

Urban Pathways K-5 College Charter School

Board of Trustees Policy

EMPLOYEE ANTI-HARASSMENT AND ANTI-DISCRIMINATION POLICY

The Urban Pathways K-5 College Charter School ("Charter School") shall provide an environment free from harassment of any kind, including sexual harassment, or harassment because of one's gender. Sexual harassment has been defined by the Equal Employment Opportunity Commission (EEOC), as well as by federal, state and local laws, and for the purpose of this policy, Charter School has adopted this definition. This policy covers employee on student and employee on employee harassment.

A key aspect of such an environment is protection from harassment or discrimination based on sex, race, religion, age, marital status, ethnicity, disability, ancestry, sexual orientation, gender and/or any other legally-protected class for every employee. Such harassment will not be tolerated by or from any Board member, employee, student or vendor doing business with the Charter School.

Harassment or discrimination is defined herein as discriminatory treatment on the basis of race, color, sex, religion, national origin, age of forty (40) or older, disability, or any other protected activity or class under applicable law or statutes. An action may not rise to the level of harassment pursuant to federal law if it consists of simple teasing, offhand comments, or isolated incidents that are not "extremely serious." Rather, the conduct must be "so objectively offensive as to alter the 'conditions' of the victim's employment." The conditions of employment are altered if the harassment or discrimination culminated in a tangible employment action or was sufficiently severe or pervasive to create a hostile work environment.

Further, sexual harassment is defined as: unwanted sexual advances, including request for sexual favors, and/or inappropriate verbal or physical contact of a sexual nature when made by a member of the Charter School staff, administration or Board of Trustees ("Board"). Sexual advances, request for sexual favors, or other verbal or physical acts of a sexual nature constitute sexual harassment when:

- A) submission to such conduct is made either explicitly or implicitly a term or condition of a student's success in school;

- B) submission to or rejection of such conduct by a school employee is used as the basis for the employee's success in their employment with the Charter School or threatens their employment with the Charter School in any way;
- C) submission to or rejection of such conduct by a student is used as the basis for school decisions affecting such student;
- D) such conduct has the purpose or effect of unreasonably interfering with a student's work performance or creating an intimidating, hostile, or offensive school environment; or
- E) such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile work environment.

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 Charter School adopts this interpretation as part of its policy. Sexual harassment is a violation of federal and state laws and may expose not only the Charter School, but also individuals to significant liability under the law.

Any student or employee who feels they are being subjected to harassing or discriminatory behavior of any kind is encouraged to object to the behavior and report the behavior to the Chief Executive Officer ("CEO") or other appropriate officials as indicated in the "Procedures for Making Complaints," which is incorporated herein. It is a violation of this policy to retaliate or engage in any form of reprisal because a student or employee has raised a concern, filed a complaint of, or been a witness to sexual harassment.

It shall also be the policy of the Charter School that the basic rights of all concerned must be respected at all times.

Prohibited Sexually Harassing Conduct

The following are examples of acts that violate the Charter School's Anti-Harassment policy and position. These examples are not to be construed as an all-inclusive list of prohibited acts under the policy.

- A) Physical assaults of a sexual nature, such as:
 - 1) rape, sexual battery, molestation or attempts to commit those offenses, or committing an act with intent to cause fear in another of immediate bodily harm or death; and

- 2) intentional physical contact which is sexual in nature, such as touching, pinching, patting, grabbing, brushing against or poking a person's body, or touching of the clothing covering the immediate area of the complainant's intimate body parts.
- B) Unwelcome sexual advances, propositions or other sexual comments such as:
- 1) sexually-oriented gestures, sounds, remarks, jokes, or comments about a person's sexuality or sexual experience directed at or made in the presence of any student;
 - 2) preferential treatment or promise of preferential treatment for submitting to sexual conduct, including soliciting or attempting to solicit any student to engage in sexual activity for compensation or reward; and
 - 3) subjecting, or threatening to subject, an individual to unwelcome sexual attention or conduct, or intentionally making success in school more difficult because of the individual's gender.
- C) Display of publications anywhere within the Charter School's control such as:
- 1) Displaying pictures, posters, cartoons, calendars, graffiti, objects, promotional materials, reading materials, music or other materials that are sexually suggestive, sexually demeaning, or pornographic;
 - 2) displaying or publicizing, in the classroom environment, materials that are sexually revealing, sexually suggestive, sexually demeaning or pornographic;
 - 3) displaying signs or other materials purporting to segregate a student by gender in any area of the school (other than the rest rooms and similar semi-private lockers/changing rooms); or
 - 4) possession of such material in a manner that is reasonably foreseeable that it might be seen by others.

Exceptions will be considered in situations where nudity or sexually explicit language is necessary to convey a message important to public health and/or safety or pedagogically appropriate.

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Employee Anti-Harassment/Discrimination

Subject to the foregoing exceptions, visual material will be presumed to be sexually suggestive if it depicts a person of either sex who is nude or seminude and/or who is posed for the obvious purpose of displaying or drawing attention to private portions of the body.

- D) Sexual Favoritism: The granting or withholding of school opportunities and benefits, including, but not limited to, evaluation, salary, etc., constitutes sexual harassment when it is based on sexual favoritism, and is prohibited.
- E) Other Forms of Prohibited Sexual Harassment: Other conduct that has the purpose or effect of unreasonably interfering with work performance on the basis of gender may also constitute sexual harassment, and therefore, is prohibited.

Prohibited Retaliation

The following are examples of retaliatory acts that violate the Charter School's Anti-Harassment and Anti-Discrimination Policy. These examples are not to be construed as an all-inclusive list of prohibited retaliatory acts. Examples of such retaliation may include:

- 1) Arbitrary discipline, threats, unwarranted change of assignments, providing inaccurate information, or failing to cooperate or discuss school-related matters with an employee because that employee has complained about, been a witness to, or resisted harassment, discrimination and/or retaliation; and/or
- 2) Intentionally pressuring, falsely denying, lying about, or covering up or attempting to cover up conduct such as that described in any items above.

Procedures for Making Complaints

The Charter School is committed to resolving these complaints as quickly and efficiently as possible. Individuals who believe they are/have been the victims of or have knowledge or have witnessed harassment, discrimination and/or retaliation should report such incidents, in writing, as promptly as possible, to the CEO. Should the CEO be the person accused of the harassment, discrimination and/or retaliation or should the complainant feel that the CEO is in some way responsible for the harassment, discrimination or retaliation, the complainant may bring the concerns directly to the attention of the Board President who will follow the procedures outlined below.

Any alleged incident involving an employee and another employee, administrator, Board member or vendor shall be investigated by the CEO or designee. After completing any such investigation, the CEO shall determine appropriate remediation and/or discipline and shall report to the Board of Trustees.

The reporting of an alleged incident shall remain strictly confidential, within the bounds of any legal and investigative requirements. The confidentiality and rights of the accused shall be similarly respected.

To the extent possible and as permissible by law, the Charter School shall maintain full and confidential records of all such investigation, remediation and discipline (if imposed).

Any retaliation by a Charter School employee found guilty of harassment, discrimination and/or retaliation (or friend/supporter(s) of such an individual) shall be handled as a most serious offense by the appropriate level of jurisdiction, including possible referral to the appropriate law enforcement agencies. Equally serious is a complaint that is not made in good faith or based upon false information. Disciplinary action, including unpaid suspension or termination, may be taken against an employee who files such a complaint.

All students and employees shall be made aware of this policy and their rights to protection against harassment and against any type of retaliation for reporting alleged harassment or discrimination. They also shall be informed of counseling services, where appropriate.

The employee may seek either an informal or formal resolution to their complaint:

A. Informal (Employee)

The employee may request that the CEO intervene, after a full investigation by the CEO or designee, by notifying the alleged offender that the specific offensive behavior(s) will not be tolerated in the work place. In such case, the CEO must discuss the matter with the alleged offender, and, if warranted, require that the alleged offender participate in non-disciplinary counseling. The CEO shall document responsive actions taken in writing. Copies will also be forwarded to the President of the Board. If a student, the accused shall have the right to have a parent/guardian present during the interview.

B. Informal (Student)

The student or a parent/guardian may request CEO to intervene by notifying the alleged offender that the specific offensive behavior(s) will not be tolerated. In such case, the CEO must discuss the matter with the alleged offender, and, if warranted, require that the alleged offender participate in non-disciplinary counseling. The CEO shall document actions taken in writing. Copies will also be forwarded to the Board President. The accused, if it is a student, shall have the right to have a parent present during the interview.

C. Formal

An individual who believes that they has been harassed, discriminated, or retaliated against (or a witness to any such conduct) should make a written complaint to the CEO requesting an investigation into the allegation. Formal complaints shall be taken in writing and signed by the complainant. A thorough and complete investigation shall be conducted by the CEO or designee with results provided to the Board of Trustees. To the extent possible and allowed by law, confidentiality shall be maintained within the confines of the investigation of the alleged prohibited behavior. All parties will be treated with dignity and due process.

Procedures for Investigating and Resolving Complaints

A. Equal Employment Opportunity Officer (“EEO”)

The CEO or designee shall be designated as the EEO Officer, capable of conducting a thorough and complete investigation. This EEO Officer shall seek advice and assistance from the Board of Trustees if it is believed that the EEO Officer lacks the capacity to conduct a thorough and complete investigation of the alleged misconduct. If the CEO is the alleged harasser or is alleged to have been responsible for the harassment/discrimination/retaliation, the President of the Board will conduct the investigation.

B. Conducting Investigations

The EEO Officer, receiving a complaint of harassment, discrimination or retaliation, shall take the details of the complaint in writing and have the complainant sign it. Copies of this document will be provided to the Board. All complaints of harassment, discrimination or retaliation against a Charter School employee shall be received, investigated and disposed of in accordance with the procedures set forth in this policy, and complainants shall be notified of the final disposition/action taken.

If the complaint involves sexual assault, rape or conduct of a potentially criminal nature, the local police department or law enforcement agency shall be contacted and a report of the incident made. If there is any question whether the conduct complained of constituted criminal activity, the Charter School’s solicitor should be contacted and consulted.

The EEO Officer shall attempt to secure statements from all participants in, and witnesses to the alleged incident. The accused, if it is a student, shall have the right to have a parent or guardian present.

All investigations shall be completed by the EEO Officer within ten (10) school days from the date of the written complaint.

A substantiated charge of harassment, discrimination or retaliation shall result in appropriate disciplinary action, including, but not limited to, potential employee discharge or suspension without pay, or student suspension or expulsion. Any disciplinary action shall be subject to the requirements of the Charter School’s Code of Conduct, the Public School Code, Charter School Law, Department of Education Regulations and other applicable law. All complainants shall be guaranteed protection

from reprisals of any type, including, but not limited to, continued employment, promotion, work assignment, grades awarded, etc., unless it can be proved such accusations were known to be false and malicious in their intent. If such malicious intent is proved, the complainant shall be subject to appropriate disciplinary action.

Documents regarding substantiated charges of harassment, discrimination or retaliation shall be maintained by the Charter School. Documents regarding unsubstantiated charges shall not be placed in employee personnel files, but shall be maintained by the Board of Trustees in a confidential EEO file established expressly for retaining complaints of harassment, discrimination and/or retaliation against students and/or employees.

C. Training

It is the responsibility of the Charter School Board of Trustees to ensure that all administration, staff and Board receive the appropriate training to enforce this Policy.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.

