Compensation – personal services | 2 CFR § 200.430 |

|  |  |
| --- | --- |
|  |  |
| Compensation – fringe benefits | 2 CFR § 200.431 |
| Conferences | 2 CFR § 200.432 |
| Contingency provisions | 2 CFR § 200.433 |
| Contributions and donations | 2 CFR § 200.434 |

|  |  |
| --- | --- |
| Defense and prosecution of criminal and civil proceedings, claims, appeals and patent infringements | 2 CFR § 200.435 |
| Depreciation | 2 CFR § 200.436 |
|  |  |
| Employee health and welfare costs | 2 CFR § 200.437 |
| Entertainment costs | 2 CFR § 200.438 |
| Equipment and other capital expenditures | 2 CFR § 200.439 |
| Exchange rates | 2 CFR § 200.440 |
| Fines, penalties, damages and other settlements | 2 CFR § 200.441 |
| Fund raising and investment management costs | 2 CFR § 200.442 |
| Gains and losses on disposition of depreciable assets | 2 CFR § 200.443 |
| General costs of government | 2 CFR § 200.444 |
| Goods and services for personal use | 2 CFR § 200.445 |
| Idle facilities and idle capacity | 2 CFR § 200.446 |

|  |  |
| --- | --- |
| Insurance and indemnification | 2 CFR § 200.447 |
| Intellectual property | 2 CFR § 200.448 |
| Interest | 2 CFR § 200.449 |
| Lobbying | 2 CFR § 200.450 |
| Losses on other awards or contracts | 2 CFR § 200.451 |
| Maintenance and repair costs | 2 CFR § 200.452 |
| Materials and supplies costs, including costs of computing devices | 2 CFR § 200.453 |
| Memberships, subscriptions, and professional activity costs | 2 CFR § 200.454 |
| Organization costs | 2 CFR § 200.455 |
| Participant support costs | 2 CFR § 200.456 |
| Plant and security costs | 2 CFR § 200.457 |
| Pre-award costs | 2 CFR § 200.458 |
| Professional services costs | 2 CFR § 200.459 |
| Proposal costs | 2 CFR § 200.460 |
| Publication and printing costs | 2 CFR § 200.461 |

|  |  |
| --- | --- |
| Rearrangement and reconversion costs | 2 CFR § 200.462 |
| Recruiting costs | 2 CFR § 200.463 |
| Relocation costs of employees | 2 CFR § 200.464 |
| Rental costs of real property and equipment | 2 CFR § 200.465 |
| Scholarships and student aid costs | 2 CFR § 200.466 |
| Selling and marketing costs | 2 CFR § 200.467 |
| Specialized service facilities | 2 CFR § 200.468 |
| Student activity costs | 2 CFR § 200.469 |
| Taxes (including Value Added Tax) | 2 CFR § 200.470 |
| Termination costs | 2 CFR § 200.471 |
| Training and education costs | 2 CFR § 200.472 |
| Transportation costs | 2 CFR § 200.473 |
| Travel costs | 2 CFR § 200.474 |
| Trustees | 2 CFR § 200.475 |

*Helpful Questions for Determining Whether Costs are Allowable -*

In addition to applying the cost principles and standards described above, district staff involved in expending federal funds should ask the following questions when assessing the allowability of a particular cost:

1. Is the proposed cost allowable under the relevant program?
2. Is the proposed cost consistent with an approved program plan and budget?
3. Is the proposed cost consistent with program specific fiscal rules? For example, the school entity may be required to use federal funds only to supplement the amount of funds available from nonfederal (and possibly other federal) sources, or only as a match for funds from nonfederal sources.
4. Is the proposed cost consistent with EDGAR?
5. Is the proposed cost consistent with specific conditions imposed on the grant (if applicable)?
6. Is the proposed cost consistent with the underlying needs of the program? For example, program funds must benefit the appropriate population of students for which they are allocated. This means that, for instance, funds allocated under Title III of the Elementary and Secondary Education Act (ESEA) governing language instruction programs for Limited English Proficient (LEP) students must only be spent on LEP students and cannot be used to benefit non-LEP students.
7. Will the cost be targeted at addressing specific areas of weakness that are the focus of the program, as indicated by available data?

