



BREAKTHROUGH
CHARTER SCHOOL

Policy Manual

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Revised:

Breakthrough Charter School
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Preface

The Breakthrough Charter School Board of Directors is established under authority of state law for the purpose of oversight authority over Breakthrough Charter School and of promoting the interests of Breakthrough Charter School and the children they serve. Those responsibilities are met, in part, by the adoption and implementation of formal policies by which the principles that guide decision-making are established.

Policies are generally broad statements of principle and purpose, and are intended to serve as a framework for decision-making and administrative action rather than as a manual for day-to-day decision-making and action. Policies can nevertheless establish specific substantive standards and requirements, including standards of personal and professional conduct, the violation of which may result in disciplinary sanctions or other adverse consequences. However, policies do not restrict the ability of the Board or its employees to respond reasonably and flexibly to unexpected contingencies, emergencies, and other conditions that call for a response that is tailored to unique or special circumstances.

Policies should be construed as a whole and with reference to related policies and applicable law. Although policies are adopted partly for the purpose of meeting the requirements of pertinent law, they do not establish or create a legal right, claim, entitlement, or interest to or in any title, position, assignment, duty, work location, level or rate of compensation, benefit, or term of employment.

Any provision, feature, or aspect of Board policy that does not conform to governing law should be deemed void and superseded by such law. Editorial changes that do not affect the meaning, substance, or application of a policy may be made by the Board without advance public notice and comment. In general, the Board reserves the right to adopt, revise, interpret, amend, repeal, suspend, or apply policies according to its assessment of the needs and interests of the school, subject only to such limitations on the exercise of such prerogatives as may be imposed by law.

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Definition of Terms

Term	Definition
Policy	Formally adopted position of the Board concerning a particular issue or circumstance.
Regulation	Process and/or procedures developed by the administration designed to implement a policy.
Reference	Federal and/or state guidelines or statutes.
Legal Reference	Federal and/or state statutes.
Board	Refers to the Breakthrough Charter School Board of Directors.
State	Refers to the State of Alabama.
Law	Refers to local, state, and/or federal statutes, regulations, ordinances, court decisions, and binding administrative orders or directives.

Citations to the United States Code, the Code of Alabama, and the Alabama Administrative Code are all intended to refer the reader to sources that either serve as legal authority for the policy provisions or that provide additional or more detailed information regarding the subject matter of the policy. The citations are not exhaustive and are subject to repeal, amendment, or invalidation by court rulings. Such changes may not be reflected in the policy.



**Section 1000
Foundations and Basic
Commitments**

1005	Community Conduct Policy
Approval Date	01/2023
Category	Foundations and Basic Commitments
Governance Accountability	Board of Directors, Leadership Team
Audience	Board of Directors, Leadership Team, Employees, Students, Parents, Families, Collaborating Community Members and Volunteers

The Breakthrough Charter School Community, including but not limited to the BCS Board of Directors, Leadership Team, Employees, Parents, Students, Families, Collaborating Community Members and Volunteers, is the most valuable asset to our success. Working together as a community is critical to our success both inside and outside the classroom. The Board of Directors and Breakthrough Charter School’s Leadership Team (Head of School and school administrator(s)) has an expectation that all members of our community will treat each other with respect and dignity.

The following guidelines should be followed during all campus interactions including extracurricular activities:

- Profanity of any type will not be tolerated during individual conferences, other interactions, or telephone conversations.
- Personal remarks that are or can be perceived as inappropriate or negative in nature will not be tolerated during individual conferences, other interactions, or telephone conversations.
- Threats or physical violence of any nature will not be tolerated.
- Disruptive or threatening behavior to staff or students will not be tolerated.
- Unduly disruptive inappropriate statements made on social media or blog sites against the Head of Schools, school administrators, Teachers, Students, Staff, or Board Members will not be tolerated.

If a member of the Breakthrough Charter School community violates one or more of the above guidelines, he/she could be subject to an official warning, school discipline, banning from campus or interaction with local police. The Head of School has the authority and responsibility for assuring that parents and third parties conduct themselves appropriately on school property and that school officials have a responsibility to prevent disruptive or threatening conduct towards staff or students. Therefore, the Head of School or school school administrator may properly recommend the banning of people, including parents, from school property during the school day in order to maintain order at the school. A final determination will be provided from the BCS Board of Directors within 10 days of the reported event. A written statement from the Head of School will be sent to the offending community member citing the necessary action within 10 days of the reported event. The Breakthrough Charter School’s Leadership, Teacher(s), or Board Member(s) reserve the right to end any negative communication in violation of this policy.

1006	Search and Seizure Policy
Approval Date	01/2023
Category	Foundations and Basic Commitments
Governance Accountability	Board of Directors, Leadership Team
Audience	Students

- A. **School System Property** – All facilities, and grounds under the ownership and/or control and/or supervision of BCS (hereinafter “BCS Property”) may be entered, inspected, and searched for any lawful purpose by School officials or their designees (including School Resource Officers and other Law Enforcement Personnel) at any time, without prior notice and to the fullest extent permitted by law. The right to enter, inspect, and search includes and extends to (but is not limited to) Board owned or controlled offices, desks, file cabinets, lockers, computers, files, documents, data, and devices however and wherever kept, stored, or maintained.

- B. **Personal Property** – Personal property, including but not limited to purses, wallets, gym bags, book bags, cell phones, computers, and “personal digital assistant” (PDA) devices, may be searched by authorized school officials, including school administrators or their designees (including School Resource Officers and Law Enforcement Personnel), when reasonable suspicion exists that the property contains prohibited materials, illegal substances, weapons, or other items that are reasonably deemed to present a risk or threat to the safety or welfare of the school community. Personal vehicles parked on BCS Property are excluded from this definition of “personal property” and addressed separately in Section D below.

- C. **Personal Searches** – Students may be searched whenever reasonable suspicion exists that the student possesses prohibited materials, illegal substances, weapons, or other items that are reasonably deemed to present a risk or threat to the safety and welfare of the school community. Student searches must be conducted by a school administrator in the presence of another certified school employee and may include a private pat down of the student, a search of personal items and clothing, or a more thorough search upon specific approval of the Head of School. Personal searches will be conducted with due regard for the age and gender of the student. Searches that require physical contact between the school official and the student, removal of clothing, or examination of the student in a way that would implicate privacy concerns must be conducted and witnessed by officials of the same gender as the student and in a way that preserves the dignity of the student to the extent practicable under the circumstances. Refusal to submit to a search or to cooperate in a search as provided in this policy may be grounds for disciplinary action.

- D. **Vehicle Searches** -- Students are permitted to park on BCS Property as a matter of privilege, not of right. The school retains authority to conduct routine patrols by school administrators or their designee including School Resource Officers, Law Enforcement Personnel and K-9 units, of areas in which students park on BCS Property, including, but not limited to, inspections of the exteriors of students vehicles. The interiors of student vehicles may also be inspected and

searched whenever a school authority has reasonable suspicion to believe that illegal or unauthorized materials are contained inside. Such patrols and inspection may be conducted without notice, without student consent, and without a search warrant.

- E. **Use of Recovered Items** – Property, material, substances, information, or records that are obtained, discovered, or recovered as a result of a search may be retained and used for any lawful purpose.

1015	Student Code of Conduct Policy
Approval Date	01/2023
Category	Foundations and Basic Commitments
Governance Accountability	Board of Directors, Leadership Team, Employees
Audience	Students

The proposed Breakthrough Charter School approach to fostering excellent school wide behavior is rooted in its core values: Scholarship, Diversity, Leadership, and Community.

The primary objective of the rigorous Student Code of Conduct is to create a safe and supportive learning environment to ensure academic success. School safety will be held to the highest regard at BCS. The proposed discipline policy includes a list and definition of the offenses and behaviors for which students can be disciplined. These offenses will be categorized according to the severity of the offense and consequences and corrective strategies will be delineated accordingly. Punishable offenses range in severity from classroom disruption to criminal misconduct. Corrective strategies and consequences for such offenses also range in severity from a simple redirection or verbal warning to out of school suspension, un-enrollment or expulsion. The proposed policy includes an explanation of how the school will take into account the rights of students with disabilities in disciplinary actions and proceedings, as well as procedures for due process when a student is suspended or expelled as a result of a code of conduct violation or disciplinary rules or regulations.

All members of the school community should always remember that they must work together to create a positive learning experience in which all of its students can have meaningful learning experiences and reach their full potential. This can only be accomplished in schools where the environment is free from distraction caused by disruptive behavior. Creating such an environment requires the cooperation of the parents/guardians, students, Board of Directors, and all employees of Breakthrough Charter School. It is important that each person connected with BCS understands the importance of a consistent set of behavior standards in order that a positive environment can be established and maintained. As students progress at BCS, it is reasonable to assume that an increase in age and maturity will result in the students assuming greater responsibility for their actions. It is recognized that differences in age and maturity require different types of disciplinary action; however, the procedures identified shall apply to all students in grades PK - 12. For effective instruction to occur, there must be a cooperative relationship among student, parent, and educator. School Leaders, Teachers, and Coaches will model and identify appropriate behaviors in varying environments throughout the course of the school day and academic setting.

Learning behavior transitions amongst varying environments is a valuable part of the socialization process of a productive citizen. All School Leaders, Teachers, and Coaches will be trained to support and implement a school- wide positive discipline model, which will be outlined in the Student Handbook and Athletic Handbook. School Leaders, Teachers, Coaches and students will work together to make Breakthrough Charter School both an enjoyable and safe learning environment. The collaborative relationship is described below:

Parents/Guardians should:

- maintain regular communication with the school leadership concerning their child's progress and conduct;
- insure that their child is in daily attendance and promptly report and explain an absence or tardiness to the school;
- reasonably provide their child with the resources needed to complete class work;
- bring to the attention of school leadership any problem or condition which affects their child or other children of the school;
- discuss progress reports, class assignments, report cards, etc.;
- maintain up-to-date home, work and emergency telephone numbers at the school, including doctor, hospital preferences, and emergency health care form;
- attend scheduled parent/teacher conferences.

Students should:

- attend all classes daily and be punctual in attendance;
- be prepared and attend class with appropriate working materials;
- be respectful of all individuals and property;
- refrain from profane or inflammatory statements;
- conduct themselves in a safe and responsible manner;
- be clean, neat, and appropriately dressed in school uniform;
- be responsible for their own work;
- abide by the rules and regulations of the school and each classroom teacher.

Breakthrough Charter School should:

- encourage the use of good guidance procedures;
- maintain an atmosphere conducive to good behavior;
- exhibit an attitude of respect for students;
- plan a flexible curriculum to meet the needs of students;
- promote effective training or discipline based upon fair and equitable treatment of all students;
- develop a good working relationship among staff and with students;
- encourage the school staff, parents/guardians, and students to use the services of community agencies;
- promote regular parental communication with the school;
- encourage parent participation in affairs of the school;
- seek to involve students and parents in the development of policy;
- endeavor to involve the entire community in the improvement of the quality of life within the community;
- notify parents, if possible, when students are absent;
- bring to the attention of parents any problem or condition which exists with their children.

DISCIPLINE

Basic Principles Guiding the Discipline Procedures at Breakthrough Charter School

A. Right to a High-Quality Education

All students have a right to a high-quality education. As such, school disciplinary measures should not be used to exclude students from school or otherwise deprive them of such an education, unless it is necessary to preserve the safe and supportive learning environment at BCS.

B. Goal of Discipline

The goal of student discipline is to teach students to behave in ways that contribute to academic achievement and school success, and to support a school environment where students and staff are responsible and respectful.

Successful school discipline is guided by the following concepts:

- Effective and engaging instruction and classroom management are the foundation of effective discipline.
- School discipline is best accomplished by preventing misbehavior before it occurs, and using effective interventions after it occurs.
- School safety and academic success are formed and strengthened when all school staff and personnel build positive relationships with students and are actively engaged in their lives and learning.
- School staff should promote high standards of behavior by teaching, modeling, and monitoring behavior, and by fairly and consistently correcting misbehavior as necessary.
- School discipline that is paired with meaningful instruction and guidance offers students an opportunity to learn from their mistakes and contribute to the school community, and is more likely to result in getting the student re- engaged in learning.
- Effective school discipline maximizes the amount of time students spend learning and minimizes the amount of time students are removed from their classrooms due to misbehavior.

C. Reasonable Consequences

Breakthrough Charter School will make every reasonable effort to correct student misbehavior through school-based resources at the lowest possible level, and to support students in learning the skills necessary to enhance a positive school environment and avoid negative behavior. The vast majority of minor disciplinary issues should be addressed at the classroom level by teachers. In all instances, school discipline should be reasonable, timely, fair, age-appropriate, and should match the severity of the student's misbehavior.

D. Use of Out-of-School Suspensions, Unenrollments, Expulsions and Referrals to Alternative Schools Should be Minimized

The use of measures such as out-of-school suspensions, unenrollments, expulsions, and referrals to alternative schools (if available) that exclude students from school should be minimized. These punitive measures have resulted in the loss of valuable instructional time and should be reserved for infractions that cannot be appropriately addressed through other interventions and disciplinary responses or for habitual offenders.

E. Role of Law Enforcement

Breakthrough Charter School seeks to avoid the unnecessary penalization of our students; as such, police involvement should be limited to situations when it is necessary to protect the physical safety of students and staff or appropriate to address criminal behavior of persons other than students. Police involvement should not be requested in a situation that can be safely and appropriately handled by the BCS's internal disciplinary procedures. Additionally, school resource officers and/or law enforcement personnel working on school grounds should exercise their authority to arrest in a manner that is consistent with the goals and requirements of this Policy.

F. Non-Discrimination

School staff responsible for implementing this Policy shall do so without discrimination based on ethnicity, race, color, religion, national origin, ancestry, gender, sexual orientation, age, or disability.

G. Due Process and Communication

Care will be given to afford due process to all students. To ensure correct results in disciplinary proceedings, there should be utmost respect for: parents'/guardians' right to be immediately notified when their child faces disciplinary action; students' right to a fair hearing before being suspended, expelled, unenrolled or referred to an alternative school; and students' right to appeal suspensions, unenrollments, expulsions, and referrals to alternative schools.

H. Staff Training

Breakthrough Charter School shall make an annual allocation of professional development time to offer professional development and training in classroom management, conflict resolution, and non-punitive approaches to discipline in order to ensure that the disciplinary program is effective and that relevant policies and procedures are equitably applied.

I. Individual Classroom Rules

Individual classrooms may adopt their own classroom rules as long as they are consistent with this Policy. Any such rules will be made available to students and their parents/guardians in a manner consistent with this Policy.

J. Distribution of Policy

Breakthrough Charter School shall distribute a copy of this Policy to all students and their parents/guardians as a part of their Student Handbook, in a language they can understand. It shall also be posted on the school's website and in an easily visible place within the school.

K. Discipline Responsibility

In most cases the appropriate teachers within the classroom setting and coaches within the extracurricular setting will manage discipline immediately and effectively. In some situations, either due to the seriousness or repetitive nature of the offense, intervention by the school administrator of the school is warranted. In any action requiring long term suspension, unenrollment or expulsion a disciplinary review committee of 3-5 members will be formed to hear the case and make a recommendation to the Head of School. The Head of School will make the final decision.

L. Extracurricular Activities

During extracurricular activities, the Coach, school administrator, Head of School, or Athletic Director reserve the right to deny athletic or extracurricular participation to any student whose inappropriate actions or conduct are not specifically covered in this handbook or individual team rules.

Tiered Discipline Response System

A. Disciplinary Violations and Interventions

- Level 1, Less Serious Violations and Interventions

Less serious Level 1 violations will initially be handled by the classroom Teacher or Coach responsible for student supervision until the point at which the behavior is repetitive (3+ violations). Such violations consist of defiance, disrespect, disruptive classroom behavior, deliberately off task, lying to school personnel, defacing property, unsportsmanlike conduct, excessive dress code violations (3+), profanity and inappropriate language, public display of affection, rough housing, excessive tardiness (5+ per semester) and check-outs (10+ per semester), unauthorized use of technology (school or personal device), unauthorized use of school equipment, and any other minor offense. Any school personnel may

bring these situations to the attention of the School Administration, Athletic Director or Classroom Teachers.

For Level 1 Violations, there is a 5-tiered response system designed to hold the students accountable. Each sequential offense carries an appropriate and clear consequence. Appropriate interventions include classroom teacher interventions combined with parent notification for initial offenses. Habitual Level 1 violations (violation # 3-7) will result in referral to support staff (counselor, etc.) for work detail assignments, referral to the Disciplinary Review Committee for positive behavior interventions, referral to the Assistant Principal and/or Principall for Out of School Suspensions, and referral to the Head of School for long term suspensions or unenrollment depending on severity and habitualness of the level 1 offense. For each consecutive violation, there is a more stringent consequence. A clear procedure for using the tiered matrix of offenses and consequences will be provided to parents and students in the Student Handbook.

Appropriate Classroom Teacher Interventions include but are not limited to teacher/student conferences, reminders and redirection, reinforcement of expectation and skills, written apology, reflective essay or activity, independent study, role play, parent/guardian outreach, in class time out, seat change, self-charting behaviors, mini-course/training, mentoring program, peer mediation, functional behavior assessment, modification of IEP (if applicable), daily behavioral tracking, removal from class to supervised time-out, and loss of privileges.

- Level 2, More Serious Violations and Interventions:

More serious level 2 violations include but are not limited to things such as bullying/cyberbullying, insubordination, destruction of BCS property, harassment, inappropriate use of technology, physical aggression, skipping class/unauthorized absence from school or class, false activation of the fire alarm, theft, gambling, threats (verbal/non-verbal), trespassing, voluntary sexual conduct, and other more serious violations.

For Level 2 Violations, these infractions are weighted two times greater than Level 1 violations. Appropriate administrative interventions include Out of School Suspensions, long term suspensions, unenrollment, and/or expulsion depending on the severity and habitualness of the level 2 offense. For each consecutive violation, there is a more stringent consequence. A clear procedure for using the tiered matrix of offenses and consequences will be provided to parents and students in the Student Handbook.

- Level 3, Major Violations and Interventions:

Level 3 Major violations are those that are serious enough to require expulsion. These violations will be immediately reported to the Principal. They include: acts of hate, bomb threats, arson, burglary/breaking and entry, possession, use or sale of a controlled substance, use or sale of alcohol, use or sale of tobacco products or electronic smoking devices, fighting, sexual harassment or assault, possession or discharge of a weapon, firearm or explosives. Any of these violations will result in a review by the disciplinary review committee that could result in a recommendation to the Head of School for expulsion. The committee may also recommend substance abuse treatment services, arrest or referral of law enforcement as necessary.

B. Behavior Off of School Property and Outside the School Day

Students enrolled in Breakthrough Charter School are subject to the policies, rules, and regulations of the Breakthrough Charter School and its Board of Education. This authority applies to all school-sponsored activities including but not necessarily limited to:

- regular school activities;
- transportation on school sponsored/provided transportation;
- field trips;
- athletic functions;
- activities during which appropriate school personnel have supervisory responsibility for students.

C. Assignment of Work Detail

Work detail is a consequence of a level 1 or 2 violation and is to be served by the student as assigned by the Counselor. Work Detail requires the student to report to school at 6:30 AM or stay after school at 3:30 PM in order to complete the work detail assignment. Duties are assigned appropriately by the Work Detail faculty advisor.

D. Use of Out-of-School Suspensions

Out-of-school suspensions of 2-10 days are to be used when appropriate as designated by the school administrator using the tiered system. At the discretion of the Principal or Assistant Principal, a suspension can be longer as needed. A suspension shall not exceed 10 school days per semester for non-special education students and 10 days per year for special education students. During suspensions students are not permitted to complete class assignments, but are allowed to take tests or quizzes given during the students' time away from school.

E. Extension of Out-of-School Suspensions

For Level Two or Three behaviors in which an out-of-school suspension has been issued, the suspension may be extended beyond 10 days only if the student's presence in school threatens the safety of students or staff and/or there has been a recommendation to expel the student. If, after investigation, the Assistant Principal or Principal believes that a penalty more severe than any within the Assistant Principal or Principal's own authority is warranted, the Principal will initiate the disciplinary review committee to hear the case and make a recommendation to the Head of School. The Head of School will make the final decision. The Principal must initiate the discipline review committee for long-term suspension or expulsion within five (5) school days after learning of the misconduct. Suspensions of eleven (11) days or longer must be approved by the Head of School.

A student with disabilities recognized by Section 504 of the 1973 Rehabilitation Act, 20 USC 701 et seq of the Individuals with Disabilities Education Act (IDEA), 20 USC 1400 et seq has a right to all procedures established in the law and accompanying federal and state regulations. If the student is identified as a child with disabilities either under IDEA or Section 504, a determination must be made whether the child's conduct is violating the policy related to the disability. The student's record and master file record will reflect the disability and document the determination as to whether the violation is associated with the disability. If the violation of the policy is due to the disability recognized by the IDEA or Section 504, IDEA procedures for changes in placement must be followed prior to initiation of any suspensions greater than ten (10) days.

F. Unenrollment

BCS reserves the right to unenroll a student who commits violations of the Student Code of Conduct that carry the consequence of unenrollment. Students who are recommended to the Head of School for unenrollment by the disciplinary review committee are unenrolled from BCS and are not eligible to return during the current school year in which they are enrolled AND for a probationary period of one school year following. If an unenrolled student wishes to return to BCS after the probationary period, they will be required to reapply for enrollment through the BCS student enrollment lottery. A recommendation of

Unenrollment to the Head of School is at the discretion of the Disciplinary Review Committee. Unenrollment is recommended as the result of habitual Level 1 and Level 2 Violations resulting in students not meeting the Code of Conduct expectations at BCS. Typically, these students don't meet the criteria for expulsion.

G. Use of Expulsions and Referrals to Alternative Schools (if option is available)

Expulsion refers to the permanent exclusion of a child from public school. The expulsion from one district may be honored by all other school districts in the state. In any action expulsion is considered, a disciplinary review committee of 3-5 members will be formed to hear the case and make a recommendation to the Head of School. The Head of School will make the final decision.

Upon recommendation of the Disciplinary Review Committee, a student may be expelled for a violation of this Code of Conduct if the Head of School determines the student's behavior indicates that the student's continued presence in the school constitutes a clear threat to the safety of other students or employees, and that there is no appropriate alternative educational program. Additionally, any student who is a registered sex offender may be expelled. The Head of School's decision to expel such a student shall be based on clear and convincing evidence, and the behavior shall be considered a clear threat to the safety of students or employees.

Students with disabilities who are receiving special education services other than gifted may not be expelled from school for any misbehavior that has a direct and significant relationship to that student's area of disability. If the IEP Committee determines that the behavior in question does not have a direct and significant relationship to the student's areas of disability, the public education agency may expel the student; however, a complete cessation of education service is not permissible.

H. Arrests and Referrals to Law Enforcement

All Level 3 Violations and other serious violations at the discretion of the Principal and Head of School may result in arrests or referrals to law enforcement, such action should only be used as a last resort and incidents should be resolved without the involvement of law enforcement whenever possible. School officials should use their discretion before notifying the School Resource Office and/or local law enforcement, and should consider the following factors:

- Whether the misconduct was particularly egregious;
- Whether the student persists in misconduct after being told to cease such behavior, and continues to endanger themselves and the safety of others;
- The age of the student engaging in misconduct; and
- Whether the student's misconduct is specifically intended to cause, or irresponsibly causes, physical harm to themselves, others or endangers the safety of others.

I. Students with Disabilities

Students with disabilities may be suspended, in accordance with Federal legislation, for inappropriate behavior. The Assistant Principal and Principal may suspend a student with disabilities for short-term suspension; suspension from school may not be for more than a total of ten days in a school year. The Assistant Principal and Principal may recommend a student with disabilities for long-term suspension or expulsion (greater than 10 days) by following these procedures:

- The Principal will follow regular procedures for long-term suspension or expulsion as described above.
- Once the Principal has made a recommendation for long-term suspension or expulsion of a student with disabilities, he or she will convene members of the IEP Committee who will determine: if the student is eligible for special education services; if the student is appropriately

placed in a special education program; and if there is a causal relationship between the student's disabling condition and the conduct for which he or she is to be disciplined.

- The parent will be notified in writing of the time and place of the committee meeting and its purpose.

J. Procedures for Suspensions and Work Detail Assignments

Before a student is suspended or assigned work detail, he or she has the right to an informal conference with the Assistant Principal, Principal, or Counselor, respectively. At the conference, the student must:

- Be allowed to call a parent/guardian, and have the parent/guardian attend the conference if they are able to within a reasonable amount of time;
- Be informed of the allegations and evidence against him or her;
- Have an opportunity to respond to the allegations, verbally or in writing, and present his or her version of events;
- Be informed of the right not to submit a written statement, if a written statement is requested; and
- Have an opportunity to present evidence in his or her defense, including the right to have witnesses interviewed by the school administrator or designee.

If, after the informal conference, the Assistant Principal, Principal, or Counselor decides to issue a suspension or work detail assignment, the school must make a reasonable attempt to contact the parent/guardian at once by phone. The school must also provide a written notice of suspension or work detail assignment in a language that the parent/guardian can understand. Both the oral and written notices must:

- Inform the parent/guardian that the student has been suspended or assigned work detail;
- Include the grounds for the suspension, the period of the suspension, or details of the work detail assignment and offer to schedule a time and place for the parent/guardian to meet with the school administrator or Counselor to review the suspension or work detail assignment prior to or concurrent with reinstatement; and
- State that students will be allowed to make-up missed quizzes or tests, but not classwork;
- State that a student has the right to appeal the suspension or work detail assignment and how to do so.

If an emergency requires immediate removal of the student from school, the informal hearing shall follow as soon after the student's removal as possible. If immediate removal from school is necessary, the school shall immediately notify the parent/guardian to determine the best way to transfer custody of the student to the parent/guardian.

While suspended, students shall be provided a reasonable opportunity to earn equivalent grades and academic credits as other students. They must also be provided the opportunity to make up tests, quizzes, and final examinations within a reasonable time following the completion of the suspension.

K. Procedures for Unenrollment, Expulsion, and Referrals to Alternative Schools (if option is available)

When a student is recommended by the Principal for unenrollment, expulsion or referral to an alternative school (if option is available) to the Disciplinary Review Committee, at the time of making such a recommendation, the school administrator must give the student and the student's parent/guardian written notice of the recommendation in a language that they can understand. The notice must contain:

- A statement of the reasons for the recommended action;
- A statement that a Discipline Review Committee hearing will be held within ten days after the date of the notice; and

- A statement that the student may be present at the hearing to hear the evidence, may have an opportunity to present relevant evidence, and may be accompanied by a parent/guardian and a representative of choice.

There shall be no unenrollment, expulsion or referral to alternative school (if option is available) without a hearing of the Discipline Review Committee at which evidence may be presented on the student's behalf by the parent and/or an attorney or advocate of the parent/guardian's choice. The student, parent/guardian, or representative must be allowed to question individuals presenting information. The Principal must also notify the student and his or her parent/guardian of their right to appeal the final decision of the Head of School to the Grievance Committee of BCS Board of Directors within three (3) calendar days of the receipt of the final notice. The notice must be in a language that the parent/guardian can understand.

L. Right to Appeal Disciplinary Action (In School Discipline and Out of School Suspensions)

Students and Parents have the right to appeal disciplinary action taken by BCS. See policy 2031_Disciplinary Appeals Policy for guidance.

M. Right to Appeal Expulsions and Referrals to Alternative Schools (if option is available)

A student expelled by the Head of School may be appealed by providing written notice to the Grievance Committee of the Board by submitting written notice to the Human Resources Manager within three (3) calendar days of the disciplinary action. The written notice must state the reason for the appeal and propose a resolution. A hearing will then be scheduled with the Grievance Committee. The decision of the Grievance Committee will be final and cannot be appealed further.

N. Corporal Punishment

Breakthrough Charter School does not use corporal punishment and corporal punishment shall not be used as a consequence.

Descriptions of Specific Violations

A. Acts of Violence

Fighting is not allowed at Breakthrough Charter School. Threatening to cause physical harm detracts from the educational setting and places students in fear and is also not tolerated. These actions are considered one of the most severe infringements on the rights of others. It is also a direct attack on the educational process. Acts of violence, whether directed at another student, teacher or adult will carry a severe penalty.

B. Weapons and Dangerous Objects

Possession or use of a weapon, firearm, or explosive or an object used as a weapon will not be tolerated. Possession of a weapon will result in disciplinary action – out of school suspension or expulsion.

C. Tobacco, Drugs, and Alcohol

Breakthrough Charter School is a tobacco, drug and alcohol-free campus. Any possession or use of these substances is strictly prohibited. Possession of these substances with the intent to distribute or sell will result in expulsion.

D. Damage to Property

Caused or attempted to cause damage to school property will result in the replacement of the damaged property by the student. The parent or guardian will also be held responsible for the replacement of the damaged property.

E. Profanity, Obscene Acts, Demeaning Racial Statements and Vulgarity

These acts will be construed as an attack on the rights and privileges of other students who are attempting to receive an education and the rights of teachers to teach. Therefore, the attempt or act of projecting the above named actions whether on clothes, written, verbal or through gestures is in violation of school policy.

F. Defiance

Willful disobedience is the intentional defiance of Teachers. Such action may be exhibited while coming to and from school, on the bus, during the normal school day or on field trips. For the safety of the student and other students and the establishment of a nurturing learning environment, respect for faculty, staff, and parents is necessary. All students will come to understand this policy. It may take more time, patience and understanding to illuminate the younger children; however, student safety and a positive educational environment must be maintained.

G. Sexual Harassment

Prohibited sexual harassment includes, but is not limited to; unwelcome sexual advances, request for sexual favors; and other verbal, visual or physical conduct of a sexual nature. Other types of conduct that are prohibited and may constitute sexual harassment include:

- Unwelcome leering, sexual flirtations or propositions;
- Unwelcome sexual slurs, epithets, verbal abuse, derogatory comments or sexually degrading descriptions;
- Graphic verbal comments about an individual's body, or overly personal conversation;
- Sexual jokes, stories, drawings, pictures or gestures;
- Spreading sexual rumors;
- Teasing or sexual remarks about students enrolled in a predominantly single-sex class;
- Touching an individual's body or clothes in a sexual way;
- Purposefully limiting a student's access to educational tools;
- Cornering or blocking of normal movements;
- Displaying sexually suggestive objects in the educational environment; and
- Any act of retaliation against an individual who reports a violation of the school's sexual harassment policy or who participates in the investigation of a sexual harassment complaint.