ADOPTED this _____ day of _____, 2023

President

Secretary

Urban Pathways K-5 College Charter School

Board of Trustees Policy

CHIEF EXECUTIVE OFFICER EVALUATION POLICY

The Charter School Board of Trustees (“Board”) recognizes their responsibility to provide periodic evaluation of the performance of the CEO. To effectively carry out this responsibility, the Board recognizes the CEO is entitled that a review is conducted in a manner that is objective and straightforward and based on research-based evidence of effective leadership.

The board shall evaluate the performance of the CEO at least annually and/or at any time such action is determined necessary and prudent. The evaluation will include a review of the goals and objectives that have been established annually by the Board and CEO.

The annual evaluation will be conducted in executive session, at which time the collective membership of the Board will conduct evaluation interviews.

The CEO shall then be evaluated according to the following criteria:

1. Shared Vision and School Culture
2. Communications and Community Relations
3. Organizational Leadership
4. Instructional Leadership and Student Growth
5. Financial Management
6. Staff Relations and Human Resource Management
7. Values and Ethics

A formal evaluation instrument will be used for CEO evaluations. This instrument will be determined at the discretion of the Board. As an outcome of the CEO evaluation, the Board should:

1. Recognize strengths and assist the CEO in capitalizing on them.
2. Identify areas for growth and establish course of action that will assist the CEO in improving performance in these areas.
3. Establish specific objectives and goals for the upcoming year.

4. Determine necessity of any action regarding the employment of the CEO in accordance with the law.

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ADOPTED this _____ day of _____, 2023

President

Secretary

Urban Pathways K-5 College Charter School

Board of Trustees Policy

EMPLOYEE CODE OF CONDUCT POLICY

When gathering together to achieve goals, rules of conduct are needed to assist people in working together efficiently, effectively, and harmoniously. It is the responsibility of each employee to hold both himself/herself and other Urban Pathways K-5 College Charter School (“Charter School”) community members accountable to the Charter School norms. Those accepting employment with the Charter School accept responsibility to behave in accordance with these norms and in support of the mission and vision of the Charter School.

Professional Educators are also subject to and must abide by the Charter School’s Professional Educator Code of Conduct Policy, in addition to this Employee Code of Conduct Policy.

The following are examples of conduct prohibited by this Charter School Employee Code of Conduct Policy. The following prohibitions are not intended to be complete and are subject to change at any time with or without notice. All decisions regarding disciplinary action will be at the sole discretion of the Charter School. While discipline for standard violations will follow a progressive disciplinary procedure, the Charter School reserves the right to implement discipline in accordance with the grievousness of the violation. The Charter School reserves the right to suspend any employee with or without pay to investigate violations of any of the referenced workplace behavior. Violations of these or any other Charter School policies may subject an employee to disciplinary action, up to and including immediate termination:

- Insubordination, or verbal or physical abuse of students, employees, guests, or volunteers.
- Endangering the well-being or safety of students, employees, guests, or volunteers.
- Theft, fraud, embezzlement, or other proven acts of dishonesty.
- Any harassment of another employee, student, parent, and/or vendor (verbal, physical, or visual), including sexual harassment such as offensive gestures, unwelcome advances, jokes, touching, or comments of a sexual nature made to or about another employee, student, parent, and/or vendor.
- Obtaining employment or promotion on the basis of false or misleading information.
- Soliciting or accepting gifts (money, services, or merchandise) in connection with Charter School business.

- Reporting for work under the influence of alcohol or any illegal substances; or possession, sale or distribution of alcohol or illegal substances while on Charter School premises or abusing such items while representing the Charter School or conducting Charter School business.
- Engaging in unauthorized employment elsewhere while on paid benefits related to illness or while on an extended absence.
- Assisting anyone, whom you know or suspect to be involved in, or committing any crime or engaging in any conduct which rises to the level of a crime.
- Disrupting the work environment.
- Excessive absenteeism or unacceptable patterns of absenteeism.
- Repeatedly failing to submit time sheet records.
- Job abandonment, meaning the failure to report to work without properly notifying one's immediate supervisor, or leaving a job assignment prior to completion of your responsibilities.
- Conduct that is likely to cause another employee, visitor, student, or parent embarrassment, loss of dignity, feelings of intimidation, or loss of opportunity, including all forms of discrimination and harassment.
- Unauthorized use of Charter School supplies, information, equipment, funds, or computer codes/passwords.
- Refusing to repay documented overpayment of any compensation.
- Possessing firearms or weapons while on Charter School premises or carrying them while on Charter School business; or threatening the personal safety of fellow employees, customers, or vendors.
- Committing any act, on or off the Charter School's premises, which threatens, or is potentially threatening to, the reputation of the Charter School or any of its employees, visitors, students, or parents.
- Refusing to follow the direction of, or complete tasks assigned by your supervisor, or other disrespectful conduct toward your supervisor, or CEO.
- Prolonged lunch or break periods.
- Unacceptable or inadequate job performance.
- Failure to comply with regulatory requirements or follow safety rules and regulations.
- Violation of student, parent, employee, or Charter School confidentiality.
- Smoking on Charter School property or during hours on duty.

- Attempts to disrupt or undermine the charter, mission, or business interests of the Charter School or to encourage others to do so.
- Any conduct on or off the job which the Charter School, in its sole discretion, believes will adversely affect the image of the Charter School.
- Other violations of Charter School policies.

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ADOPTED this _____ day of _____, 2023

President

Secretary

Urban Pathways K-5 College Charter School

Board of Trustees Policy

EMPLOYEE EVALUATION POLICY

All employees of the Urban Pathways K-5 College Charter School (“Charter School”) have the continuing responsibility of engaging in a program of evaluation consistent with legal and professional guidelines. Such evaluation shall seek to make each employee more effective in achieving the goals of the Charter School.

The Chief Executive Officer (“CEO”) shall have the authority to develop a system-wide program in accordance with the law, the charter, professional standards, and the guidelines of this policy.

A) Guidelines

- 1) Procedures such as use of evaluation forms shall be uniform for each employee category.
- 2) Major emphasis shall be placed on the identification and development of the knowledge, skills, and attitudes that improve employee competency.
- 3) To the greatest extent, evaluation shall be cooperative with effort made to involve the employee in developing specific performance goals and methods for attaining such goals.
- 4) Findings shall be objective involving citing observable and verifiable data.
- 5) Employee strengths, as well as weakness, should be recognized.
- 6) The goals of Charter School shall be the determining factors in any recommendation.
- 7) All materials shall be held confidential, shared only as the law may provide.
- 8) The wording of any report shall be clear in language and intent.
- 9) The employee shall be permitted to file a response to any supervisor's recommendation.
- 10) The Board of Trustees shall have final approval in compensation, termination, and renewal of personnel.

B) Administrative Staff Evaluations

Administrative staff must be evaluated to determine the quality of effort they are putting into their jobs and to determine how the instructional process is being supervised.

Each administrative staff member in the Charter School receives a written evaluation at least once each year, completed by the CEO.

An administrative staff/CEO conference is held to discuss the evaluation, sign the official forms, and discuss areas of commendations and recommended improvement.

Administrative staff employees sign their evaluation to acknowledge that they have reviewed the evaluation and may submit additional comments to be attached to their evaluation if they wish.

The CEO is responsible for overseeing the evaluation of administrative staff.

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ADOPTED this _____ day of _____, 2023

President

Secretary

Urban Pathways K-5 College Charter School

Board of Trustees Policy

EMPLOYEE FILES POLICY

For effective operation of the Urban Pathways K-5 College Charter School (“Charter School”), a file must be established for the retention of all papers bearing upon an employee’s responsibilities.

The Board of Trustees (“Board”) of the Charter School requires that sufficient records be maintained to ensure an employee’s qualifications for the job held, compliance with federal and state statutes, local benefit programs, conformance with school rules, and evidence of completed evaluations.

The Board designates the establishment and the maintenance of official personnel records to the Chief Executive Officer (“CEO”). 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 and/or the Board may be entered in the official record file. A copy of each such entry shall be made available to the employee. Every effort will be made to maintain the confidentiality of all personal information.

Employee records shall not be available to the Board except as may be required in the performance of its functions as a Board which may include the authority of the Personnel Committee to specifically review evaluations as part of the collective authority to the Board.

Each employee shall have access to his or her file except for matters pertaining to pending litigation or possible criminal investigation. An employee shall not have access to an administrator’s file for confidential letters of recommendation and administrative review notes, evaluations and/or reports completed in connection with an application for a different position and/or assignment.

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 alterations or additions to the records nor remove any material therefrom and shall sign a log attached to the file indicating the date and name of the reviewer.

An employee wishing to appeal material in his or her record shall make a request in writing to the administrator delegated to maintain the records and specify therein name and date, material to be appealed, and reason for appeal.

The CEO or his/her designee shall hear the appeal and make a determination. If necessary, the CEO shall review the determination to the Board of Trustees for review.

The CEO shall prepare guidelines defining the material to be incorporated into employee records.

Upon initial employment the file shall contain:

- A) Completed employment application form
- B) Copy of teaching certificate, where applicable
- C) Proof of subject matter competency for highly qualified status per the NCLB or other applicable statutes or laws
- D) Transcripts
- E) Recommendations
- F) W-4 form
- G) Retirement registration
- H) Annuity forms
- I) Insurance beneficiary forms
- J) IRS forms
- K) Photo identification
- L) Criminal records check/FBI check
- M) Child abuse clearance
- N) Military or draft status
- O) Driving record or status of license if required to operate a vehicle during work hours

In a separate confidential file, should be the following employee records:

- A) Physical examination
- B) Hospitalization forms
- C) Any other medical records or information

During the period of employment, the following data shall be maintained in addition to the data required upon initial employment in confidential personnel files:

- A) Rate of compensation
- B) Completed copy of employment contract, where applicable
- C) Job title, dates of changes
- D) Leave/Attendance record
- E) Completed performance evaluations
- F) Disciplinary incidents, including warnings
- G) Special awards or distinctions
- H) Authorization for a deduction or withholding of pay
- I) Criminal records check, FBI check and fingerprints and Child Abuse Clearance and renewals
- J) Retirement record
- K) Amended insurance beneficiary/enrollment forms
- L) Amended W-4 forms
- M) Completed PA Sexual Misconduct/Abuse Disclosure Release (under Act 168 of 2014)

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ADOPTED this _____ day of _____, 2023

President

Secretary

Urban Pathways K-5 College Charter School

Board of Trustees Policy

EMPLOYEE COMPLAINT POLICY

The Board of Trustees ("Board") of Urban Pathways K-5 College Charter School ("Charter School") has developed this policy to provide open and constructive methods by which to entertain and resolve legitimate employee complaints. If a more formal process is required, the CEO shall develop procedures in accordance with the guidelines set forth below which are overseen for implementation by the Director of Human Resources.

If the complaint involves any form of discrimination, harassment and/ or possible criminal actions against a Charter School employee, the Director of Human Resources, as the Equal Employment Officer, shall investigate the complaint in accordance with the Board's approved Anti-Harassment and Anti-Sexual Harassment Policies as more fully explained below.

At no time shall a Charter School Trustee or employee retaliate in any way against a Charter School employee who has or is participating in the complaint or investigation process. Any retaliation by a Charter School employee shall be handled as a most serious offense by the appropriate level of jurisdiction, including possible referral to the appropriate law enforcement agencies. Equally serious is a complaint that is not made in good faith or based upon false information. Disciplinary action, up to and including termination, may be taken against an employee who files such a complaint.