Any questions related to specific costs should be forwarded to the

{ x } Business Manager,

{ } Federal Programs Coordinator, who shall consult with the school solicitor for clarification as appropriate.

|  |  |
| --- | --- |
| Rearrangement and reconversion costs | 2 CFR § 200.462 |
| Recruiting costs | 2 CFR § 200.463 |
| Relocation costs of employees | 2 CFR § 200.464 |
| Rental costs of real property and equipment | 2 CFR § 200.465 |
| Scholarships and student aid costs | 2 CFR § 200.466 |
| Selling and marketing costs | 2 CFR § 200.467 |
| Specialized service facilities | 2 CFR § 200.468 |
| Student activity costs | 2 CFR § 200.469 |
| Taxes (including Value Added Tax) | 2 CFR § 200.470 |
| Termination costs | 2 CFR § 200.471 |
| Training and education costs | 2 CFR § 200.472 |
| Transportation costs | 2 CFR § 200.473 |
| Travel costs | 2 CFR § 200.474 |
| Trustees | 2 CFR § 200.475 |

*Helpful Questions for Determining Whether Costs are Allowable -*

In addition to applying the cost principles and standards described above, district staff involved in expending federal funds should ask the following questions when assessing the allowability of a particular cost:

1. Is the proposed cost allowable under the relevant program?
2. Is the proposed cost consistent with an approved program plan and budget?
3. Is the proposed cost consistent with program specific fiscal rules? For example, the school entity may be required to use federal funds only to supplement the amount of funds available from nonfederal (and possibly other federal) sources, or only as a match for funds from nonfederal sources.
4. Is the proposed cost consistent with EDGAR?
5. Is the proposed cost consistent with specific conditions imposed on the grant (if applicable)?
6. Is the proposed cost consistent with the underlying needs of the program? For example, program funds must benefit the appropriate population of students for which they are allocated. This means that, for instance, funds allocated under Title III of the Elementary and Secondary Education Act (ESEA) governing language instruction programs for Limited English Proficient (LEP) students must only be spent on LEP students and cannot be used to benefit non-LEP students.
7. Will the cost be targeted at addressing specific areas of weakness that are the focus of the program, as indicated by available data?

Any questions related to specific costs should be forwarded to the

{ x } Business Manager,

{ } Federal Programs Coordinator, who shall consult with the school solicitor for clarification as appropriate.