H. Act of Hate

Causing, threatening, or attempting to cause or participate in an act of hate can be defined as willfully interfering with or threatening another person's personal or property rights because of race, ethnicity, national origin, religion, disability or sexual orientation. Speech that threatens violence, when the perpetrator has the apparent ability to carry out the threat, may be considered an act of hate violence.

I. Other Harassment

Intentionally engaging in harassment, threats or intimidation against a student or group of students when the harassment is severe and pervasive and disrupts classes or creates disorder or an intimidating or hostile educational environment will not be tolerated.

J. Bullying

The Breakthrough Charter School Board of Directors, school leadership, teachers, staff, students, and families recognize we all have a responsibility to promote and maintain a healthy, safe, orderly, and caring learning environment. This atmosphere must be free from bullying, and is inclusive of all students and employees.

The Breakthrough Charter School Bullying Policy includes, but is not limited to, the following activities: bullying based on an individual's race, color, sex, religion, creed, ethnicity, political belief, age, national origin, linguistic and language differences, sexual orientation, gender identity/expression, socioeconomic status, physical characteristics, marital status, or disability. It is possible for bullying to occur at various levels: between fellow students or co-workers, between supervisors and subordinates, between employees and students, or imposed by non-employees, including visitors, on employees, and/or students.

The Breakthrough Charter School Board of Directors prohibits acts of bullying. Like other disruptive or violent behaviors, bullying, harassment, or discrimination is conduct that impedes both a student's ability to learn and a school's ability to educate its students in a safe and orderly environment.

This policy will apply, including but not limited to, the following circumstances:

- While at school or on school grounds before, during, and after school hours.
- While being transported to or attending any school activity.
- During any and all school functions, extracurricular, co-curricular, or other school activity or event.
- During any time or place when the behavior has a direct and immediate impact on maintaining order and discipline at school.

Definitions:

- Bullying: unwanted, aggressive behavior that involves a real or perceived power imbalance. The behavior is repeated, or has the potential to be repeated, over time.
- Bullying often includes actions such as making threats, spreading rumors, attacking someone physically or verbally, and excluding someone from a group on purpose.
- Imbalance of Power: individuals who bully use their power—such as physical strength, access to embarrassing information, or popularity—to control or harm others. Power imbalances can change over time and in different situations, even if they involve the same people.
- Repetition: bullying behaviors happen more than once or have the potential to happen more than once.
- Intentional: the purposeful or deliberate act or behavior.
- Hostile environment means the perception by an affected student that the conduct of another student constitutes a threat of violence or bullying and that the conduct is objectively severe or pervasive enough that a reasonable person, under the circumstances, would agree that the conduct constitutes bullying, threat of assault, or assault.
- Violence means the unjustified infliction of physical force by a student with the intent to cause injury to another student or damage to the property of another student.
- Threat means a statement of an intention to inflict pain, injury, damage, or other hostile action to cause fear of harm. The intention may be communicated through an electronic, written, verbal, or physical act to cause fear, mental distress, or interference in the school environment. The intention may be expressly stated or implied and the person communicating the threat has the ability to carry out the threat.
- Intimidation means an unjustified threat or other action that is intended to cause fear or apprehension in a student.
- Student as used in this policy means a person who is enrolled in the public school system.

Types of Bullying:

- Verbal bullying: saying or writing mean things. Verbal bullying includes but is not limited to: teasing, name-calling, insults, inappropriate sexual comments, taunting, and/or threatening to cause harm.
- Social or relational bullying: involves hurting someone's reputation or relationships.
- Social bullying includes but is not limited to: leaving someone out on purpose, telling other students not to be friends with someone, spreading rumors or lies about someone, and/or embarrassing someone in public purposefully.
- Physical bullying involves hurting a person's body or possessions. Physical bullying includes but is not limited to: hitting/kicking/pinching, spitting, tripping or pushing, taking or breaking someone's things, and/or making mean or rude hand gestures.
- Social Media/Cyber Bullying: Cyber bullying is bullying that takes place using electronic technology. Cyber bullying can include but is not limited to mean text messages or emails, rumors sent by email or posted on social networking sites, and embarrassing pictures, videos, websites, or fake profiles. Board of Education policies may authorize suspensions for conduct not occurring on educational property, but only if student's conduct otherwise violates the School's Code of Student Conduct and the conduct has or is reasonably expected to have a direct and immediate impact on the orderly and efficient operation of the schools or the safety of individuals in the school environment.

Description of Behavior Expected of Students:

Students are expected to treat other students with courtesy, respect, and dignity and comply with the Code of Student Conduct. Students are expected and required (1) to comply with the requirements of law, policy, regulation, and rules prohibiting bullying, violence, or intimidation; (2) to refrain from inflicting or threatening to inflict violence, injury, or damage to the person or property of another student, and (3) to refrain from placing another student in fear of being subjected to violence, injury, or damage when such actions or threats are reasonably perceived as being motivated by any personal characteristic of the student that is identified in this policy.

Responses/Consequences:

When adults respond quickly and consistently to bullying behavior they send the message that it is not acceptable. Research shows this can stop bullying behavior over time. There are simple steps adults can take to stop bullying on the spot and keep students safe. They include but are not limited to: Immediate intervention to stop the immediate behaviors, separate the kids involved, make sure everyone is safe, meet any immediate medical or mental health needs, stay calm, reassure the students involved, including bystanders, and model respectful behaviors during the intervention. Consequences for students violating the Bullying policy will depend on the severity of the behavior and be determined by the appropriate school administrator. Parents and students should carefully review the Breakthrough Charter School Student Code of Conduct Policy.

Reporting, Investigation, and Complaint Resolution Procedures:

- a. Complaints alleging violations of this policy may be made on a Board-approved complaint form available in the handbook, on the website, or at the school's office. The complaint must be delivered to the Assistant Principal, Principal, or their designee either by mail or personal delivery. Incidental or minor violations of the policy may be presented and resolved informally. The complaint form developed to report violations of this policy will include a provision for reporting a threat of suicide by a student. If a threat of suicide is reported, the school administrator or the school administrator's designee is authorized to inform the student's parent or guardian of the report unless at the discretion of the school administrator or the school administrator's designee

the apparent cause of the threat of suicide is child abuse or other significant harm from a parent or guardian.

- b. Upon receipt of the complaint, the Assistant Principal and the Principal will determine if the complaint alleges a serious violation of this policy. If the school administrator or the school administrator's designee determines that the complaint alleges a serious violation, the school administrator or the school administrator's designee will undertake a reasonably prompt investigation of the complaint. The investigation will entail the gathering of relevant facts and evidence taking into account the circumstances of the complaint. If the investigation establishes a violation, appropriate disciplinary sanctions may be imposed on the offending student(s). Other measures that are reasonably calculated to prevent a recurrence of the violations(s) may also be imposed by the school administrator or the school system.
- c. Acts of reprisal or retaliation against any student who has reported a violation of this policy or sought relief provided by this policy are prohibited, and are themselves a violation of this policy. Any confirmed acts of reprisal or retaliation may be subject to disciplinary sanctions that may include any sanction, penalty, or consequence that is available to school officials under the Code of Student Conduct. A student who deliberately, recklessly, and falsely accuses another student of a violation of this policy may be subject to disciplinary sanctions as outlined in the Code of Student Conduct.

Complaint Form

School System: _____ School Name: _____

Student Name: _____ ID#: _____

Grade: _____

INFRACTION REPORTED BY: <u>STUDENT</u> <u>PARENT/GUARDIAN</u>			
<i>Date of Incident</i>		<i>Time</i>	
<i>Specific Location of Incident</i>			
DESCRIPTION			
OTHER INFORMATION			

The *Jamari Terrell Williams Student Bullying Prevention Act*, No. 2018-472, defines bullying as a continuous pattern of intentional behavior that takes place on school property, on a school bus, or at a school-sponsored function including, but not limited to, cyberbullying or written, electronic, verbal, or physical acts that are reasonably perceived as being motivated by any characteristic of a student, or by the association of a student with an individual who has a particular characteristic, if the characteristic falls into one of the categories of personal characteristics contained in the policy adopted by the local board. To constitute bullying, a pattern of behavior may do any of the following:

- a. Place a student in reasonable fear of harm to his or her person or damage to his or her property.
- b. Have the effect of substantially interfering with the educational performance, opportunities, or benefits of a student.
- c. Have the effect of substantially disrupting or interfering with the orderly operation of the school.
- d. Have the effect of creating a hostile environment in the school, on school property, on a school bus, or at a school-sponsored function.
- e. Have the effect of being sufficiently severe, persistent, or pervasive enough to create an intimidating, threatening, or abusive educational environment or a student.

Student _____ Date: _____

OR

Parent/Guardian _____ Date: _____

Please note that the submission of a complaint does not automatically substantiate that misconduct has occurred. The school administration has the prerogative to investigate any allegations of wrongdoing.

1020	Conflict of Interest Policy
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Approval Date	
Category	Foundations and Basic Commitments
Governance Accountability	Board of Directors, Leadership Team, Employees
Audience	Board of Directors, Leadership Team, Employees, Volunteers

All Breakthrough Charter School employees and Board of Director members have an obligation to act at all times in the best interest of Breakthrough Charter School and to conduct all Breakthrough Charter School related business without any actual or potential conflict of interest. Breakthrough Charter School employees and Board members will not incur any type of financial or personal obligation, nor receive any benefit, which may serve to affect his or her judgment in acting on behalf of Breakthrough Charter School.

Employees and Board members must at all times act in a manner consistent with the spirit of this policy and their specific responsibilities with Breakthrough Charter School and take all necessary precautions to avoid any actual or potential conflict of interest. No voting members of the governing board (Breakthrough Charter School Board of Directors) shall be an employee of a for-profit company that provides substantial services to the charter school for a fee. No employee of the charter school shall be immediate family member of the Nonprofit board of directors (Breakthrough Charter School Board of Directors). No employee of the charter school, whether hired by the board of directors or a management company, shall be a voting member of the Nonprofit board of directors.

An actual or potential conflict of interest occurs when a person of influence is in a position to impact a decision, which may result in direct or indirect benefit, personal gain or advantage.

- A person of influence is defined as an employee or Board member; their representatives or relatives.
- A representative is defined as any person or entity acting for, on behalf of, or in the name of an employee or Board member or is otherwise directly associated or connected to the employee or Board member for business or other purpose.
- A relative is defined as any person who is related by blood or marriage, or whose relationship with the employee or Board member is similar to persons who are related by blood or marriage.

No person of influence unless otherwise exempted by state law, who is involved in making or administering contracts, transactions or decisions on behalf of Breakthrough Charter School may derive a direct benefit from such actions. In addition, if exempted, persons who may derive a direct benefit, but who are not involved in making or administering Breakthrough Charter School contracts, transactions or decisions, shall not attempt to influence any other person or entity who is involved in such actions.

Business dealings and contracts with outside firms should not result in unusual gains for those firms and shall not result in any gain or direct benefit for Breakthrough Charter School persons of influence, including kickbacks, bribes, bonuses, fringe benefits, promises of employment, or other windfall designed ultimately to benefit either the outside firm or persons of influence. Gifts or gratuities from any vendors, potential vendors or families to any person of influence with a face value of more than \$150 must be reported to the Head of Schools and approved by the Board of Directors.

Except as otherwise specified above or by applicable state or federal law, person of influence who have impact over transactions involving Board purchases, contracts, leases or other business matters, must disclose the existence of any actual or potential conflict of interest in writing to the Board Chairperson, as soon as possible, so safeguards may be established in order to protect all parties. All persons of influence, who have knowledge of any actions that may violate this policy, should contact the Board Chairperson or Head of School as soon as possible.

Failure to make advanced disclosure of potential conflicts of interest, or to otherwise fail to abide by the requirements set forth in this policy, may result in disciplinary action up to and including discharge of an employee or removal of a Board member.

Breakthrough Charter School employees may offer services to the community, outside of the regular school hours, such as tutoring, sports, music lessons, or other professional services. These types of activities are not considered a conflict of interest.

Examples of conflicts of interest, prohibited by this policy include, but are not limited to the following:

- Holding a financial interest (more than a ten percent ownership or other interest), and/or acting as an officer, director, partner, creditor or guarantor for an outside firm or entity that provides goods or services, or property to Breakthrough Charter School.
- Acting as an agent for any manufacturer, merchant, dealer, publisher or author for any article
- of merchandise or service to be used by, sold or distributed to Breakthrough Charter School;
- Borrowing money from suppliers, customers or other firms or entities with whom Breakthrough Charter School does business, with the exception of lending institutions; or soliciting or receiving any gift, reward, or promise of reward in exchange for recommending, influencing or attempting to influence the award or outcome of a contract, transaction or other decision of a contract, transaction or other decision.
- The receipt of any gift, reward, or promise of reward in exchange for recommending, influencing
- or attempting to influence the evaluation of an action, appointment, or other decision.

1025	Conflict of Interest Policy and Confidentiality Agreement
Approval Date	01/2023
Category	Foundations and Basic Commitments
Governance Accountability	Board of Directors, Leadership Team, Employees
Audience	Board of Directors, Leadership Team, Employees, Volunteers

Purpose

The purpose of the conflict of interest policy is to protect this tax-exempt organization’s (Organization) interest when it is contemplating entering into a transaction or arrangement that might benefit the private interest of an officer or director of the Organization or might result in a possible excess benefit transaction. This policy is intended to supplement but not replace any applicable state and federal laws governing conflict of interest applicable to nonprofit and charitable organizations.

Definitions

1. Interested Person: Any director, school administrator officer, or member of a committee with governing board delegated powers, who has a direct or indirect financial interest, as defined below, is an interested person.
2. Financial Interest: A person has a financial interest if the person has, directly or indirectly, through business, investment, or family:
 - a) An ownership or investment interest in any entity with which the Organization has a transaction or arrangement,
 - b) A compensation arrangement with the Organization or with any entity or individual with which the Organization has a transaction or arrangement, OR
 - c) A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the Organization is negotiating a transaction or arrangement.

Compensation includes direct and indirect remuneration as well as gifts or favors that are not insubstantial. A financial interest is not necessarily a conflict of interest. A person who has a financial interest may have a conflict of interest only if the appropriate governing board or committee decides that a conflict of interest exists.

General Regulations

1. Confidentiality: All interested parties has had and will have possession of or access to confidential information relating to the business of Breakthrough Charter School, including without limitation and whether communicated in written or oral format, writings, equipment, processes, drawings, reports, manuals, invention records, financial information, business plans, student/associate lists, the identity of or other facts relating to prospective customers, inventory lists, arrangements with suppliers and customers, computer programs, or other material embodying trade secrets, customer or product information or technical or business information of Breakthrough Charter School. All such information, other than any information that is in the public domain through no act or omission of the undersigned in breach of this agreement or which he or she is authorized to disclose by Breakthrough Charter School, is referred to collectively as the "Company Information." During and for a period not less than the one year anniversary of the undersigned's termination of association with Breakthrough Charter School or longer as required by applicable law, the undersigned shall not (i) use or exploit in any manner the Company Information to himself or herself or any person, partnership, association, corporation or other entity other than Breakthrough Charter School, (ii) remove any Company Information, or any reproduction thereof, from the possession or control of the Company or (iii) treat Company Information otherwise than in a confidential manner.
2. No voting members of the governing board (Breakthrough Charter School Board of Directors) shall be an employee of a for-profit company that provides substantial services to the charter school for a fee.
3. No employee of the charter school shall be immediate family to any member of the nonprofit board of directors (Breakthrough Charter School Board of Directors).
4. No employee of the charter school, whether hired by the board of directors or a management company, shall be a voting member of the nonprofit board of directors.
5. No member of the Board of Directors or any of its committees, staff, or consultants shall derive any personal profit or gain, directly or indirectly, by reasons of his or her participation with Breakthrough Charter School. Each individual shall disclose to the organization any personal

interest, which he or she may have in any matter pending before the organization and shall refrain from participation in any decision on such matter.

6. Any member of the Board of Directors, any committee member or staff who is also an officer, board member, a committee member or a staff member of a client organization or vendor of Breakthrough Charter School shall identify his or her affiliation with such agency or agencies; further, in connection with any committee or board action specifically directed to that affiliated agency, he or she shall not participate in the decision affecting that agency and the decision must be made and/or ratified by the full Board of Directors.
7. Any member of the Board of Directors, any committee member, staff and certain consultants shall refrain from obtaining any list of clients for personal or private solicitation purposes at any time during the term of his or her affiliation.

Procedures

1. Duty to Disclose

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

2. Determining Whether a Conflict of Interest Exists

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

3. Procedures for Addressing the Conflict of Interest

- a. An interested person may make a presentation at the governing board or committee meeting, but after the presentation, he/she shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement involving the possible conflict of interest.
- b. The chairperson of the governing board or committee shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.
- c. After exercising due diligence, the governing board or committee shall determine whether the Organization can obtain with reasonable efforts a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest.
- d. If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a conflict of interest, the governing board or committee shall determine by a majority vote of the disinterested directors whether the transaction or arrangement is in the Organization's best interest, for its own benefit, and whether it is fair and reasonable. In conformity with the above determination it shall make its decision as to whether to enter into the transaction or arrangement.

4. Violations of the Conflicts of Interest Policy

- a. If the governing board or committee has reasonable cause to believe a member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.
- b. If, after hearing the member's response and after making further investigation as warranted by the circumstances, the governing board or committee determines the

member has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

Records of Proceedings

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

- a. The names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest, the nature of the financial interest, any action taken to determine whether a conflict of interest was present, and the governing boards or committee's decision as to whether a conflict of interest in fact existed.
- b. The names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection with the proceedings.

Compensation

1. A voting member of the governing board who receives compensation, directly or indirectly, from the Organization for services is precluded from voting on matters pertaining to that member's compensation.
2. A voting member of any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the Organization for services is precluded from voting on matters pertaining to that member's compensation.
3. No voting member of the governing board or any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the Organization, either individually or collectively, is prohibited from providing information to any committee regarding compensation.

Annual Statements

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

- a. Has received a copy of the conflicts of interest policy,
- b. Has read and understands the policy,
- c. Has agreed to comply with the policy, and
- d. Understands the Organization is charitable and in order to maintain its federal tax exemption it must engage primarily in activities which accomplish one or more of its tax-exempt purposes.

Annual Disclosure Forms

Each director, school administrator officer and member of a committee with governing board delegated powers shall annually complete and sign the BCS Governing Board Member Disclosure Form.

Periodic Reviews

To ensure the Organization operates in a manner consistent with charitable purposes and does not engage in activities that could jeopardize its tax-exempt status, periodic reviews shall be conducted. The periodic reviews shall, at a minimum, include the following subjects:

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

Use of Outside Experts

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

1030	Drug-Free Campus and Drug-Testing Policy
Approval Date	01/2023
Category	Foundations and Basic Commitments
Governance Accountability	Leadership Team
Audience	Employees, Students, Volunteers, Families

Breakthrough Charter School is dedicated to maintaining a drug-free environment for students and employees, as well as any visitors. It is the policy of the Breakthrough Charter School Board of Directors that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance (including alcohol) or misuse of a prescription medication or over-the-counter medication in the board's workplace is prohibited. Drug abuse may be cause for criminal prosecution by government agencies, in addition to disciplinary action by the school. The use of tobacco products by students, employees or visitors is prohibited on campus and at all school-sponsored events. Any employee or student violating this policy will be subject to disciplinary action, may be dismissed immediately and/or possible recommendation for termination of employment.

The Board will allow law enforcement agencies to make periodic unannounced visits to any school to detect the presence of illegal drugs. Only the Head of School and the building school administrators will have prior knowledge of the visits.

The specifics of this policy are as follows:

- Any employee or student who uses, gives or in any way transfers a controlled substance to another person or sells or manufactures a controlled substance while on the job, on campus or on board property will be subject to disciplinary action and/or recommendation for termination of employment.
- The term "controlled substance" means any drug listed in 21 U.S.C. 812 and other federal regulations. Generally, these are drugs that have a high potential for abuse. Such drugs include, but are not limited to, heroin, marijuana, cocaine (including "crack"), and PCP. They also include "legal drugs" which are not prescribed by a licensed physician.
- Each employee is required by the Drug-Free Workplace Act of 1988 to inform the Head of School within five (5) days after he/she is convicted for a violation of any federal or state criminal drug statute where such violation occurred on school board property. A conviction means a finding of guilt (including a plea of nolo contendere) or the imposition of a sentence by a judge or jury in any federal or state court.
- If an employee is convicted of violating any criminal drug statute while in the workplace, he or she will be subject to disciplinary action and/or recommendation for termination of employment. In addition to disciplinary action, the board may require the employee to successfully finish a drug abuse program sponsored by an approved private or governmental institution.

- As a condition of further employment on any federal government grant, the Act requires all employees to abide by this policy.

Designated Employees:

- All employees of the school system, including substitutes, who hold a school bus license/certification (CDL) or operate a Breakthrough Charter School vehicle (hereafter referred to as designated employees) are subject to random drug and alcohol testing. Such employees will be prohibited from performing assigned duties while under the influence of any prohibited drug or alcohol.
- While employees are prohibited from having any alcohol present in their systems while on duty, a Blood Alcohol Count (BAC) of .04 will be accepted as a presumptive evidence of intoxication. An employee who tests between .01 and .039 BAC will be removed from job related functions until they test below .01 or until their next duty period, which must be at least twenty-four (24) hours.
- Designated employees who refuse or do not pass a drug or alcohol test will be recommended for termination or removed from consideration for employment.
- Designated employees testing positive by urinalysis or alcohol/breathalyzer test or requesting treatment may be referred to a mental health substance abuse counselor for an assessment of needs and possible referral for treatment. All such treatment shall be at the individual employee's expense.
- Random Testing: All designated employees will undergo testing on a random basis via a third party agent as determined by BCS as well as labs for samples and split samples. The board will administer tests of employees in a number equal to or greater than 50 percent of the designated employees without advanced notice in the first twelve (12) months of testing. There will be no maximum number of samples that any one individual will be required to provide. Subsequent testing will be conducted at levels equal to or greater than the initial testing level. Employees will be required to report to the board designated collection site as soon as possible but not later than two (2) hours following notification.
- Test results to be released by the Board with the individual's authorization or when otherwise required by law.

Other Employees:

The board may require drug and alcohol testing under the following conditions, in addition to randomly testing those employees who are required to have a commercial driver's license (CDL):

- All prospective employees who have been offered employment contingent on negative test results for the presence of alcohol or illegal drugs;
- All employees who operate school system vehicles or motorized equipment who are not required to have a CDL are subject to random testing; and
- All employees as to whom there is reasonable suspicion of the influence of alcohol or illegal drug use while on duty.

All employees are subject to testing for alcohol and any and all illegal drugs, including but not limited to amphetamines, cannabinoids, cocaine, opiates, and phencyclidine. Such tests will be arranged by the Head of School.

Prospective Employees: Pre-employment substance screening by a school system approved drug screening agency may be required for prospective employees after being offered employment contingent on a negative result. Prospective employees are required to sign a consent/release form before submitting to screening. Prospective employees will be disqualified for hire if they test positive, refuse to

submit to a test, or refuse to execute the required consent/release form. The cost of the drug test is the responsibility of the prospective employee.

Current Employees: Current employees may be required to submit to a drug screening under the following circumstances:

- Reasonable suspicion: All employees may be required to submit to screening whenever a trained supervisor observes circumstances which provide reasonable suspicion of drug or alcohol use. The supervisor will make arrangements for reasonable suspicion drug and/or alcohol testing. Refusal to submit to a reasonable suspicion test request will be considered grounds for dismissal.
- Random testing: Random, unannounced drug screening of all employees who drive school system vehicles or motorized equipment will be conducted.
- Post-accident testing: Following an accident that causes substantial property damage or physical injury to any person, alcohol and controlled substance tests will be conducted on any driver or equipment operator. Drivers or motorized equipment operators must make themselves readily available for testing, absent the need for immediate medical attention.

Employees testing positive by urinalysis or alcohol/breathalyzer test or requesting treatment may be referred to a mental health substance abuse counselor for an assessment of needs and possible referral for treatment. All such treatment shall be at the individual employee's expense.

Prescription Drugs:

The proper use of medication prescribed by a physician is not prohibited; however, the misuse or abuse of prescribed (or over the counter) medications is prohibited. All employees and students who are using drugs at the direction of a physician must notify School Leadership prior to beginning work or school when those drugs may affect their performance. Employees who are subject to this must provide documentation from their physician stating that the substance does not adversely affect their ability to perform their duties in a safe manner.

Test results will not be released by the board without the individual's written authorization. Procedures for drug testing shall be distributed to all affected employees. Receipt of Breakthrough Charter School Drug Free Campus regulations and procedures shall be acknowledged by employees on signed acknowledgement forms as required for initial and continued employment.

STUDENT DRUG TESTING PROGRAM

Competitive Extracurricular Activities: It is the objective of the Breakthrough Charter School Board of Education to assure that all students who wish to participate in competitive extracurricular activities be given the opportunity to do so in a safe, drug-free environment and that all students participating in competitive extracurricular activities, while under the supervision of the school system, be completely free from the effects of alcohol and/or the presence of illegal or controlled substances. In an effort to meet this objective, the board reserves the right to require any student desiring to participate in competitive extracurricular groups or clubs, practices, competitions, or at any other time while under the supervision of the school system, to be subject to a random unannounced drug screening.

The board has the right to conduct random unannounced drug screenings of students participating in competitive extracurricular groups or clubs, as well as the right to conduct specific drug screening of students whenever an administrator, a coach, assistant coach, teacher, sponsor, band director, observes circumstances which provide reasonable suspicion or belief that the student has used alcohol, illegal drugs, or other substances that violate the school substance abuse policies. Furthermore, the board

grants the coach of any team or the sponsor of any official school group the right to have the entire team/group tested during the season for their particular sport.

Student Privileges: It is the objective of the Breakthrough Charter School Board of Directors to assure that all students who wish to take advantage of the privilege of driving a vehicle on school property and/or parking a vehicle on school property, be given the opportunity to do so in a safe, drug free environment, and that all students exercising the privilege of driving and parking on school property, be completely free of the effects of alcohol and/or the presence of other illegal or controlled substances. In an effort to meet this objective, the board reserves the right to require any student desiring to drive a vehicle on school property and/or park on school property, be subject to and submit to random drug tests at any time while on school property, or participating in school sponsored events.

The board will allow School Leadership to designate such other and additional requirements for the privilege of driving a vehicle on school property and/or parking a vehicle on school property including, but not limited to, academic standards, attendance standards, and the payment of fees. The School Leadership may also establish the priority for issuance of parking permits.

The board also has the right to require the passing of a drug test as a condition to granting such privileges, the right to conduct random unannounced drug screening for students taking advantage of student parking privileges, as well as the right to conduct specific drug screening of students whenever a school official observes circumstances which provide reasonable suspicion or belief that the student has used alcohol, illegal drugs, or other substances that violate the school substance abuse policies.

The Head of School shall prepare procedures for implementing this policy consistent with local, state, and federal laws.

1100	Harassment Policy for Employees and Students
Approval Date	01/2023
Category	Foundations and Basic Commitments
Governance Accountability	Board of Directors, Leadership Team, Employees, Students, Families, Volunteers
Audience	Board of Directors, Leadership Team, Employees, Students, Families, Volunteers

The policy of the Breakthrough Charter School is to maintain a safe, orderly and caring educational and professional environment that is free from harassment, bullying, and discrimination. Any type of harassment, bullying and discrimination is prohibited by this policy.

Violations of this policy may result in disciplinary action up to and including termination for board members and employees; sanctions up to and including suspension or exclusion for students; and appropriate school and legal action against parents or campus visitors.

Harassment may include, but is not limited to:

1. Verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her race, color, religion, sex, national origin, age, disability or any other status protected by applicable law, or that of an individual's relatives, friends or associates;
2. Epithets, insults, jokes, slurs, negative stereotyping or threatening, intimidating or hostile acts that relate to race, color, religion, sex, national origin, age, disability or any other status protected by applicable law; or
3. Written or graphic material that denigrates or shows hostility or aversion toward an individual or group because of race, color, religion, sex, national origin, age, disability or any other status protected by applicable law that is placed, disseminated or circulated in the workplace.

Prohibited harassment also includes unwelcome sexual advances, unwelcome requests for sexual favors and other unwelcome conduct of a sexual nature if:

1. Submission to or tolerance of such conduct is made either an explicit or implicit condition of employment
2. Submission to or tolerance or rejection of such conduct is used as a basis for an employment decision affecting an employee;
3. The conduct has the purpose or effect of substantially interfering with an employee's performance; or
4. The conduct creates an intimidating, hostile or offensive work environment.

If an employee has welcomed sexual advances or other harassing conduct (whether sexual or otherwise) by active participation in or encouragement of such activity, he or she should inform the alleged harasser if such conduct is no longer welcome in order for any subsequent conduct to be deemed unwelcome. However, failure to give such notice in no way prevents Breakthrough Charter School from taking appropriate disciplinary action against the alleged harasser for his or her behavior.

Employee Reports:

If an employee believes he or she has been treated in an unlawful discriminatory or harassing manner, he or she should promptly report the matter to the employee's supervisor or use the alternative reporting options described below.