Definition

For purposes of this policy, the following definition applies:

Complaint: A complaint is any unresolved problem among employees or concerning application or interpretation of the policies, rules or regulations of the Board and Charter School administrative guidelines or procedures.

Guidelines

The time limits provided for in this policy may be extended by mutual agreement of the parties. Any decision that is not appealed to the next level

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Employee Complaint Policy

within the time limits provided in this policy shall be considered resolved and shall not be subject to further appeal.

Level One - Informal Conference

Complaints should initially be discussed in a private, informal conference between the parties involved. At least one such private meeting should take place between the parties before the complaint is taken to the next higher level of authority.

Level Two - Immediate Supervisor, Principal, CEO or Director of Human Resources

If a complaint is not resolved at the informal conference between the parties, within ten (10) school days after the occurrence of the act or omission giving rise to the complaint, the complainant must present their complaint in writing to their immediate supervisor, Principal, or, if a management level employee is the complainant or respondent (the subject of the complaint), then to the CEO or Director of Human Resources. The complaint shall include a clear concise statement of the nature of the complaint, the rule, policy or regulation for which there is an alleged violation, the circumstances on which the complaint is based, the person(s) involved, the decision rendered at the private conference (if any), and the remedy sought. Copies of the complaint may be sent to any individuals who may have been present at the informal conference.

Within five school days, a decision shall be communicated to the complainant in writing. If the complainant is not satisfied with the decision or a response is not received within the time limit, the complainant may appeal to the next higher level of authority.

Level Three - CEO

If the employee is not satisfied with the decision at Level Two or no decision was issued within the time limit, then they may appeal in writing to the CEO within five (5) school days after receiving the decision or the expiration of the time limit. This written appeal shall include a copy of the original complaint, the decision rendered at any prior level and a clear, concise statement of the reasons for the appeal.

The CEO shall communicate their decision to the complainant within five (5) school days, however, prior to the expiration of this time period, either party in the appeal may request a conference with the CEO within the above time limits. If the complainant is not satisfied with the decision or the decision is not rendered within the time limits, the complainant may appeal to the next level.

Level Four - Board of Trustees

Within five (5) school days after receiving the decision of the CEO, the complainant may appeal the decision in writing to the Board. The Board shall schedule the matter for a hearing at an executive session. The complainant shall be present at the hearing. Within ten (10) days of the executive session, the Board will submit its decision in writing together with supporting reasons to the complainant and respondent, if applicable. A copy shall be furnished to the administrator(s) involved. The decision of the Board is final.

Equal Employment Officer

In accordance with the Board's Anti-Harassment and Anti-Sexual Harassment Policies, if a complaint involves any form of discrimination, harassment and/ or possible criminal actions against a Charter School employee, the Director of Human Resources or designee shall be designated as the EEO Officer capable of conducting a thorough and complete investigation. The EEO Officer shall seek advice and assistance from the Board of Trustees if it is believed that they lack the capacity to conduct a thorough and complete investigation of the alleged misconduct. If a CEO's action(s) forms the basis of the complaint, the President of the Board or designee will conduct the investigation.

The EEO Officer receiving such a complaint shall record the details of the complaint in writing and have the complainant sign it. Copies of this document will be forwarded to the Board. All complaints of discrimination, harassment or possible criminal activity against a Charter School employee or administrator shall be received, investigated and disposed of in accordance with the procedures set forth in this Policy, and complainants shall be notified of the final disposition/ action taken.

If the complaint involves criminal activity, including sexual assault or rape, the EEO Officer shall report the incident to the local Police Department. If there is any question whether the conduct complained of constitutes criminal activity, the Charter School's solicitor should be contacted and consulted.

Record Keeping

All documents, communications and records relating to the processing of a complaint shall be filed in a separate confidential file and shall not be kept in the personnel file of any of the participants. The Charter School shall maintain full and confidential records of all such investigation, remediation, and discipline (if imposed). Note that pursuant to the Anti-Harassment and Anti-Sexual Harassment Policies approved by the Board, all reports regarding substantiated charges of discrimination, harassment or criminal conduct shall be placed in the accused employee's personnel file.

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ADOPTED this _____ day of _____, 2023

President

Secretary

Urban Pathways K-5 College Charter School

Board of Trustees Policy

EMPLOYEE HEALTH AND RETIREMENT BENEFITS

WHEREAS, the Charter School Law requires Charter Schools to comply with Section 24 P.S. § 17-1724-A regarding employee health care benefits and employee enrollment in the public School Employee’s Retirement System (PSERS); and

The Urban Pathways K-5 College Charter School (“Charter School”) will offer eligible employees health care benefits same as those provided by the Pittsburgh Public School District as deemed practical by the Charter School and its providers. These benefits will be reviewed annually.

The Charter School will further offer to enroll eligible Charter School employees in PSERS to the extent deemed practical by the Charter School and to the extent required by applicable law.

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Urban Pathways K-5 College Charter School

Board of Trustees Policy

EMPLOYEE LEAVES OF ABSENCE

The Board of Trustees of the Urban Pathways K-5 College Charter School ("Charter School") recognize the need of employees to have leaves of medical, family, civic and personal absence for a variety of reasons.

The Chief Executive Officer ("CEO") is authorized to develop regulations in accordance with the guidelines of this policy and provide each work location with a copy of the regulations.

The CEO shall continually evaluate the effectiveness of this policy, particularly in light of situations that arise, and make appropriate recommendations to the Board of Trustees for any needed revision or addition.

The Board of Trustees reserves the right to specify the conditions under which uncompensated leave may be taken.

The following policy is preliminary and specific information will be set forth in the Employee Handbook or Manual.

Guidelines for Leave

There shall be printed regulations defining types of leaves, time limits for absence, permissible activities during leave, benefits, and salary, if applicable.

Proof of need for a leave of absence such as a physician's signed certification of illness or disability shall be presented by the employee as permitted by applicable law.

Any employee on leave shall be denied approval for engaging in any remunerative activity. Non-compliance of this provision will be a basis for employee dismissal from service.

An employee whose absence exceeds **(INSERT NUMBER OF DAYS)** consecutive days must provide a physician's signed certification of illness or disability.

Records of attendance shall be maintained for each employee. Absences and reasons for the absences shall be noted. These records shall be part of the evaluation of the employee's service and maintained in the employee's confidential file.

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Employee Leaves of Absence

Provision shall be made for an employee's absence not covered by sick leave or disability regulation. Approval of leave for such purposes shall be approved by employee's immediate supervisor. Such excused absences with entitlement to leave without loss of pay will include the following reasons:

1. The death of a member of the employee's immediate family, which includes spouse, mother, father, grandmother, grandfather, grandchild, sister, brother, son, daughter, mother-in-law, father-in-law, sister-in-law, brother-in-law, son-in-law, and daughter-in-law entitles an employee up to three (3) days leave without loss of pay. Requests for bereavement leave will be considered in exceptional circumstances if someone dies who was as close to employee as an immediate family member.
2. Other reasons on a case-by-case basis as may be determined by the CEO and recommended to the Board of Trustees.

Uncompensated Leave

The Board recognizes that in certain instances, an employee may request extended leave for personal reasons and the Charter School would benefit from the return to service of the employee. Requests for such leave for reasons other than those stated below shall be made in writing and submitted to the CEO who will make a recommendation to the Board of Trustees for approval or disapproval. The Board of Trustees shall make the final decision in each case.

Approval may be given for the following purposes: birth and care of newborn child of employee, placement with employee of a child for adoption or foster care, to care for an immediate family member (spouse, parent, child) with a serious health condition or medical leave when an employee is unable to work because of a serious health condition;

The employee returning from leave may be reassigned in order of seniority of service as a vacancy occurs, either in the employee's former or an equivalent position. The Charter School will provide benefits to eligible employees under the Family and Medical Leave Act ("FMLA") as required by law. Eligible employees shall be entitled to an uncompensated leave of up to twelve (12) weeks, including notice to the employer. The leave shall commence on the employee's stated date and shall be counted continuously (this includes days compensated through sick leave/personal illness leave, personal leave, disability insurance or other income protection plan) unless the request is for intermittent leave as defined in the FMLA.

Under the FMLA and the terms of any employer-provided health insurance plan, health benefits will be maintained while employee is on FMLA, or other leave, to the extent required by applicable law. If employee does not return to work after exhausting the twelve (12) week FMLA leave or exhausting his/her period of approved leave (or terminates or is terminated from his/her position while on approved leave), benefits will be terminated by employer. However, employee may access or be eligible for COBRA health benefits upon termination of employment or if leave goes beyond twelve (12) weeks.

The Charter School will grant a military leave of absence if an employee is absent from work because he/she is serving in the U.S. uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA) and any applicable state law. Employee must give his/her supervisor advance notice of upcoming military service, unless military necessity prevents advance notice or it is otherwise impossible or unreasonable.

Holidays

All eligible employees will receive holiday pay for scheduled school holidays as described in the annual Board-approved Academic Calendar.

Eligible employees will be paid for holiday time off. If eligible, the employee's holiday pay will be calculated at the employee's straight-time pay rate as of that holiday multiplied by the number of hours the employee would normally have worked that day.

If an employee is found eligible for paid holidays, the employee must work both the last scheduled work day immediately before the holiday and the first scheduled work day immediately after the holiday.

If an employee is found eligible for paid holidays and on the holiday, the employee is on a paid absence, such as vacation or sick leave, the employee will get holiday pay instead of the paid time off pay they would have received.

If eligible nonexempt employees work on a recognized holiday, they will receive holiday pay plus their wages at their straight-time rate for the hours they worked on the holiday.

The Charter School does not count holiday paid time off as hours worked when calculating overtime.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.

ADOPTED this _____ day of _____, 2023

President

Secretary

Urban Pathways K-5 College Charter School

Board of Trustees Policy

EMPLOYEE PHYSICAL EXAMINATION POLICY

The Board of Trustees (“Board”) of the Urban Pathways K-5 College Charter School (“Charter School”) recognizes the need to protect the health of students and staff from the transmission of communicable diseases. For effective operation of the Charter School, physical examinations of all Charter School employees prior to employment at the Charter School is required.

All Charter School employees undergo a tuberculosis examination by a licensed physician, certified registered nurse practitioner or a licensed physician assistant upon initial employment, in accordance with regulations of the Pennsylvania Department of Health. In addition, all candidates for employment at the Charter School shall undergo all medical examinations as required by law for their prospective positions. Please see *28 PA Code 23.43, 42 U.S.C. 12112, & 28 PA Code 23.44* for more information on what is required for Charter School employees.

Medical records of all Charter School employees shall be kept in a file separate from the employee's personnel file and made available to the CEO on a confidential basis. All Employee records shall not be available to the Board except as may be required in the performance of its functions as a Board which may include the authority of the Personnel Committee to specifically review evaluations as part of the collective authority to the Board. Please see the Charter School’s Employee Files Policy for more information.