**College Dual Enrollment Policy**

1. **Philosophy**
	1. We believe that all our students are educable and able to excel in both high school and college work.
	2. We value college coursework, believing that a college education best positions an emerging adult with both skills and credentials.
	3. We want to provide students equal access to college coursework in college.
	4. We want to ensure student success by employing an appropriate level of support and structure according to student need.
	5. We believe that it is our responsibility to remove as many barriers as possible for college attendance and completion.
2. **School Responsibility**
	1. Selection of courses
		1. Lincoln will select the general education courses based on the availability of courses, and the collective needs of students.
		2. Currently, courses are offered through Eastern University (EU) and Lehigh Carbon County Community College (LCCC).
	2. Dual credit
		1. Lincoln will award a full high school credit for college courses that are completed with satisfactory grades of an A, B, or C.
		2. When a student does not complete all of the requirements for full college credit, Lincoln may prorate high school credit for those courses based on the student’s effort and outcomes.
	3. Academic support
		1. Lincoln will provide an accompanying course for a college course that is offered.
		2. Lincoln will provide a mentor teacher to assist dually enrolled students.
	4. Tuition
		1. Lincoln will pay tuition in full for students who receive an A, B, or C in a college course.
		2. Students will be required to Lincoln back $250 for each course in whicha student receives a D, F or any Withdrawal from any course.
	5. Books
		1. If students rent books from Lincoln, they must be returned in good condition. The student will be required to pay to replace a book if it is returned in an unsatisfactory condition.
	6. Transportation
		1. Lincoln will transport students to and from the college.
		2. Parents and students will need to provide their own transportation from the school during hours outside of the normal school and bus hours.
	7. Enrollment management
		1. Lincoln will assist in enrolling students into their course and work with the college admissions office and the registrar.
		2. Lincoln will advise students to drop courses in which they are showing early signs of failure. Please remember that you will pay Lincoln $250.00 for each class that you **drop, or for every “D” or “F” grade.**
		3. Lincoln will advise students to withdraw from courses in which they have little chance of passing successfully although a student will be financially responsible for $250 payable to the school.
3. **Student/Family Responsibility**
	1. The student/family will pay a $100.00 fee in order to participate in the Dual Enrollment Program. The fee is due when you sign this agreement. The fee is not refundable. The fee will cover transportation and other costs.
	2. Students must demonstrate commitment to their college studies. They must comply with the college syllabus requirements and the additional requirements placed on them from Lincoln. Assignments due to college professors will first be submitted to Lincoln personnel for review.
	3. Students will use some of their classroom time to prepare for their college course and complete their college work. However, it is also expected that students will use their own time (outside of classroom) to complete assignments.
	4. Students will give their parents and Lincoln personnel access to their grades so their mentoring teacher can assist with monitoring progress, and the school can award dual credit as earned.
	5. Students who do not receive an A, B, or C in their college course will be required to reimburse Lincoln in the amount of $250.00.
	6. Students are required to follow the “Take 5” rules and the School’s Code of Conduct at all times. The school reserves the right to cancel a student’s privilege to be enrolled in a DE Class(s) for any violation of the School’s Code of Conduct.
4. **Profile of Participating Students**
	1. Sophomores, Juniors and Seniors who meet the general standards:
		1. Maintain an overall average of 3.0 or better.
		2. Maintain an overall average of 3 on the Leadership Rubric in all classes.
		3. Obtain a Proficient or Advanced on the Reading Study Island Benchmark
		4. Maintain a 95% attendance rate and not exceeding three (3) tardies per semester.
		5. Demonstrate willingness and commitment to taking college level classes.
		6. Demonstrate maturity and the ability to handle the rigors of college.
	2. Freshmen and Sophomores who meet these additional standards:
		1. Score Proficient or Advanced standing in state standardized assessment (PSSA and/or Keystones)
		2. Pass the LCCC Compass Test for Reading and/or Math
	3. The Administration will make the final decision on student enrollment in the Dual Enrollment Program at Lincoln.
5. **Recommendation and Selection of a student for the Dual Enrollment Program**
	1. Teachers have the opportunity each semester to nominate students for Dual Enrollment through the use of a nominating rubric aligned with the general standards.
	2. Students and/or parents have the opportunity to nominate themselves by writing a letter of interest and commitment. They must explain how they meet the general standards required of dually enrolled students.
	3. The final decision to accept a student in the Dual Enrollment Program shall be made by the CEO/Principal.

By signing below, you agree that you have read these policies, that you are familiar with the Code of Conduct, that you will obey the Code of Conduct, and that you understand that you can be removed from the Program.

You understand and agree that you will be required to pay back the School $250.00 for each course that you do not complete successfully, and that you will also lose(and be required to pay) the $100.00 registration fee.

**STUDENT AND PARENT AGREEMENT**

I also understand and agree that I cannot enroll in any more classes if I still owe money for a registration fee, and that I will not graduate unless all of my fees are paid before graduation.

Student: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Parent/Guardian: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Director of Dual Enrollment \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

CEO/Founder/Principal: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Cash Management Policy**

Lincoln Leadership Academy Charter School shall comply with applicable methods and procedures for payment that minimize the time elapsing between the transfer of funds and disbursement by Lincoln Leadership Academy Charter School, in accordance with the Cash Management Improvement Act at 31 CFR Part 205. Generally, Lincoln Leadership Academy Charter School receives payment from the Pennsylvania Department of Education on a reimbursement basis. 2 C.F.R §200.305(b)(9).

According to guidance from the U.S. Department of Education(ED), when calculating the interest earned on ED grant funds, regardless of the date of obligation, interest is calculated from the date that the federal funds are drawn down from the GS system until the date on which those funds are disbursed by the Local Educational Authority (LEA).

Interest would not accrue if the LEA uses nonfederal funds to pay the vendor and/or employees prior to the funds being drawn down from the GS system, commonly known as reimbursement.

### Reimbursements

1. **Definitions**

Reimbursements: Lincoln Leadership Academy Charter School will initially charge federal grant expenditures to nonfederal funds.