Examples of Policy Violations

It should be a violation of the Breakthrough Charter School Harassment Policy for any employee, student, parent, board members, or campus visitor to:

1. Make any unwelcome verbal, nonverbal or physical harassment of a student, employee, parent, board members, or campus visitor;
2. Make unwelcome sexual advances to another employee, student, parent, board members, or campus visitor;
3. Make unwelcome requests for sexual favors, whether or not accompanied by promises or threats with regard to the employment or academic relationship;
4. Engage in verbal or physical conduct of a sexual nature with another employee, student, parent, board members, or campus visitor, that may threaten or insinuate, either explicitly or implicitly, that the individual's submission to, or rejection of, the sexual advances in any way:
 - (a) influence any personnel decision regarding that person's employment, evaluation, wages, advancement, assigned duties or any other condition of employment or career development; or
 - (b) influence his or her grades, participation in or access to academic programs, class standing or other educational opportunities;
5. Engage in verbal or physical conduct of a sexual nature that:

- (a) has the purpose or effect of substantially interfering with an employee's ability to do his or her job; or with a student's ability to learn or participate in a class; or
 - (b) which creates an intimidating, hostile or offensive work or academic environment;
6. Commit any act of assault or indecency, sexual assault or public sexual indecency whether on Breakthrough Charter School property or in connection with any Breakthrough Charter School sponsored activity;
7. Continue to express sexual interest in another employee, student, parent, board members, or campus visitor after being informed that the interest is unwelcome (reciprocal attraction is not considered sexual harassment);
8. Engage in other sexually harassing conduct at school or at a school-sponsored function, whether physical or verbal, including but not limited to, commentary about an individual's body (or body parts), sexually degrading words to describe an individual, sexually offensive comments, sexually suggestive language or jokes, innuendos, and sexually suggestive objects, books, magazines, computer software, photographs, cartoons, pictures or calendars.

Verbal/Physical Confrontation

The Breakthrough Charter School will not tolerate verbal and/or physical confrontations, which threaten or are perceived as threatening to its staff members, students, parents, prospective parents, Board members or any other guest of the school. Breakthrough Charter School staff/faculty members may not be approached on school grounds, at other school-sponsored events or in public during non-school hours in a negative fashion to discuss school-related issues. The result of this type of confrontation will be reviewed by the Breakthrough Charter School Administration and/or the Breakthrough Charter School Board of Directors to determine a proper course of action. Recommended action may include probation for the person(s) involved or exclusion of the person(s) from Breakthrough Charter School property and all Breakthrough Charter School sponsored events.

How to File a Complaint

Students who experience harassment in the academic environment should report such conduct to a building level administrator (Assistant Principal, Principal, or Head of School).

Employees should report harassment to the attention of their supervisor. If the complaint involves the employee's supervisor or someone in the direct line of supervision, the employee may go directly to the next person in the supervision chain.

Complaints of harassment will be investigated by the Breakthrough Charter School Leadership Team and/or Board of Directors. They will complete this process in a confidential manner and as expeditiously as possible. When the investigation confirms the allegations, appropriate & immediate action will be taken by the school. An employee or student may be accountable for harassment under applicable local, state, and/or federal law, as well as Breakthrough Charter School policy. Disciplinary action by Breakthrough Charter School may proceed while law enforcement continues their investigation for potential criminal charges.

Any individual who knowingly provides false information will be subject to appropriate disciplinary action, up to and including termination for employees or academic suspension or exclusion for students.

Retaliation against an employee or student for filing a harassment complaint, or participating in the investigation of a complaint, is strictly prohibited and will result in appropriate disciplinary action, up to and including termination for employees or academic suspension or exclusion for students.

1106	Corporal Punishment Policy
Approval Date	02/2023
Category	Foundations and Basic Commitments
Governance Accountability	Board of Directors, Leadership Team
Audience	Board of Directors, Leadership Team, Employees, Students, Parents, Families, Collaborating Community Members and Volunteers

No form of corporal punishment, including, but not limited to, paddling, spanking, hitting, will be tolerated on Breakthrough Charter School’s campus by any adult. In the event a child experiences any form of corporal punishment on school grounds, appropriate authorities will be contacted by school administration.

1105	Possession of Weapon or Toy Weapon Policy
Approval Date	01/2023
Category	Foundations and Basic Commitments
Governance Accountability	Leadership Team
Audience	Employees, Students, Families, Volunteers

Breakthrough Charter School believes that all children have the right to be educated in a safe and nurturing environment that is conducive to learning. Breakthrough Charter School prohibits weapons in or on school property. Breakthrough Charter School also prohibits weapons off school grounds while attending or participating in a school function where the carrying, bringing, using, or possessing of a weapon creates a threat of physical harm to or physically harms a student or school personnel, is detrimental to the welfare or safety of a student or school personnel, adversely affects the discipline in any school, or adversely affects the education program in any school. Possession is defined as having physical possession of a weapon as defined below, or the weapon being under the control of a student whether it be in a car, locker, backpack, or other location, under the control of or belonging to the student while on school property.

Possession of a toy weapon on campus or at a school-sponsored event whereby such possession causes a threat or perceived threat of danger will be treated in the same manner as possession of a real weapon as defined below. A review of the violation will be conducted by the Head of Schools to determine if additional consequences will be assessed. Each offense will be evaluated on a case-by-case basis by the Head of Schools. Criminal charges may also be filed.

Carrying, bringing, using or possessing a weapon on school property, when being transported in vehicles by the school, during a school-sponsored activity or event, and off school property when the conduct has a reasonable connection to school or any curricular or non-curricular event without the authorization of the school is prohibited. An exception to this policy may be made for students participating in an authorized extracurricular activity or team involving the use of weapons.

Definitions

1. Illegal weapon: For purposes of this policy, an "illegal weapon" is defined as:

- a. A firearm, whether loaded or unloaded; whether operational or non-operational
- b. Gravity knives, butterfly knives and switchblades
- c. Any other object, device, instrument, material, or substance defined as an unlawful weapon pursuant to city ordinance, state statute, or as otherwise provided by law.

2. Dangerous weapon: For the purposes of this policy, a "dangerous weapon" is defined as:

- a. Any pellet or "B.B." gun or other device, whether operational or not, designed to propel projectiles by spring action or compressed air (this includes paintball guns and airsoft guns);
- b. A fixed blade knife with a blade that measures longer than three inches in length or a spring loaded knife or a pocket knife with a blade longer than three and one-half inches;
- c. Any object, device, instrument, material, or substance, whether animate or inanimate, that is used or intended to be used by the student to inflict serious bodily injury or death, including, but not limited to bludgeons, brass knuckles, artificial knuckles, bows and arrows, blow guns, sling shots, poisons, explosive devices, fireworks.

3. Standard weapons and weapons facsimiles: For purposes of this policy, a standard weapon includes any object, device, instrument, material or substance, whether animate or inanimate, that is used or intended to be used by the student to inflict bodily injury of a lesser degree than serious bodily injury, or is designed to inflict bodily injury of a lesser degree than serious bodily injury, regardless of the student's intent. For purposes of this policy, a standard weapon includes, but is not limited to, pepper spray, chemical mace, laser pointers used in a nonacademic manner, tasers and stun devices and all knives that do not meet the definition of a dangerous weapon under this policy. Weapon facsimile: any facsimile of a weapon; a weapon facsimile is any object, device, instrument, material or substance that substantially mimics a weapon (note: a weapon facsimile may also be considered a weapon under this policy, based, among other things, on its use or intended use.);

4. Serious Bodily Injury: Bodily injury which, either at the time of the actual injury or at a later time, involves a substantial risk of death, a substantial risk of serious permanent disfigurement, a substantial risk of protracted loss or impairment of the function of any part or organ of the body, or breaks, fractures, or School property: For purposes of this policy, school property includes: 1) all School property, including but not limited to school buses and school facilities, 2) any non-Breakthrough Charter School property on which a Breakthrough Charter School sponsored activity or event occurs; and, 3) any other non-Breakthrough Charter School property or location where the behavior engaged in may have a direct impact on school discipline or be detrimental to the welfare or safety of students or staff.

5. School personnel: as used in this policy, school personnel means any officer, director, employee, volunteer, representative, agent, or visitor.

Grounds for Suspension and Expulsion

Under applicable laws, the grounds for disciplining a student for a weapons violation depends upon where the violation has occurred and the kind of weapon involved. Students who violate the provisions of this

policy may face suspension and/or expulsion from school, depending on the nature and location of the violation. In accordance with applicable law, school personnel will refer to law enforcement any student who brings a firearm, dangerous, and/or illegal weapon to school without authorization of the school.

Application of this Policy

- a. This policy shall apply whether or not a weapon or weapon facsimile is operational.
- b. For purposes of determining a student's intent, there shall be a presumption that the primary purpose of carrying, bringing, using, or possessing the object, device, instrument, material or substance is to inflict death or serious bodily injury.
- c. School administration shall investigate all weapons violations to determine if the primary purpose of carrying, bringing, using, or possessing the object, device, instrument, material, or substance is to inflict bodily injury of a lesser degree than serious bodily injury, to create a threat of physical harm to or physically harm a student or school personnel, to engage in conduct that is detrimental to the welfare or safety of a student or of school personnel, to adversely affect the discipline in a school, or to adversely affect the educational program in a school.
- d. School administration shall investigate all weapons facsimile cases to determine if the primary purpose of carrying, bringing, using, or possessing a weapon facsimile is to engage in conduct that is detrimental to the welfare or safety of a student or of school personnel, to adversely affect the discipline in a school, or to adversely affect the educational program in a school.
- e. It shall be no defense or excuse that a student carried, brought, used, or possessed a weapon or weapon facsimile for the purpose of self-defense or the defense of another.
- f. Possession of a weapon will result in home suspension or expulsion. Refer to the Student Code of Conduct Policy (Policy 1130) for procedure for suspension or expulsion.

Exceptions

Suspension and/or expulsion shall not be mandatory under this section if, when the student discovers that he or she has carried, brought, or is in possession of a weapon or weapon facsimile, the student notifies a teacher, administrator, or other authorized person at Breakthrough Charter School as soon as possible and delivers the weapon or weapon facsimile to any such person. Such action shall be considered when determining appropriate disciplinary action, if any. The safe harbor provision does not apply to illegal weapons or firearms.

With Head of School approval, exceptions to this policy may be made for students participating in an authorized extracurricular activity or team involving the use of weapons such as bow and arrows, or a student in possession of a weapon for use in an approved educational program which includes but is not limited to any course designed for the repair and maintenance of weapons. An exception would also apply to students presenting an authorized public demonstration for the school or an organized class.

1110	Privacy Policy
Approval Date	01/2023
Category	Foundations and Basic Commitments
Governance Accountability	Leadership Team
Audience	Employees, Families

Breakthrough Charter School is committed to honoring the privacy of its supporters at all times. We will not sell, trade or share your personal information with anyone else, nor will we send mailings on behalf of other organizations.

Breakthrough Charter School collects and maintains personal information that is specifically and knowingly provided to us by individuals or their companies. We will only share personally identifiable information with a third party if (i) we are required to by law (ii) it is necessary for completing an authorized operation, for instance to process a credit card transaction, or (iii) if the person submitting the information asks that it be shared.

Our web server automatically recognizes each visitor's domain name, but does not automatically collect personally identifiable information. We do not take responsibility for the contents or privacy practices of any web site other than our own.

To prevent unauthorized access, maintain data accuracy and ensure the correct use of information, we maintain physical, electronic and administrative safeguards to protect the information we collect online. We have taken standard industry precautions to protect you from the loss, misuse or alteration of information you provide to us. We are committed to ensuring that all donation transactions to Breakthrough Charter School are safe and secure to the fullest extent possible.

Parents, guardians and others who obtain contact information (i.e. e-mail addresses, phone numbers, etc.) by way of their volunteering at Breakthrough Charter School or otherwise through their status as a parent/guardian of a Breakthrough Charter School student should not disclose and/or utilize that information for any non-school related purpose.



Section 2000 Board Governance

2005	Board of Directors Attendance Policy
Approval Date	01/2023
Category	School Board Governance
Governance Accountability	Board of Directors
Audience	Breakthrough Charter School Board of Directors

The Board of Directors is expected to make board meetings a priority. The bimonthly board meetings are set up one year in advance for calendar planning purposes. Board members should have an attendance of 50 percent or more from the time he/she joins the board and 12 months following. Board members can be “present” via telephone or video conferencing to make a quorum.

Board members who are not able to meet during the bimonthly board meetings and additional committee meetings are encouraged to respectfully resign from their positions; otherwise, board members who do not meet the attendance policy will be subjected to a motion and vote to be removed from the Board.

2010	Board of Directors Code of Conduct
Approval Date	01/2023
Category	School Board Governance
Governance Accountability	Board of Directors
Audience	Breakthrough Charter School Board of Directors

BCS Board Members will initial, sign, and date the Code of Conduct at the beginning of their respective term. As a member of Breakthrough Charter School Charter School Board of Directors, board members will strive to improve student achievement in public education, and to that end will:

- ___ Read the Breakthrough Charter School Charter School Bylaws, charter documents, policies and procedures; Set example for other board members;
- ___ Attend all regularly scheduled board meetings insofar as possible, having read my packet ensuring that I am informed about the issues to be considered at the meetings. I understand that the Board may declare vacant the office of any director who has failed to attend six (6) or more meetings of the Board in any calendar year or three (3) consecutive meetings;
- ___ Review monthly budget reports and undertakes any independent study needed to gain fluent understanding of how to read the school’s financials and uphold the fiduciary responsibilities of the board;
- ___ Understand that the board makes decisions as a team. Individual board members may not commit the board to any action;

- ___ Be open, fair and honest – no hidden agendas, and respect the right of other board members to have opinions and ideas which differ from mine;
- ___ Engage in cordial conduct respecting all board members' views and opinions expressed in emails or verbally during open and closed sessions;
- ___ Make all decisions based on the available facts and my independent judgment, and refuse to surrender that judgment to individuals or special interest groups;
- ___ Recognize that decisions are made by a majority vote and should be supported by all board members;
- ___ Keep abreast of important developments in educational trends, research and practices; Recognize that the board must comply with the Open Meeting Law and only has authority to make decisions at official board meetings;
- ___ Recognize that the Head of School is the board's advisor and should be present at all meetings, except when the board is considering the Head of School's evaluation, contract or salary;
- ___ Understand the chain of command and refer problems or complaints to the proper administrative office while refraining from communications that may create conditions of bias should a concern ever rise to the attention of the board as a hearings panel;
- ___ Respect the right of the public to be informed about school decisions and operations;
- ___ Understand that I will receive information that is confidential and cannot be shared;
- ___ Act as agent of the board in public after consulting with board members and getting majority vote or consensus on specific issues; that is, must speak for the board and not as an individual holding a board position;
- ___ Give staff the respect and consideration due skilled, professional employees and support the employment of those best qualified to serve as school staff, while insisting on regular and impartial evaluation of all staff;
- ___ Present constructive criticism of school operations to the Head of School, not to staff or at a board meeting; Govern and rely on school leadership to enact board directives; it is not the board's responsibility to monitor day-to-day activities, input should be based on items that affect strategic plan and charter (including board by-laws and policies);
- ___ Work as one. All agenda topics should be discussed with the entire board and voted before individual board members or other board time is used. No board member will pursue personal agendas;
- ___ Refuse to use board position for personal or family gain or prestige. I will announce any conflicts of interest before board action is taken and refrain from any discussions.
- ___ Remember always that my first and greatest concern as a board member must be the educational welfare of the students attending Breakthrough Charter School.

Signature: _____

Date: _____

2015	Board of Directors Nomination and Election, Vacancies, Removal and Replacement Policy
Approval Date	01/2023
Category	School Board Governance
Governance Accountability	Board of Directors
Audience	Breakthrough Charter School Board of Directors

As stated in Organizations By-laws:

Section 3.07: Procedures of Nomination and Election of Directors. Whenever it shall be required to nominate and elect members of the Board of Directors, the President of the Board shall appoint a Nominating Committee. This committee shall be composed of three (3) incumbent Directors. This committee shall request input from the community and parents prior to submitting its nomination(s) to the Corporation. In addition to candidates proposed by the Nominating Committee, nominations shall be taken from the floor. The names of all persons so nominated shall be submitted to the Board of Directors, which shall select the person or persons to serve as such Directors from those nominated.

Section 3.08: Vacancies. Vacancies in the Board of Directors shall be filled by a vote of the majority of the remaining Directors, even though they may constitute less than a quorum. Each person so elected and confirmed shall be a Director until the expiration of the term of office of the predecessor whose vacancy such Director was elected to fill. A vacancy that will occur at a specific later date (by reason of a resignation effective at a later date) may be filled before the vacancy occurs, but the new Director may not take office until the vacancy occurs.

Section 3.09: Removal of Directors. Any Director may be removed for good cause by a two-thirds (2/3) vote of the other Directors at any regular or special meeting at which a quorum is present. Reasons constituting good cause include, but are not limited to, nonfeasance, misfeasance or malfeasance, actions which bring discredit on the Corporation, neglect of responsibility to the Board or absenteeism from scheduled Board meetings (missing at least three (3) consecutive regular Board meetings).

Section 3.10: Resignation. Any Director may resign by giving written notice to the Board of Directors directed to the President with such resignation to be effective at the time stated in such notice.

2020	Board of Directors Public Comment at Open Meetings Policy
Approval Date	01/2023
Category	School Board Governance
Governance Accountability	Board of Directors
Audience	Breakthrough Charter School Board of Directors, General Public

The Breakthrough Charter School Board recognizes and values the importance of providing opportunities for individuals and groups to address the Board at public meetings. Unless the circumstances dictate or the Board decides otherwise, the following rules will be followed in regular and special meetings.

1. Each speaker must register to speak via email to the board chair at least 24 hours in advance of the meeting.
2. The Board will allow comments from individuals or organizations. However, if an organization desires to speak, one group spokesperson must be selected to speak on behalf of the entire organization.
3. Each speaker will be allotted a maximum of 2 minutes to address the Board.

4. Comments should be addressed to the Board Chair and the Board is under no obligation to respond to comments or questions.
5. Comments should be directly aligned with the agenda item or topic the speaker wishes to address.
6. No public comment will be allowed of any kind on items related to personnel action or disciplinary action of a staff member or student unless it is part of the protocol of a formal hearing of the Grievance Committee.
7. At no time is it appropriate for the public speaker to publically disrespect a student, staff member or member of the Board.
8. The Board Chair reserves the right to restrict the speaker's opportunity to address the Board if the speaker is disrespectful or not behaving in a professional manner.

2025	Board of Directors Representation and Speaking in Public Policy
Approval Date	01/2023
Category	School Board Governance
Governance Accountability	Board of Directors
Audience	Breakthrough Charter School Board of Directors

Board members who are asked to speak publicly may do so, provided the public speaking event does not reflect negatively on Breakthrough Charter School. If any advertisement or publicity of the engagement promotes the individual as a member of the Breakthrough Charter School's Board or promotes the board member's affiliation with Breakthrough Charter School, or the Board member intends to speak about Breakthrough Charter School, then the board member shall inform the board and seek board approval before agreeing to speak at said engagement.

A board member may speak publicly without board approval so long as he/she is not promoted as a representative of the school. The Board member may reference he/she serves on the board while he/she speaks, provided said board member does not represent him/herself speaking for the board or on behalf of Breakthrough Charter School. All board members shall use reasonable effort to make clear to the audience they do not represent the board or the school.

2030	Student and Family Grievance Policy
Approval Date	01/2023
Category	School Board Governance
Governance Accountability	Board of Directors
Audience	Breakthrough Charter School Board of Directors

The Student and Family General Dispute Resolution/Grievance Policy is an internal mechanism designed to ensure prompt and impartial consideration of concerns by students who allege a misapplication of a policy, procedure or practice of BCS. It is not designed to address complaints of illegal discrimination, sexual harassment, or retaliation related to complaints of illegal discrimination or harassment. Complaints of discrimination, sexual harassment or retaliation should be reported in accordance with BCS policy 1100.

No student will be retaliated against for raising concerns under this policy that are brought forward with a good faith belief that a problem exists. This procedure is intended to supplement, rather than discourage or replace, informal discussion between BCS employees, students and parents. Students, parents and employees should make every reasonable effort to resolve concerns prior to accessing the formal dispute resolution process. The formal dispute resolution process outlined below will only be triggered by the submission of the required record of dispute form.

Students and parents should first address concerns or complaints with the involved teacher or employee by submitting in writing their specific complaint/concern on the Record of Dispute Form (Form 2030R) and meet with the involved teacher or employee. If after that meeting the dispute has not been resolved, the student/parent may pursue their concern as set out below.

It is the responsibility of the involved teacher/employee, in consultation with the school administrator, to determine if the student/parent complaint meets the criteria contained within this policy for disputes. The student/parent may withdraw their request for dispute resolution at any time during the process. Once withdrawn, however, the request may not be reinstated. Group appeals may be allowed if the school administrator determines that consolidation of appeals is appropriate or if a group appeal would be a more efficient means of addressing the dispute.

This general dispute resolution/grievance policy and any procedures adopted thereunder do not apply to specific complaint or grievance policies and procedures that are established by Board policy or law for application to special factual or legal circumstances (e.g., disciplinary appeals (Policy 2031), grade or class assignment appeals (Policy 2032)). In such instances, the specific statutory, regulatory, or policy-based process is the applicable procedure.

Neither should these procedures be used for discussing concerns and/or receiving complaints regarding illegal harassment, discrimination or retaliation. Concerns of this nature should be reported in accordance with BCS policy 1100.

The deadlines outlined herein are intended to ensure that the process is carried out in an efficient and timely manner. Both the student/parent and BCS have an interest in a decision that is made as early as is practicable. While it is expected that these deadlines will be observed, the fact that a specified action is late shall not support a claim that the process is inadequate or defective unless the parent/student can show that the delay was unreasonable and that it has caused serious prejudice or disadvantage.

General Guidelines for Dispute Resolutions

A student/parent who believes that he/she has a dispute with BCS should complete the Record of Dispute Form (Form 2030R) . The form should be submitted to the involved teacher/employee within ten (10) work days after the student/parent becomes aware of the action or other matter which is the subject of the dispute and a copy sent to the school administrator (at each stage in the process a copy of the documentation should be sent to the school administrator). The student/parent should then schedule a meeting with the involved teacher/employee regarding the dispute.

The student/parent should clearly state on the record of dispute form what the issues are, what policies, procedures or practices they contend were misapplied and what solution is requested. The student/parent should then attach any supporting documentation to the form and submit it to the involved teacher/employee prior to the meeting. The supporting documentation will be included with the form at each step of the dispute resolution process. No additional documentation may be attached once the process begins unless agreed to both by the student/parent and the employee currently hearing the complaint.

The involved teacher/employee should respond in writing to the student/parent within ten (10) work days after the meeting. The written response should include the name of the individual at the next level to whom a final appeal may be made. If the involved teacher/employee does not provide a timely response, or if the student/parent believes the dispute has not been resolved, the student/employee may appeal to the school administrator (or if the original dispute involved the school administrator, to the Head of School).

A copy of the original Record of Dispute Form (Form 2030R), a Dispute Appeal Form (Form 2030 A-R) including the date when the student/parent met with the involved teacher/employee, and a copy of the involved teacher/employee's response must be submitted by the student/employee to the school administrator (or Head of School) on appeal. The school administrator (or Head of School) will contact the student/parent and set up a time to meet with and review any submitted documentation. Failure of the student/parent to pursue the matter to the next administrative level within ten (10) work days from receipt of the involved teacher/employee's written response shall be interpreted as an end to the dispute. The school administrator (or Head of School) will give a written response within ten (10) work days of his/her meeting with the student/parent.

There may be unusual cases where the Head of School agrees to hear the student/parent's concern if the involved employee is the Principal.

At any point in the dispute resolution process, the employee addressing the dispute may consider additional information from sources other than materials provided by the grievant.

The administrative complaint process ceases after the school administrator makes a decision, except in the unusual case where the Head of School hears the student/parent's concern. In that case, the complaint process ceases and the Head of School's decision is final.

The dispute resolution process will involve the student, parent or legal guardian, and the employee addressing the dispute. While the student/parent may obtain advice from anyone of his or her choosing before or after the meeting, the meeting itself will be closed.

Note: BCS has the right to modify stated deadlines in the general procedures when, in its sole discretion, it deems such modifications appropriate.

Student/Parent Grievances

Complaints, grievances and requests for corrective action brought by or on behalf of students with respect to any alleged violation of BCS policy, or the student's legal rights, may be brought to the attention of the Head of School only after reasonable efforts to resolve the matter at the school level has been exhausted through the Dispute Resolution Process. Administrative judgments may be set aside by the Head of School only upon a showing that the acts or decision in question violates BCS policy or the student's legal

rights. Complaints or grievances concerning academic or disciplinary matters must be addressed in the manner set forth in those specific policies (2031 and 2032).

In order to bring the administrative complaint to the attention of the Head of School, the student/parent/guardian will need to submit a written letter to the Head of School that includes the reason for submitting along with a copy of the written response received from the school administrator. In addition, the student/parent/guardian will need to submit a copy of the original Record of Dispute Form (Form 2030R), the original Dispute Appeal Form (Form 2030 A-R) including the date when the student/parent met with the involved teacher/employee, and a copy of the involved teacher/employee's response. The Head of School will give a written response within ten (10) work days of his/her meeting with the student/parent.

There may be unusual cases where the Board Grievance Committee agrees to hear the student/parent's concern if the involved employee is the Head of School.

The administrative complaint process ceases after the Head of School makes a decision, except in the unusual case where the Board Grievance Committee hears the student/parent's concern. In that case, the complaint process ceases and the Board Grievance Committee's decision is final.

The grievance process will involve the student, parent or legal guardian, and the employee addressing the dispute. While the student/parent may obtain advice from anyone of his or her choosing before or after the meeting, the meeting itself will be closed.

Form 2030-R: Student and Parent Record of Dispute Form

Please complete this form and submit it to the involved teacher/employee and send a copy to school administration.

Name: _____

Grade Level: _____

Date of Incident/Issue Being Reported: _____

Date Form 2030-R Submitted: _____

Name of School Employee Whose Action/Decision is at Issue: _____

1. Did you attempt to solve the issue informally? Yes ___ No ___

Comments (attach additional pages if necessary):

2. Specific law, board of directors policy, or administrative regulation that you contend was misapplied, misinterpreted, or violated (if applicable):

3. Specific action desired to resolve issue (attach additional pages if necessary):

Parent/Student Signature: _____

Date Received: _____

Received by: _____

2032	Academic Appeals Policy
Approval Date	01/2023
Category	School Board Governance
Governance Accountability	Board of Directors, Leadership Team
Audience	Board of Directors, Employees , Students, Families, Volunteers

Parents wishing to appeal any of the following two areas may do so by submitting supporting information in writing, to the school administration:

1. A teacher’s decision relative to a final grade for a course/subject;
2. Placement by the Principal in a specific course (i.e., accelerated or advanced level English)

The written notice of appeal letter and supporting information must be received within five (5) school days after the receipt of the report card or course placement.

The Principall will investigate and notify the parents, within seven (7) school days of receipt of the appeal, of his/her decision.

If the appeal is not resolved at the Principal level, the parent may notify the Head of School in writing within five (5) school days of receiving the school administrator’s decision. The Principal will forward all information considered in the decision to the Head of School.

The Head of School will review all supporting evidence and make a final decision. The parent will have the opportunity to submit their position in writing, along with all supporting evidence, to the Head of School. The Head of School may request a conference with the parents and/or student. The decision with reference to the appeal will be communicated to the parents and the school administrator by the Head of School in writing. The decision of the Head of School is final and cannot be appealed.

2040	Ethical Compliance Policy
Approval Date	
Category	School Board Governance
Governance Accountability	Board of Directors, Leadership Team
Audience	Employees

Breakthrough Charter School follows and enforces all federal, state and local laws applicable to it and to require its employees to do likewise. Moreover, employees are also specifically expected and required to adhere to all policies and requirements adopted by the Board of Directors. Every employee has personal responsibility to assist in implementing these expectations. Suspected violations of these requirements

will be investigated promptly and will be treated in a fair and impartial manner. Moreover, employees are expected to promptly report concerns or potential violations of any Breakthrough Charter School policy or procedure, or any applicable law, rule or regulation as soon as it is discovered internally to their immediate supervisor, Head of School or the Board Chairperson, if and as applicable, so that Breakthrough Charter School has an opportunity to conduct its own independent review and take appropriate steps to address the same, where and as applicable. Concerns or violations related to the Board Chairperson may also be reported to any other Board Officer. An “immediate supervisor” is required to report a complaint to the Head of School or a Board Officer if the complaint relates to the Board Chairperson.

All such reports will be treated confidentially to the extent possible under the circumstances and in accordance with the legal obligations of Breakthrough Charter School. Any retaliation or threat of retaliation against any employee for reporting in good faith a violation or suspected violation is itself a violation of this policy, may be a violation of the law, and will result in corrective action, up to and including termination of employment. This is the case even in such instances when, after investigation, it has been determined there has not been an actual legal or other violation.

Administrators and/or staff who disregard or fail to report allegations of harassment that have been reported to them by the person who is the subject of the harassment are in violation of this policy and subject to disciplinary action.

Alternative Reporting Options

An employee may bypass the direct chain of command when expressing any issue of concern regarding alleged discrimination or harassment if his/her concern involves their immediate supervisor. In those circumstances, the employee may seek out another supervisory level employee, such as their Head of School or any other, to share his/her concern.

Investigative Process

All reports made or received under this policy will be reviewed and/or investigated as deemed appropriate by Breakthrough Charter School, and appropriate action taken to address the matter. During the investigative process, information should be shared only on a need to know basis so as to be sensitive to the privacy concerns of all employees involved.

All complainants and all persons accused of any violation of this policy shall fully cooperate with any investigation, including supplying written statements if requested.

In addition, all other persons associated with Breakthrough Charter School shall cooperate fully in any investigation under this policy.

False Accusations and Information

Breakthrough Charter School recognizes that false accusations under this policy and the providing of false information in an investigation can have a serious effect on innocent persons. Thus, while Breakthrough Charter School encourages the reporting of unwelcome conduct perceived to be a violation of this policy, if Breakthrough Charter School determines that a person has intentionally provided false information in making a complaint or in an investigation under this policy, Breakthrough Charter School will take appropriate disciplinary action, up to and including termination.

Protection Against Retaliation

Breakthrough Charter School prohibits retaliation against any individual who makes a complaint in good faith under this policy or against any individual who participates in good faith in an investigation under this policy. Retaliation is itself a violation of this policy and should be reported in the same manner as a complaint of discrimination or harassment. Any attempt to coerce, intimidate or retaliate against anyone who in good faith complains of a violation of this policy or who in good faith participates in an investigation under this policy will not be tolerated. If Breakthrough Charter School determines that such retaliation has occurred, Breakthrough Charter School will take appropriate disciplinary action, up to and including termination.