Any Charter School employee may submit to the CEO or his/her designee a signed statement that a medical examination is contrary to his/her religious beliefs. That employee shall be examined only when the Pennsylvania Secretary of Health determines that the employee presents a substantial menace to the health of others. Please see the Pennsylvania Department of Health’s Resources for School

Representatives:

https://www.health.pa.gov/I_am_a/School%20Representative/Pages/School-Representative.aspx

*References: 28 PA Code 23.43; 42 U.S.C. 12112; 28 PA Code 23.44; 24 P.S. 1419;
28 PA Code 23.45; 42 U.S.C. 2000, et seq; 24 P.S. 1416; 24 P.S. 1732A; 42 U.S.C. 12101, et
seq*

**TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED
TO CONFLICT WITH THE CHARTER OR APPLICABLE STATE AND/OR
FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR
CHARTER CONTROL.**

ADOPTED this _____ day of _____, 2023

President

Secretary

Urban Pathways K-5 College Charter School

Board of Trustees Policy

EMPLOYEE RESPONSIBILITY FOR STUDENT WELFARE

The Board of Trustees of the Urban Pathways K-5 College Charter School (“Charter School”) believes that the major focus of an educational institution is to protect and advance the welfare of its students. Each employee has the moral and legal responsibility to assist in making the learning environment free of risk to the well-being of the learner.

The Chief Executive Officer (“CEO”) shall develop a program of student welfare in accordance with the guidelines of this policy.

Commensurate with assigned duties and responsibilities, each employee must maintain a standard of concern for the physical, emotional, and moral protection of the students. Instructional staff shall provide content and activities on general welfare as presented in assigned curricula courses and/or guides. Employees are responsible for the safety of students assigned to their charge. This provision includes the presence of the teacher or a responsible designee at all times, the use of only that equipment which has been approved by the Board, and the reporting of unsafe equipment or conditions to the immediate supervisor. This reporting includes the presence of dangerous weapons, drug abuse and any persons who are acting in a suspicious manner. Students may not be transported in a personal vehicle except where specifically permitted by Board policy.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.

Adopted this _____ day of _____, 2023

President

Secretary

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Emp. Responsibility for Std. Welfare

Urban pathways K-5 College Charter School

Board of Trustees Policy

EMPLOYEE SALARY DETERMINATION POLICY

The Board of Trustees ("Board") shall provide for the preparation, maintenance and revision of a position classification plan and of a pay plan for all of the Urban pathways K-5 College Charter School ("Charter School") employees.

The salary guide of the Charter School shall provide for the determination of beginning salaries for all employees by classification. Classification shall include:

- A) Administrative;
- B) Instructional - including teachers, counselor, nurse, psychologist, therapists (speech, occupational/physical therapist, etc.), specialist teacher;
- C) Instructional Support staff - including Teacher Support Assistant, Classroom aides, etc.; and,
- D) Operational Support staff - including secretaries, office clerks, etc.

Salary increments for all employees shall be based on employee performance and may include variable percentage or fixed increases as determined by the Board. The Board shall, at the earliest possible date, adopt and publish a pay plan for all employees.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.

ADOPTED this _____ day of _____, 2023

President

Secretary

Urban Pathways K-5 College Charter School

Board of Trustees Policy

EMPLOYMENT OF PERSONNEL POLICY

In its dedication to excellence in education, the Board of Trustees (“Board”) of the Urban Pathways K-5 College Charter School (“Charter School”) is committed to the employment of the most qualified staff.

Upon recommendation of the Chief Executive Officer (“CEO”), the Board shall approve the employment and determine responsibilities and approve compensation for each employee. Any employee who is related to any member of the Board shall receive the affirmative vote of a majority of all members of the Board other than the member related to the applicant. Relatives shall include: father, mother, brother, sister, husband, wife, son, daughter, stepson, stepdaughter, grandchild, nephew, niece, first cousin, sister/brother-in-law, uncle or aunt. The CEO shall report annually to the Board all assignments and reassignments of employees made during the school year, all appointments exempt from the policies and regulations of the Board, and on any subjects the Board may deem necessary and proper. The use of applicants prior to employment approval by the Board is authorized when necessary to maintain continuity in the educational program or meeting emergency conditions in the operation of the Charter School. Retroactive employment shall be recommended at the next regular meeting of the Board.

Guidelines

Appointments of personnel shall be made on merit without regard to race, creed, color, national origin, sex, sexual orientation, marital status, or membership in an employee organization or any other legally-protected class. An employee’s deliberate misstatement of fact essential to qualifications for employment or determination of salary shall be considered as grounds for dismissal. All prospective employees must provide the CEO with:

- A) State of Pennsylvania (PA) certification where such certification is required;
- B) Completed PA State Police Request for Criminal Record;
- C) FBI Clearance for new PA residents in accordance with PA law; and

- D) Completed PA Child Abuse History Clearance.
- E) Completed PA Sexual Misconduct/Abuse Disclosure Release (under Act 168 of 2014)

The CEO shall develop procedures for the recruitment, screening and recommendation of candidates for employment in accordance with the following guidelines: candidates of good moral character who possess the following attributes: successful educational training and experience, scholarship, and intellectual vigor; appreciation of children; and good physical health, emotional and mental maturity and stability. Screening procedures shall be used, as necessary, to determine the candidate's ability to perform the tasks for which the candidate is being considered. Recommendations may be sought from former employers and others to assist in assessing the candidate's qualifications. Such records shall be retained confidentially and for official use only. All employees, regardless of position, must be photographed for identification purposes. All information shall be kept confidential. The identification card shall serve to admit employees to the school building(s) in the course of their duty assignment. Candidates shall be recruited and recommended in accordance with Board policy as well as state and federal law. The CEO shall make appointments on merit without regard to race, religion, color, national origin, sex, sexual orientation, marital status, or membership in an employee organization or any other legally-protected class. Exception to this policy of merit shall be made for the following:

Administrators;

- A) Persons employed by contract to perform special services for the Charter School where the CEO certifies that such services cannot be performed by current employees; and,
- B) Persons temporarily appointed or designated to make or conduct a special inquiry or study, or to perform a special service of a unique character which cannot or should not be performed by Charter School employees.
- C) Physical examinations by a licensed physician shall be required of all employees as follows:
 - 1) A tuberculin skin test shall be administered within three (3) months prior to the date the school receives the form.
 - 2) Charter School personnel who have a documented non-significant tuberculin skin test are not required to have further tuberculin tests unless they are exposed to a case of active tuberculosis or are directed otherwise by the Secretary of the Department of Health to have an additional test.

- 3) Results of this examination shall be made known to the CEO on a confidential basis, discussed with the employee, and made part of the employee's record.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.

ADOPTED this _____ day of _____, 2023

President

Secretary

Urban pathways K-5 College Charter School

Board of Trustees Policy

EMPLOYMENT OF RELATIVES AND NON-NEPOTISM POLICY

The Urban pathways K-5 College Charter School (“Charter School”) permits the employment of qualified relatives of employees so as long as such employment does not, per the discretion of the Board of Trustees and with the guidance of the Charter School administration, create actual or perceived conflicts of interest.

In accordance with the Pennsylvania Public Official and Employee Ethics Act, (“Act”), a Board Member, required to vote on a matter that would result in a conflict of interest shall abstain from voting and, prior to the vote being taken, publicly announce and disclose the nature of his/her interest as public record in a written memorandum filed with the person responsible for recording the minutes of the meeting at which the vote is taken. Employment matters which could result in a conflict of interest include, but are not limited to: decision(s) to hire, to determine initial salary, salary increase/decrease/bonus, to discipline or to fire an individual who is or will be employed, whether by contract or at-will, by the Charter School as an administrator, staff person, independent contractor or other capacity, who is a relative of a Board Member.

For purposes of this policy in order to avoid any suggestion of impropriety, “relative” is defined more broadly than the Act’s definition of an “immediate family member” and will include a spouse, domestic partner, child, parent, sibling, grandparent, grandchild, aunt, uncle, first cousin, or corresponding in-law or “step” relation. The Charter School, per the discretion of the Board of Trustees and with the guidance of the administration, will exercise sound business judgment in the placement of related employees in accordance with the following guidelines:

- Board of Trustees’ approval is required prior to hire.
- Individuals who are related by blood or marriage are permitted to work at the Charter School, provided no direct reporting or supervisory/management relationship exists. That is, no employee is permitted to work within the “chain of command” of a relative such that one relative’s work responsibilities, salary, or career progress could be influenced by the other relative.

- No relatives are permitted to work in the same department or in any other positions in which the Charter School believes an inherent conflict of interest may exist.
- Employees who marry while employed are treated in accordance with these guidelines. That is, if, in the opinion of the Charter School a conflict or an apparent conflict arises as a result of the marriage, one of the employees will be transferred at the earliest practicable time.
- In addition, the Charter School recognizes that at times, employees and their “close friends,” “domestic partners,” or “significant others” may be assigned to positions that create a coworker or supervisor-subordinate relationship. The Charter School will, per the Board of Trustees’ discretion and with the guidance of the administration, exercise sound judgment with respect to the placement of employees in these situations in order to avoid the creation of a conflict or the appearance of a conflict of interest, avoid favoritism or the appearance of favoritism, and decrease the likelihood of sexual harassment in the workplace.

This policy applies to all categories of employment at the Charter School including regular, temporary, and part-time classifications.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS CONTROL. THIS POLICY IS NOT INTENDED TO CONFLICT WITH CHARTER REQUIREMENTS.

ADOPTED this day _____ of _____, 2023

President

Secretary

Urban pathways K-5 College Charter School

Board of Trustees Policy

EMPLOYMENT OF SUBSTITUTES POLICY

The Board of Trustees (“Board”) of the Urban pathways K-5 College Charter School (“Charter School”) recognizes the need to employ qualified and proficient substitute employees for professional and support services at the Charter School. The CEO or his/her designee shall develop procedures regarding the hiring and employment of substitutes at the Charter School.

The Charter School shall conduct an employment history review in compliance with state law prior to issuing an offer of substitute employment to a candidate. The employment history review shall remain valid as long as the substitute continues to be employed by the Charter School or remains on the approved substitute list. Failure to accurately report required information shall subject the candidate to discipline up to, and including, denial of employment or termination if already hired, and may subject the candidate to civil and criminal penalties. The Charter School may use the information for the purpose of evaluating an applicant’s fitness to be hired or for continued employment and may report the information as permitted by law.

The employment history of all substitute employees will be reviewed by the CEO or his/her designee in accordance with state and federal law prior to any offer of employment. The failure to accurately report required information by the prospective employee shall be subject to denial of employment. The Charter School may use this information for the purpose of evaluating an applicant’s qualifications, as permitted by law.

Day-to-day Substitutes

If a prospective employee holds a Pennsylvania public educator certificate or a professional-level out of state educator certificate, he or she may be eligible to become a day-to-day substitute. Requirements for day-to-day substitutes:

- Valid Pennsylvania educator certificate or out of state certificate
- Bachelor’s degree (or foreign equivalency) if not certified
- Background clearances
- U.S. citizen or permanent resident alien status (green card)

If he/she does not hold the proper certification but have a conferred bachelor's degree, the Charter School can hire the employee by requesting an emergency permit from the Pennsylvania Department of Education. An emergency permit for day-to-day substitutes is valid for one (1) school year. The Charter School can request unlimited re-issuances of emergency permits for day-to-day substitutes.

Pennsylvania educators with inactive certificates may only substitute for up to a total of 90 days per school year.

Please note: clearances are required of all substitutes in the state of Pennsylvania.

The CEO or his/her designee will develop procedures regarding employment of substitute employees at the Charter School. The CEO or his/her designee shall formally inform all approved substitute employees regarding their rate of pay, employment status, schedule, and other matters that enable them to perform their duties to the best of their ability. This communicated information will be included in the employees file at the Charter School.