### Reimbursement Payment Procedure

Lincoln Leadership Academy Charter School Business Manager will request reimbursement for actual expenditures incurred under the federal grants. Reimbursement requests will be prepared and submitted to the Pennsylvania Department of Education. All reimbursements are based on actual disbursements, not on obligations. Consistent with state and federal requirements, Lincoln Leadership Academy Charter School will maintain source documentation supporting the federal expenditures (invoices, timesheets, payroll stubs, etc.) and will make such documentation available for the Pennsylvania Department of Education's review upon request.

### Advance Payments

If Lincoln Leadership Academy Charter School receives payment in advance, it must maintain or demonstrate the willingness to maintain both written procedures that minimize the time elapsing between the transfer of funds and disbursement by non-Federal entity, and financial management systems that meet the standards for fund control and accountability.

## Definitions:

Advance payment means a payment that a Federal awarding agency or pass through entity makes by any appropriate payment mechanism, including a predetermined payment schedule, before the non-Federal entity disburses the funds for program purposes.

## Advance Payment Procedure

Non-Federal entities must be authorized to submit requests for advance payments and reimbursements at least monthly when electronic fund transfers are not used, and as often as they like when electronic transfers are used, in accordance with the provisions of the Electronic Fund Transfer Act.

**Advance Payments of Federal Funds:**

* + Must be deposited and maintained in insured accounts whenever possible
	+ Must be maintained in interest-bearing accounts, unless the following apply:
		- Lincoln Leadership Academy Charter School receives less than$120,000 in Federal awards per year.
		- The best reasonably available interest-bearing account would not be expected to earn interest in excess of $500 per year on Federal cash balances.
		- Interest earned amounts up to $500 per year may be retained by Lincoln leadership Academy Charter School for administrative expense. If Lincoln Leadership Academy Charter School earns any additional interest on Federal advance payments deposited in interest-bearing accounts, follow procedures stated in §200.305(9).
		- The depository would require an average or minimum balance so high that it would not be feasible within the expected Federal and non-Federal cash resources.

## WRITTEN PROCEDURES for Receipt of Funds

Based on Lincoln Leadership Academy Charter School's policies, the written procedures are the step-by-step procedures performed by staff to ensure that the established policies are complied with.

## Process for Receiving Funds

* 1. **Cash/Checks Received**
* The individual (teacher, secretary, etc.) turning in cash/checks records
* a list of payees and amounts (use of a standard form is encouraged, i.e. class list with check box for each), a student receipt or a receipt to turn in with the funds that they are depositing with the school (financial) secretary/designee.
* The school secretary/designee reconciles the amount, letting the depositor know of any Discrepancies and receipts all deposits (cash and checks.) A copy of each deposit is forwarded to the business office.
* The business office verifies all deposits via online banking or through monthly bank statements.
* Deposits are receipted into financial accounting software by the business office staff.
* Cash receipts for student activity funds are recorded at the individual school and deposited by the Business Office weekly.
* All government aid payments are received via ACH to Lincoln Leadership Academy Charter School General (master) account. The business office completes a receipt for these payments and receipts them into financial accounting software each month.
* The Business Office reconciles all bank accounts on a monthly basis.
* The Business Office transfers funds online between bank accounts as needed or has sweep accounts to utilize bank investment accounts.

### Federal Grants

* Budget is created and updated by grant administrator and approved by the business manager in addition to the superintendent.
* Expenditures must be approved by individual grant administrator along with the Business Manager and District Administrator. All expenditures must fall within the grant guidelines of the submitted budget.
* Receipts must be turned into business office showing items matching the budget and approved by the grant administrator.

### Claims

* + - Grant Administrator approves expenditures and claims are filed quarterly by business manager or designated person(s).
		- Claims are monitored and approved by the superintendent or business

manager each quarter.

* + - District will provide funds for grants to cover grant expenditures until they are reimbursed through the claims process.
		- Claims not paid in a reasonable amount of time will be investigated by the business manager or designated persons.
	1. **Receipt of Claim**
		+ The Business Manager verifies funds are received through bank records.
		+ The deposit records are entered into financial accounting software by the business office.
		+ Receipts will be reconciled with the claim and discrepancies, if any, shall

be investigated and resolved.