2045	Board of Directors & Employee Travel & Expense Reimbursement Policy
Approval Date	01/2023
Category	Fiscal Management
Governance Accountability	Board of Directors
Audience	Board of Directors, Employees

Breakthrough Charter School Board members and employees will be reimbursed for reasonable travel and subsistence expenses incurred in connection with official BCS business. The Breakthrough Charter School Board of Directors shall authorize the Head of School to establish procedures for reimbursement of expenses incurred by personnel while on official BCS business. All employee travel must be related to position and duties and have prior approval of the Head of School. Travel costs are the expenses for transportation, lodging, subsistence, and related items incurred by BCS employees who are in travel status on official business of BCS. Reimbursement will be in accordance with approved state rates and such expenses incurred for lodging, meals, registration, plane or other commercial carrier fares, parking and miscellaneous expenses, will be paid in line with guidelines provided by the Chief School Financial Officer and the Alabama State Department of Education. Credit card receipts need to indicate service, e.g., food, room, etc. Under no circumstances shall any employee of BCS claim payment or be paid from another source for daily attendance at an event while on the payroll of BCS. In addition, no employee shall in any way claim reimbursement or be paid for travel from more than one source, if such is a duplication. The Board of Directors recommends that travelers car pool if attending the same event.

2050	Board of Directors Policy Adoption, Dissemination and Suspension
Approval Date	
Category	Board Governance
Governance Accountability	Board of Directors
Audience	Board of Directors, Employees

Policy Adoption: The Breakthrough Charter School Board of Directors shall formulate policies by which its schools shall be managed.

No BCS Board policy shall be construed to create or confer any contractual right, property right, entitlement of, expectancy of, or other legal cognizable interest in employment or continuing employment. Nothing in any policy shall be construed to create or grant employment rights greater than or in addition to those expressed in law or written contract.

Before adopting written policies, the board (or sub-committee of the board) shall directly or indirectly through the Head of School, consult with applicable professional organizations, consultants, professional assistants, school administrators, employees and interested citizens. All policies shall be made available to all persons affected and employed by Breakthrough Charter School.

Policy Dissemination: Board policies and administrative rules and regulations shall also be made accessible to all members of the Breakthrough Charter School Board of Directors, students and members of the community served by the school system. Board policies shall be available to employees, parents, students, and the public on the school system website.

Any amendments to the policies, rules and regulations of the Breakthrough Charter School Board of Directors shall be furnished to the affected persons employed by the board. The Breakthrough Charter School Board of Directors is aware that a preliminary requirement for demanding certain standards of performance is adequate notification of such requirements. The board is also aware that the responsibility of familiarization with specific aspects of policies rests with the employee following fair and reasonable attempts by administrative personnel to provide such information.

Policy Suspension: All policies established at any time by the Breakthrough Charter School Board of Directors are implemented with the expectation that they will apply under routine circumstances. No policy is intended to restrict the board's general authority to exercise all powers necessary and proper for the administration and management of the schools. Therefore, whenever in the board's opinion it would be in the best interest of the system to suspend one or more policies, the board may acknowledge that fact, suspend the application of the policies, and take whatever action it deems appropriate. Any such action taken by the board under this policy shall not be a violation of any suspended policy, provided the minutes of the board reflect the board's determination that the best interest of the system justified the suspension of the policy.

Administration in the Absence of Policy: The board authorizes the Head of School to take reasonable and prudent action when the board has provided no guidelines for administrative action. The Head of School shall have the power to act unless the power to take such action is invested solely in the board by law.

Reference(s): Code of Alabama 16-12-5, 16-11-9, 16-11-2, Alabama Administrative Code §290-3-1-.02

2055	Board and Head of School Relations
Approval Date	01/2023
Category	Board Governance
Governance Accountability	Board of Directors
Audience	Board of Directors, Employees

The operation of a public school system is a complex undertaking. Important to success is the quality of relationship that exists between the board and the Head of School and his/her staff. In some cases, the duties and prerogatives of each can be clearly defined; while in others, functions necessarily overlap.

Often complicated questions that cannot be anticipated will arise; confidence, understanding, and patience are essential to teamwork. Advance knowledge that certain codes of conduct and principles will be observed by the Head of School and board members promotes confidence, trust, and provides for understanding and cooperation.

The Breakthrough Charter School Board of Director considers the formulation and adoption of policies as its most important function. The execution and implementation of adopted policies shall be the function of the Head of School.

Delegation by the board of its executive powers to the Head of School provides freedom for the Head of School to manage the schools within the board’s policies and frees the board to devote its time to policy-making and judicial and evaluative functions.

The board shall hold the Head of School responsible for carrying out its policies within established guidelines and for keeping the board informed about school operations. In an effort to keep the board informed, the Head of School shall promptly notify Board members of any happenings of an emergency nature that occur in the schools.

Reference(s): Code of Alabama 16-1-30, 16-11-9

2205	Document and Record Retention and Disposal Policy
Approval Date	01/2023
Category	Documents
Governance Accountability	Board of Directors
Audience	Board of Directors

Breakthrough Charter School maintains all records (including but not limited to personnel, budget and fiscal, legal and student records) per the State guidelines established for Local Educational Agencies. The Breakthrough Charter School Board of Directors shall establish and maintain a system for the retention and destruction of school records consistent with legal requirements to minimize record storage requirements and permit the Head of School to administer the affairs of the Breakthrough Charter School more efficiently.

After complying with the provisions of laws and rules, the Head of School is authorized at his/her discretion to destroy general correspondence and other records, papers, and documents, provided such records do not serve as an agreement or understanding or have value as permanent records. This policy applies to all final versions of electronic documents written or used by or on behalf of the Breakthrough Charter School Board of Directors.

2210	Distribution of Unofficial Printed Materials
Approval Date	01/2023
Category	General School Administration
Governance Accountability	Leadership Team
Audience	Students, Families

Print materials not pertaining to official Breakthrough Charter School business will not be distributed to students, employees or families without the permission of the Principal or the Head of Schools.

2215	Access to Student Information Policy
Approval Date	01/2023
Category	Documents
Governance Accountability	Leadership Team
Audience	Families

Breakthrough Charter School Board of Directors rules and procedures for maintaining student records shall be consistent with Alabama statutes, State Board of Education rules, and federal laws relating to Family Educational Rights and Privacy Act and Privacy Rights of Parents and Students. The Head of School shall be responsible for interpreting this rule and the school administrator shall be responsible for controlling and supervising student records, following all rules on student's records, and communicating rules on student records to school staff, students and the community. Data shall be protected from unauthorized use at all times.

<http://www.ed.gov/policy/gen/guid/fpco/ferpa/index.html>

Reference(s): Code of Alabama 16-11-9, Family Educational Rights and Privacy Act of 1974

2220	Family Information Privacy Policy
Approval Date	01/2023
Category	School-Community-Home Relations
Governance Accountability	Leadership Team
Audience	Employees, Families, Volunteers

Breakthrough Charter School is committed to honoring the privacy of its supporters and families at all times. We will not sell, trade, or share personal information with anyone else, nor will we send mailings on behalf of other organizations; exceptions: Breakthrough Charter School related 501(c)3 organizations.

Breakthrough Charter School collects and maintains personal information that is specifically and knowingly provided to us by individuals or their companies. We will only share personally identifiable information with a third party if (i) we are required to by law (ii) it is necessary for completing an authorized operation, for instance to process a credit card transaction, or (iii) if the person submitting the information asks that it be shared. Our web server automatically recognizes each visitor's domain name, but does not automatically collect personally identifiable information. We do not take responsibility for the contents or privacy practices of any web site other than our own. To prevent unauthorized access, maintain data accuracy and ensure the correct use of information, we maintain physical, electronic and administrative safeguards to protect the information we collect online. We take standard industry precautions to protect our members from the loss, misuse or alteration of information provided to us.



Section 3000
General School Administration

3005	Attendance Policy
Approval Date	01/2023
Category	General School Administration
Governance Accountability	Leadership Team
Audience	Students, Families

It is the belief of Breakthrough Charter School that regular school attendance is important to all students and to BCS. One of the most important things a parent or guardian can do for their child is to ensure that they are in school and on time every day. Attendance in school is key to their learning, success in school, and ultimately success in life.

Breakthrough Charter School students are expected to attend school daily. Learning opportunities are missed when students are absent from school, and cannot be replaced through make up work. In accordance with State policy, absences from school will be excused for the following reasons:

- Illness/injury
- Medical or Dental appointments
- Legal Quarantine
- Death of an immediate family member (parents, grandparents, siblings)
- Emergency conditions as determined by the school administrator including inclement weather which would be dangerous to the life and health of the child
- Court or Administrative Proceedings
- Religious Observance
- Pre-approved Educational Opportunity
- Other Administrative Approval-requires prior permission of the school administrator upon request of the parent or guardian

BCS will make every effort to promote regular attendance to students and solicit assistance from parents and guardians in accomplishing this objective. An absence is defined as non-attendance in a regularly scheduled class or activity regardless of reason for such non-attendance.

Unexcused Absences. Absences that do not fall under one of the “excused absence” categories are deemed unexcused. Absences are considered unexcused until the homeroom teacher or the office receives documentation from the parent or guardian within three (3) days of the student’s return certifying the need for the student’s absence. Notes must include dates absent, reason for absence and parent/guardian signature. A physician must certify all health related absences of three (3) or more consecutive days in duration. Absences will be deemed unexcused if the student fails to secure prior approval from the school administrator for administrative approved absences or out of town educational trips. Also, once a student has accumulated ten (10) parent excuse notes, all further absences will be deemed unexcused if the student fails to provide a medical/clinical excuse from a physician as documentation.

Excessive Absenteeism: Excessive Absenteeism is a barrier to student success and will not be tolerated at BCS will make every effort to identify students with chronic attendance issues, and will work with families to create plans to address those issues.

- 5 Total Absences Per Year: Written Notification will be provided by the school to the parent/guardian indicating an excessive number of absences once the student reaches the 5th total absence (excused and unexcused) in an effort to correct the absence behavior and consequences of continued excessive absences.
- 10 Total Absences Per Year: At the 10th total absence (excused and unexcused combined), the student is subject to loss of credit, if applicable, and the parent/guardian will be required to attend BCS Attendance Court to discuss the absence behavior and methods for remediating the behavior. For a student taking high school credit bearing courses, any student absent twelve or more days during a semester shall be subject to loss of credit for the semester's work. A student who has been retained or who has lost credit(s) because of noncompliance with attendance policies shall receive a notation of Noncompliance Attendance (NCA) on his or her report card and cumulative record for that semester or year. The school administrator shall make the determination of retention or loss of credit due to noncompliance with attendance policies (NCA). In such cases, a parent or guardian and/or student may request a hearing with the school administrator and Head of School to appeal such loss of credit or retention. Credit which is lost because of absences will be made up in the same manner as academic failures.
- 15 Total Absences Per Year: At the 15th total absence (excused and unexcused combined), the parent/guardian will be required to meet with the school administrator to discuss the absence behavior, consequences and methods for remediating the behavior. Also, students with 15 total absences are subject to retention (unable to proceed to the next grade level), and subject to failure of the grade level or course. A student who has been retained or who has failed because of noncompliance with attendance policies shall receive a notation of Noncompliance Attendance (NCA) on his report card and cumulative record for that semester or year. The school administrator shall make the determination of retention or failure due to noncompliance with attendance policies (NCA). In such cases, a parent or guardian and/or student may request a hearing with the school administrator and Head of School to appeal such loss of credit or retention. This request must be in writing, dated and signed, within five days of the notification of retention or failure. Failure of parent or guardian and/or student to request a hearing shall be sufficient basis for sustaining the loss of credit or retention. Credit which is lost because of absences will be made up in the same manner as academic failures.
- 18 Unexcused Absences Per Year: BCS reserves the right to unenroll a student who reached 18 unexcused absences per year. Students who are unenrolled from BCS are not eligible to return during the current school year in which they are enrolled or for a probationary period of one school year following. If an unenrolled student wishes to return to BCS after the probationary period, they will be required to reapply for enrollment through the BCS student enrollment lottery.

Absence Threshold (per year)	BCS Intervention
5 total absences (excused and unexcused)	Written Communication
10 total absences (excused and unexcused)	Attendance Meeting with Counselor
15 total absences (excused and unexcused)	Attendance Meeting with Administration and Subject to Loss of Credit
18 unexcused absences	Unenrollment from the school

School Related Activities

The following school related activities will not be counted as absences from either class or school:

- Breakthrough Charter School curricular activities
- Breakthrough Charter School curricular field trips and competitions sponsored by the school
- Administration-approved extra-curricular activities requiring early dismissal from school

Students will complete assignments missed for these reasons. Each individual teacher will determine when work will be made up. The student is responsible for finding out which assignments were missed and completing them within the specified time period.

Tardiness and Check-Outs

Being late to school or checking out of school is excused or unexcused for the same reasons as absences. A student is considered tardy if he/she is not in class when the tardy bell rings and/or the time as indicated on the class schedule list has been reached. Students are expected to arrive at school on time and must report to the office for an “admit to class” pass if tardy. Habitual tardiness greatly affects a child’s progress in school. Leaving early due to illness or to go to medical appointments will be excused. Students who exhibit excessive unexcused tardiness (5 or more per semester) and/or excessive unexcused check-outs (10 or more per semester) will receive appropriate disciplinary actions according to BCS Policy 1015, Student Code of Conduct.

Partial Attendance

Students must be in attendance for at least one half of the day in order to be counted present for the day. One half day is equivalent to 11:30am. Late arrivals must be present 3.5 hours of the school day to be counted as present

Make-up Work for Absences

Students are responsible for, and are permitted to make up all work missed during absences. All work must be made up within five (5) school days following the student’s return to school, unless the teacher or an administrator determines that extenuating circumstances might support an extension of time. The student is responsible for finding out which assignments, quizzes, or exams were missed and completing them within the specified time period.

3010	Student Campus Arrival and Dismissal Policy
Approval Date	01/2023
Category	General School Administration
Governance Accountability	Leadership Team
Audience	Students, Families

Any parent/guardian wishing for students to arrive and leave the BCS campus on foot (walking) will need to sign a waiver (a new waiver at the start of each academic school year) indemnifying Breakthrough Charter School of any action that occurs off-campus. Students will arrive and dismiss via carpools, Breakthrough Charter School issued bus or pre-arranged public transportation from the Breakthrough Charter School campus.

3015	Inclement Weather Policy
Approval Date	01/2023
Category	General School Administration
Governance Accountability	Leadership Team
Audience	Students, Families, Employees

Breakthrough Charter School’s Head of School will make the decision to return to school independent of neighboring school systems concerning inclement weather. If a parent or legal guardian thinks the road conditions are not suitable for safe travel, they should not send their child to school.

For athletic events, practices and other extracurricular events, Breakthrough Charter School creates and maintains action plans to clearly prepare administrators, coaches, players, athletic trainers and spectators, for various emergency plans. If you wish to see a copy of these plans, please contact the Athletic Director or Head of School.

3020	Enrollment Policy
Approval Date	
Category	General School Administration
Governance Accountability	Leadership Team
Audience	Students, Families

Resident Students:

Breakthrough Charter School is an open enrollment, public charter school. Any student who resides in the state of Alabama and is eligible for attendance in public schools in Alabama is eligible to attend Breakthrough Charter School.

BCS will not limit admission based on ethnicity, national origin, religion, gender, income level, disability, proficiency in the English language, or academic or athletic ability. BCS may limit admission to students within a given age group that reflects the grades offered at BCS in a given year.

Enrollment Priority:

When BCS has open and available seats, enrollment priority will be given to:

- Perry County, Alabama residents
- Students enrolled in Breakthrough Charter School the previous year (for future years)
- Siblings of students already enrolled or who have already been offered a spot in another grade in Breakthrough Charter School
- Children of BCS Board of Directors and BCS full-time employees (limiting preference of Board and Employee children to no more than 10% of the BCS student population)

If the number of applicants exceeds seat capacity at Breakthrough Charter School, a lottery will be held according to BCS Policy 3025_Lottery Policy. After registrations have been finalized and as long as there is seat capacity remaining, BCS will continue to enroll all students who wish to attend the school throughout the Open Enrollment period.

Transfer Students: After the Open Enrollment period closes each school year, BCS will accept enrollment ONLY from students making a bona fide move into Perry County, Alabama, as long as there is available capacity within the grade level. Students moving into Perry County will be required to provide proof of residency, unless considered a homeless student.

Denial of Admission:

Breakthrough Charter School enrolls students pursuant to Act 2015-3. In addition to the requirements for admission set forth in this policy, the following may be grounds for denial of admission:

1. Notwithstanding any law to the contrary, Breakthrough Charter School may refuse admissions to any student who has been expelled or suspended from a school. Long-term suspensions and expulsions from other school districts will be honored by Breakthrough Charter School. A student must be in good standing at their current, previous or assigned school to be admitted to Breakthrough Charter School. Students currently serving an expulsion, long-term suspension, or subject to a disciplinary hearing shall not be admitted to BCS.
2. Behavior in another school district that is detrimental to the welfare or safety of other pupils or of school personnel.

The school administrator, after consultation with the Head of School, may recommend that a student be denied admission on the grounds stated above. The Board of Directors has the authority to deny admission of a resident student or may delegate that authority to the Head of School. A resident student who is denied admission shall be entitled to a hearing regarding the denial of admission. The procedures for such denial of admission shall be the same as those for expulsion.

Legal Reference (s): Act 2015-3

3021	Homeless, Migratory, Immigrant, Foster Care and ELL Enrollment/Education
Approval Date	01/2023
Category	General School Administration
Governance Accountability	Leadership Team
Audience	Students, Families, Employees

Admission

Pursuant to the requirements of the Every Student Succeeds Act (ESSA) and the McKinney-Vento Homeless Education Act, all homeless, migratory, immigrant, foster care, and limited English proficient students who reside in the state of Alabama will have access to the education and services needed to ensure that an opportunity is available to meet the same academic achievement standards to which all students are held. The enrollment of homeless, migrant, immigrant, foster care and limited English proficient students shall not be denied or delayed due to any of the following barriers:

- Lack of birth certificate
- Lack of social security number
- Lack of school records or transcripts
- Lack of immunization or health records
- Lack of proof of residency
- Lack of transportation
- Guardianship or custody requirements
- Language Barriers
- Disabilities

BCS may limit admission to students within a given age group that reflects the grades offered at BCS in a given year. Should BCS be at capacity due to the enrollment cap approved by the Alabama Public Charter School Commission, BCS would not be required to enroll homeless, migratory, immigrant, foster care or limited English proficient students. If at enrollment capacity, BCS would assist the parents/guardians or unaccompanied youth with finding another school in the local attendance area where the family or unaccompanied youth is staying. BCS has an enrollment deadline per policy 3020 Enrollment Policy; however, BCS would provide equal opportunity for homeless students to attend should families experiencing homelessness and high mobility if they are not in the area when the deadline or lottery occurs. BCS would extend the application deadline for identified homeless students if it were missed because the student, parent, or guardian experiencing homelessness were not aware of the enrollment deadline, if there are still enrollment slots available or if the lottery has not already occurred. If the lottery has occurred and there are no enrollment seats available, the homeless student would be placed first on the waitlist for the current grade level. BCS will provide transportation to and from the homeless student's school of origin at the request of the parent, guardian, or in the case of an unaccompanied student, BCS' liaison for homeless students. For enrolled students in foster care, BCS will collaborate with the State or Perry County Department of Human Resources (PCDHR) to ensure that transportation for children in foster care is provided, arranged, and funded.

Removal of Barriers

BCS will ensure homeless, migratory, immigrant, foster care, and limited English proficient students are not stigmatized nor segregated on the basis of their individual status and that there are no barriers within the school system either in the form of school board policies, procedures or practices that would inhibit these student's participation in all phases of the school program.

Dispute Resolution

BCS acknowledges the rights of homeless children and youth under ESSA. Students wishing to enroll at the school level as homeless students must satisfy general indicators of homelessness, and if an enrollment seat is available, will be immediately enrolled in BCS' district homeless liaison will verify homelessness status. If a dispute arises over any issue covered in this policy for homeless children and youth, the child or youth in transition will be admitted immediately to the school in which enrollment is sought, if an enrollment seat is available, pending final resolution of the dispute. The homeless student will also have the rights of a student in transition to all appropriate educational services, transportation, free meals, and Title I, Part A, services while the dispute is pending. BCS will provide the parent or unaccompanied youth with a written explanation of its decision and the right to appeal and will refer the parent or youth to the local liaison immediately. The local liaison will ensure that the student is enrolled, if an enrollment seat is available, and receiving other services to which he or she is entitled and will resolve the dispute as expeditiously as possible. The parent or unaccompanied youth will be given every opportunity to participate meaningfully in the resolution of the dispute. The local liaison will keep records

of all disputes in order to determine whether particular issues are delaying or denying the enrollment of children and youth in transition repeatedly.

The following procedures are established for resolving disputes regarding eligibility status and placement decisions of homeless children and youth:

- A. If a dispute arises regarding the denial of the homeless status, the parent/guardian or unaccompanied youth must be informed of the right to challenge the decision through the following levels:
 - The Homeless Education Liaison (School Counselor)
 - The Head of School/Superintendent
 - The BCS Board of Directors
 - The Alabama State Department of Education
- B. If a dispute arises over the school placement of a child or youth clearly meeting the definition of homeless under the ESSA/McKinney-Vento provisions, the following dispute resolution procedure is in effect:
 - Parents/guardians or unaccompanied youth are to be advised through the school-level contact person, the homeless education liaison:
 - a. To challenge the placement decision orally or in writing, and
 - b. To be advised of the dispute resolution procedure.
 - Following a written or verbal notification of a desire to enter into a challenge of the placement decision by the parent/guardian, or unaccompanied youth, the formal dispute resolution process may then be initiated by the Homeless Education Liaison. During the dispute resolution process the student shall remain enrolled. (The term “enroll” includes attending classes and participating fully in school activities.)
 - The placement decision will be made by the Homeless Education Liaison in writing and shall include an explanation of the placement decision. The communication will be provided within five (5) to ten (10) working days to the parent/guardian or unaccompanied youth. If needed, the communication shall be presented orally, in a language that the parent/guardian or unaccompanied youth can understand. A copy of the appeal rights will be provided to the parent/guardian or unaccompanied youth.
 - Parents/guardian or unaccompanied youth may further appeal the decision to the Superintendent of BCS and the Board of Directors verbally or in writing. The placement will be made, presented in writing, and shall include an explanation of the placement decision. This communication will be provided within ten (10) working days to the parent /guardian or unaccompanied youth, the Homeless Education Liaison.
 - If the dispute has not be satisfactorily resolved at the district level,
 - parents/guardians or unaccompanied youth should be informed of the right to appeal the decision to the Homeless Education Coordinator at the Alabama State Department of Education. Complaints to the Alabama State Department of Education shall be in writing and signed by the parent/guardian or unaccompanied student and mailed and or delivered to:

State Homeless Coordinator
Alabama State Department of Education 5348 Gordon Persons Building 50 North Ripley Street
Montgomery, AL 36104-2101

The State Homeless Coordinator will inform the involved school district of the complaint. The Coordinator will gather needed information and statements of the parties involved and may conduct an independent investigation through an on-site visit if necessary. The State Homeless Coordinator, in consultation with other state officials, will tender a written decision and inform the interested parties within ten (10) business days of receipt of the appeal.

References: McKinney-Vento Homeless Education Assistance Act of 2001; Every Student Succeeds Act of 2015

3021	Lottery Policy
Approval Date	01/2023
Category	General School Administration
Governance Accountability	Board of Directors, Leadership Team
Audience	Families

If more students apply than there are seats available at the specified grade level at Breakthrough Charter School, the school will hold a lottery each spring pursuant to the school's Alabama Public Charter School Commission approved public charter school contract.

If any information on a lottery application is falsified, even if the false information is found during the school year after the student has started classes at Breakthrough Charter School, the applicant's name will be taken out of the Breakthrough Charter School lottery, or removed from the wait list, or the student will be denied acceptance and will not be permitted to attend Breakthrough Charter School at the time the information is found to be not accurate. This applies to information such as a student's current grade level and date of birth.

3105	Student Safety Policy
Approval Date	01/2023
Category	General School Administration
Governance Accountability	Board of Directors, Leadership Team, Employees
Audience	Families, Students, Volunteers

Safe schools are critical to creating a learning environment where students can succeed. Staff and students share in the responsibility to take reasonable precautions and safety measures to create and maintain safe schools. The following safety measures will be taken by BCS.

Supervision of Students

Students will be reasonably supervised during school hours, including while in class, between classes, on the playground and during recess or lunch periods. Proper supervision will be provided and reasonable precautions taken during authorized school field trips. Reasonable precautions will be taken to assure the safety of students on school grounds and on buses, before, during and after school.

Supervision of Visitors

School administrators will enforce the Visitor Policy.

Care of School Buildings and Grounds

The school administrator or designee will inspect or cause to be inspected school buildings, playgrounds, equipment and buses for health, fire and safety hazards on a regular basis and as required by law.

Any staff member who observes any potential hazards will immediately notify the school administrator. The school administrator will notify the Head of School immediately of repairs needed in order to meet safety standards. Proper signs indicating potential danger will be posted as needed and required by law.

Establishing a Process to Address Potential Safety Concerns

- A. School Safety and Discipline Concerns- BCS will follow the safety and discipline guidelines as set forth in the Family Guidebook and Crisis Management Plan.
- B. School Rules- Rules will be established school-wide and in each classroom and athletic program to help prevent accidents in buildings, on school grounds or on the playgrounds.
- C. Training for Staff and Students- Staff training will include instruction on how to respond to a variety of emergency situations. As a part of instruction, school personnel will teach and review safety procedures and precautions for handling chemicals or potentially dangerous equipment. School employees shall provide students with safety equipment as required by law. BCS will practice emergency drills on a regular basis and as required by law.
- D. Reporting Suspicious Behavior- Students should notify any staff member of any acts of violence, harassment or bullying or any other unusual or suspicious behavior that may endanger safety. Staff must report immediately to the school administrator any student’s information or their own observation of such behavior. The school administrator is required to investigate and act upon reports of such behavior, including, when appropriate, reporting criminal activities to law enforcement, the State Board of Education and the Head of School.
- E. Student Behavior Standards- Student behavior standards are expected to be met and consequences for misbehavior provided in accordance with BCS policies.
- F. Crisis Management- The Breakthrough Charter School administration, instructional and support staff will follow all procedures in the BCS Crisis Management Plan for any crisis situations.

3110	Video Monitoring & Surveillance Cameras Policy
Approval Date	01/2023
Category	General School Administration
Governance Accountability	Board of Directors, Leadership Team
Audience	Employees, Families, Students, Volunteers

Breakthrough Charter School buildings and grounds will be equipped with video monitoring devices, but such devices will not be placed where there are reasonable expectations of personal privacy such as in locker rooms, changing rooms, nursing and health room areas, or bathrooms.

Only individuals authorized by the Breakthrough Charter School and Marion Police or Perry County Sheriff's Department shall have access to video monitors or be permitted to operate the controls. The school's administration and sponsor will take appropriate steps to maintain secure access to the video equipment.

Use of Video Recordings

A video recording of actions by students may be used by administrators or the Board as evidence in any disciplinary action brought against students arising out of the student's conduct on or about school property.

The video surveillance recordings may not be used in connection with instructional observations of professional staff. This policy does not prohibit the administration from establishing other methods of videotaping lessons for the purpose of instructional observation.

- Video surveillance recordings of students, staff, and/or others may be reviewed for the purpose of determining adherence to school policy and rules. Such recordings may be used to detect or deter criminal offenses that occur in view of the camera(s) and may be shared with law enforcement officials.
- Video surveillance recordings may be released to others only in accordance with applicable state and/or federal law or regulation.

3115	Visitor Policy
Approval Date	01/2023
Category	General School Administration
Governance Accountability	Board of Directors, Leadership Team
Audience	Employees, Families, Students, Volunteers

Breakthrough Charter School encourages the community and parents to be involved in and support the schools and the educational program. To encourage involvement, the following opportunities are provided to visit the schools: visitors are welcome at the schools to observe and learn about the educational programs and attend public events, such as athletic events, musical programs, and dramatic productions.

While visitors are welcome, the paramount concern of BCS is to provide a safe, orderly and inviting learning environment in which disruptions to instructional time are minimized. The Head of Schools and school administrator may establish and enforce reasonable rules to address this concern. In addition, the following requirements apply:

- All school visitors (including maintenance personnel) must report immediately to the administrative office at the school for permission to be in the school and receive a visitor's badge. The school administrator is responsible for ensuring that signs are posted in the school to notify visitors of this requirement.

- Any personnel who see an individual in a school who has not received permission must either direct the individual to the administrative office or notify the school administrator, depending on circumstances.
- Students should notify any staff member of any unusual or suspicious behavior that may endanger safety. Staff must report immediately to the school administrator any student's information or their own observation of such behavior.
- Any individual who disrupts the educational environment, acts in a disorderly manner, damages school property or violates board policy or law, may be requested to leave. Such individuals also may be prosecuted and may be prohibited from attending any other events sponsored by Breakthrough Charter School for the remainder of the year.

3116	Adult Sex Offenders on School Property
Approval Date	01/2023
Category	General School Administration
Governance Accountability	Board of Directors, Leadership Team, Employees
Audience	Students

Alabama law allows adult sex offenders who have been convicted of a sex offense involving a minor to be present on school premises when such offenders have a legitimate purpose for being there. However, law also requires such offenders to follow certain procedures in order to be allowed to be present. The Breakthrough Charter School Board of Directors adopts this policy in keeping with Alabama law and the safety and security of the school environment.

- A. No adult sex offender, after having been convicted of a sex offense involving a minor, shall loiter on or within 500 feet of the property line of any Breakthrough Charter Schools property on which there is a school, childcare facility, playground, park, athletic field or facility, school bus stop, or any other having a school administrator purpose of caring for, educating, or entertaining minors.
- B. To loiter means to enter or remain on property while having no legitimate purpose or, if a legitimate purpose exists, remaining on that property beyond the time necessary to fulfill that purpose. An adult sex offender does not violate unless he or she has first been asked to leave a prohibited location by a person authorized to exclude the adult sex offender from the premises.
- C. An authorized person includes, but is not limited to, any law enforcement officer, security officer, school administrator, teacher, school bus driver, coach, or any person designated with that authority by school officials. The Breakthrough Charter School Board of Directors authorizes any and all employees, when acting in good faith, to ask an adult sex offender to leave school property when reasonably judged to be loitering.
- D. Recognizing that Alabama law provides both for sex offenders to be on school property for legitimate purposes and puts certain legal requirements on sex offenders who wish to do so, the Board of Directors adopts the following procedures. These procedures must be followed whenever school is in session, or when any K-12 school activity is occurring. For the purpose of this policy, "offender" refers to adult sex offenders who have been convicted of a sex offense involving a minor.