References: 28 PA Code § 23.43; 42 U.S.C. § 12112; 28 PA Code § 23.44; 24 P.S. § 1419; 28 PA Code § 23.45; 42 U.S.C. § 2000, et seq; 24 P.S. § 1416; 24 P.S. § 1732A; 42 U.S.C. § 12101, et seq.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.

ADOPTED this _____ day of _____, 2023

President

Secretary

Urban Pathways K-5 College Charter School

Board of Trustees Policy

EMPLOYEES/EQUAL EMPLOYMENT OPPORTUNITY POLICY

The Urban Pathways K-5 College Charter School (“Charter School”) has been and remains committed to the principle and practice of equal employment opportunity for all persons without regard to race, color, religion, age, sex, sexual orientation, ancestry, national origin, handicap, disability or Vietnam era veteran status, consistent with job qualifications and safe performance of work requirements. The Charter School seeks to recruit, hire and place into available jobs the most qualified persons and to administer personnel matters such as compensation, benefits, promotion, training, layoffs, discipline, termination and Charter School-sponsored educational, social and recreational programs in accordance with this policy. In addition to applying equal employment principles in all its personnel decisions, the Charter School is committed to affirmative action to assure equal opportunity. It shall take positive steps to make its policy known and to encourage all qualified minorities, women, handicapped persons, and covered veterans to seek employment with or advancement within the Charter School.

The Chief Executive Officer (“CEO”) has overall authority for the Charter School’s equal employment policy and shall designate such personnel as he deems appropriate to implement the policy.

All administrators, supervisors and managers shall be made aware of this policy and shall fulfill their responsibilities in a manner that reflects and fosters the Charter School’s equal employment policy. All other employees are expected to conduct themselves at work in a way consistent with this policy. All employees are expected to deal fairly and courteously with one another to ensure a work environment free of intimidation and harassment. Ethnic, racist, or sexist slurs or other personal derogation not related to legitimate factors concerning work are offensive and unacceptable employee behavior. Sexual harassment is also a form of unlawful and unacceptable sexual discrimination and includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature. Please see the Charter School’s Anti-Harassment and Anti-Discrimination Policy.

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Equal Employment Opportunity Policy

Any employee who violates this policy commits misconduct for which appropriate discipline may be imposed, up to and including termination. Any employee who believes he has been subjected to unlawful discrimination or harassment should make a written complaint to his immediate supervisor or, if appropriate, the CEO. Employees are encouraged to contact the CEO for information on making complaints. Employees with complaints as to the CEO may proceed to the Board of Trustees directly if the issue is not addressed by the CEO.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.

ADOPTED this _____ day of _____, 2023

President

Secretary

Urban Pathways K-5 College Charter School

Board of Trustees Policy

ESTABLISHING A POSITION POLICY

To maintain an effective charter school, the Board of Trustees (“Board”) of the Urban Pathways K-5 College Charter School (“Charter School”) shall continually evaluate the Charter School’s staff and establish positions essential to the fulfillment of educational goals.

The Chief Executive Officer (“CEO”) shall be responsible for recommending, to the Board, new or additional positions, whether these are permanent or temporary assignments.

Recommendations for new or additional positions will include position descriptions of the duties for which the positions were established, a title that conforms with the appropriate State certification, if such certification is required, and supporting data and other rationale essential to the recommendation for such a position.

The initial salary or salary range for new positions shall be determined by the Board at the time of establishing such positions based upon the recommendation of the CEO, and supporting documentation. In the exercise of its authority to establish new or additional positions, the Board shall give primary consideration to the most effective management of the affairs of the Charter School, the number of students enrolled, the special needs of students, the financial resources, and, above all, the educational goals of the Charter School.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.

ADOPTED this _____ day of _____, 2023

President

Secretary

Urban Pathways K-5 College Charter School

Board of Trustees Policy

CHILD ABUSE MANDATORY REPORTING POLICY

The Urban Pathways K-5 College Charter School (“Charter School”) Board of Trustees (“Board”) requires trustees, employees, independent contractors, and volunteers to comply with identification and reporting requirements for suspected child abuse, as well as the training requirement for recognition and reporting of child abuse in order to comply with the Child Protective Services Law and the School Code.

Definitions

The following words and phrases, when used in this policy, shall have the meaning given to them in this section:

Bodily injury - impairment of physical condition or substantial pain.

Child - an individual under 18 years of age.

Child abuse - intentionally, knowingly or recklessly doing any of the following:

1. Causing bodily injury to a child through any recent act or failure to act.
2. Fabricating, feigning or intentionally exaggerating or inducing a medical symptom or disease that results in a potentially harmful medical evaluation or treatment to the child through any recent act.
3. Causing or substantially contributing to serious mental injury to a child through any act or failure to act or a series of such acts or failures to act.
4. Causing sexual abuse or exploitation of a child through any act or failure to act.
5. Creating a reasonable likelihood of bodily injury to a child through any recent act or failure to act.

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Child Abuse Prevention Policy

6. Creating a likelihood of sexual abuse or exploitation of a child through any recent act or failure to act.
7. Causing serious physical neglect of a child.
8. Engaging in any of the following recent acts:
 - a. Kicking, biting, throwing, burning, stabbing or cutting a child in a manner that endangers the child.
 - b. Unreasonably restraining or confining a child, based on consideration of the method, location or the duration of the restraint or confinement.
 - c. Forcefully shaking a child under one year of age.
 - d. Forcefully slapping or otherwise striking a child under one year of age.
 - e. Interfering with the breathing of a child.
 - f. Causing a child to be present at a location while a violation of 18 Pa. C.S. § 7508.2 (relating to operation of methamphetamine laboratory) is occurring, provided that the violation is being investigated by law enforcement.
 - g. Leaving a child unsupervised with an individual, other than the child's parent, who the actor knows or reasonably should have known: Is required to register as a Tier II or Tier III sexual offender under 42 Pa. C.S. Ch. 97 Subch. H (relating to registration of sexual offenders), where the victim of the sexual offense was under 18 years of age when the crime was committed; has been determined to be a sexually violent predator under 42 Pa. C.S. § 9799.24 (relating to assessments) or any of its predecessors; or has been determined to be a sexually violent delinquent child as defined in 42 Pa. C.S. § 9799.12 (relating to definitions).
9. Causing the death of the child through any act or failure to act.
10. Engaging a child in a severe form of trafficking in persons or sex trafficking, as those terms are defined under section 103 of the Trafficking Victims Protection Act of 2000.

The term **child abuse** does not include:

- a. conduct that causes injury or harm to a child or creates a risk of injury or harm to a child if there is no evidence that the person acted intentionally, knowingly or recklessly when causing the injury or harm to the child or creating a risk of injury or harm to the child.
- b. injuries that result solely from environmental factors, such as inadequate housing, furnishings, income, clothing and medical care, that are beyond the control of the parent or person responsible for the child's welfare with whom the child resides.
- c. the use of reasonable force on or against a child by the child's own parent or person responsible for the child's welfare if any of the following conditions apply:
 - i. The use of reasonable force constitutes incidental, minor or reasonable physical contact in order to maintain order and control;
 - ii. The use of reasonable force is necessary:
 - (1) to quell a disturbance or remove a child from the scene of a disturbance that threatens property damage or injury to persons;
 - (2) to prevent the child from self-inflicted physical harm;
 - (3) for self-defense or defense of another; or
 - (4) is necessary to gain possession of weapons, controlled substances or other dangerous objects that are on the person of the child or in the child's control.
- d. harm or injury to a child that results from the act of another child shall not constitute child abuse unless the child who caused the harm or injury is a perpetrator. Notwithstanding this exclusion, the following shall apply:
 - i. Acts constituting any of the following crimes against a child shall

be subject to the reporting requirements of this policy:

- (1) Rape as defined in 18 Pa.C.S. § 3121;
 - (2) Involuntary deviate sexual intercourse as defined in 18 Pa.C.S. § 3123;
 - (3) Sexual assault as defined in 18 Pa.C.S. § 3124.1;
 - (4) Aggravated indecent assault as defined in 18 Pa.C.S. § 3125;
 - (5) Indecent assault, as defined in 18 Pa.C.S. § 3126;
 - (6) Indecent exposure, as defined in 18 Pa.C.S. § 3127.
- ii. No child shall be deemed to be a perpetrator of child abuse based solely on physical or mental injuries caused to another child in the course of a dispute, fight or scuffle entered into by mutual consent.

An individual participating in a practice or competition in an interscholastic sport, physical education, a recreational activity or an extracurricular activity that involves physical contact with a child does not, in itself, constitute contact that is subject to the reporting requirements of this policy.

Direct contact with children – the care, supervision, guidance or control of children or routine interaction with children.

Independent contractor - an individual who provides a program, activity or service. The term does not include an individual who has no direct contact with children.

Perpetrator - a person who has committed child abuse and is: (1) a parent/guardian of the child, (2) a spouse or former spouse of the child's parent/guardian, (3) a paramour or former paramour of the child's parent/guardian, (4) a person 14 years of age or older and responsible for the child's welfare, (5) an individual 14 years of age or older who resides in the same home as the child, or (6) an individual 18 years of age or older who does not reside in the same home as the child but is related within the third degree of consanguinity or affinity by birth or adoption to the child, (7) An individual 18 years of age or older who engages a child in severe forms of trafficking in persons or sex trafficking, as those terms are defined under section 103 of the Trafficking Victims

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Child Abuse Prevention Policy

Protection Act of 2000.

Person responsible for the child's welfare - a person who provides permanent or temporary care, supervision, mental health diagnosis or treatment, training or control of a child in lieu of parental care, supervision and control. The term includes any such person who has direct or regular contact with a child through any program, activity or service sponsored by a school, for-profit organization or religious or other not-for-profit organization.

Program, activity or service - a public or private educational, athletic or other pursuit in which children participate. The term includes, but is not limited to, the following:

1. A youth camp or program.
2. A recreational camp or program.
3. A sports or athletic program.
4. An outreach program.
5. An enrichment program.
6. A troop, club or similar organization.

Recent act or failure to act - any act or failure to act committed within two years of the date of the report to the Department of Public Welfare (also known as the Department of Human Services) or county agency.

Recklessly - this term shall have the same meaning as provided in 18 Pa. C.S. § 302.

School employee - an individual who is employed by a school or who provides a program, activity or service sponsored by a school. The term excludes an individual who has no direct contact with children.

Serious mental injury - a psychological condition, as diagnosed by a physician or licensed psychologist, including the refusal of appropriate treatment, that:

1. Renders a child chronically and severely anxious, agitated, depressed, socially withdrawn, psychotic or in reasonable fear that the child's life or safety is

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Child Abuse Prevention Policy

threatened; or

2. Seriously interferes with a child's ability to accomplish age-appropriate developmental and social tasks.

Serious physical neglect - any of the following when committed by a perpetrator that endangers a child's life or health, threatens a child's well-being, causes bodily injury or impairs a child's health, development or functioning:

1. A repeated, prolonged or egregious failure to supervise a child in a manner that is appropriate considering the child's developmental age and abilities.
2. The failure to provide a child with adequate essentials of life, including food, shelter or medical care.