**Attendance Compulsory Recovery Notice (Letters, English/Spanish)**

Dear Parent/Guardian:

This letter is to inform you that due to your child’s excessive absences, your child is required to attend Compulsory Recovery Classes on the date (s) assigned to them**.** Under the Compulsory Law, you and your child are in direct violation of the school’s Code of Conduct and the Law. Your child is in violation as a result of:

* Excessive Absences (include ## of absences)

***COMPULSORY RECOVERY*** Classes will ***begin promptly at 5:00 p.m. (doors open around 4:45 p.m.) and end at 8:00 p.m***. on an assigned day. Students are required to be in ***complete school uniform, including I.D.*** Students are encouraged to attend class on the assigned date promptly at 5:00 p.m. since they will not be admitted if they are tardy. Any student arriving late or not in complete uniform for ***COMPULSORY RECOVERY*** Classes will be sent home and marked as absent. Also, any student found to be disruptive or non-compliant will be sent home early and marked absent.

Failure to attend ***COMPULSORY RECOVERY*** Classes or being sent home early due to lack of compliance, may result in additional consequences, including suspension/retention.

A certified teacher will conduct the classes and inform you of the date your child is assigned to attend the class. The focus of the classes will be to address lost instructional time due to excessive absences and prepare your child to succeed after graduation.

We hope that your child will have a better appreciation for the education provided to them each day at Lincoln Leadership Academy. We also expect that your child will be in school every day in order to remain in compliance with the law and meet the required instructional hours needed for graduation.

Your cooperation in ensuring your child attends the ***COMPULSORY RECOVERY* Classes** is imperative and greatly appreciated. Please make sure your child has transportation to and from school, as we are not able to transport your child. If you have any questions or concerns, please do not hesitate to contact us.

Sincerely,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Sandra Figueroa-Torres

Founder and CEO

**NOTIFICACION DE REPOSICION COMPULSORIA**

Estimados padres y/o encargados:

Esta carta es para notificarle que debido a la excesiva cantidad de ausencias, a su hijo/a le es requerido asistir a Clases Compulsorias de Reposición en las fechas que le fueron asignadas a él o ella. Bajo la Ley Compulsoria, usted y su hijo/a están bajo violación directa del Código de Conducta Escolar. Como resultado su hijo/a está en violación debido a:

* Ausencias Excesivas (Incluír el ## de ausencias)

Las Clases de ***REPOSICION COMPULSORIA***, comenzarán puntualmente a las 5:00 pm (puertas abrirán a las 4:45 pm) y terminarán a las 8:00 pm los días asignados. Se les require a los estudiantes estaren **uniforme completo, incluyendo su identificación (I.D.)** Se invita a los estudiantes a asistir a sus clases asignadas a tiempo a las 5:00 pm, ya que no se le permitirá entrar tarde. Todo estudiante que llegue tarde o no esteem su uniforme complete para las Clases de ***REPOSICION COMPLUSORIA***, seráen viado al hogar y marcado ausente. En adición, cualquier estudiante que estésiendo disruptivoy/o no obediente, sera enviado al hogar temprano y se marcará ausente.

Las ausencias a las clases de ***REPOSICION OBLIGATORIA*** o el envio temprano a la casa debido a la falta de cumplimiento puede generar consecuencias adicionales, incluídas la suspensióny la retención.

Un maestro certificado llevará a cabo las Clases y le informará sobre la fecha que le fue asignada a su hijo para asistir a la clase/s. El enfoque de las clases será para recobrar el tiempo de instrucción perdido debido a ausencias excesivas y preparar a su hijo para tener éxito después de la graduación.

Esperamos que su hijo aprecie mejor la educación que se les brinda cada día en Lincoln Leadership Academy. También esperamos que su hijo/a asista a la escuela todos los días para cumplir con la ley y cumplir con las horas de instrucción requeridas para la graduación.

Su cooperación para garantizar que su hijo/a asista a las clases de RECUPERACIÓN OBLIGATORIA es imprescindible y muy apreciada. Asegúrese de que su hijo/a tenga transporte hacia y desde la escuela, ya que no podemos transportar a su hijo/a. Si tiene alguna pregunta o inquietud, no dude encontactarnos.