1. The offender must notify the school administrator or designee 48 hours before entering onto school property or attending the K-12 school activity. The offender must identify himself or herself as a sex offender convicted of an offense against a minor. When less than 48 hours notice is provided, the request will be reviewed by school administrators prior to approval of the visit.
2. The offender must immediately report to the school administrator or designee upon entering school property or arriving at the K-12 school activity.
3. The offender must comply with procedures established by the school to monitor the whereabouts of the sex offender for the duration of his or her presence on the school property or attendance at the K-12 school activity.
4. Procedures established to effectuate monitoring the offender while on school property or in attendance at the K-12 school activity must be limited to discrete monitoring of the offender.
5. Any person who is in violation of any aspect of this policy is understood by the Board of Directors to be in violation of the law. Employees authorized to do so by the Board of Directors will, when possible, provide notice to the offender that he or she is loitering or is otherwise not in compliance with procedures and must leave. If the offender does not leave, school authorities will notify the appropriate law enforcement agency.

3117	Supervision of Low-Risk Sex Offenders (Annalyn’s Law)
Approval Date	01/2023
Category	General School Administration
Governance Accountability	Board of Directors, Leadership Team
Audience	Employees, Families, Students

Pursuant to Annalyn’s Law, the Head of School shall be notified by local law enforcement when a low risk juvenile sex offender is enrolled or attending school within the board’s jurisdiction for the purpose of appropriate supervision during the school day and during school activities.

Section 1. Definitions

In this policy, these terms shall have the following meanings:

(a) “Plan” refers to the “individualized student safety plan” developed following the Student’s adjudication and/or enrollment in the school to serve as a behavior contract between Student and the School.

(b) “School” refers to “all school property and school-sponsored functions including, but not limited to, classroom instructional time, assemblies, athletic events, extracurricular activities, and school bus transportation” related to the Student’s current school of record.

© “Student” refers to “the low risk juvenile sex offender” designated by a juvenile court judge as having a low risk of re-offense.

(d) “Teachers and staff with supervision over the student” or “Supervision team” refers to school officials or staff who have a specific responsibility for the Student, including the school school administrator, the Student’s assigned teachers and/or coaches, the Student’s counselor, and if applicable, the Student’s bus driver, during the subject school year and who will be privy to information regarding the Student’s status. Teachers and staff with only passing and/or general contact with the Student shall not be privy to information regarding the Student’s status.

(e) "Victim" refers to the victim, if known by and attending the same school as the Student, of the offense for which the Student was adjudicated delinquent.

Section 2. Notifications

Here is how the notification process would occur:

1. Current Students

In the event a currently enrolled Student is adjudicated delinquent and designated "low risk" by the juvenile court, local law enforcement is expected to notify the local Head of School and school administrator of the Student's school in writing.

2. Newly Enrolled Students

In the event a Student seeks to enroll in the district as a new student, and that Student has been previously designated as a low-risk juvenile sex offender, local law enforcement is expected to notify the local Head of School and school administrator of the Student's school in writing.

3. Students That Change Schools Within the District

In the event a currently enrolled Student transfers to another school in the district or is promoted to another school in the district, the school administrator of the original school should notify designated law enforcement of the change as soon as practicable.

Following that notification, the school administrator of the original school should orally or in writing brief the school administrator of the new school regarding the original Plan and the transferring Student's status and circumstances. Regardless, the school administrator of the prior school must provide the Student's records and Safety Plan to the school administrator of the new school as soon as practicable.

The new school administrator should review the Plan and meet with the Student, the Student's parent or guardian, and the anticipated new Supervision Team to determine whether the current terms are sufficient or should be adjusted based on the Student's circumstances.

4. School Staff Changes

In the event the school administrator or a member of the Supervision Team leaves his position or is no longer responsible for supervising the Student, a replacement team member should be named, if necessary and appropriate, and briefed by the school administrator or the most senior member of the Supervision Team regarding the Student's status and Plan. The Student, his parent or guardian, and other members of the Supervision Team should be notified of changes to the Supervision Team within a reasonable timeframe.

Section 3. Plan Development and Maintenance

Upon proper notification from law enforcement, the Student's school administrator or designee will call together the anticipated Supervision Team to meet with the Student and/or the Student's parent or guardian to develop an appropriate Plan. This meeting should take place within 10 school days or as soon as practicable. In the event the Student's parent or guardian is unable or unwilling to meet, the school administrator or designee and the Supervision Team should meet with the Student within a reasonable timeframe to develop an appropriate Plan.

In the event the Victim attends the same school as the Student, the plan should include measures to reduce the likelihood of Victim and Student interaction. The terms of the Plan and any updates

to it must be memorialized in writing and approved by the school administrator or designee before being distributed to the Student and the Student's parent or guardian, as well as the Supervision Team.

The school administrator or designee should meet with the Student, the Student's parent or guardian, and the Supervision Team at least annually, but as often as deemed necessary by the school administrator or designee to assess the Student's status and to determine whether adjustments should be made to the Plan.

Section 4. Supervision

The Student will be subject to the general Student Code of Conduct and any other conditions deemed necessary by the school administrator or designee as incorporated in the Student's Plan. Members of the Supervision Team should report any suspected violations of the Plan to the school administrator or designee.

The school officials and staff responsible for supervising the Student on a daily basis should do so in a manner that is discreet and unobtrusive.

Section 5. Students with Disabilities

Discipline of Students with disabilities will be subject to applicable limitations and requirements imposed by the Individuals with Disabilities Education Act and/or Section 504 of the Rehabilitation Act and implementing regulations.

Section 6. Violation of the Plan

In the event the Student violates the Student Code of Conduct or the Plan, the Student may be subject to discipline pursuant to board policy and/or reassessment of the Plan's conditions.

Section 7. Challenge to the Plan

In the event the Student and/or his parent or guardian object to conditions of the Plan or the application of a sanction, a challenge must be submitted in writing to the Head of School or his designee to consider whether adjustment of the Plan or response modification is warranted. The Head of School's decision shall be final. A response that constitutes disciplinary action will adhere to the applicable School disciplinary policies and procedures and the Student will be afforded process due thereunder.

Section 8. Confidentiality

Information received by school officials or staff related to the Student's delinquent status must be treated as confidential from other students, staff members, officials and stakeholders. Any document identifying the Student's status should be safeguarded from unintentional disclosure by the members of the Supervision Team. Any school official or school employee who improperly discloses the Student's status to any other person may be subject to school discipline and/or criminal charges as provided by law.

Section 9. Retaliation

Members of the Supervision Team should make every effort to treat the Student with the same respect and courtesy to which every student is entitled. The Team is reminded that the Student has been deemed by the juvenile court as not likely to reoffend and should be encouraged to fully integrate into the student body as a successful student.

Mistreatment of any student may be cause for discipline.

Section 10. Procedures

The Head of School shall have the authority to develop appropriate training and additional procedures for staff members in furtherance of this policy.

3120	Transportation Policy
Approval Date	01/2023
Category	General School Administration
Governance Accountability	Leadership Team
Audience	Employees, Families, Students

Student participation in and travel to off-campus events, concerts, functions, and activities, and the use of school buses or other transportation for such purposes may be authorized under and subject to the following terms and conditions:

- a. The destination is an activity, event, or function that services a bona fide educational or related extracurricular purpose, or is an athletic event or function sponsored or sanctioned by the school or the school system and the state athletic association;
- b. Adequate information regarding the trip (e.g., destination, duration, purpose, educational purpose, mode of transportation, nature and extent of student participation) has been provided to the school administrator, parents, and Head of School;
- c. Adequate arrangements are made for supervision and other risk management considerations (e.g., parental permission, medical treatment authorization, special insurance requirements);
- d. Properly certified and qualified drivers have been selected and arrangements for the costs of the trip (e.g., salary, fuels, maintenance, lodging) have been made;

The Head of School is authorized to develop additional specific requirements for participation in and travel to and from official events and activities that are consistent with the terms of this policy. Breakthrough Charter School provides limited school transportation service for students. Breakthrough Charter School will comply with state statutes regarding the transportation of public school students, which include:

- specifications governing school bus equipment;
- inspection of buses;
- qualifications for school bus drivers;
- driving regulations;
- insurance; and
- student conduct.

The transportation system maintained by the board will meet or exceed minimum standards established by the state.

Parent provided transportation

When students will be transported by adult volunteer drivers, written parental permission to ride with a designated volunteer driver must be obtained from all students who will ride with the volunteer drivers.

Private Vehicles

Breakthrough Charter School assumes no liability for the use of private vehicles in transporting students or school personnel. Because of the lack of control, the school will need to make efforts to ensure the safety of its students while riding in private vehicles. These efforts include:

- Volunteer driver selection, background screening and training
- Ensuring that volunteer drivers are at least 21 years old, have a valid driver's license, have completed the volunteer background check and deemed clear
- Ensuring they have provided sufficient driving record, copy of driver's license, insurance information and motor vehicle registration for the vehicle that will be used to transport students, and understands that the vehicle's insurance is primary.

Bus Drivers

The use of vehicles owned by Breakthrough Charter School will be limited to those persons whose normal duties require the use of a vehicle during regular business hours or school-related trips with extended hours. Use of school vehicles is for the purpose of school business and is restricted to such duties. Breakthrough Charter School employees who drive school vehicles shall meet all licensing criteria as prescribed by the state of Alabama.

Athletics

Athletes are not permitted to travel with other students to contests or team meetings. Students desiring to travel with other parents/legal guardians to practice, contests or team meetings may do so only after written permission has been submitted by their own parent/legal guardian to the coach.

Coaches will provide parents/legal guardians with expected arrival times for practice, contests and meetings. It is expected that parents/legal guardians will respect the coaches' time and be prompt in picking up their children. Coaches are expected to stay with students no more than twenty minutes past the anticipated arrival time that was given to the parents/legal guardians.

Please note that student athletes are not permitted to ride with coaches in coaches' personal vehicles regardless of circumstance. In the event that transportation is provided by Breakthrough Charter School, only students who have turned in the transportation permission slip will be permitted to ride. Students authorized to ride in transportation provided by BCS will be expected to follow all BCS policies in reference to student code of conduct and behavior.

3125	Administering Medication Policy
Approval Date	01/2023
Category	General School Administration
Governance Accountability	Board of Directors, Leadership Team
Audience	Employees, Families, Students

The Board recognizes that students may need to take medication during school hours. Breakthrough Charter School will administer drugs or medication prescribed by a doctor upon the written request of the parents. In order for a student to receive medication at school or on an official Breakthrough Charter

School trip, a student must have a signed medication form on file indicating the names and dosage of all medications.

Any plans to administer medications to students must conform to the following requirements:

1. The health and welfare of the student must be of paramount concern in all decisions regarding the administration of medicine.
2. Students with special needs will be afforded all rights provided by federal and state law. Students with disabilities also will be accorded all rights provided by anti-discrimination laws, including Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act.
3. No student can possess, use or transmit any drug or counterfeit drug prohibited by the Drug Free Campus Policy.
4. The board generally encourages school personnel to administer medicine from a centralized location. However, in all instances, whether from a centralized location or multiple locations, any medicines maintained by the school for a student must be kept in a locked and secure place. Any medication provided to Breakthrough Charter School must be inventoried and accounted for at all times.
5. When medication isn't being administered by a registered school nurse, any school personnel who will be administering medicines will receive appropriate training.
6. Only drugs clearly prescribed or intended for the student may be administered by school personnel. If school personnel have concerns regarding the appropriateness of a drug or dosage for a student, a confirmation should be obtained from the student's doctor or another doctor prior to administering the medicine or allowing a student to self-administer a medicine.
7. Although efforts should be made not to disrupt instructional time, a parent has the right to administer medicines to his or her child at any time while the child is on school property.
8. Written information maintained by the school or school personnel regarding a student's medicinal and health needs is confidential. Parents and students must be accorded all rights provided by the Family Educational Rights and Privacy Act, the Health Insurance Portability Accountability Act, and state confidentiality laws. Any employee who violates the confidentiality of the records may be subject to disciplinary action.
9. Prior to departure from campus for any off campus excursion, school personnel will reconcile signed medication forms with the submitted medications. School personnel will document all medication dispensed during the excursion. All documentation must be auditable.

Legal Reference (s): Individuals with Disabilities Education Act, 20 U.S.C. 1400 et seq.; Americans with Disabilities Act, 42 U.S.C. 12101; Family Educational Rights and Privacy Act, 20 U.S.C. 1232g; Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794

3126	Automated External Defibrillator (AED) Use
Approval Date	01/2023
Category	General School Administration
Governance Accountability	Leadership Team
Audience	Employees, Families, Students

An automated external defibrillator (AED) is used to treat victims who experience sudden cardiac arrest (SCA). It is only applied to victims who are unconscious, not breathing and showing no signs of circulation, such as normal breathing, coughing, or movement. The AED will analyze the heart rhythm and advise the operator if a shock-able rhythm is detected. If a shock-able rhythm is detected, the AED will charge to the appropriate energy level and advise the operator to deliver a shock.

1. An AED will be maintained on the premises of Breakthrough Charter School. The AED shall be used in emergency situations warranting its use by individuals specifically trained in the use of the device. The lead school nurse will be responsible for coordinating the AED program as outlined in the AED Protocol section of the BCS Safety Plan, communicating with appropriate local physicians and/or emergency medical service providers, and for advising the Head of School in developing, implementing, and publishing procedures and guidelines for AED use in school facilities.
2. Authorized personnel who have successfully completed appropriate training and/or any volunteer responder who has successfully completed an approved CPR/AED training program and has a current course completion card are authorized AED users. Signage and/or publications in school buildings shall identify the location of AEDs and the names/locations of AED/CPR-trained staff members.
3. School office personnel are responsible for receiving emergency medical calls from internal locations, contacting the EMS (911) if required, and deploying the school nurse and/or AED/CPR-trained staff members to the location of the emergency.
4. Initial training in first aid/CPR/AED use will be conducted through the American Red Cross or American Heart Association. Designated staff members will renew CPR/AED training annually and first aid training every three (3) years. Training records will be kept by the lead school nurse.

3127	Student Health Services Policy
Approval Date	01/2023
Category	General School Administration
Governance Accountability	Leadership Team
Audience	Families, Students

Breakthrough Charter School may offer limited student health services that are designed to address minor medical issues that may arise during the school day or to assist with special or chronic health problems. In cases of acute or contagious illnesses, parents or guardians may be notified and required to pick up the student. If a parent or guardian is not available, the school administrator or school nurse may contact the Department of Public Health. School officials are authorized to take reasonable and appropriate steps to provide or arrange for the provision of emergency medical services to students who require immediate medical attention. In case of illness or accidental injury not requiring immediate medical attention, standard first aid procedures may be followed. The Head of School is authorized to develop and promulgate procedures, rules, and regulations concerning the taking, administration, and handling of medication and anaphylaxis at school consistent with state law and appropriate health standards.

3128	Opt-In for Mental Health Services by Parent or Legal Guardian Policy
Approval Date	01/2023
Category	General School Administration
Governance Accountability	Leadership Team
Audience	Families, Students

No student under the age of fourteen may participate in ongoing school counseling services including, but not limited to, mental health services, unless (1) the student’s parent or legal guardian has submitted a written opt-in granting permission for the student to participate or (2) there is an imminent threat to the health of the student or others.

For purposes of this policy, “mental health services” includes services, treatment, surveys, or assessments relating to mental health; however, it does not include instructional activities designed to educate students regarding topics related to mental health (1) contained in Breakthrough Charter School’s approved curriculum or (2) otherwise required to be taught by law (e.g., Erin’s Law; Jason Flatt Act). Furthermore, “ongoing school counseling services” shall not include those school counseling services which are split into domains not requiring a mental health therapist or other mental health therapeutic license.

This policy is not applicable to any school counseling services or “mental health services” contained in a student’s PST, IEP, or §504 plan. Consent for those services will be obtained in accordance with the specific procedures required by federal and/or state law, and information regarding any mental health services will be provided in the pertinent plan.

A. Written Notification

At least annually, Breakthrough Charter School shall provide parents and legal guardians a written notification regarding school provided or sponsored mental health services. The notification will include the purpose and general description of each of the mental health services available; information regarding ways parents may review materials to be used in guidance and counseling programs available to students; and information regarding ways parents may allow, limit, or prevent their student’s participation in the programs.

The written notification may be provided electronically, including through Breakthrough Charter School’s online enrollment portal or by such other means and methods as are customarily used for such purposes.

B. Opt-In To Participate in Mental Health Services

1. **General Requirement** – For a student under the age of fourteen to participate in mental health services, written permission by the student’s parent or legal guardian is required annually. The written permission must be specific as to any treatment and not broad in nature. Parents and legal guardians may be provided the opportunity to opt-in electronically during online enrollment or by such other means and methods as are customarily used for such purposes.
2. **Rescinding Permission** – A parent or guardian may rescind permission for a student to participate in mental health services at any time by providing written notice to the school school administrator.

3. Requests for Opt-In and Referrals Authorized- If a parent or legal guardian does not initially opt-in to mental health services, school officials may contact the parent or legal guardian to (1) attempt obtain permission for the student to participate in mental health services if the school official believes that the student would benefit from services or if circumstances arise for which services could be beneficial; and/or (2) provide a parent or legal guardian with a referral or information regarding mental health services that may be available to a student through other agencies or providers.
4. Exception for Imminent Threat – If a parent or legal guardian has not opted-in to mental health services, a student may be provided mental health services if there is an imminent threat to the health of the student or others. School employees may determine in their discretion whether such an imminent threat exists and provide any mental health services they deem necessary under the circumstances.

C. Information for Parents/Legal Guardians

If a student’s parent or legal guardian elects to opt-in to mental health services, the counselor providing services shall keep the parent fully informed regarding any diagnosis and any recommendations for additional counseling or treatments beyond the services for which the parent or legal guardian has already opted in. The parent shall have the authority to make final decisions regarding any such recommended counseling and treatments. Nothing in this Opt-In for Mental Health Services policy shall be construed to limit the fundamental rights of parents to direct the care, custody, and control of their children.

D. Recordkeeping

Written records maintained by Breakthrough Charter School and directly related to a student’s mental health services will be treated in the same manner as health care records and are subject to the confidentiality protections applicable to education records generally. Such records will be available for examination and review by authorized persons in the manner prescribed and to the extent required by federal and/or state law.

Records pertaining to a student’s mental health services will be kept separately from academic records unless including such record(s) in the student’s academic record is necessary to implement a state and/or federal law (e.g., special education referral process).

3130	Data Use and Governance Policy
Approval Date	01/2023
Category	General School Administration
Governance Accountability	Board of Directors, Leadership Team, Employees
Audience	Employees, Families, Students

Breakthrough Charter School’s Data Use and Governance Policy is based upon, but not limited to, maintaining compliance with the Family Educational Rights and Privacy Act (FERPA), Children’s Internet Protection Act (CIPA), Health Insurance Portability and Accountability Act (HIPAA), and Children’s Online Privacy Protection Act (COPPA). The Head of School is authorized to establish, implement, and maintain

data use and governance measures. These measures shall include establishing data security classifications; implementing procedural, physical, and electronic security controls; managing external data requests; maintaining records regarding security access, and establishing a Data Governance Committee. The data governance measures will apply to the Board of Directors and all Board and school operations. In addition, this policy will apply to all individuals who are granted access to data in conjunction with any services that they provide at the request of the Board or school. Any unauthorized access, use, transfer, or distribution of Board and/or school data by an employee, student, or other individual, may result in disciplinary action that may include a recommendation for termination and other legal action.

3135	Parental and Family Engagement Policy
Approval Date	01/2023
Category	General School Administration
Governance Accountability	Board of Directors, Leadership Team, Employees
Audience	Employees, Families, Students

The BCS Board of Directors are committed to the goal of providing quality education for every child in this school. Research has proven that when schools and parents form strong partnerships, all children’s potential for academic success improves significantly. In accordance with the Elementary and Secondary Education Act (ESEA), Title I Part A, Section 1118, all parent involvement programs, activities and procedures will be planned and implemented using meaningful consultation with parents of participating children and follow all requirements of the Title I, Part A regulations. BCS will establish objectives, programs, strategies, and activities that enhance parent involvement and reflect the specific needs of students and their families.

BCS will be governed by the following statutory definition of parental involvement, and will carry out programs, activities, and procedures in accordance with this definition:

Parental involvement means the participation of parents in regular, two-way, and meaningful communication involving student academic learning and other school activities, including ensuring:

- *That parents play an integral role in assisting their child’s learning;*
- *That parents are encouraged to be actively involved in their child’s education at school;*
- *That parents are full partners in their child’s education and are*
- *included, as appropriate, in decision-making and on advisory*
- *committees to assist in the education of their child;*
- *The implementation of other activities, such as those described in section 1118 of the ESEA.*

BCS will involve parents in the development of Title I School-Wide Plans, in the development of the Federal Programs Consolidated Plan, and in the process of school review and improvement if and when BCS is identified for Title I school improvement. BCS also supports the development, implementation, and evaluation of a parent involvement plan, which will involve parents at all grade levels in a variety of roles.

Most objectives, strategies, and activities are planned at BCS, although some are planned within the community. BCS will provide coordination of funding, technical assistance and other support necessary to assist in the planning and implementing effective parental involvement. Representatives from the BCS will: (1) work closely with the school's parent involvement committee, the faculty and staff at each school, and BCS's Title I School- Wide Committee to ensure that local, state, and federal guidelines are addressed, (2) will schedule on-going in-service sessions to educate teachers and support personnel on methods, strategies, and activities to improve parental involvement, (3) will work cooperatively with community agencies and businesses in order to form partnerships which will encourage parental involvement and services to families, (4) will provide parenting education classes, family literacy classes, workshops, and training for parents, (5) will provide parenting materials, supplies, and scientifically research based parenting curriculum, and (6) will provide a committee of parents, teachers, and administrators to guide BCS's overall parental involvement efforts. The parent involvement program will be comprehensive and collaborative in nature and will include, but not limited to, the following objectives:

- Provide opportunities for all parents to become involved in decision-making about how the parent/family involvement programs will be designed, implemented, evaluated, and revised
- Promote activities and programs for families to become involved in the educational process in order to provide academic assistance at home and at school
- Promote and support parenting skill instruction
- Utilize a variety of communication tools on a regular basis to facilitate effective home/school communication
- Link parents to programs and resources within the community that provide services to families
- Provide professional development and in-service for teachers and staff to enhance their effectiveness with parents
- Disseminate information on discipline procedures, assessments, school reforms, safety, curriculum, policy, etc. to parents on a timely basis
- Support administrative leadership in setting expectations and creating a climate conducive to parental participation
- Support involvement of parents of children at all ages and grade levels
- Recognize diverse family structures, circumstances, and responsibilities, including cultural differences, and work to eliminate barriers that hinder participation in parent/family involvement programs
- Assess the effectiveness of parental participation activities, strategies, programs, and policy and parenting education classes in the improvement of schools
- Report and use evaluation findings to revise the school-level parent involvement plans and the system-wide parent involvement policy in order to effectively improve student academic achievement, the social and emotional welfare of students, and the school's educational environment

The following activities and others will be utilized to provide parental involvement in the system:

- parent surveys
- parent compacts
- open forum discussion groups
- newsletters
- PTA meetings
- Family Literacy Programs
- parent/teacher conferences
- web site

- timely notification to parents of students who are experiencing difficulties
- volunteer programs
- Parent Involvement Committee
- Open House
- Family Fun Day
- Special Award Programs
- Title I School-wide Committee

An open door policy for prospective students and parents to visit a school before enrollment is encouraged. Students and parents will be assisted in making a transition from preschool to kindergarten, elementary to middle, or middle to high school by being invited to attend activities including: (1) tour of the school, (2) orientation programs, (3) Open House, and (4) Special programs. BCS collaborates with Marion Military Institute and the Marion-Perry County Public Library.

BCS will provide assistance to parents of children served by the school, as appropriate, in understanding topics such as the following:

- The State's academic content standards
- The State's student academic achievement standards
- The State and local academic assessments including alternate assessments
- The requirements of Title I, Part A
- How to monitor their child's progress
- How to work with educators

In carrying out the Title I, Part A parental involvement requirements, to the extent practicable, BCS will provide full opportunities for the participation of parents with limited English proficiency, parents with disabilities, parents of homeless children, and parents of migratory children, including providing information and school reports required under section 1111 of the ESEA in an understandable and uniform format, and including alternative formats upon request, and, to the extent practicable, in a language parents understand.

It is the position of the BCS Board of Directors that all persons will be afforded equal access or participation on the basis of selection criteria included in the law. This includes gender, race, religion, national origin/ethnic group, color, disability, or age. BCS assures that all parents will be given equal access to parental involvement programs. Any instance to the contrary will be thoroughly investigated by the superintendent's office and resolved in a timely manner to the advantage of any qualifying person.

Involving parents is essential to improving student achievement. The BCS Board of Directors will foster and actively support parent involvement. If BCS's Parent Involvement Policy or the Title I school-wide/school improvement plans (located at BCS) are not satisfactory to the parents of participating children, BCS will submit any written parent comments with the plans when the school system submits the plans to the State Department of Education. Written parent comments can be mailed to Federal Programs Coordinator, Breakthrough Charter School, 1820 Prier Drive, Marion, AL 36756.

3205	Communication Policy
Approval Date	01/2023
Category	School-Community-Home Relations
Governance Accountability	Board of Directors, Leadership Team, Employees
Audience	Employees, Families, Students

The Breakthrough Charter School Faculty, Administration, and Board of Directors wish to be as helpful and responsive as possible to both parents and students. Breakthrough Charter School encourages students and parents to seek the most appropriate channels of communication to answer any questions or requests, so that their needs may be met quickly and easily.

Using the School Channels of Communication

If a parent or student has a question on school academic programs, policies or procedures, they should first speak with the classroom lead teacher. If the question is not resolved, the parent or student can speak with the school administrator who will work to resolve the concern. If communications with the school administrator do not prove satisfactory, parents and students are encouraged to contact the Head of School. If, for any reason, the question or concern is still not resolved, the parent or student may write a grievance to the Board of Directors, as outlined by the Grievance Policy.

Timeliness of Responses of Incoming Communications

Email Communications

Breakthrough Charter School personnel respond to emails within 48 hours (Monday- Friday, excluding Breakthrough Charter School Holidays) with an individual response; Breakthrough Charter School personnel can elect to set up an automated reply to go out immediately such as: “We have received your email; thank you for contacting Breakthrough Charter School. We will investigate further and respond to you within 48 hours.” Document by creating “sent mail” file folders. EXCEPTION: Any emails from individuals who have legal action pending with the school; in these instances, all communication must go through legal counsel.

Telephone Calls

Breakthrough Charter School personnel respond to phone calls within 48 hours (Monday- Friday, excluding Breakthrough Charter School Holidays); even if the voice mail response is: We have received your phone call; thank you for calling Breakthrough Charter School. We will get back to you with a more informed response within 48 hours during the regular business week.” EXCEPTION: Any phone calls from individuals who have legal action pending with the school; in these instances, all communication must go through legal counsel.

3305	Non Profit 501(c)3 Associations for Breakthrough Charter School Policy
Approval Date	01/2023
Category	General School Administration
Governance Accountability	Board of Directors, Leadership Team
Audience	Volunteers

There are multiple groups working with and for the betterment of Breakthrough Charter School. This Procedures Policy outlines the expectations for those groups; failure to comply with these policies can result in being removed from Breakthrough Charter School campus and functions and the dissolution of the group.

Governance Board

All 501(c)3 groups affiliated with Breakthrough Charter School will have a board of officers with term limits. Each year, the Secretary of the 501(c)3 group will update the list of board officers by providing the Secretary of the Breakthrough Charter School Board of Directors. The year will be defined as July 1st to June 30th.

Bylaws

Each 501(c)3 group must have a constitution, charter, or set of bylaws. These bylaws are to be on file with the Campus Services Director at Breakthrough Charter School and also available online under the appropriate website that can be accessed by the general public.

Background Checks

With Breakthrough Charter School being a public charter school, the Board of Directors requires that all volunteers (regardless if one is working in the school directly with the children or for the school with no student contact) will pay for his/her own background check. Officers and others who interact with the finances must have a set of fingerprints on file with the FBI as part of their background checks.

Code of Conduct

The Breakthrough Charter School Board of Directors requires that Breakthrough Charter School’s Code of Conduct for each 501(c)3 organization be posted under the appropriate heading on the website and that all volunteers associated with the 501(c)3 sign a copy that is on file with the Campus Services Director or the Secretary of the 501(c)3 organization.

Policies and Procedures

A copy of all policies and procedures for the 501(c)3 organization needs to be posted under the appropriate heading on the website and a hardcopy in a binder be housed with the Campus Services Director. 501(c)3 organization are given 6 months from time of inception to have their Policies and Procedures voted, approved, and published.

Audit and Financial Procedures

All 501(c)3 are fully responsible for the reporting of all financial activities, filing appropriate tax forms at appropriate times, and being in good financial standing. Organizations need to be prepared for internal and external audits and cover the financial expenses for auditing purposes. The Head of School is to

receive a copy of the annual tax return from each of the 501(c)3 organizations affiliated with Breakthrough Charter School.

Legal Counsel

All 501(c)3 organizations are expected to operate within the confines of the law. Expenses related to any and all lawsuits against 501(c)3 organizations must be borne by the 501(c)3 organization.

Communication

The Breakthrough Charter School Board of Directors is appreciative of the work, efforts, time, and service expended by community, family, and employee volunteers on behalf of improving Breakthrough Charter School. The Board of Directors meetings are open to the public; volunteers and officers with the 501(c)3 organizations are invited to attend to stay abreast of information, report on happenings, and in general, keep the communication lines open so that we can work together and achieve academic success for the students. Reports, memos, newsletters, and websites are all excellent means by which to communicate information to the Breakthrough Charter School stakeholders. In addition, each 501(c)3 will have an assigned liaison that is a Board Member.