Sexual abuse or exploitation - any of the following:

1. The employment, use, persuasion, inducement, enticement or coercion of a child to engage in or assist another individual to engage in sexually explicit conduct, which includes, but is not limited to, the following:
 - a. Looking at the sexual or other intimate parts of a child or another individual for the purpose of arousing or gratifying sexual desire in any individual.
 - b. Participating in sexually explicit conversation either in person, by telephone, by computer or by a computer-aided device for the purpose of sexual stimulation or gratification of any individual.
 - c. Actual or simulated sexual activity or nudity for the purpose of sexual stimulation or gratification of any individual.
 - d. Actual or simulated sexual activity for the purpose of producing visual depiction, including photographing, videotaping, computer depicting or filming.
2. Any of the following offenses committed against a child: rape; statutory sexual assault; involuntary deviate sexual intercourse; sexual assault; institutional sexual assault; aggravated indecent assault; indecent assault; indecent exposure; incest; prostitution; sexual abuse; unlawful contact with a minor; or sexual

exploitation.

Sexual abuse or exploitation does not include consensual activities between a child who is 14 years of age or older and another person who is fourteen 14 years of age or older and whose age is within 4 years of the child's age.

Student - an individual enrolled in a public or private school, intermediate unit or area vocational-technical school who is under 18 years of age.

Guidelines

Training

The Charter School shall provide their employees and independent contractors of the Charter School, who have direct contact with children with mandatory training on child abuse recognition and reporting. The training shall include, but not be limited to, the following topics:

1. Recognition of the signs of abuse and sexual misconduct and reporting requirements for suspected abuse and sexual misconduct per the PA Child Protective Services Law.
2. Provisions of the Educator Discipline Act, including mandatory reporting requirements for suspected abuse and sexual misconduct.
3. The Charter School's policy related to reporting of suspected abuse and sexual misconduct.
4. Maintenance of professional and appropriate relationships with students.

Employees are required to complete a minimum of three hours of training every five years. Volunteers and student teachers should be provided with opportunity to participate in training.

Duty to Report

Trustees, school employees, independent contractors and volunteers shall make a report of suspected child abuse if they have reasonable cause to suspect that a child is the victim of child abuse under any of the following circumstances:

1. The trustee, school employee, independent contractor or volunteer comes into contact with the child in the course of employment, occupation and the practice of a profession or through a regularly scheduled program, activity or service.
2. The trustee, school employee, independent contractor or volunteer is directly responsible for the care, supervision, guidance or training of the child.
3. A person makes a specific disclosure to a trustee, school employee, independent contractor or volunteer that an identifiable child is the victim of child abuse.
4. An individual 14 years of age or older makes a specific disclosure to a trustee school employee, independent contractor or volunteer that the individual has committed child abuse.

A child is not required to come before the trustee, school employee, independent contractor or volunteer in order for that individual to make a report of suspected child abuse.

A report of suspected child abuse does not require the identification of the person responsible for the child abuse.

Any person required to report child abuse who willfully fails to do so may be subject to disciplinary action and criminal prosecution.

Any person who intentionally or knowingly makes a false report of child abuse or intentionally or knowingly induces a child to make a false claim of child abuse may be subject to disciplinary action and criminal prosecution.

Any person who engages in intimidation, retaliation, or obstruction in the making of a child abuse report or the conducting of an investigation into suspected child abuse may be subject to disciplinary action and criminal prosecution.

The Charter School shall not discriminate or retaliate against any person for making, in good faith, a report of suspected child abuse.

Reporting Procedures

Trustees, school employees, independent contractors or volunteers who suspect child abuse shall immediately make a written report of suspected child abuse using electronic technologies (www.compass.state.pa.us/cwis at the time of the adoption of this policy) or an oral report via the statewide toll-free telephone number (1-800-932-0313 at the time of the adoption of this policy). A person making an initial oral report of suspected child abuse must also submit a written electronic report within 48 hours after the oral report. Upon receipt of an electronic report, the electronic reporting system will automatically respond with a confirmation, providing the Charter School with a written record of the report. If such automatic written confirmation is not received, then the person reporting the suspected child abuse shall immediately make an oral report via the statewide telephone number.

A trustee, school employee, independent contractor or volunteer who makes a report of suspected child abuse shall immediately, after making the initial report, notify the CEO or his/her designee of the Charter School and if the initial report was made electronically, also provide the CEO or his/her designee with a copy of the report confirmation.

When a report of suspected child abuse is made by a trustee, school employee, independent contractor or volunteer as required by law, the Charter School is not required to make more than one report.

If the CEO or his/her designee reasonably suspects that conduct being reported involves an incident required to be reported under the Charter School's Memorandum of Understanding with local law enforcement, the CEO or his/her designee shall inform local law enforcement, in accordance with applicable law, regulations and Board policy.

Investigation

The CEO or his/her designee or his /her designee shall facilitate the cooperation of the Charter School with the Department of Human Services of the Commonwealth, the county agency, or law enforcement investigating a report of suspected child abuse.

Upon notification that an investigation involves suspected child abuse by a school employee or independent contractor, the CEO or his/her designee shall immediately

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Child Abuse Prevention Policy

implement a plan of supervision or alternative arrangement for the school employee or independent contractor under investigation to ensure the safety of the child and other children who are in the care of the Charter School. The plan of supervision or alternative arrangement shall be submitted to the county agency for approval.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.

ADOPTED this day _____ of _____, 2023

President

Secretary

Urban pathways K-5 College Charter School

Board of Trustees Policy

SPECIAL EDUCATION PERSONNEL TRAINING POLICY

The Board of Trustees directs that the CEO or his/her designee shall ensure that in-service training appropriately and adequately prepares and trains Urban pathways K-5 College Charter School ("Charter School") personnel to address the special knowledge, skills and abilities to serve the unique needs of children with disabilities in the Charter School, including those with low incidence disabilities.

Personnel must be fully informed about their responsibilities for implementing applicable state and federal special education laws in the Charter School environment and are provided with technical assistance and training necessary to assist them in this effort.

Training must be a part of the Charter School's Professional Development Plan and Act 48 credits are to be made available to all applicable personnel.

Trainings are to be administered in areas including but not limited to: positive behavior support, reading, free and appropriate public education in the Least Restrictive Environment, Transition, and At/Low Incidence disabilities, confidentiality, Functional Behavioral Assessments, Manifestation Determinations, de-escalation techniques and emergency responses.

Appropriate instructional changes must take place as a result of the trainings.

Personnel should be asked about their training needs on a regular basis.

Pursuant to 22 Pa Code §711.5, instructional paraprofessionals are to receive 20 hours of staff development activities related to their assignment each year. An instructional paraprofessional is a charter school or cyber charter school employee who works under the direction of a certificated staff member to support and assist in providing instructional programs and services to students with disabilities. This support and assistance includes one-on-one or group review of material taught by certificated staff, classroom management and implementation of positive behavior support plans. Services may be provided in a special education class, regular education class or other instructional setting as provided in the student's IEP.

Pursuant to 22 Pa Code §711.5, personal care assistants are to receive 20 hours of staff development activities related to their assignment each school year (the 20 hours of training may include training required by any school-based ACCESS program, if applicable). A personal care assistant provides one-to-one support and assistance to a student, including support and assistance in the use of medical equipment (for example, augmentative communication devices; activities of daily living; and monitoring health and behavior). A personal care assistant may provide support to more than one student, but not at the same time. Personal care assistants shall provide evidence of 20 hours of staff development activities related to their assignment each school year. The 20 hours of training may include training required by the school-based access program.

Pursuant to 22 Pa Code §711.5, educational interpreters are to receive 20 hours of staff development activities relating to interpreting or transliterating services annually. An educational interpreter is an individual who provides students who are deaf or hard of hearing with interpreting or transliterating services in an educational setting. To serve as an educational interpreter at a charter school or cyber charter school, consistent with the Sign Language Interpreter/Transliterator State Registration Act.

The CEO or his/her designee is directed to implement procedures necessary to ensure:

- (1) Personnel training needs are addressed;
- (2) General education and special education personnel receive training and professional development;
- (3) Personnel are to have the skills and knowledge necessary to meet the needs of students with disabilities.
- (4) Educational research, materials and technology are to be acquired and disseminated to teachers, administrators, and related services personnel as needed.

Parent Training: Administration is further directed to make training opportunities available to parents or students who require same as part of any IEP and to the extent appropriate under applicable state and federal laws and regulations. Such parent training would be included in the student's IEP as a Related Service.

Administration is directed to maintain appropriate documentation of trainings offered and attendance by all Charter School personnel.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE

August 2023

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Special Education Personnel Training Policy

**AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS
AND/OR CHARTER CONTROL.**

ADOPTED this _____ day of _____, 2023

President

Secretary

Urban Pathways K-5 College Charter School

Board of Trustees Policy

PROFESSIONAL EDUCATOR CODE OF CONDUCT POLICY

In accordance with applicable state regulations, including Title 22 Pa. Code Chapter 235, the Urban Pathways K-5 College Charter School (“Charter School”) Board of Trustees (“Board”) has established this policy to create high standards in ethical conduct for the teachers at the Charter School.

Professional practices are behaviors and attitudes that are based on a set of values that the professional education community and the Charter School believe in and accept. These values are evidenced by the professional educator’s conduct toward students, colleagues, the Charter School and the community.

Professional educators at the Charter School are expected to abide by the following:

- A) Pennsylvania’s Charter School Law, 24 PS 17-1701-A, other applicable school laws of the Commonwealth, all applicable state and federal law, including sections of the Public Employee Relations Act and the Pennsylvania Code of Professional Practice and Conduct for Educators.
- B) Professional educators shall maintain high levels of competence throughout their careers.
- C) Professional educators shall exhibit consistent and equitable treatment of students, fellow educators and parents. They shall respect the civil rights of all and not discriminate on the basis of race, national or ethnic origin, culture, religion, sex or sexual orientation, marital status, age, political beliefs, socioeconomic status, disabling condition or vocational interest. This list of bases of discrimination is not all-inclusive.
- D) Professional educators shall accept the value of diversity in educational practice. Diversity requires educators to have a range of methodologies and to request the necessary tools for effective teaching and learning.
- E) Professional educators shall impart to their students principles of good citizenship and societal responsibility.

- F) Professional educators shall exhibit acceptable and professional language and communication skills. Verbal and written communications with parents, students and staff shall reflect sensitivity to the fundamental human rights of dignity, privacy and respect.
- G) Professional educators shall be open-minded, knowledgeable and use appropriate judgment and communication skills when responding to an issue within the educational environment.
- H) Professional educators shall keep in confidence information obtained in confidence in the course of professional service unless required to be disclosed by law or by clear and compelling professional necessity as determined by the professional educator.
- I) Professional educators shall exert reasonable effort to protect the students from conditions that interfere with learning or are harmful to the student's health and safety.

Ethical Conduct

The professional educator at the Charter School shall not:

- A) Intentionally, knowingly or recklessly engage in deceptive practice regarding official policies of the Charter School or the rules and regulations of the Pennsylvania Department of Education.
- B) Make threats of violence against Charter School employees, Board of Trustee members, students or parents/guardians of students.
- C) Falsify records or direct or coerce others to do so.
- D) Use or distribute illegal controlled substances and/or engage in the abuse of prescription drugs and toxic inhalants.
- E) Intentionally or knowingly misrepresent his or her employment history, criminal history, and/or disciplinary record when applying for subsequent employment.
- F) Consume alcoholic beverages on the Charter School property or during school activities when students are present.