Sinceramente,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Sandra Figueroa-Torres

Fundadora y Directora

 **Hearing Aids Procedures**: Students in younger grades require more assistance with maintaining function. Typical older students are able to maintain hearing aids on their own, changing batteries as needed or letting parents or teacher know if they are not working properly. For any student that cannot maintain their equipment on their own, frequent screenings will be done by the nurse or a trained designated school employee.

**Hearing Aid batteries:**

a. Batteries for personal hearing aids will be sent in by the parents. Batteries for students at the elementary and middle school level will be kept in the nurse’s office. Batteries for high school students can be kept in the nurse’s office if the students would like them to be. Extra batteries will be on hand in the nurse’s office in case of emergency.

b. Batteries for school bought equipment will be kept for the student use in a convenient location according to the need. Batteries can be stored in teacher classrooms or with the nurse so that the student has easy access to them.

**Control of Pediculosis (Lice) in School**

The control of lice outbreaks is directly related to the staff, student and family education. Lice do not spread disease and are not considered a public health issue. Lice are small parasites that require warmth and blood to live. They cannot fly or hop. They are not easily spread and generally require head-to- head contact. Lice cannot crawl on a smooth surface and cannot live without a host. Nits are the eggs laid by the adult female louse, usually at the base of the hair shaft near the scalp. A first time lice infestation usually is 30 days old when first diagnosed as it takes that long for itching and other symptoms to occur. Personal hygiene or cleanliness at home or in school has nothing to do with getting head lice.

The Center for Disease Control, the American Association of Pediatrics and the National Association of School Nurses do not support excluding children from school for lice or nits. The school nurses remain to be the best screeners and educators for lice infestations. Evidenced-based practice has been considered to effectively come up with the policy and procedure for addressing head lice infestation in the school setting.

Upon receiving a complaint about lice or upon suspecting a lice infestation, the school nurse will carefully examine the scalp of the child in question and maintain confidentiality.

* Gloves do not need to be worn.
* Hair bands and clips may need to be removed
* Pediculosis sticks may be used to assist in separating the hair
* The examiner will look carefully for active/moving lice, nymphs (immature lice) and nits no farther than a ¼ inch from the scalp. These findings would indicate an active infestation.

If an active infestation is found, every effort will be made to send the child home for treatment. If the parent can’t be contacted the student may return to class until the parent arrives or dismissal.

* Contacts (close friends, siblings) will be screened if an active case is found.
* It is not necessary or advised to screen the entire class or school.
* Parents will be given a printed copy of lice treatment instructions and educational material on head lice.
* Parents or guardian will be encouraged to contact the child’s health care provider.
* Students with an active infestation will be permitted to return to school the morning after they have been treated.
* Parents must provide proof of treatment. Such as a box top or store receipt.
* Students will not be excluded from school.

The presence of nits (lice eggs) more than ¼ inch from the scalp will not be considered an active infestation and does not require exclusion or treatment. Parents will be notified and will be given instructions on nit removal. Treatment of head lice should never be initiated unless there is a clear diagnosis of head lice.

\* If the diagnosis is made solely on the presence of eggs, health personnel must determine whether the eggs are hatched or un-hatched. The presence of only hatched eggs (lice not observed and empty egg shells) indicates past infestation and does not constitute grounds for treatment, re-treatment or in the case of children suspension from or refused admission to school. On the other hand, the presence of un-hatched eggs indicates an active infestation that requires treatment. Since head lice attach their eggs to the hair shaft very close to the scalp, un-hatched eggs will normally be within 1/4 inch of the scalp’s surface; hatched eggs will be 1/2 inch or more from the scalp.

\* **Commonwealth of Pennsylvania Department of Health:**

 Guidelines for a School Based Program for Control of Lice Infestation and Other Related Condition.

* Printed lice information will be available for parents/guardians. Information may be sent home with all students in specific grade or grades after consulting with administration.
* Follow up care will be made available to the families.
* The staff will be provided with detailed lice education material and /or short educational presentation by the school nurse.
* Families will be advised to properly wash and dry clothing, bedding and other personal items.
* Parents will be instructed not to over treat the student and to only follow the product instructions.
* The school nurse may use other outlets such as a Health Room Update letter, to educate families.