Failure to Comply

All 501(c)3 organizations must notify its volunteers that failure to comply with any of the above procedures is grounds for immediate removal.



Section 4000 Fiscal Management

4100	Financial Policy
Approval Date	01/2023
Category	Fiscal Management
Governance Accountability	Board of Directors, Leadership Team
Audience	Board of Director, Leadership Team, Employees

These statements of policy are subject to change at the direction of the Board of Directors of Breakthrough Charter School (BCS).

I. OBJECTIVE

The financial objective of BCS is to conduct the operations and business of the School according to the requirements of Alabama law, as supplemented by the procedures established by rule of the Alabama State Board of Education, on a sound fiscal basis, responding to the dictates of mission accomplishment in an efficient and fiscally sound manner as determined by the Board of Directors of BCS. In addition, BCS will maintain and prepare financial records such that accurate and timely financial statements and other financial information can be prepared in accordance with accounting principles generally accepted in the United States of America.

II. FISCAL MANAGEMENT GOALS

To establish a set of internal controls so as to ensure adequate Board oversight, maintenance of budget parameters, and the separation of the approval function from the accounting function.

To provide accurate and timely reports to the Board, BCS Community, and those agencies to which BCS is accountable in accordance with Alabama law, State Board of Education rule, and the Charter Contract to which BCS is a party.

To maintain all accounts in accordance with Generally Accepted Accounting Principles in a format meeting the requirements of Alabama State Board of Education rule and capable of being readily understood by members of the Board, the members of BCS Community, and the public at large.

To maintain BCS accounts on a fund basis such that all fund transactions are accounted for in their respective funds.

In managing funds, Breakthrough Charter School shall not:

- a) at any time allow unrestricted cash and equivalents to drop below an amount necessary to meet operating expenditures over a 30-day period;
- b) expend more operating funds than have been received in the fiscal year to date unless both the liquidity requirement and reserve requirement have been met;
- c) allow BCS to incur penalties in material amounts for tax payments, other government ordered payments, or other payments, or allow filings that are excessively overdue or inaccurately filed;
- d) fail to aggressively pursue receivables after a reasonable grace period;
- e) endanger future capacity to accomplish ends.

Borrowing levels will be determined consistent with Alabama law and the Charter Contract between the Alabama Public Charter School Commission (Commission) and BCS.

To gradually build up reserves, in turn, to allow for further expansion of BCS's capabilities to serve students.

III. CONFLICT OF INTEREST

BCS Officers, Board Members, and Employees shall not have a direct or indirect interest, including financial and other interests, or engage in a business transaction or professional activity, or incur any obligation of any nature that may conflict with the proper discharge of their respective duties in the public interest.

All vendors submitting solicited quotes, bids, or RFP's are required to disclose any actual or potential conflict of interest that may arise if they are selected to perform the obligations solicited, both before selection and throughout the term of any contract.

BCS Officers, Board Members, or Employees who act on behalf of BCS in contract negotiation, vendor selection, or purchasing shall:

- a) Avoid the intent and appearance of unethical or compromising practice in relationships, actions, and communications.
- b) Demonstrate loyalty to BCS by diligently following the lawful instructions of BCS while using professional judgment, reasonable care, and exercising only the authority granted.
- c) Conduct all purchasing activities in accordance with BCS rules and remain alert to and advising BCS leadership regarding the legal ramifications of purchasing decisions.
- d) Refrain from any private or professional activity that would create a conflict between personal interests and the interests of BCS.
- e) Identify and strive to eliminate participation of any individual in operational situations where conflicts of interest may arise.
- f) Not solicit or accept money, loans, credits, or discounts for personal use and shall avoid the acceptance of personal gifts, entertainment, favors, or services from present or potential suppliers which might influence, or appear to influence purchasing decisions.
- g) Promote positive supplier relationships through impartiality in all phases of the purchasing cycle.
- h) Display the highest ideals of honor and integrity in all public and personal relationships in order to merit the respect and inspire the confidence of BCS and the public.
- i) Provide an environment where all business concerns, large or small, majority or minority owned, are afforded an equal opportunity to compete for business with BCS.
- j) Enhance the proficiency and stature of the purchasing profession by adhering to the highest standards of ethical behavior.

In many, but not all instances, vendors may not assign any portion of their performance to third parties such as subcontractors, without the prior written consent of BCS.

IV. FISCAL ACCOUNTING AND REPORTING

The Chief School Financial Officer (CSFO) contracted through New Schools for Alabama (NSFA) shall be responsible for receiving and properly accounting for all funds of BCS. The accounting system used shall conform with the requirements of the State and with generally accepted accounting principles; providing for the appropriate separation of accounts funds, and special monies.

Accounting, financial reporting and management control systems will be designed and maintained to enable the BCS Board of Directors to have access to accurate, reliable and relevant data, and to permit audits and periodic reports adequate to show funds have been handles within legal requirements and in accordance with policy.

Internal fiscal procedures to include internal controls on business practices and operation will be adhered to by all staff. Internal fiscal procedures also include the handling of accounts payable, accounts receivable, bank reconciliations, cash management, chart of accounts, credit cards, deposits, payroll, petty cash, purchasing and reimbursements.

The CSFO will review monthly revenues and expenditures and will ensure monthly reconciliation of bank statements are being performed. BCS will post monthly financial reports and check registers on the School's website within forty-five (45) days of the end of each month. BCS will also post an annual financial report on the School's website within forty-five (45) days of the end of the fiscal year.

V. Annual Budget

The annual budget is the financial plan for the operation of BCS. It provides the framework for both expenditures and revenues for the year and translates into financial terms the educational programs and priorities of the School. The budget will serve as the basis for information appearing on required reports, as an integral part of the accounting records and as a tool for management control of expenditures during the year. BCS will comply with Alabama State Law and Board Rule concerning practices relating to public charter school budgets.

1. Budget Timing Considerations

After consultation with the BCS Finance Committee in the summer of each year, the CSFO, Director of Operations, and Head of School will prepare an annual operating budget of revenues and expenses to include a beginning and ending fund balance.

The proposed budget shall be reviewed with public hearings held in July and August and approved by the BCS Board of Directors in August of each year. The adopted budget shall be submitted to the Alabama State Department of Education (ALSDE) and the Commission in accordance with ALSDE and Commission published or negotiated due dates.

2. Budget Planning Factors

Budget planning will be an integral part of program planning so that the budget can effectively express all programs and activities of the School. Annually, before preparation of the budget for the next fiscal year, the Head of School will review the current programs and capital investments of the School in relation to the present and future needs of the students, the schools and the community. In preparing the proposed budget, the Head of School will consult the school administrators, staff and community members as necessary. The Head of School and the CSFO will develop the proposed budget.

Federal and State funding will be in accordance with ALSDE and USDOE provided allocations. The proposed budget shall take into account credible projections of revenues, carryover funds and expenses, salaries and benefits, normal operating expenses, and separate capital and operational items.

The proposed budget shall disclose all planning assumptions for each account. The proposed budget shall not use any reserves other than as intended and permitted by law.

BCS shall maintain operating reserves at or above levels required by law or in accordance with requirements stipulated in outstanding bond agreements or other outstanding financial contracts, whichever is higher.

3. Budget Transfers/Modifications to Adopted Budget

The BCS Board of Directors may transfer any unencumbered moneys from the operating reserve account in the general fund, to any other fund as permitted by law.

The BCS Board of Directors provides the school with maximum flexibility in the use of funds to enable the school to accomplish its student performance goals. The CSFO will work in partnership with school administrators and teachers to implement the approved budget. The Head of School or the CSFO may move amounts within total approved spending between accounts, line items and between funds as part of the process to manage the budget. The CSFO will provide a listing of transfers made in a monthly report to the Board of Directors.

Should the adopted budget need amending, the CSFO and Head of School will present an amended budget to the BCS Board of Directors for review and approval.

4. Financial Review by the Board

The CSFO shall provide financial statements displaying a comparison of budget vs. actual results to the BCS Board of Directors at its regular scheduled meetings.

VI. FINANCIAL EMERGENCIES

If the BCS Board of Directors determines during any budget year that the anticipated revenues and amounts appropriated for expenditure in the budget exceed actual revenues available, the Board may declare a fiscal emergency. It is the CSFO's responsibility to inform the Board of any conditions that might foreshadow such an emergency condition.

The BCS Board is the final authority for determination of appropriate actions to be taken or planned for.

VII. PURCHASING, CONTRACTING, and ASSET MANAGEMENT

1. Check Signing

The BCS Board of Directors will designate official depositories of the school. The BCS Board of Directors must approve the opening or closing of any bank accounts. The signature of the Board Chairperson of the Board of Directors and the head of School shall be required to open or close accounts. All monies received by BCS will be deposited in the official depositories. Checks shall be issued when within the approved budget and with the approval of the CSFO. The BCS Board of Directors will authorize individuals that will have check signing authority. Individual checks of a non-recurring nature greater than \$10,000 will require dual signatures prior to check issuance. Under no circumstances will any check be issued for any request that does not have attached all the required support documents with all the proper approvals noted. Voided checks shall be retained to insure proper maintenance of checking account records.

To the maximum extent possible, manual checks will not be used. Checks will not be signed in advance. Checks will not be made for "cash" except in unusual cases with the approval of the Head of School and the CSFO.

BCS follows a "no cash" policy. Funding for all school events shall be made through personal check, money order, cashier's check, credit card or ACH transaction (as available).

2. Credit and Purchasing Cards

Credit Cards are used by managers and administrators for school related expenses such as meals, travel, office supplies, and staff and student incentives. Credit cards may not be used for personal purposes or expenses.

All use of cards must be accounted for by a detailed receipt – purchased items must be detailed on the receipt. All receipts must be submitted to the CSFO within one (1) week of the credit card statement being received.

Monthly credit card statements must be approved by the CSFO unless he or she is not deemed independent, in which case the approval will be performed by the Head of School. Credit Cards are not intended for large purchases over \$1,000 or to pay invoices that would normally flow through the purchasing process without specific prior approval of the CSFO. Purchases may not be broken into smaller amounts to avoid this approval policy.

Exceptions to the \$1,000 limit:

- a) Credit cards may be assigned by the CSFO to individual users for specific activities such as on-line employee reporting, curriculum, field trips, and other needs on a case by case basis.
- b) The Head of School is authorized to make purchases for emergency repairs and maintenance within approved budget levels. The nature of the emergency and need must be included in the reason/justification section of the payment request.

BCS is sales tax exempt. Should tax be charged on items charged to the credit card, the cardholder is responsible for getting a credit issued for the tax or will be responsible for reimbursing BCS for the tax. An exception to this is for businesses that do not honor tax exemptions.

BCS credit cards may not be used to set up individual BCS accounts with any third party, including Paypal, Amazon, Ebay, etc. Users also may not use individually assigned BCS credit cards to make a purchase through an employee's personal third party vendor account. These types of vendor and/or payment accounts may be set up and used only through the approval of the CSFO.

Should any employee misuse a credit card issued on behalf of BCS, that employee may suffer consequences of the misuse to include disciplinary action, cancellation of card privileges, and possible termination of employment, depending upon frequency and type of violation.

3. Purchasing and Procurement Authorization

The Board of Directors will follow state laws for procurement of property and services. The primary state procurement laws for Alabama school boards are:

- Alabama Competitive Bid Laws (Chapter 13B of Title 16, Code of Alabama 1975);
- Joint Information Technology Purchasing Agreement (Chapter 13B of Title 16, Code of Alabama 1975)

All purchases will be made in accordance with the policies below.

In acquiring goods and services BCS shall consider a variety of factors including, but not limited to: cost, quality, durability, warranty, and other needs. Notwithstanding the foregoing, BCS reserves the right to reject any or all quotes, bids, or RFP's for any reason permissible by law and deemed to be in the best interest of BCS as determined at the sole discretion of BCS. If all factors are more or less equal, preference shall be awarded to the lowest bid, and to a degree, sources located within the geographic area in which students of BCS reside.

All purchases (exceptions below) will be initiated through the submitting of a request for purchase either manually or electronically, prior to expenditure of funds. Two approvals are required on all requests and may be recorded using controlled accounting/purchasing software. One of the approvers must be that of either the department head or administrator of the department that oversees the budget of the account to be charged and the other approver must be the CSFO or the Head of School.

All approved purchase requests will be forwarded to the Business Office for further review and budget verification. Checks will be cut only by the Business Office

For out of the ordinary purchases, such as replacement parts for currently in use equipment (e.g., bulbs for overhead projectors), the Department Head may directly purchase the requested item with proper purchase approval. If the cost is \$2,500.00 or lower, the Department Head concerned will investigate alternate sources before purchase to ensure lowest cost consistent with quality and time requirements.

Exceptions (purchases made prior to approval):

- a) The Food Service Coordinator is authorized to purchase food service items on a recurring basis, subject to periodic review and oversight to ensure compliance with budget and adherence with appropriate bid procedures. All invoices must, however, be signed by the Food Service Coordinator or designee denoting all items have been received.
- b) Recurring expenses such as rents, alarm services, trash, utilities, phone, required monthly bond reserves, etc.
- c) The Director of Athletics is authorized to acquire game officials within approved budget levels prior to approval.
- d) BCS credit card purchases within approved budget levels may be made prior to approval by cardholders only.
- e) The Head of School is authorized to make purchases for emergency repairs and maintenance within approved budget levels prior to approval. The nature of the emergency and need must be included in the reason/justification section of the payment request.
- f) The Head of School and the CSFO may obtain legal counsel and other professional consulting within board approved budget levels.
- g) Reimbursements of teacher supplies within approved budget levels.

If a purchase is made without proper approvals, the employee may be personally responsible for payment and disciplinary action may occur.

4. Classroom Supplies

All classroom teachers receive an annual classroom budget which can be spent on supplies, posters or other classroom equipment. Purchases for food or candy will not be approved. The classroom budget is available through January 31st of each year. Monthly reports may be distributed detailing available balances per teacher.

5. Reimbursements

All requests for small purchase reimbursements must use the Request for Reimbursement form and approved by a department head or administrator of the department that oversees the budget of the account to be charted. The second approved must be the CSFO of the Head of School. An itemized receipt must be attached to the request.

BCS is a non-profit organization and does not reimburse for any taxes paid. Some exceptions may be made for non-grant related purchases for some restaurants and out of state businesses that do not honor

tax exemptions, but the exemption certificate must be presented at time of purchase. A copy of BCS's tax exempt certificate may be obtained through the Business Office prior to purchase.

BCS tax-exempt ID may not be used to purchase any non-school related items or for any items that are not processed for payment through the school. Any unapproved use of BCS name or tax ID is a legal violation and may result in disciplinary action up to and including termination.

6. Competitive Pricing

Procurement of goods and services in an amount not to exceed \$2,500.00 is at the discretion of the purchaser, but with the concurrence and prior approval of the concerned Department Head or Administrator and the Head of School, or the CSFO.

Procurement of goods in excess of \$2,500.00, unless for exempted purchases (see below) require the comparison of Direct Quotes (DQ) from a minimum of three potential vendors. Using funds from sources other than State and Federal funds for the procurement of goods and services other than those exempted in Section 7 below that are in an amount that exceeds \$50,000.00 requires approval by BCS Board of Directors. Contracts for the purchase or lease of equipment, materials, supplies, or contractual services other than those exempted in Section 7 below made with State funds in excess of \$15,000 and purchases made with Federal grant funds in excess of \$150,000.00 require formal solicitation of a sealed Competitive Bid (CB) or Request for Proposal (RFP). Contractors that develop or draft specifications for CB's or RFP's must be excluded from competition. The Board of Directors delegates authority to the Head of School or his/her designee to evaluate and administer the process but retains the right of review.

Procurement transactions for federal programs and child nutrition programs that are not subject to the state procurement laws, but exceed the aggregate amount of the federal micro-purchase threshold, will be obtained by utilizing price or rate quotes from two or more qualified sources. State procurement laws include requirements that comply with other Uniform Administrative Requirements for procurement of property and service.

Real Estate acquisitions and/or building additions and remodels require approval by the Board of Directors.

7. Items Exempted from Competitive Pricing

Several purchased items are exempt from the competitive pricing process as per State Law (Code of Alabama – Section 16-13B-2). Some of these exceptions include:

- a) Purchases (or sales) with other units of government such as school districts.
- b) Supplies, equipment, or services which are necessary for BCS's operations and which the Head of School in concurrence with the CSFO determines may be timely obtained only from a single source.
- c) Textbooks, computers, publications and proprietary instructional materials.
- d) Items or products purchased by BCS for resale to the public.
- e) The purchase of insurance.
- f) Water, sewer, gas, electric, phone, cable utilities, etc.
- g) Contracts for securing services of attorneys, physicians, architects, teachers, superintendents of construction, artists, appraisers, engineers, consultants, certified public accountant, public accounts, or other individuals possessing a high degree of professional skill where the personality of the individual plays a decisive part.
- h) Contracts for fiscal or financial advice or services.

- i) Contractual services and purchases of products related to, or having an impact upon, security plans, procedures, assessments, measures, or systems or the security or safety of persons, structures, facilities, or infrastructures.
- j) Maintenance contracts for proprietary equipment (sole source justification concurred with by the CSFO).

8. Sole-Sourcing

Sole Source purchases are defined as:

- a) The purchase of goods or services that are only available through a single supplier due to a technical, specialized, or unique character or patents.
- b) The purchase of goods or services that are only available through a single supplier due to exclusive territorial rights to market the product or service within a geographic area.

Sole Source purchases are discouraged, as a general rule, because they tend to eliminate competition and, consequently, are usually sold at the maximum price that the market will bear. Consequently, sole source purchases over \$2,500.00 must be justified by the requester and approved by the CSFO prior to purchase (instructional texts and other curricular materials are excluded from this stipulation). A specific brand or model of equipment does not justify a sole source purchase, as the product may be available from multiple sources. Items that have been previously granted sole source status may also be excluded in the discretion of the CSFO.

To facilitate this process, the employee seeking a sole source provider shall forward the request to the CSFO, who in turn, shall research the market to determine if the product is available from other sources. If sole source is approved, the employee shall follow BCS purchasing procedures.

9. Bid Award Protest

Any actual or prospective bidder, contractor, or vendor who is aggrieved in connection with the solicitation or award of a bid or contract may protest to the CSFO. The protest shall be submitted in writing to the CSFO at BCS within seven days after such aggrieved person knows or should have known of the facts giving rise thereto.

The protest shall describe in detail the basis for the protest, and shall request a determination under this section. If a protest is filed in a timely fashion, the CSFO will review the basis for the protest, and relevant facts under such terms and conditions, as the organization considers proper. Upon completion of the review, the CSFO shall submit the findings and recommendations to the Board of Directors who shall then review the matter under such terms and conditions as deemed proper. Upon receipt of authority to act from the Board of Directors, the CSFO will notify the bidder involved of the organization's decision. The decision shall be final and binding on the objecting bidder.

10. Suspension and Debarment

After reasonable notice to the person involved and reasonable opportunity for that person to be heard, the CSFO, after consultation with the Head of School and counsel, shall have the authority to suspend and/or debar a person or firm for any reason set forth below from consideration of award of contracts. The period of debarment shall be determined by the CSFO on a case-by-case basis. The reasons for suspension and debarment are:

- Conviction of a criminal offense as an incident to obtaining or attempting to obtain a public or private contract or subcontract or in the performance of such contract or subcontract.
- Conviction under state or federal statutes of embezzlement, theft, forgery, bribery, falsification or destruction of records, receiving stolen property or any crimes against children.

- Conviction under state or federal antitrust statutes arising out of the submission of bids or proposals.
- Failure without good cause to perform in accordance with the terms of any contract or unsatisfactory performance of any contract.
- Debarment by any other governmental agency for any of the above reasons.

Any act or omission by a person or firm, or any information pertaining to the person or firm that comes to the attention of BCS, which act, omission or information causes the CSFO reasonably to believe that the person or firm may not be reliable or may be unable to perform for any reason contracts or purchases granted by BCS.

11. Fixed Asset Tracking

Tracking of fixed assets will be accomplished according to the following:

- a) All tangible assets over \$5,000.00 in value are subject to tracking and depreciation. These items will be entered into an asset tracking database.
- b) All computers will be tagged and tracked by IT, but are not required to be capitalized for depreciation purposes.
- c) Fixed assets will be assigned a depreciable life based Generally Accepted Accounting Principles.
- d) Internal audits of capital inventory will be done once a year. A physical inventory will be completed in September of each year.
- e) Purchase reports will be run for all purchases over \$5,000.00 that will be reconciled to the entries on the asset tracking report.

12. Contracting

Unless otherwise expressly authorized or directed by the Board of Directors, the Head of School and/or the CSFO or other designee as designated by the Board of Directors shall execute on behalf of BCS all contracts obligating BCS. All contracts and leases must be reviewed by the CSFO and Head of School prior to execution. The Head of School and CSFO have the authority to enter into agreements with third parties provided that the amount is less than \$50,000. All contracts and leases for \$50,000 or more shall first be authorized by a BCS Board of Directors resolution. After BCS Board of Directors approval, all contracts shall be executed by the Head of School and/or CSFO. One properly executed copy signed by all parties shall be kept on file with the CSFO.

The Board designates the Head of School and the CSFO as the express authority to execute change orders on approved construction contracts in an amount not to exceed \$50,000.00.

The School does not have the authority to extend the faith and credit of the Commission of the State of Alabama to any third party. The School does not have the authority to enter into a contract that would bind the Commission or the State of Alabama and will include a statement to this effect in each contract or purchase order it enters into with third parties.

13. Corporate Sponsorships and Exclusivity Contracts.

The Board of Directors of BCS recognizes that its ability to accomplish its educational mission can be enhanced by revenues raised through certain commercial ventures, including Corporate Sponsorships and Exclusive Rights Purchasing Agreements. BCS will seek mutually beneficial relationships between itself and the business community with the aim of achieving additional revenue to support BCS's progress in a manner consistent with its mission and applicable law. All Sponsorship and Exclusive Purchasing Rights agreements shall be developed and controlled through the Head of School or his/her designee in

concurrence with the CSFO, with review by BCS's legal counsel. All Sponsorship and Exclusive Rights Purchasing Agreements shall require the approval of the BCS Board of Directors.

VIII. AUDITS

In accordance with the ALSDE, all funds and accounts of BCS shall be audited annually, following the close of the fiscal year by an independent, qualified auditor who is a Certified Public Accountant that is knowledgeable in government accounting. The auditor will be selected by the BCS Board of Directors, and the terms and conditions will be specified in a written contract. The audit must be completed and submitted to the State in accordance with the published due date each year.

From any audit findings, any necessary corrective action plans must be filed in writing and proposed changes implemented in the subsequent fiscal year.

IX. DISASTER RECOVERY OF DATA

To prevent loss of critical data in case of disaster at BCS, routine backups of systems will be performed nightly at a minimum, transferring backup data to a separate, secure device on a weekly basis at a minimum. This procedure will be audited periodically, but no less than once a year by either the CSFO, Head of School, or designee (outside the IT department) assigned by the Head of School or CSFO.

X. GRANTS

The BCS Board of Directors authorizes the Head of School to accept outright grants on behalf of BCS. Any grant or bequest tendered with conditions will be reviewed by the CSFO for financial impact and approved by the BCS Board of Directors prior to acceptance.

All Grants applied for using BCS's Name, Tax ID #, 501(c)3 information, etc. will be submitted by/for BCS employees under direction of the Head of School. When possible, the application for and approval of BCS grants will be geared towards the benefit of and use by the entire school as a whole.

Grant proposals must specifically identify conditions of use of funds, reporting requirements, term of grant and funding mechanism. Monies received will go into specifically identified Grant Revenue and Expense line items on the BCS monthly and annual budgets. Monies will be coded to the Revenue and Expense line item accounts and further broken down/tracked/reported, by individual Grant, via other tracking methods by the CSFO.

XI. INVESTMENT POLICY/PROCEDURES

In order to make effective use of BCS's cash resources, all operating cash shall be pooled into one account and accounted for separately.

All School cash allocated to a specific use but temporarily not needed for disbursements shall be invested by the CSFO, his or her designee or other administrator appointed by the Board of Directors and will be invested in accordance with all Alabama and ALSDE guidelines, rules and procedures. Cash shall be invested in a manner designed to accomplish the following objectives:

- To ensure the safety of the moneys invested;
- To ensure that adequate cash is available to meet the daily financial obligations of the school
- To earn a market rate of return on the investments; and
- To ensure that all cash is deposited and invested in accordance with state law.

1. Investment Officer

The CSFO, or other appointed person, shall serve as the Investment Officer and will be guided by the “prudent investor rule” which states that investments “shall be made using the judgment and care, under circumstances then prevailing, which [persons] of prudence, discretion and intelligence exercise in the management of the property of another, not in regard to speculation but in regard to the permanent disposition of funds, considering the probable income as well as the probable safety of their capital”. The CSFO, acting as Investment Officer, will act with the guidelines of BCS's Board of Director's policies and state law, and exercising due diligence, shall not be held personally responsible for loss of public funds resulting from specific investment transactions.

However, he or she will be held responsible for insuring sufficient liquidity of investments so that the School operations can be maintained with minimal borrowing requirements in the event of bank or other institutional failures.

2. Investment Advisor

Because of the limited amount of cash existing at any one time in BCS's accounts, the services of an Investment Advisor may not be required. However, if conditions so warrant, the CSFO may propose the use of the services of an Investment Adviser, selected through a process that examines comparative costs and past performances, to the Board of Directors for decision. Such Investment Adviser must be a registered investment adviser as defined in state law and regulated by the Securities and Exchange Commission and registered in the State of Alabama. Further, such Investment Adviser shall be either completely independent of any financial institution or securities brokerage firm or shall fully and continuously disclose any such relationships with such financial institution and/or securities brokerage firm relevant to the Investment Adviser's relationship with the School.

3. Eligible Depositories.

The funds of the School shall be maintained in a qualified public depository subject to the requirements of the Security of Alabama Funds Enhancement Act (SAFE).

4. Eligible Securities Brokers/Dealers

The following will be designated eligible brokers/dealers for governmental securities purchases allowed under this policy and state law.

- a) Security dealers and banks which are designated as reporting Dealers by the Federal Reserve Bank of New York (primary dealers).
- b) National and state banks.

5. Eligible Investments/Criteria

Investments shall be diversified to avoid incurring unreasonable risks inherent in over-investing in specific instruments, individual institutions, or maturities. At all times, selection will conform to provisions of State and Federal law. Preference will be given to instruments backed by the faith and credit of the federal, state government or school districts. Positions in securities having potential default risk (e.g., commercial paper) shall be limited in size. The School will seek competitive quotes on all investments.

Investments will be made on the basis of legality, safety, liquidity, and yield. All purchases and sales of investments shall be authorized or confirmed in writing by the issuer. For investment transactions conducted electronically, confirmation in the form of annotated documentation and confirmation received will be retained. The Board of Directors will receive a periodic report listing all the investments of the School. The School's annual audit will include a supplemental listing of all investments held by the School at the date of the financial statement.

XII. RECEIPT OF FUNDS

The School receives funds from a number of sources throughout the year. It is the responsibility of the CSFO and Director of School Operations to ensure that these funds are maintained in a safe and responsible fashion. Most School funds are deposited directly into BCS accounts by the payers, e.g., ALSDE. It is the responsibility of the CSFO to monitor these deposits and to ensure that any excess funds are invested, as available, and in accordance with the investment decisions made in accordance with policy.

1. Grant Reimbursement Requests and Receipts

Federal and certain other grants may require the submittal of a Request For Funds (RFF) or receipts for what federal funds were spent on to the ALSDE or other agency. The CSFO will cause to be submitted the required documentation in accordance with agency guidelines. The CSFO will ensure that all allowable expenditures are submitted through e-GAP as required by the end of each fiscal year or within the allotted time thereafter as set forth by the governing agency.

2. Deposits

Funds received (either cash or check) are to be deposited into BCS's bank accounts in a timely manner (within two to three business days). All funds are to be kept in a locked secure location until deposited if not deposited on the day of receipt of funds. All deposits are to be accompanied by the Receipt of Deposit Form, which clearly informs the Business Office of the source, amount, and account number of the deposit. Any additional information deemed necessary is also to be included. Funds will not be kept or deposited in personal accounts.

3. Worthless Checks

BCS will charge a fee for worthless checks. Students, staff, and parents will be given notice of the procedures. Uncollected fund balances will not be carried over from one fiscal year to the next. Monies will be taken from non-public funds at the end of the year to cover the amount of the worthless checks. When payment has been received the funds will be deposited back into the non-public fund account.

XIII. FUNDRAISING

BCS holds capital campaign fundraisers to involve students, parents, community and other legal entities. In addition, BCS recognizes that student participation in fundraising activities can help develop a sense of social responsibility in students, enhance the relationship between the school and community, and contribute to the improvement of the school programs. The use of school name, logo, website or other electronic addresses is strictly prohibited without proper approval. Unauthorized use of any of the aforementioned school identifiers can result in the immediate cessation of an ongoing event and potential disallowance of the offending party to raise monies on behalf of the school or school groups in the future.

If any BCS affiliated club, sport, or class intends on raising money to support that organization or the mission of that organization, they are required to receive approval from the Head of School. A request may be denied for reasons including, but not limited to, conflicts with another fundraiser running at the same time' or if a different group has already been approved for a similar type of fundraising.

Fundraising efforts that are not designated to go toward a specific goal (i.e. helping to support a group, directed towards a specific charity); monies raised by the fundraising effort on behalf of the school will be allocated toward the BCS general fund. Persons in charge of all fundraisers must follow established procedures for collecting, receipting and depositing monies. Failure to follow established procedures will result in administrative action.

XIV. GIFTS, DONATIONS AND BEQUESTS

BCS graciously accepts gifts, bequests, donations and other forms of voluntary contributions from individuals and organizations. Gifts may include cash, real or personal property, stocks, bonds and other securities, services or in-kind contributions. The Head of School will ensure that any offered gift imposes no undue financial burden or obligation to BCS.

The Head of School will evaluate any offers of gifts or bequests that are not revenues or gifts of nominal value. The Head of School will consider the gift's suitability, any safety hazards and costs to maintain the gift. For non-revenue gifts or bequests valued by the donor in excess of \$25,000, the Head of School will make a recommendation to the board whether to accept the gift or not. The board will decide whether to accept the gift on behalf of BCS. Cash gifts will be managed by the CSFO.