Legal obligations

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Professional Educator Code of Conduct Policy

The professional educator shall not engage in conduct prohibited by:

- A) The Public School Code, Charter School Law and other laws and regulations relating to the schools or the education of children.
- B) The applicable laws of the Commonwealth establishing ethics of public officials and public employees, including the Public Official and Employee Ethics Law.

Civil rights

The professional educator at the Charter School shall not:

- A) Discriminate on the basis of race, national or ethnic origin, culture, religion, sex or sexual orientation, marital status, age, political beliefs, socioeconomic status, disability or other legally-protected class. This list of bases of discrimination is not all-inclusive.
- B) Interfere with a student's or colleague's exercise of political and civil rights and responsibilities.

Improper Personal or Financial Gain

The professional educator at the Charter School shall not:

- A) Accept gratuities, gifts or favors that might impair or appear to impair professional judgment. This shall not restrict the acceptance of gifts or tokens offered and accepted only from students, parents of students other persons or organizations in recognition or appreciation of service.
- B) Exploit a professional relationship for personal gain or advantage.
- C) Knowingly misappropriate, divert, or use monies, personnel, property or equipment committed to his or her charge for personal gain or advantage.
- D) Submit fraudulent request for reimbursement, expenses or pay.
- E) Use institutional or professional privileges for personal or partisan advantage.

Relationships with Students

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Professional Educator Code of Conduct Policy

The professional educator at the Charter School shall not:

- A) Knowingly and intentionally distort or misrepresent evaluations of students.
- B) Knowingly and intentionally misrepresent subject matter or curriculum.
- C) Sexually harass or engage in sexual relationships with students.
- D) Knowingly and intentionally withhold evidence from the proper authorities about violations of the legal obligations as defined within this section.
- E) Reveal confidential information concerning students unless disclosure serves lawful professional purposes or is required by law.
- F) Intentionally, knowingly or recklessly treat a student in a manner that adversely affects or endangers the learning, physical health, mental health or safety of the student.
- G) Intentionally, knowingly, or recklessly misrepresent facts regarding a student.
- H) Engage in physical mistreatment, neglect or abuse of a student.
- I) Furnish alcohol or illegal/unauthorized drugs to any person under 21 years of age or knowingly allow any person under 21 years of age to consume alcohol or illegal/unauthorized drugs in the presence of the educator.
- J) Engage in inappropriate professional educator-student relationships. The professional education shall create boundaries based on a reasonably prudent educator standard.
- K) Engage in inappropriate communications with a student or minor, including, but not limited to, electronic communication such as cell phone, text messaging, e-mail, instant messaging, blogging, or other social network communication, such as Facebook, Twitter, Instagram, SnapChat, Vine, MySpace and so forth. Factors that may be considered in assessing whether the communication is inappropriate include, but are not limited to:
 - 1) the nature, purpose, timing and amount of the communication;
 - 2) the subject matter of the communication;

- 3) whether the communication was made openly or the educator attempted to conceal the communication;
- 4) whether the communication could be reasonably interpreted as soliciting sexual contact or a romantic relationship;
- 5) whether the communication is sexually explicit; and
- 6) whether the communication involved discussion(s) of the physical or sexual attractiveness or the sexual history, activities, preferences, or fantasies of either the educator or the student.

Professional relationships

The professional educator at the Charter School shall not:

- A) Knowingly and intentionally deny or impede a colleague in the exercise or enjoyment of a professional right or privilege in being an educator.
- B) Knowingly and intentionally distort evaluations of colleagues.
- C) Sexually harass a fellow employee.
- D) Use coercive means or promise special treatment to influence professional decisions of colleagues.
- E) Threaten, coerce or discriminate against a colleague who in good faith reports or discloses to a governing agency actual or suspected violations of law, agency regulations or standards.
- F) Reveal confidential health or personnel information concerning colleagues, unless disclosure serves lawful professional purposes or is required by law.
- G) Harm others by knowingly making false statements about a colleague or the Charter School.
- H) Not violate Charter School policies and state and federal laws regarding the hiring, evaluation and dismissal of personnel.

Violations

Individual professional conduct reflects upon the practices, values, integrity and reputation of the profession and of the Charter School. Violations of this policy may include, but not be limited to, verbal warnings, written warnings, reprimands, suspension, dismissal, or civil and criminal sanctions.

All discipline reprimands or criticism by the Board of Trustees of a professional employee shall be done only when the Board is in executive session. Individual Board members shall not make any statement to the news media concerning the disciplining, reprimanding or criticizing of a professional employee which may have taken place during the time the Board met in executive session.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.

ADOPTED this _____ day of _____, 2023

President

Secretary

Urban Pathways K-5 College Charter School

Board of Trustees Policy

PROFESSIONAL GROWTH GUIDELINES POLICY

Continued professional study and in-service training are prerequisites for continued professional growth and advanced ability to undertake increased responsibility. Therefore, these guidelines are established for all professional personnel of the Urban Pathways K-5 College Charter School (“Charter School”).

Act 48 of the Commonwealth of Pennsylvania mandates that each certificated employee engage in professional development in order to maintain active status. Act 48 further provides that educational agencies, including the Charter School, develop a three (3) year educational development program plan and provides guidelines for same. It is the policy of this Board of Trustees that the CEO shall prepare a professional development plan for the Charter School consistent with Act 48 and prepare a plan to assure that all affected employees meet their obligation for continuing professional growth.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.

ADOPTED this _____ day of _____, 2023

President

Secretary

Urban Pathways K-5 College Charter School

Board of Trustees Policy

School Personnel and One on One Situations

The Board of Trustees of Urban Pathways K-5 College Charter School (“Charter School or “School”), requires compliance with the following laws in order to guarantee the safe, professional provision of administration, instruction, special education, related services and all other supports and services to students which are necessary in the school setting and at school-sponsored activities. This policy is applicable to Charter School administration, staff, contractors and volunteers when applicable in accordance with 22 Pa. Code § 711.5, 24 P.S. §1-111, 23 Pa. C.S.A. Sec. 6301 et seq., as amended by Act 15 of 2015 and Act 168 of 2014.

One to One Situations in School Setting or at School-Sponsored Activities

It is the School’s policy that administration, staff, contractors and/or volunteers not be alone with a School student at any time at the school facility during or after the school day and/or at a school-sponsored activity unless provision is made for such a situation through the Student’s Individualized Education Plan (“IEP”) or Section 504 Plan and same has been agreed to by Student’s Parent(s) via a current signed Notice of Recommended Educational Placement. However, it is the practice of the School that such situations be minimized unless necessary to comply with a Student’s IEP or Section 504 Plan in order to provide necessary accommodations, modifications, adaptations or related services such as a student needing to take a test in a classroom by her/himself free of distractions due to a IDEA disability or Section 504 impairment and then the classroom would be unlocked and open to access by all other School administration and staff or a counselor, or a speech, occupational or physical therapist is providing related

services to a student and again, same would be in an unlocked classroom or office and open to access by all other School administration and staff. It is the practice of the School not to have volunteers alone with a student at any time.

The School adheres to the following guidelines to minimize the risk of abuse and/or allegations of abuse:

- Signs of physical affection are to be avoided as these can be misinterpreted and should be limited to handshakes and high-fives with older elementary, middle, and high school students. Younger elementary students may require an administrator, staffperson, contractor or volunteer to take a child's hand to guide them safely in the school facility or at a school-sponsored activity.
- Document any incidents, involving disclosures of actual or possible abuse as these are subject to Mandatory Reporter mandates, as set forth above, or responses to behavioral situations if there was any contact at all between a School administrator, staffperson, contractor or volunteer and a School student.
- Whenever possible during the school day, doors to classrooms, offices and other areas in the School facility are to be left open and always remain unlocked to allow easy access by School administration and staff to ensure Student safety.
- Obtain permission from a School Administrator if there is a need to be alone with a student for any reason unless in the course of implementing a Student's IEP or Section 504 Plan or in the course of a School Counselor, Social Worker or Administrator meeting with a Student due to a confidential matter or need for counseling.

- Any and all gifts from administration, staff, contractors and volunteers to students are prohibited so as not to be misconstrued as attempts to “groom” or gain access to a child by a person intending abuse or other maltreatment of the child. This does not prohibit Students being provided with preferred reinforcers as part of a Positive Behavior Support Plan (“PBSP”) which may require staff or a contractor to provide Student with a treat, time on technology or other preferred object as part of the PBSP to reshape negative student behaviors. This does not prohibit class-wide gifts to students by an administrator, staffperson, contractor or volunteer if permission has been obtained first from the CEO or designee.

Administration shall ensure that staff, contractors and volunteers be made aware of such prohibitions and guidelines on an annual basis at a minimum.

Federal and State Clearances

a) In accordance with 24 P.S. §1-111 for Charter School employees and independent contractors and Act 15 of 2015 for Charter School volunteers, including Board of Trustees, who have “direct contact,” with children at a school, meaning, the care, supervision, guidance, or control of children and routine interaction with children, must have background checks. “Routine interaction” is defined in the Act as “regular and repeated contact that is integral to a person’s employment or volunteer responsibilities.”

b) The following clearances are required:

- Report of criminal history from the Pennsylvania State Police; and

- Child Abuse History certification from the Department of Human Services (Child Abuse)

A fingerprint based federal criminal history (FBI) submitted through the Pennsylvania State Police or its authorized agent is **not** required as long as:

(1) the position the being applied for is an unpaid position; and

(2) the employee/contractor/volunteer has been a resident of the Commonwealth of Pennsylvania for the entirety of the previous ten (10) years. Those who are not required to obtain the FBI certification for these reasons must swear or affirm, in writing, that they are not disqualified from service based upon a conviction of an offense under Section 6344 of the Child Protective Services Law.

If an employee/contractor/volunteer has not been a resident of Pennsylvania for the previous ten (10) years, but obtained their FBI certification at any time since establishing residency, s/he must provide a copy of the certification to the Charter School CEO or designee in charge of Human Resources for the School. S/he is not required to obtain any additional FBI certifications.

If an employee/contractor/volunteer has not been a resident of Pennsylvania for the previous ten (10) years, and has not obtained their FBI certification, s/he must obtain that certification.

c) Act 168 of 2014

The Charter School hires employees and independent contractors in accordance with Act 168 of 2014 which provides for a Sexual Misconduct/Abuse Disclosure

Release, as developed by the Pennsylvania Department of Education, to be used by school entities to hire employees and independent contractors in a position involving direct contact with children in order to satisfy the Act's requirement of providing information related to abuse or sexual misconduct. Act 168 disclosures are in addition to fulfilling the requirements under section 111 of the School Code and the Child Protective Services Law ("CPSL"). The Charter School may not hire an applicant who does not provide the required information for a position involving direct contact with children.

Mandatory Reporting Requirements

The Charter School Board of Trustees also requires trustees, employees, independent contractors, and volunteers to comply with identification and reporting requirements for suspected child abuse, as well as the training requirement for recognition and reporting of child abuse in order to comply with the Child Protective Services Law and the School Code.

a) Reporting Procedures

Trustees, school employees, independent contractors or volunteers who suspect child abuse shall immediately make a written report of suspected child abuse using electronic technologies (www.compass.state.pa.us/cwis at the time of the adoption of this policy) or an oral report via the statewide toll-free telephone number (1-800-932-0313 at the time of the adoption of this policy). A person making an initial oral report of suspected child abuse must also submit a written electronic report within 48 hours after the oral report. Upon receipt of an electronic report, the electronic reporting system will automatically respond with

a confirmation, providing the Charter School with a written record of the report. If such automatic written confirmation is not received, then the person reporting the suspected child abuse shall immediately make an oral report via the statewide telephone number.

A trustee, school employee, independent contractor or volunteer who makes a report of suspected child abuse shall immediately, after making the initial report, notify the CEO of the Charter School and if the initial report was made electronically, also provide the CEO with a copy of the report confirmation.

When a report of suspected child abuse is made by a trustee, school employee, independent contractor or volunteer as required by law, the Charter School is not required to make more than one report.

If the CEO reasonably suspects that conduct being reported involves an incident required to be reported under the Charter School's Memorandum of Understanding with local law enforcement, the CEO or his or her designee shall inform local law enforcement, in accordance with applicable law, regulations and Board policy.

b) Please refer to the Charter School Mandatory Reporter Policy for further requirements as to definitions, guidelines, investigation and training.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL’S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.

ADOPTED this day _____ of _____, 2023

President

Secretary

Urban Pathways K-5 College Charter School

Board of Trustees Policy

STAFFING AND HIRING POLICY

The purpose of this document is to establish consistent procedures for the recruitment and selection of candidates for positions at the Urban Pathways K-5 College Charter School (“Charter School”). The Board of Trustees (“Board”) recognizes its legal responsibility to ensure and establish adequate levels of staffing, salaries/rates, the candidate selection process, and qualifications of candidates.

Applicability

This policy applies to all paid positions at the Charter School.

Authority

The Charter School Board has the sole authority and responsibility to create new/additional staff positions. The Chief Executive Officer (“CEO”), in collaboration with the Board, has the authority to establish salaries and approve candidates for hire.

Approved job descriptions will clearly state any restriction as to candidate eligibility for those positions for which the description requires extensive work with financial, personnel and other such highly confidential school information. Relatives of current Board members, current staff and parents of current students would not be permitted to apply for such positions. This restriction serves to prevent potential conflicts of interest pursuant to the Board’s approved Conflict of Interest Policy.

Policy

The hiring procedures outlined below must be followed in order to appoint candidates to any position at the Charter School. The primary goal in the employment process is to fill vacancies with the most qualified candidates available. In this pursuit, the Charter School will adhere to the principles of Equal Employment Opportunity (“EEO”). As required by applicable law, the Charter School is an equal opportunity employer dedicated to the goal of building a culturally diverse and pluralistic faculty and staff committed to teaching and working in a multicultural environment. The Charter School strongly encourages applications from women, minorities, individuals with disabilities and covered veterans.

Guidelines

To assure careful selection and orientation of new staff into the Charter School community, the Board promotes an open and collaborative process to facilitate the hiring of all school personnel. Instructional staff is required to hold Pennsylvania State certification or be in the process of obtaining certification within one (1) year of hire. It is required that middle school teachers and support staff have secondary certification or equivalent experience working with this population.

All non-instructional and administrative staff are expected to participate in and obtain certification or ongoing professional development related to their area of responsibility.

- A) The first step in the hiring process is notice to the Board of a position opening.
- B) Recommendations to create a new position must be submitted to the Board and approved prior to the start of the search for an employee to fill the position.
- C) This recommendation will include:
 - a) Rationale, needs assessment;
 - b) Required qualifications and selection criteria;
 - c) Job description;
 - d) Proposed salary range/rates, determined by the required position qualifications and established salary scales/range; and
 - e) Job posting (ad).

A file of current job posting ads will be maintained and will include narrative versions for Internet/website use, and abbreviated versions for print advertising.

- A) Job postings will include:
 - 1) Position title;
 - 2) Salary or salary range;
 - 3) Brief description of the duties;
 - 4) Minimum qualifications;
 - 5) Name and address to which to send applications;
 - 6) Last day for filing applications;
 - 7) Equal Employment Opportunity (EEO) statement; and
 - 8) Restrictions, if any, regarding eligibility of relatives of current Board members, current staff or parents of current students to apply.

- B) Applicants will be required to provide:
 - 1) Letter of interest;
 - 2) Copies of Certifications, as applicable;
 - 3) Resume;
 - 4) Three references;
 - 5) Transcripts, as applicable;
 - 6) Standard application (PDE); and
 - 7) Act 34 and 151 clearances and FBI clearances where applicable.

- C) A job posting (ad) for open positions will be published:
 - 1) Internally
 - a) Notice by email of an open position to all current staff; and
 - b) Posting on the school website.
 - 2) Externally
 - a) Internet, K-12 Jobs, PASBO and PSBA when applicable (leadership positions); and
 - b) Print Publications (leadership positions).

- D) A file folder for each open position will be created and contain:
 - 1) Job description;
 - 2) Job posting; and
 - 3) Resumes, cover letters, applications, clearances and certifications of qualified candidates.

- E) A file of submitted resumes for various positions will be maintained and rotated out on an annual basis.

- F) Current staff and recommendations of candidates by current staff will be given consideration.

Screening/Interview/Selection

- A) Resumes/applications will be initially screened, reviewed by, interviewed and selected by the appropriate interview team members based on the following criteria:

- 1) Selection of the CEO shall be made by the entire Board with input from administration, staff, and parents based on criteria developed through a collaborative process.
 - 2) Selection of Leadership level positions shall be made by a using a collaborative process that includes the CEO, Board members and representatives of the staff group with whom they will be working.
 - 3) Selection of teaching, custodial or office staff shall be made using a collaborative process involving the CEO, applicable leadership, and representatives of the staff group with whom they will be working.
- B) Devise standard selection questions which are not biased against: gender, race, religion, sexual orientation, disability, familial status, color, citizenship status, national origin, creed, veteran status or any other factor protected by law and use the same questions and selection criteria for all candidates.
 - C) Screen resumes for minimum entrance requirements; resumes may be accepted as supplements to the “application,” but not as a substitute for the “application.”
 - D) Select candidates for interview, and send a letter to candidates not elected for interview.
 - E) Notify successful candidates of selection for interview, schedule interviews, and then interview those candidates.
 - F) Select candidates for final (or second) interviews.
 - G) Perform and document reference checks; develop a consistent process and set of questions for checking references.
 - H) Conduct final interviews.
 - I) Solicit written remarks from those that met with or interviewed candidates. A rating form can be developed for this purpose.
 - J) Select final candidate.
 - K) Ensure that telephone calls (and/or e-mails) are made to all finalists not selected as soon as the candidate selected has accepted the position offer. Follow-up will be made with a formal letter.

Approval

When a conditional offer has been made, selected candidates and their credentials will be presented to the Board for review and final approval.

For all positions, prior approval from the Board must be obtained before a conditional offer of employment is extended where any exceptions are to be made to normal hiring practices (as related to salary, flexible hours, vacation, etc.)

Upon verbal acceptance of the conditional offer of employment, a written offer of employment will be sent to the candidate. This offer letter will include:

- A) Job title;
- B) Monthly or hourly salary;
- C) Hours;
- D) Benefit eligibility;
- E) Status (salaried or hourly);
- F) Statement of conditional offer pending final board approval;
- G) Vacation and holiday information;
- H) Employment at will;
- I) Start date; and
- J) Copy of Employee Handbook.

Hiring

The following information will be collected for a Personnel folder for each individual. A paperwork checklist will be attached to the inside front of the folder. This confidential file will include:

- A) Resume
- B) Application
- C) Offer letter;
- D) Attendance records;
- E) Job description;
- F) Confirmation of receipt of Employee Handbook;
- G) Payroll deduction forms;
- H) Human Resources documents;
- I) Emergency contact information;
- J) Birth Certificate;
- K) Original Act 34 and 151 Clearances;
- L) Completed PA Sexual Misconduct/ Abuse Disclosure Release (under Act 168 of 2014)
- M) Copies of Professional Certifications; and
- N) Parking information.

On the first day of employment or, at the latest, during the first week of employment, the employee must meet with the CEO or his/her designee. The employee will receive a copy of the job description during this time. The employee will be required to submit the following documentation:

- A) Employee Handbook confirmation
- B) Emergency contact information
- C) W-4 or W-4A Tax Withholding Form
- D) I-9 employment eligibility form
- E) Self-identification form - protected status
- F) As applicable, PSERS (retirement) forms
- G) Basic and optional life insurance enrollment form or waiver
- H) Health insurance enrollment form or waiver

- I) Parking information - make model car, license plate number
- J) Workman's compensation notification
- K) Credit union enrollment (optional)
- L) 403 B annuity/deferred compensation enrollment form (optional)
- M) Section 125 ("Cafeteria Plan") benefit waiver if applicable (optional)
- N) Payroll automatic deposit forms (optional)

Probation/Orientation/Mentoring

During the 90-day probationary period all permanent/temporary staff members will be introduced to school norms/culture. Orientation, staff development, mentoring, and continuous support will be designed and provided appropriate to individual needs.

Criteria for applicable and appropriate orientation, staff development, mentoring, and continuous support for each position will be developed through the use of a collaborative process.

At the end of the 90-day probationary period all permanent/temporary staff will receive a written performance evaluation.

Terminations/Separations

No employee may be terminated without prior approval of the Board.

Prior consultation with the Board Solicitor or his/her designee shall be required in instances of involuntary termination.

Upon the separation of an individual, whether voluntarily or involuntarily, notice will be given immediately to the CEO in order to initiate separation and security procedures.

Any Charter School property issued, including, but not limited to, items such as computer equipment, credit cards, keys, petty cash, and instructional materials, must be returned to the Charter School at the time of termination or the last day of work. The departing employee will be responsible for any lost or damaged items. The value of any property issued and not returned will be deducted from the last paycheck. The departing employee may be required to sign a wage deduction authorization form for this purpose.

The Charter School does not respond to oral requests for or provide “to whom it may concern” reference letters, as these letters can be easily misused. In the event of termination, either voluntarily or involuntarily, the CEO may be able to provide a reference to specific potential employers only if a signed release form has been received.

Exit Interviews

Whenever possible, in cases of voluntary terminations, the Charter School shall interview the departing employee on or just prior to his/her last day of work. This interview will serve to ascertain the employee's forwarding address, to sign off on retirement and/or insurance conversions, and to obtain further details on the employee's reason(s) for leaving. The written results of the interview shall be placed in the employee's personnel file.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.

ADOPTED this _____ day of _____, 2023

President

Secretary

Urban Pathways K-5 College Charter School

Board of Trustees Policy

WHISTLEBLOWER POLICY

All employees of the Urban Pathways K-5 College Charter School (“Charter School”) are subject to the obligations and protections of the Pennsylvania Whistleblower Law, 43 P.S. §§ 1421-1428. The Charter School will not discharge, threaten or otherwise discriminate or retaliate against an employee regarding the employee’s compensation, terms, conditions, location or privileges of employment because the employee or a person acting on behalf of the employee makes a good faith report or is about to report to the Charter School or an appropriate authority an instance of wrongdoing, which is not merely technical or minimal, or an instance of substantial waste, abuse, misuse, destruction or loss of the funds or resources of the Charter School.

The Charter School will not discharge, threaten or otherwise discriminate or retaliate against an employee regarding the employee’s compensation, terms, conditions, location or privileges of employment because the employee is requested by an appropriate authority to participate in an investigation, hearing or inquiry held by an appropriate authority or in a court action.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.

ADOPTED this _____ day of _____, 2023

President

Secretary