The BCS Board of Directors establishes the following conditions for the acceptance of gifts. Other conditions may be set as the Board deems appropriate.

- Gifts of real or personal property will be accepted only if the donor can demonstrate that he/she has clear and free title to the property.
- The Board reserves the right to utilize the funds as deemed appropriate.
- The specific manner in which funds are expended within a designated area will be determined under the direction of the Head of School.
- A gift must not impose any undue financial burden or obligation to BCS.
- Gifts to BCS become the property of the school and are subject to the same controls and regulations that govern the use of all school-owned property.
- All supplies and equipment purchased with funds from any donor becomes the property of BCS and the title to such property will remain with BCS.
- The board has no responsibility and makes no promises to continue any program initiated with donor contributions once the donated funds are expended.
- The Finance Committee must approve the design, location and construction material before the installation of major gifts that will become a permanent part of the school facility or grounds, such as playground equipment, bleachers, scoreboards, outdoor lights or fences, etc. Any such gift also must meet any required safety standards.

Any gift or bequest constituting revenue will be deposited in the proper fund. The Head of School will develop and implement the means of recognizing contributors. Unless otherwise specified in a written agreement approved by the board, any gift or bequest becomes the property of BCS. If the board at any time determines that such property is unnecessary or undesirable for public school purposes, the board may sell such property in accordance with state law.

All cash gifts are nonrefundable.

XV. INSURANCE AND BONDING

BCS will maintain a comprehensive insurance policy for loss or damage of school buildings and/or equipment. In addition to insurance of buildings and equipment, BCS will also carry general liability insurance, wrongful acts and legal liabilities insurance ("errors and omissions"), auto liability, real and personal property, and workers' compensation. The premiums will be included in the budget as a necessary expense.

The following coverage will be maintained at a minimum:

- Errors and omissions: \$1,000,000 per claim
- General liability: \$1,000,000 per occurrence

- Boiler and machinery: the replacement cost of the building
- Real personal property: the appraised value of the building and contents
- Fidelity bonds: no less than \$250,000 to cover employee dishonesty/theft
- Automobile Liability: \$1,000,000 per occurrence
- Workers' Compensation: as specified by the State statutes

The School shall require proof of adequate insurance coverage from all prospective contractors, as deemed applicable to the BCS Board of Directors.

XVI. TRAVEL AND ENTERTAINMENT

1. Expense Reporting

Business related expenses may be reimbursed via the purchase request process. All itemized receipts must accompany the request. BCS will not pay for any sales taxes incurred with the exception of some food purchases or out of state business that will not allow the tax exempt deduction. The requestor may obtain the tax exempt ID number from the Business Office prior to purchasing to avoid incurring taxes. Meals and other travel related expenses must be pre-approved. BCS will reimburse for meals not provided by the conference host using the U.S. General Services Administration (GSA) per diem rates based upon the city and state (or ZIP code) the meal(s) was incurred.

BCS will not reimburse for the purchase of any alcoholic beverages. Charging alcoholic beverages or other personal items to a BCS credit card may result in disciplinary action.

2. Mileage Reimbursement

When traveling on official School business, BCS will reimburse the round-trip mileage between the School and destination or for the actual miles traveled from the employee's home to destination and back, whichever is less. Mileage between an employee's home and the School is not subject to reimbursement. In cases when multiple employees attend the same event, carpooling is encouraged and mileage will be reimbursed to the employee providing the transportation to the car pool. The reimbursement will be for the distance each way between the school and the destination.

Reimbursement will be paid at the IRS determined standard mileage rate in effect at the time the miles were driven (the IRS establishes this rate annually).

4105	School Lunch and Breakfast Fiscal Policy
Approval Date	01/2023
Category	Fiscal Management
Governance Accountability	Board of Directors, Leadership Team
Audience	Board of Director, Leadership Team, Employees

These statements of policy are subject to change at the direction of the Board of Directors of Breakthrough Charter School (BCS).

The following federal and state regulations, guidance, and laws govern alternate meals and unpaid meal charges:

Breakthrough Charter School shall provide a nutritionally adequate meal (breakfast or lunch) that qualifies for reimbursement under the federal child nutrition program regulations. EC, Section 49553(a)

Children eligible to receive free or reduced-priced meals and milk shall not be treated differently from other children. These plans shall ensure each of the following:

- Unless otherwise specified, the names of the children shall not be published, posted, or announced in any manner, or used for any other purpose other than the National School Lunch Program.
- There shall be no overt identification of any of the children by the use of special tokens or tickets or by any other means.
- The children shall not be required to work for their meals or milk.
- The children shall not be required to use a separate dining area, go through a separate serving line, enter the dining area through a separate entrance, or consume their meals or milk at a different time.

When more than one lunch or breakfast or type of milk is offered pursuant to this article, the [free and reduced-price eligible] children shall have the same choice of meal.

Student Pricing

At this time, Breakthrough Charter School is a Community Eligible Program (CEP) school. No students are charged for breakfast and lunch at this time. However, if no longer eligible for the CEP program, prices will be as listed:

- Students who do not qualify for free or reduced-price meals must pay \$4.50 for lunch, and \$2.50 for breakfast.
- Students who qualify for reduced meals must pay and \$0.40 for lunch, and \$0.30 for breakfast.

Payment Options

At this time, Breakthrough Charter School is a Community Eligible Program (CEP) school. No students are charged for breakfast and lunch at this time. However, if no longer eligible for the CEP program, Students or Parents may pay through the TITAN Family Portal located on the school website.

Dietary Needs

Any students with food allergies must complete the dietary needs form accompanied by a physician's note, each school year. This form can be obtained through the school office.

Collection Procedures for Delinquent and Bad Debt - Adverse Action

At this time, Breakthrough Charter School is a Community Eligible Program (CEP) school. No students are charged for breakfast and lunch at this time. However, if no longer eligible for the CEP program, when a household has a negative balance more than \$15.00 at Breakthrough Charter School for a student, collection procedures will be initiated as follows:

1. The Director of Operations or Office Manager will send a letter to the household with the amount of debt and date of expected payment and include the link for the Household Application to apply for free or reduced-price meals.
2. If payment or arrangements to pay have not been satisfied, the school bookkeeper will report the household to school administration. The school administration will call the household and attempt to collect the debt.

3. If payment is not received and/or if a parent regularly fails to provide meal money or send food to school with the student and the student does not qualify for free or reduced benefits the Child Nutrition Director will inform the Principal, who will determine the next course of action, which may include notifying the department of social services of suspected child neglect and/or taking legal steps to recover the unpaid meal charges.

The Breakthrough Charter School Board of Directors is responsible for maintaining records that document compliance with this policy.

Recovering Unrecovered or Delinquent Debt

Title 2, Code of Federal Regulations (2 CFR), Section 200.426: Bad debts are an unallowable cost to federal programs. According to federal guidance, unpaid meal charges are designated as unrecovered or delinquent debt until it is deemed uncollectable, at which time it becomes bad debt. The difference between unrecovered or delinquent debt and bad debt is described below:

- Unrecovered or delinquent debt refers to meal charges that have not been paid by the student(s) or parent(s) during the fiscal year.
- Bad debt is considered unrecovered or delinquent debt that, after all reasonable steps have been taken, has not been recovered by, or before, the end of the fiscal year in which the debt was incurred.

Breakthrough Charter School will take all reasonable steps to recover the unrecovered or delinquent debt, and if unsuccessful in collecting the debt by the end of the fiscal year, then the debt will be considered as bad debt and Breakthrough Charter School will use nonfederal funding sources to repay the NSFSA for the total amount.

Meal Charge Policy Considerations

As noted above, unrecovered or delinquent debt becomes bad debt at the end of the fiscal year it is incurred in, unless such debt falls into one of two exceptions:

- Date of debt: The debt is incurred less than 90 days prior to the end of the fiscal year. Under this exception, the SFA will be afforded an opportunity to have a maximum of 90 days to collect the debt and receive payment for the unpaid meal charges. The 90 days will begin at the end of the claiming period for the debt incurred. At the end of the 90 days, the unpaid meal charges will be deemed as bad debt and a nonfederal funding source must repay the NSFSA within 30 days.

If a student incurs unpaid meal charges in the last month of school, Breakthrough Charter School will have a maximum of 90 days to collect the debt. If Breakthrough Charter School is successful in collecting the unrecovered or delinquent debt at the end of the 90 days, then the debt becomes bad debt.

- Repayment plan: If Breakthrough Charter School enters into a repayment plan with the family prior to the end of the fiscal year and this process continues into the next fiscal year. For example, a family notifies the district that they are willing to make monthly payments and agrees to set up a six-month payment plan in an effort to pay off the student's unpaid meal charge balance. Under this exception, the school can establish a payment plan for the family that allows the unrecovered or delinquent debt to carry forward into the next fiscal year.

Bad Debt Recordkeeping Requirements

Once unrecovered or delinquent debt becomes bad debt, records relating to those charges must be maintained in accordance with the record retention requirements in 7 CFR, sections 210.9(b)(17) and

210.15(b). The following records will be maintained to document the appropriate establishment and handling of bad debt:

- Evidence of efforts to collect unpaid meal charges in accordance with the state guidelines or local unpaid meal charge policy
- Evidence the collection efforts fell within the timeframe and methods established by the state agency or local meal charge policy
- Financial documentation showing when the unpaid meal charge(s) became an operating loss
- Documentation showing when the repayment plan was agreed to by all parties (as applicable)
- Evidence any funds written off as bad debt were restored to the NSFSA using nonfederal funding sources

Meal Charge Policy Repayment Options

USDA Policy Memo SP 57-2016 addresses prepayment options for SFAs to consider when establishing meal charge policies. Breakthrough Charter School encourages families to prepay for meals at the reduced-price or paid rate to help to ensure that children have consistent access to healthy, reimbursable meals, without accruing unpaid meal charges.

Notifying Households of SFA Meal Charge Policies and Procedures

Breakthrough Charter School will use the following methods to communicate the meal policies:

- Send a letter to households explaining the meal charge policy when providing student registration materials in the back-to-school packets
- Include the written policy when using existing notification methods to inform families about applying for free or reduced-price meals, including providing website for household applications at the start of the school year and throughout the school year.
- Post the policy on the SFA's Web site
- Set up a parent notification system when a student's meal payment account is low or when the student begins charging for their meals

Tracking Revenues and Expenses

Breakthrough Charter School will track all meal program revenue and expense on a separate line item in the general budget. Each month all revenue and costs will be reconciled and tracked, to be reviewed by the Head of School and Director of Operations, Culture and Support.

Breakthrough Charter School will track any and all non-program foods separately from program food costs (i.e. adult meals). No food items will be purchased from the food service account (fundraisers, a la carte etc. if sold will all be purchased through a general fund account). Program costs consist of all reimbursable breakfast, lunch, snack or supper (as applicable), prior approved equipment purchases, and program materials (such as marketing and office supplies).

The Chief School Financial Officer, Director of Operations, Culture and Support and School Financial Specialist will be trained annually on allowable costs, bad debt procedures and the meal collection policy.

USDA NONDISCRIMINATION STATEMENT

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: http://www.ascr.usda.gov/complaint_filing_cust.html, and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

- (1) mail: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, SW Washington, D.C. 20250-9410;
- (2) fax: (202) 690-7442; or
- (3) email: program.intake@usda.gov.

This institution is an equal opportunity provider.

4106	Unpaid Meal Charge Policy
Approval Date	01/2023
Category	Fiscal Management
Governance Accountability	Board of Directors, Leadership Team
Audience	Board of Director, Leadership Team, Employees

At this time, Breakthrough Charter School is a Community Eligible Program (CEP) school. No students are charged for breakfast and lunch at this time. However, if no longer eligible for the CEP program, this policy shall be implemented.

These statements of policy are subject to change at the direction of the Board of Directors of Breakthrough Charter School (BCS).

The National School Lunch and School Breakfast Programs are integral in ensuring that students have access to nutritious meals to support their academic success. It is also imperative to protect the financial stability of the child nutrition program, as unpaid meal charges can place a large financial burden on the child nutrition program department.

The intent of this policy is to establish a process and procedure to handle situations when children eligible for reduced-price or full-price meal benefits have insufficient funds to pay for school meals.

Application for Free and Reduced Price Meals

Our school participates in the School Breakfast Program and the National School Lunch Program and offers free or reduced priced meals to families who qualify. All families are encouraged to submit a meal application by the first week of school – one application per household is needed. Families can at any

time submit a new application if there is a change in the household income or family household number. Applications can be accessed from the school website.

Unpaid Meal Charge Policy

Families are encouraged to pre-pay for meals on a regular and consistent basis, unless they qualify for free meals.

1. Students who qualify for free meals will not be denied a reimbursable meal even if they have accrued a negative balance on their account.
2. Students who have money to pay for a reduced-price or full price meal at the time of service must be provided a meal. If the student intended to use the money for that day's meal, the School Food Authority (SFA) will not use the money to repay a negative balance or other unpaid meal charge debt.
3. No ala carte purchases will be allowed if a student has a negative account balance.
4. Students without funds to pay for a reduced-price or full price meal are allowed to charge one breakfast and/or one lunch meal (one day's worth of meals).
5. Students who charge a meal will receive a reimbursable meal.
6. Adults and non-students, including employees of Breakthrough Charter School, will not be allowed to charge a meal.

District students, whether at the free-, reduced-, or paid-rate, will receive a full reimbursable breakfast and/or lunch meal that meets USDA requirements regardless of whether they have, or do not have, adequate money in their student account or in-hand to cover the cost of the meal at the time of service.

The CNP staff will key a reimbursable breakfast and/or lunch meal charging the student's account accordingly.

Although a District student may carry a negative balance, it is the student's parent/guardian that is responsible for payment in order to keep the student's balance from becoming negative.

Communicating the Policy

1. The unpaid meal charges policy will be posted on the school website, it will be included in the student handbook and/or on the first day of school and will be provided to all transfer students during the school year.
2. The unpaid meal charges policy will be communicated to all faculty and staff prior to the first day of school.
3. Child Nutrition Program staff will receive training on the unpaid meal charges policy and a record of the training will be maintained as part of the professional development portfolio.
4. Documentation of the communication and training plan will be maintained for the Federal Program Administrative Review.

Notification of Negative and Low Balances

1. The Director of Operations or Office Manager will notify households of negative balances. The school bookkeeper or designee will be responsible for contacting households via telephone, by US mail or by sending a letter home by the student.
2. Notifications to households will include the amount of unpaid meal charges, expected payment dates, the consequences of non-payment and where to go for questions or assistance.
3. The student's household will be notified by email by TITAN Software for low balances. The amount that will trigger a notification is a balance of \$5.00 or less.

4. The Director of Operations and Office Manager is responsible for managing unpaid meal charges and will contact households.

Assistance to Households

Households with questions or who need assistance may contact the Child Nutrition Program office at: (334) 247-9577.

Donations

Individuals wanting to donate may make donations to individual schools to pay off all or some unpaid meal charges. Parents/Guardians of students who are graduating or transferring out of the district can donate the positive balance in their student's meal account to pay off other students' unpaid meal charges. Requests should be submitted to the Child Nutrition Program Director with the student's name and ID number.

Unclaimed Funds

All refunds must be requested within 90 calendar days of the last day of the current school year. To request a refund parents/guardians will need to complete the Positive Balance Form.

By law, Food and Nutrition Services funds cannot be used to cover bad debts such as unpaid meal charges. Therefore, unpaid meal charges remaining at the end of the school year will be paid by the school where the student accrued the debt.

DEFINITIONS:

What Is a National School Lunch Program, or NSLP, Meal?

For lunch, all meals must provide five components: fruit, vegetables, meat/meat alternates, grains, and milk. For a lunch to be a program meal, the meal must contain ½-cup fruit or vegetables and at least two other servings from the five component groups. Three of the five components must be chosen with one of those components being either a fruit or vegetable for the meal to be reimbursable.

What Is a School Breakfast Program, or SBP, Meal?

There are three component groups that make up the breakfast meal pattern: grains (with optional meat/meat alternate allowed), fruit, fluid milk. For the breakfast meal to be a program meal the three components must be served.

What is a Charged Meal?

A charged meal occurs when a student receives a program meal and does not have the funds in his/her account or in-hand to sufficiently pay for the program meal. These meals are not taken from students. Extra items, or a la carte items, are not allowed to be charged and will be taken from students with insufficient funds in their account.

USDA NONDISCRIMINATION STATEMENT

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotope, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may

contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: http://www.ascr.usda.gov/complaint_filing_cust.html, and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

(4) mail: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, SW Washington, D.C. 20250-9410;

(5) fax: (202) 690-7442; or

(6) email: program.intake@usda.gov.

This institution is an equal opportunity provider.



Section 5000 Personnel

5005	Hiring Policy
Approval Date	01/2023
Category	Personnel
Governance Accountability	Board of Directors, Leadership Team
Audience	Employees

Application Procedures

Job applicants for all positions must file a formal application with the Human Resources Designee at Breakthrough Charter School. Applications must be completed in full. All information provided in the application must be truthful. Any misrepresentation of a material fact on an employment application may disqualify the applicant from consideration for the position and may subject an employee to adverse employment action, including termination.

Hiring Authority

The Head of School is responsible for making all final hiring decisions, but no hiring decision is official, final, or effective unless and until it is approved by a vote of the Board.

At-Will Employment

All BCS personnel are deemed “at-will” employees and may be terminated, demoted, reassigned, suspended, or disciplined with or without pay, or with reduced pay, and with or without cause.

Returning Employees

Employment contracts are renewed yearly for returning employees. The Head of School will present a list of returning employees to the Board of Directors for approval before the beginning of each fiscal year.

Mid-year Vacant Positions

In the event of an employment vacancy in the middle of the year, it is at the discretion of the Head of Schools if that position will be filled. If the position will be filled, the position will be advertised publicly for at least three days. Any candidate for employment must fill out and sign an employment application form in order to be considered for hiring. Upon completion of the application, the candidate becomes an applicant for purposes of Breakthrough Charter School record keeping.

Once an applicant is selected to be a candidate for the position, the candidate will undergo a background check. After the candidate passes the background check, the candidate will be presented to the Board of Directors for approval. No candidate will be allowed to begin his or her duties until the background check is complete and the Board of Directors approves the contract. Mid-year employment contracts will only be offered through the end of the fiscal year and at which point the employee will be considered a returning employee.

New Positions

The Breakthrough Charter School Board of Directors approves all new full-time and part-time regular employee positions. The Head of School will present a job description to the Board at the time of the request. Once the position is approved, the position will be advertised publicly for a period of at least three days. Any candidate for employment must fill out and sign an employment application form in order

to be considered for hiring. Upon completion of the application, the candidate becomes an applicant for purposes of Breakthrough Charter School record keeping.

Once an applicant is selected to be a candidate for the position, the candidate will undergo an ASBI/FBI criminal history background check. If an applicant has previously undergone the State of Alabama ASBI/FBI criminal history background check, it will be confirmed that the applicant is deemed “suitable and fit to teach under state law” as a result of that check. After the candidate passes the background check, the candidate will be presented to the Board of Directors for approval. No candidate will be allowed to begin his or her duties until the background check is complete and the Board of Directors approves the contract.

Nepotism

Breakthrough Charter School prohibits the hiring of a family member of an existing employee if either family member would serve in a direct supervisory role over the other. Breakthrough Charter School also prohibits the hiring of a family member of a current board member. A family member is considered to be anyone related by blood, marriage or adoption. Family members of existing Breakthrough Charter School employees who apply for positions within Breakthrough Charter School will not be shown any form of favoritism in the hiring process, all applicants will be treated fairly and equitably. Board members, administrators, or supervisors may not use their positions to directly or indirectly seek or secure the employment of any family member as defined in the Alabama Ethics Law.

A member of an employee’s immediate family will be considered for employment by the Breakthrough Charter School if the applicant possesses all the qualifications for employment. An immediate family member may not be hired, however, if the family member is a family member of a current board member or if the employment would:

- (a) Create either a direct or indirect supervisor/subordinate relationship with a family member; or
- (b) Create either an actual conflict of interest or the appearance of a conflict of interest.

These criteria also will be considered when assigning, transferring, or promoting an employee. For purposes of this policy, “immediate family” includes: the employee’s spouse, brother, sister, parents, children, stepchildren, father-in-law, mother-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law, and any other member of the employee’s household.

Employees who marry or become members of the same household may continue employment as long as there is not:

- a. A direct or indirect supervisor/subordinate relationship between the employees; or
- b. An actual conflict of interest or the appearance of a conflict of interest.

If a family member relationship is established after employment or employees marry and/or become members of the same household, and there is a direct reporting relationship, Breakthrough Charter School administration will determine within a reasonable time period which, if either, employee must be reassigned (in most cases, this will be done at the end of a term or at the end of the school year). Every effort will be made to provide an opportunity that is similar in scope and salary to their current position, however no guarantee of employment can be offered. In the unlikely event there is not a position available that places the employees in compliance with this policy, or in a position with exception to this policy as approved by the Breakthrough Charter School Board of Directors, one or both parties may be terminated from employment.

Any relationship between employees must be disclosed to the Head of School by both parties to the relationship in order for the Head of School to determine there is no conflict, or make the necessary reassignments. No teacher or staff member that is immediate family of the chief administrator (Head of Schools) shall be hired without the board of directors evaluating their credentials, establishing a structure to prevent conflicts of interest, and notifying the Alabama Public Charter School Commission, with evidence, that this process has occurred.

5010	Job Description Policy
Approval Date	01/2023
Category	Personnel
Governance Accountability	Board of Directors, Leadership Team
Audience	Employees

Job descriptions will be prepared for all positions in Breakthrough Charter School to serve as organizational aids for identifying and delegating responsibilities, coordination and division of work and prevention of duplication efforts. Breakthrough Charter School should remain consistent and up to date with all State and Federal requirements for public instruction staff; thus no "grand-fathering" of employment is deemed admissible.

The Job Description Policy applies to all employees at Breakthrough Charter School.

5010	Employee Qualifications and Duties
Approval Date	
Category	Personnel
Governance Accountability	Board of Directors, Leadership Team
Audience	Board of Directors, Leadership Team, Employees

General Requirements

Employees have a duty to perform their jobs responsibly and in a conscientious manner. In addition to any specific job requirements set forth in job descriptions or elsewhere, employees are expected to meet the following general performance and service standards:

- a. Employees are required to be punctual and to attend work regularly.
- b. Employees are required to perform the duties and responsibilities that are assigned to them by the Board, the Head of School, or their supervisor(s). Such duties and assignments may extend beyond or outside the instructional day and may include off-campus functions, events, and activities.
- c. Employees are expected to treat all students, co-employees, visitors, and guests of the Board with respect. Employees are expected to demonstrate moderation, restraint, and civility in their

dealings with others and, in general, to serve as appropriate role models for students in their behavior and demeanor.

- d. Employees are required to obey all laws, ordinances, Board policies, and supervisory directives, and are expected to follow the Alabama Educator Code of Ethics and other pertinent authority while carrying out duties for the Board.
- e. Employees whose duties include the instruction or supervision of students must provide effective supervision, discipline, organization, and instruction of the students.
- f. Employees must complete and submit required reports accurately and in a timely fashion.
- g. Employees must respect, protect, and exercise due care in the handling, use, and operation of Board property and equipment.
- h. Employees shall at all times maintain appropriate, "professional" relations with students and shall not engage in conduct (including communication of any kind) that constitutes, solicits, or suggests sexual, romantic, or inappropriately familiar interaction with students.
- i. Employee Attire - Employees are required to report to work or to school functions in attire that is appropriate to their position and the nature of the function and that is in keeping with generally accepted standards of decorum and professionalism. Service and other employees who are issued uniforms shall wear uniforms when required.
- j. Employees shall promptly disclose to the Board any fact that would disqualify them from employment or that renders them unable to perform their essential job functions.

Special Requirements

- a. Work Schedules (Teachers) – Supervisory and instructional duties of teachers commence a minimum of fifteen (15) minutes prior to the beginning of the school day and conclude fifteen (15) minutes after the dismissal of students (hereinafter referred to as the "instructional day"). Except as may otherwise be provided or required by the Board, the minimum instructional day for teachers is seven and ½ (7.5) hours. Assignments and duties may extend beyond the instructional day and may include off-campus functions, events, and activities; conferences and meetings with parents; supervision of student arrival and departure; and preparation for the following instructional day. Such duties should be assigned in a fair and reasonable manner to the extent practicable. Teachers will be provided a minimum of thirty (30) minutes free of instructional and supervisory responsibilities each instructional day.
- b. Work Schedules (Support Personnel) – The Head of School is authorized to establish work schedules, including minimum work times, for support personnel.
- c. Substitute Teachers – Substitute teachers must be registered in the central office as a substitute and must have completed a State of Alabama ASBI/FBI criminal history background check. Substitute teachers must, at a minimum, possess a high school diploma. First preference will be given to substitutes that hold a valid and current Alabama Substitute Teacher's Certificate or Alabama Teacher's Certificate. Long-Term substitutes should possess a valid and current Alabama Substitute Teacher's Certificate or Alabama Teacher's Certificate.
- d. Teacher Assistants – Teacher assistants must, at a minimum, possess (i) a high school diploma or its equivalent; (ii) a two-year diploma from a college or university (or the equivalent hours) or pass the Work Keys Assessment; and (iii) a certificate from the State Department of Education verifying a "clear" status resulting from a background check.

Qualification of Coaches and Assistant Coaches

Certified employees and non-certified employees classified as "exempt" pursuant to the Fair Labor Standards Act may serve as coaches and assistant coaches upon the annual recommendation of the Head of School and the approval of the Board.

Non-certified employees classified as “non-exempt” pursuant to the Fair Labor Standards Act may also volunteer to serve as coaches and assistant coaches upon the annual recommendation of the Head of School and the approval of the Board, if the following conditions are met:

1. They will be paid the same supplement as all other coaches of a particular sport. This constitutes a “nominal fee” as defined by the Fair Labor Standards Act and will not be tied to the number of hours devoted to coaching activities or team performance.
2. There is no obligation on any non-exempt employee to serve as a coach or assistant coach. If any non- exempt employee decides to relinquish his or her position as a coach/assistant coach, it will have no adverse impact on their position with the Board.
3. The non-exempt employee’s duties cannot be the same type of duties or services for which they volunteer as a coach/assistant coach.

With respect to any non-certified (non-faculty) employee, exempt or non-exempt, serving as a coach/assist coach, a certified employee, faculty member or full-time employee of the school must be present at all sport contests.

Volunteer coaches that are not employed by the Board may serve in such capacity upon being recommended to the BCS Board of Directors for approval in the sport. Volunteer coaches must complete an application and three satisfaction professional references must be obtained. Volunteer coaches are responsible for and must submit a background report to the Head of School in advance of being recommended. Background results must comply with those of other employees. Volunteer coaches may not serve in such capacity until all requirements are met and have received Board approval. Volunteer coaches must serve directly under the supervision of a coach (faculty member) employed by the BCS Board of Directors. A non-faculty, volunteer coach must be accompanied at all contests by a faculty member or full-time employee of the school.

All coaches must meet the certification requirements stipulated by the Alabama High School Athletic Association.

5020	Background Check Policy
Approval Date	01/2023
Category	Personnel
Governance Accountability	Board of Directors, Leadership Team
Audience	Board of Directors, Leadership Team, Employees

Criminal background checks, including Alabama State Bureau of Investigation (ASBI) and Federal Bureau of Investigation (FBI) criminal history background checks through the ALSDE, by means of fingerprinting for prospective and current employees who have unsupervised access to students shall be conducted consistent with requirements of the law (Alabama Child Protection Act of 1999, as amended, codified at Ala. Code §§16-22A-1 to - 34 (1975). This is also required by Section 9(c) (1) of the Alabama School Choice and Student Opportunity Act (Act 2015-3). If an applicant has previously undergone the State of Alabama ASBI/FBI criminal history background check, it will be confirmed that the applicant is deemed “suitable and fit to teach under state law” as a result of that check.

5025	Equal Employment Opportunity & Non-Harassment Policy
Approval Date	
Category	Personnel
Governance Accountability	Board of Directors, Leadership Team
Audience	Employees

Equal Employment Opportunity

It is the policy of Breakthrough Charter School to follow Federal and State laws and provide equal employment opportunity to all employees and applicants for employment without regard to unlawful consideration of race, color, religion, sex, national origin, age, disability, or any other status protected by applicable federal, state or local law. This policy applies to all terms and conditions of employment including, but not limited to, recruitment, hiring, placement, promotion, termination, and transfer, leaves of absence, compensation and training.

Non-Harassment

Breakthrough Charter School expressly prohibits any form of employee harassment based on race, religion, sex, national origin, age, disability, or any other status protected by applicable law. Improper interference with the ability of our employees to perform their expected job duties will not be tolerated. See Policies 1210 and 2170.

Reporting by Other Employees

Any employee who believes that another employee is being subjected to unlawful discrimination or harassment should promptly report such conduct to the employee’s supervisor or use the alternative reporting options described in the Grievance Policy 216.

5105	Employment At-Will Policy
Approval Date	01/2023
Category	Personnel
Governance Accountability	Board of Directors, Leadership Team
Audience	Employees

Employment at Will

Employment at Breakthrough Charter School is “at will.” Either the employee or Breakthrough Charter School has the right to terminate the employment relationship at any time, with or without cause or advance notice. This employment-at-will relationship will remain in effect throughout the employee’s service to the school unless specifically modified by an expressed written agreement signed by the employee and the Head of School Breakthrough Charter School (upon Board of Directors’ approval).

However, as a condition of their licensure, teachers are required to give the school thirty (30) days' notice of their intent to resign pursuant to Alabama Act No. 2018-83.

Faculty/Staff Employment Contracts

Faculty/Staff employed by Breakthrough Charter School will be required to sign a one year, at-will contract. This contract is a commitment made between Breakthrough Charter School and the faculty/staff member. Employment-at-will supersedes all agreements, yet the contract will outline many of the conditions and arrangements of employment.

An at-will contract will be signed each year of employment. The Breakthrough Charter School Board of Directors approves all employment contracts.

Equal Employment Opportunity

Breakthrough Charter School is committed to equal opportunity for all qualified persons without regard to race, color, religion, ancestry, national origin, sex, marital status, physical handicap, medical condition, or age to the extent required by law. This applies to all employment practices, including hiring, promotions, training, disciplinary action, termination, and benefits.

Breakthrough Charter School expects all employees to show respect and sensitivity toward all other employees and to demonstrate a commitment to the school's equal opportunity objectives. Anyone observing a violation of this policy should report the violation immediately to the Head of School, school administrator, and/or the Chair of the Board of Directors. Violation of this policy may result in disciplinary action, up to and including termination.

IMMIGRATION REFORM AND CONTROL ACT OF 1986

Breakthrough Charter School is committed to full compliance with the federal immigration laws and will not knowingly hire or continue to employ anyone who does not have the legal right to work in the United States.

As an ongoing condition of employment, employees will be required to provide documentation verifying their identity and legal authority to work in the United States, as an ongoing condition of employment.

Employee Classifications

Breakthrough Charter School classifies employees in the following manner:

- Full-time regular employees: Employees hired to work the school's normal, full-time, forty-hour work week on a regular basis. Such employees may be "exempt" or "non-exempt" as defined below.
- Part-Time regular employees: Employees hired to work fewer than thirty-five hours per week on a regular basis. Such employees may be "exempt" or "non-exempt" as defined below.
- Temporary employees: Employees engaged to work full or part time at Breakthrough Charter School payroll with the understanding that their employment will be terminated no later than on completion of a specific assignment. (Note that a temporary employee may be offered and may accept a new temporary assignment with Breakthrough Charter School and thus still retain temporary status. Furthermore, employees hired from temporary employment agencies for specific assignments are employees of the respective agency and not of Breakthrough Charter School).
- Non-exempt employees: Employees who are required to be paid overtime at the rate of time and one-half (i.e., one and one-half times) their regular rate of pay for all hours worked beyond forty hours in a workweek.

- Exempt employees: Employees who are not required to be paid overtime, in accordance with applicable federal wage and hour laws, for work performed beyond forty hours in a workweek. Executives, professional employees, and certain employees in administrative positions are typically classified as exempt employees.

Personnel Records

Breakthrough Charter School must always have the most current employee information. An employee must inform the school office immediately of a change in name, address, phone number, marital status, etc. In the case of a name and/or social security number change, the employee must provide original documentation authorizing the change. Upon request, employees will be allowed to review any personnel records that have been used to determine his or her qualifications for employment, promotion, compensation, termination or other disciplinary action. Please talk to the Head of School or Office Manager for more information.

5105	Employment Leave Policy
Approval Date	01/2023
Category	Personnel
Governance Accountability	Board of Directors, Leadership Team
Audience	Employees

Work Attendance an Essential Job Function – Punctual, regular attendance is an essential job function of every job and position, and employees are expected to report to work when scheduled to work and to remain at work each working day.

Absences – Except as otherwise authorized under Board policy, employees may be absent from work only in the following circumstances:

1. Sick leave caused by illness, injury or other qualifying reason for sick leave or on-the-job injury leave under state law or the Family Medical Leave Act;
2. Personal Leave
3. Professional leave;
4. Military leave
5. Court leave;
6. Other unpaid leave that is specifically approved by the employee’s immediate supervisor upon a showing of substantial hardship or extraordinary circumstances.

General Provisions

The following general provisions apply to all leaves of absence:

1. A request for an extension of a leave of absence must be made in writing prior to the expiration date of the original leave, and when appropriate, must be accompanied by a physician’s written statement that certifies the need for the extension.
2. Failure to return to work on the first day following the expiration of an approved leave of absence may be considered a voluntary termination.
3. Coverage under the school’s group insurance plans will be continued on the following basis:

- For the first thirty days of an approved leave, Breakthrough Charter School will continue to contribute to premiums as if the employee were actively at work;
 - Employees will be required to pay the entire premium for the continued coverage during the portion of an approved leave of absence in excess of 30 days.
 - Employees must make arrangements with Breakthrough Charter School to pre-pay their share of group insurance premiums before going on leave of absence.
4. Employees will not accrue length of continuous service for the portion of a leave of absence in excess of 30 days
 5. Employees on leave of absence will be subject to lay off on the same basis as employees who are actively at work.
 6. Employees on leave of absence must communicate with the Head of School on a regular basis, at least once each month, regarding their status and anticipated return to work date.
 7. Employees who falsify the reason for their leave of absence will be subject to disciplinary action, up to and including possible termination.
 8. All leaves of absence must be approved in advance, in writing, by the Head of School.

Employees who know in advance that they will be absent from work must notify the employee's immediate supervisor of the expected absence. In the event of an emergency or incapacity that makes advance notice impractical, employees must notify their immediate supervisor of their absence as early as possible. Except as otherwise provided or permitted, an employee who is absent from work without approved leave will be considered absent without leave in violation of Board policy and subject to appropriate disciplinary measures up to and including termination. Employees who are approved for paid leave or absences will be paid at the regular daily rate of pay; however, a day of paid leave or absence will not be counted as a day worked for the purposes of computing overtime under the Fair Labor Standards Act. Pay will be reduced on a pro rata basis for leaves or absences not covered by sick, personal, or other appropriate form of paid leave. The continuation of benefits during an approved absence is subject to the provisions of the particular benefit policy or plan.

Paid Sick Leave

A. Persons Eligible for Paid Sick Leave – All regular full time employees are eligible for paid sick leave. Earning and Accumulation of Paid Sick Leave – All eligible employees earn sick leave days at the rate of either seven and one-half (7.5) hours or eight (9) hours per month based upon their daily work hours and contract commitment (10 month, 11 month, or 12 month).

Employee's unused paid sick leave will "roll over" from year to year and accumulate an unlimited number of sick leave days. New employees may transfer all unused earned sick leave from another Alabama school board, as permitted by law, upon certification by the previous employer.

B. Use of Sick Leave – Eligible employees may only use paid sick leave for absences caused by the following:

1. Personal illness;
2. Incapacitating personal injury;
3. Attendance upon an ill member of the employee's immediate family, defined as a spouse, parent, child, sibling or any person with a close personal tie;
4. Death of a family member, including a spouse, parent, child, sibling, mother or father-in-law, son or daughter-in-law, brother or sister-in-law, nephew or niece, grandparent, grandchild, aunt or uncle;
5. Death or care of an individual with whom unusually strong personal ties exist because of a relationship other than those listed above.

C. Certification – Employees must certify that sick leave was used for one of the reasons provided in this policy. If the employee’s school administrator or Head of School has probable cause to believe that an employee has abused or misused sick leave, a physician’s statement verifying the existence and nature of the illness or medical condition may be required by the employee’s immediate supervisor. Abuse of sick leave may subject the employee to disciplinary action.

D. BCS will deduct sick pay from the Employee’s “sick leave bank” in increments of three and one-half (3.5) or four (4) or seven and one-half (7.5) or eight (9) hours at a time based upon their daily work hours when Employee is absent due to illness or injury or medical treatment of Employee or of Employee’s immediate family (children, spouse, parents, and parents-in-law).

E. Sick leave will not be granted for absences for which Employee is eligible to receive workers’ compensation.

F. Employee’s unused sick leave balance will rollover into an eligible retirement account as service credit as determined by law at an employee’s retirement. If Employee resigns or BCS terminates Employee, Employee will be permitted to transfer unused sick leave to another Alabama public school, for use by the employee as provided by law.

On-The-Job Injury Leave

On-the-job injury includes an accident or injury to an employee that occurs in the course of performing job duties for the Board or when the employee is directed or requested by the employer to be on the property of the employer and which prevents the employee from working or returning to the job. Employees who are accidentally injured on the job may be approved for paid “on-the-job injury” leave without using sick days, provided that:

A. The injured employee submits written medical certification from the attending licensed physician stating that the employee was injured and cannot return to work due to a specified injury, if there is a reasonable expectation that the employee will return to work and, if so, the expected date of that return. The Board may require a second opinion from a Board specified physician, at its expense.

B. The employee submits a signed written account of the accident attested by a school administrator or Head of School within twenty-four (24) hours after the injury occurred. If the injured employee is not able to notify the school administrator or Head of School, another person reasonably knowledgeable about the employee’s condition and circumstances leading to the injury may provide the required notification.

C. Family Medical Leave Act: <http://www.dol.gov/whd/fmla/>

Eligible Employees – The FMLA is applicable to all persons who have been employed for at least twelve (12) months and have worked a minimum of 1,250 hours during that twelve (12) month period.

Medical Leave Provided by the Act – Under the FMLA, eligible employees are entitled to twelve (12) weeks of unpaid leave during any twelve (12) month period for one or more of the following reasons:

- a. The birth and first year care of a newborn child;
- b. The placement of a foster child or adoption;
- c. The care of an immediate family member, defined as a spouse, child or parent, with a serious health condition;
- d. The taking of medical leave because of the employee’s own serious health condition. For the birth, adoption, or foster placement of a child, the entitlement to leave for child care

expires at the end of the twelve (12) month period beginning on the date of birth, adoption, or placement. Leave associated with the illness of a child will only be provided if the child is under eighteen (18) years of age or is incapable of self-care due to physical or mental disability.

Serious Health Conditions – The term “serious health condition” means an illness, injury, impairment, or physical or mental condition that involves the following:

- a. Any period of incapacity in connection with or following inpatient care in a hospital, hospice, or residential medical care facility.
- b. Continuing treatment by a health-care provider, to include any period of incapacity due to:
 - i. A health condition, including treatment and recovery, lasting more than three (3) consecutive days, and any subsequent treatment or period of incapacity relating to the same condition;
 - ii. Pregnancy or prenatal care;
 - iii. A chronic, serious health condition which continues over an extended period of time, requires periodic visits to a health care provider, and may involve episodes of incapacity (e.g., asthma and diabetes);
 - iv. A permanent or long-term condition for which treatment may not be effective (e.g. Alzheimer’s, severe stroke) and for which supervision of a health-care provider is required;
 - v. Multiple treatments for restorative surgery or for a condition which would likely result in a period of incapacity of more than three (3) days if not treated.

Military Family Leave Provided by the Act

a. Qualifying Exigency Leave – Under the FMLA, an eligible employee with a spouse, child, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may utilize the twelve (12) week medical leave entitlement to address qualifying exigencies resulting from that service.

Military Caregiver Leave – An eligible employee, who is the spouse, child, parent, or next of kin of a covered service member, is entitled to take up to twenty-six (26) weeks (including any medical leave provided by the Act) of unpaid leave during any twelve (12) month period (beginning the first day of the leave) to care for an individual covered service member with a serious injury or illness incurred in the line of duty while on active duty that may render the service member medically unfit to perform the duties of the member’s office, grade, rank, or rating. A covered service member is a member of the Armed Forces, including the National Guard and Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness incurred in the line of duty on active duty.

Spouse Employed by the School – Spouses who are both employed by the School are limited to a combined total of twelve (12) weeks of family leave for the birth and care of a newborn child, for the placement of a child for adoption or foster care, for the care of a parent who has a serious health condition, and for qualifying exigency leave. Spouses who are both employed by the School are limited to a combined total of twenty-six (26) weeks for military caregiver leave.

Intermittent Leave – An employee may take leave intermittently or on a reduced leave schedule only when medically necessary to care for a spouse, parent, or child or to receive planned medical treatment. Intermittent leave should be scheduled to the extent practicable so as not to

unduly disrupt the operations of the School. Intermittent leave may be further limited for teachers in accordance with federal law.

Use of Personal and Sick Leave – If an employee has available sick leave or personal leave or other applicable paid leave, the employee must utilize those forms of leave before taking unpaid leave under the FMLA. In that instance, the paid leave and the FMLA leave will run concurrently and the employee's twelve (12) weeks of unpaid FMLA leave will be reduced by the paid leave utilized, as long as the need for such leave results from one or more of the qualifying reasons under the FMLA.

Notice – Employees seeking leave under the FMLA must provide thirty (30) days advance notice of the need to take leave when the need is foreseeable. When the need for leave is unforeseeable, employees should notify their supervisors as soon as possible. Employees must also provide notice of the need for qualifying exigency leave as soon as practicable.

Certification for Medical or Military Caregiver Leave – Every request for FMLA leave based upon the serious health condition of the employee or employee's spouse, children, or parents, or leave as a military caregiver must be supported by medical certification issued by the appropriate health care provider on forms provided by Human Resources.

For leave based on a serious health condition of the employee or employee's spouse, child, or parent, the Board reserves the right to obtain a second opinion from an independent health-care provider designated by Human Resources. If the opinion received by the employee and the second opinion conflict, Human Resources and the employee must agree on a third provider to issue a binding opinion. Both the second and third opinions (if necessary) will be at the expense of the School.

Certification for Qualifying Exigency Leave – Certification will be required by the School for requests for qualifying exigency leave. Certification must be timely submitted on forms available from Human Resources. For the first such request, certification may include a copy of the military service member's duty orders or other military documentation.

Return to Work – Human Resources may require an employee who has taken leave due to the employee's own serious medical condition to provide Human Resources with a healthcare provider's certification in order to return to work. Any employee who takes leave under these provisions will be entitled to be restored to the original position held when the leave commenced or to an equivalent position with equivalent benefits, pay, and other terms and conditions of employment.

Maintenance of Benefits – Benefits accrued by the employee before leave is taken are not lost when approved FMLA leave is taken. Employees who are on approved FMLA leave will remain eligible to participate in benefit programs in which the employee was enrolled at the time of the leave, provided that the employee will continue to be responsible for payment of employee's portion of any cost, premium, or like payment that is required to maintain eligibility for the coverage or benefit. An employee that does not return to work after FMLA leave, will be required to reimburse the School for the cost of benefits coverage extended to the employee during the leave, unless the reason for the employee's failure to return to work is (i) a continuing serious health condition suffered by either the employee or a family member, or (ii) other circumstances beyond the employee's control.

Instructional Employees – Medical leave taken by eligible instructional employees is subject to further limitations and provisions established by the FMLA. The Head of School or her designee is authorized to develop additional information and guidelines concerning instructional employees

Personal Leave – Personal leave must be requested in accordance with such procedures as may be established by the Head of School or the Board. Personal leave may not be taken during the first or last week of school, or immediately before or after a holiday unless special permission is granted by either the Head of School, Chief Financial Officer, Chief Operating Officer, or school administrator. Ten (10) month, Eleven (11) month, and twelve (12) month full time employees are eligible for personal leave.

- a. Paid Personal Leave – Each ten (10) or eleven (11) month full time employee shall be entitled to two (2) days of non-cumulative paid personal leave annually, to be granted upon the request of the employee. If a ten (10) or eleven (11) month employee requests a fourth day of personal leave and if a substitute is needed, the pay for the substitute will come out of the requesting employee's pay. Each twelve (12) month employee, with exception of the Head of School and CSFO, shall be entitled to ten (10) days of non-cumulative paid personal leave annually, to be granted upon the request of the employee. The Head of School and Director of Operations shall be entitled to fifteen (15) days of non-cumulative paid personal leave annually, to be granted upon their request.
- b. Leave Request Increments – Leave must be requested in increments of three and one-half (3.5) or four (4) or seven and one-half (7.5) or eight (8) hours at a time based upon their daily work hours.
- c. Entitlement to Leave – Employees entitlement to personal leave will be prorated based on the Employees start date. If an employee resigns within the same year, the Employee would owe back to the School any personal leave that had been taken but had not yet accrued.
- d. Unused Personal Leave -- Unused personal leave days will roll over into the employee's sick leave balance at the end of the year.
- e. A perfect attendance incentive will be awarded to full time employees who do not use any sick leave or personal leave for the school year. The amount awarded each year will be at the discretion of the Head of School.
- f. Scheduling – Employee shall provide BCS at least two (2) weeks' advance notice of his/her intention to utilize any personal pay, which BCS may refuse to permit only if Employee is engaged in a time-sensitive project or other circumstances under which, in BCS's sole discretion, the Employee's absence at such time would be detrimental to BCS. For unforeseeable absences, Employee must as much notice as is practical and provide documentation explaining the reason for the absence.
- g. Employee will not be permitted to "cash out" or be paid a lump sum for unused personal leave at any time during his employment. If the Employee provides the required notice of resignation/retirement or if BCS terminates employment without cause, then unused personal pay will be cashed out to Employee on a pro rata basis: 0% if the termination occurs in the first calendar quarter; 25% if the termination occurs in the second calendar quarter; 50% if the termination occurs in the third calendar quarter; and 75% if the termination occurs in the last calendar quarter.

Professional Leave

One in-house professional development day per semester may be delegated by administration as needed for in-house planning days. Other requested professional development days for outside trainings/conferences will be at the discretion of the employee's supervisor.

Military Leave

Military leave is available to all eligible employees in accordance with state and federal law.

Court Leave

Full-time employees are entitled to regular compensation while performing jury duty or when the employee is summoned under subpoena or other legal requirement to testify at trial in a court of law or in an administrative proceedings constituted under the statutory authority of the agency conducting the proceedings. Paid leave is not authorized for employees to meet with attorneys, to attend depositions, or to otherwise prepare for legal proceedings unless the presence of the employee is requested or required by the Board. Leave of absence for Jury Duty. Any jury or witness fee paid may be retained by the employee. If the employee is not selected for duty on jury, the employee will return to work immediately. Upon completion of jury duty, a Verification of Attendance form must be presented to Breakthrough Charter School. Employees who are excused from jury duty for the day, or are excused early, should report to work when practical to do so. If an employee is called to serve on jury duty at a time that would unreasonably interfere with normal education and business operations, the employee may request that the required service be rescheduled for a later date that would be more convenient for Breakthrough Charter School.

Unpaid Leave of Absence

Upon written application by the employee, the Board may provide an unpaid leave of absence for up to one year for study or professional growth opportunities, illness, pregnancy or adoption of a child, or teaching abroad. For a valid reason, the leave may be extended for one additional year. Such leave is available to non-probationary full-time administrative and instructional personnel only. Except as provided to the contrary by applicable law, the employee shall not be entitled to return to the same position held before the commencement of leave, and may be assigned to a different work location or position upon return from leave at the discretion of the Board.

Parental Leave Policy

Purpose

Breakthrough Charter School (BCS) will provide up to six weeks of unpaid parental leave to employees following the birth of an employee's child or the placement of a child with an employee in connection with adoption or foster care. The purpose of unpaid parental leave is to enable the employee to care for and bond with a newborn or a newly adopted or newly placed child. This policy will run concurrently with Family and Medical Leave Act (FMLA) leave, as applicable.

Eligibility

Eligible employees must meet the following criteria:

- Have been employed with BCS for at least 12 months.
- Have worked at least 1,250 hours during the 12 consecutive months immediately preceding the date the leave would begin.
- Be a full- or part-time, regular employee (temporary employees are not eligible for this benefit).

In addition, employees must meet one of the following criteria:

- Have given birth to a child.
- Be a spouse or committed partner of a woman who has given birth to a child.
- Have adopted a child or been placed with a foster child (in either case, the child must be age 17 or younger).

Provisions

- Parental leave shall be without pay, except that the accumulated sick leave days and/or personal leave days may be utilized in accordance with BCS policy.
- Eligible employees will receive a maximum of twelve weeks of unpaid parental leave per birth, adoption or placement of a child/children. The fact that a multiple birth, adoption or placement occurs (e.g., the birth of twins or adoption of siblings) does not increase the 12-week total amount of unpaid parental leave granted for that event. In addition, in no case will an employee receive more than 12 weeks of unpaid parental leave in a rolling 12-month period, regardless of whether more than one birth, adoption or foster care placement event occurs within the 12-month time frame.
- Approved parental leave may be taken immediately following the birth, adoption or placement of a child with the employee.
- Parental leave ends, under ordinary circumstances, when (1) the employee requests to return to work and/or (2) if parental leave is for a female employee who has given birth, then a statement from the attending physician that states the employee is able to return to work.
- While on parental leave, employee will continue to receive uninterrupted health care coverage as long as employee pays the cost of such coverage for the duration of employee's leave. Employee will not accrue sick leave, personal leave, or annual leave while on personal leave.
- Employee will remain eligible for salary increases and bonuses while on parental leave.
- An employee who takes parental leave that does not qualify for FMLA leave will be afforded the same level of job protection for the period of time that the employee is on parental leave as if the employee was on FMLA-qualifying leave.

Coordination with Other Policies

- Parental leave taken under this policy will run, if applicable, concurrently with leave under the FMLA; thus, any leave taken under this policy that falls under the definition of circumstances qualifying for leave due to the birth or placement of a child due to adoption or foster care, the leave will be counted toward the 12 weeks of available FMLA leave per a 12-month period. All other requirements and provisions under the FMLA will apply. In no case will the total amount of leave granted to the employee under the FMLA exceed 12 weeks during the 12-month FLMA period. Refer to the Family and Medical Leave Policy for further guidance on the FMLA.
- If a BCS holiday occurs while the employee is on parental leave, such day will be paid and charged to holiday pay; however, such holiday pay will not extend the total parental leave entitlement.

Request for Parental Leave

- The eligible employee shall initially notify his or her supervisor and human resources department of the need for parental leave and include the estimated timing and duration of such leave at least 30 calendar days in advance of the need for parental leave, where practical.
- If the need for parental leave is not foreseeable, an eligible employee must give notice of the need to his or her supervisor as soon as practical.
- The employee must complete the necessary HR forms and provide all documentation as required by the HR department to substantiate the request.

5115	Review of Employee Records and Employee, Contractor, Agent Referral Policy
Approval Date	01/2023

Category	Personnel
Governance Accountability	Leadership Team
Audience	Employees

A central personnel file will be maintained for all regular employees. The personnel file may contain information regarding the employee's current assignment, payroll status, and work history, including but not limited to job qualifications, certification, licenses, employment contract(s), evaluation data, disciplinary information, and such other documents, written materials, and data as may be reasonably deemed necessary and appropriate by the Board for sound and efficient personnel administration. Anonymous material and other matters that are prohibited by law, regulation, or Board policy from being maintained in personnel files may not be included therein. Employees may reasonably supplement or respond in writing to any material contained in the personnel file with which they disagree and such responses will also be included in the personnel file.

Alternate Data Storage – Personnel file data may be stored or maintained electronically or digitally.
Confidentiality – In general, the contents of an employee's personnel file will be deemed confidential except for documents, information, and materials that are matters of public information or public record under applicable state or federal law.

Access to Personnel Files – Board members, the Head of School, School Leadership Team, employees of the Human Resources Department, and other persons whose duties reasonably require access to personnel files are authorized to view, copy, and use the contents of personnel files for purposes that are required by or in keeping with their official duties on behalf of the Board. All employees wishing to view their records must make an appointment with the Head of School.

Guidelines

- A. Employee's Inspection of Personnel File: An employee may inspect his/her personnel files that are used to determine his/her qualifications for employment, promotion or additional compensation, or as a reason for termination or other disciplinary action. Letters of reference and records relating to the investigation of a possible criminal offense are not subject to inspection.
- B. Procedure to Inspect Files: Personnel files for all employees are maintained by the Breakthrough Charter School Human Resources. The Human Resources staff is responsible for obtaining and returning all relevant school personnel files. All file inspections will be supervised by the Administrator. Prior to the appointment, supervising personnel will remove only the contents not subject to inspection. You may request copies of file contents subject to inspection. Supervising personnel will make arrangements to have copies made for you. Files are not to be removed from the sight or control of the person supervising the inspection. Former employees may request an appointment to review their file or write a letter asking that a copy of their file be mailed to them.
- C. Others' Access to Employee Records: Personnel files will be released only to authorized employees and to the President of the Board of Directors or to a consultant who requires access in the course of doing business for Breakthrough Charter School. All requests from someone other than the employee regarding information contained in personnel files should be made in writing to Human Resources. The only information that will be released to outside sources without the written consent of the employee or a court order is:
 - Dates of employment
 - Job title or current position or, if no longer employed, last position held, and

- Final day of employment (if applicable)
- Or other information as dictated by Alabama State Law

This includes all requests for referrals of former employees of Breakthrough Charter School.

An employee or former employee can make a written request for Breakthrough Charter School to release specific factual information -- such as performance rating, verification of salary or rate of pay, and reason for termination -- to an individual, school, school board, school system or company authorized by the employee to receive it.

Prohibition on Aiding and Abetting Sexual Abuse

Neither the board nor any employee, contractor or agent of the board shall assist another school employee, contractor or agent in obtaining a new job if the individual or the board knows, or has probable cause to believe, that the other employee, contractor, or agent engaged in sexual misconduct regarding a minor or student in violation of the law. This prohibition does not apply to the routine transmission of administrative and personnel files.

In addition, this prohibition does not apply if the information giving rise to probable cause has been properly reported to a law enforcement agency with jurisdiction over the alleged misconduct, and has been reported to any other authorities as required by local, state or federal law, and at least one of the following conditions applies:

1. The matter has been officially closed or the prosecutor or police with jurisdiction over the alleged misconduct has investigated the allegations and notified school officials that there is insufficient information to establish probable cause that the school employee, contractor, or agent engaged in sexual misconduct regarding a minor or student in violation of the law; or
2. The school employee, contractor, or agent has been charged with, and acquitted or otherwise exonerated of the alleged misconduct; or
3. The case or investigation remains open and there have been no charges filed against or indictment of the school employee, contractor or agent within four years of the date on which the information was reported to a law enforcement agency.

[Reference: 20 U.S.C. §7926]

5120	Employee Transfer and Policy
Approval Date	01/2023
Category	Personnel
Governance Accountability	Leadership Team
Audience	Employees

Breakthrough Charter School encourages employees to apply for promotions when positions become available. The Board of Directors also encourages the leadership team to provide professional development opportunities in order to prepare employees for promotion. All vacant positions must be advertised publicly (see Hiring Policy); therefore, internal candidates will be considered in conjunction with

external candidates. As a courtesy to current employees, internal candidates will be guaranteed an interview when applying for all vacant positions at Breakthrough Charter School.

5125	Employee Termination Policy
Approval Date	01/2023
Category	Personnel
Governance Accountability	Leadership Team
Audience	Employees

Breakthrough Charter School will handle all employee terminations in a fair, equitable and consistent manner. If the termination is initiated by an employee, supervisors will review the circumstances to determine if it can be avoided or if there is any action required to avoid similar terminations. If the termination is initiated by the school, the Head of School will take care to be impartial, objective, fair and clear.

A **voluntary termination** is a termination initiated by the employee. Employees may resign or retire from his employment with BCS by providing at least 30 working days written notice prior to the departure date to the Head of School stating the effective resignation or retirement date. In the case of a licensed Teacher, 30 days written notice is required to maintain a valid certification.

If School Leadership determines that it is in the best interests of the school that an employee should not be allowed on the school campus, the School Leadership may suspend the employee with full pay during any part of the notice period. Otherwise, the employee is expected to render services throughout the 30-day notice period.

If Employee provides the required notice, BCS will continue to provide compensation and vested benefits through the resignation/retirement date and will provide a pro rata payment of unused personal time as outlined in Policy 5220.

If Employee fails to provide the required notice or otherwise ceases to perform job duties with less than thirty days' notice without authorization, BCS will stop providing compensation and vested benefits as of the time Employee ceases to perform job duties and will not pay out any unused personal time.

If an employee does not call in or report to work for two consecutive workdays, the employee may be considered to have voluntarily terminated employment.

An involuntary termination is a termination that is initiated by Breakthrough Charter School for reasons other than changing business conditions. Involuntary Termination can be No Cause With Notice or For Cause Without Notice.

- a. Termination by BCS (No Cause with Notice). BCS may terminate Employee's employment without cause by giving fourteen (14) days written notice to Employee. BCS may in its discretion direct that Employee cease performing services at any time before the designated date of termination. Unless otherwise directed, Employee must continue to render services up to but not beyond the designated date of termination. In the event of a termination without cause, BCS will

continue to provide Employee's compensation and vested benefits through the termination date and will provide a pro rata payment of unused personal time as outline in Policy 5220

An involuntary termination is a termination that is initiated by Breakthrough Charter School for reasons other than changing business conditions. Involuntary Termination can be No Cause With Notice or For Cause Without Notice.

A. Termination by BCS (No Cause with Notice). BCS may terminate Employee's employment without cause by giving fourteen (14) days written notice to Employee. BCS may in its discretion direct that Employee cease performing services at any time before the designated date of termination. Unless otherwise directed, Employee must continue to render services up to but not beyond the designated date of termination. In the event of a termination without cause, BCS will continue to provide Employee's compensation and vested benefits through the termination date and will provide a pro rata payment of unused personal time as outlined in Policy 5220.

B. Termination by BCS (For Cause without Notice). BCS is not required to provide any particular notice of termination if Employee's employment is terminated "for cause," as determined by BCS in its sole discretion. For purposes of this provision, "cause" includes the following circumstances:

1. Employee's violation of any material term of this Agreement or other written agreement between BCS and Employee;
2. Employee's violation of any law, statute, regulation, or court order that, in the reasonable belief of BCS, may subject or expose BCS to legal liability;
3. Employee's violation of Code of Ethics;
4. Employee's having been indicted or convicted (including a plea of guilty or nolo contendere) of a felony crime involving moral turpitude, fraud, sexual assault, endangerment of a child, or other felony that is harmful to the business or reputation of BCS; or
5. Employee's having engaged in any act or omission constituting that, to the reasonable belief of BCS, constitutes willful neglect or inattention to his duties as school administrator; or
6. BCS's inability to continue Employee's employment due the final closing of the charter school, dissolution of BCS, or BCS's loss of approval to operate the charter school by order of the Alabama Public Charter School Commission or as otherwise provided by law

In the event of termination for "cause", BCS will pay Employee only the earned but unpaid portion of Employee's salary through the termination date. Unused personal time is forfeited in the event of a "cause" termination.

A reduction in force is a termination of employment resulting from changing business conditions that necessitate a reduction in staff. If Breakthrough Charter School determines, in its sole discretion, a reduction in force should occur, the following factors will be among those considered when reducing staff: years of service, versatility, qualifications, skill, ability, performance, efficiency, attitude and dependability. All Breakthrough Charter School property will be returned to the respective supervisor on the final day of employment. This includes, but is not limited to, keys, books, computers, and other equipment.

5130	Employee Drug Testing Policy
Approval Date	01/2023

Category	Personnel
Governance Accountability	Board of Directors, Leadership Team
Audience	Employees

Breakthrough Charter School is committed to providing a drug and alcohol free environment for its students and employees. As such, we prohibit the use or abuse of drugs and alcohol during work hours, while on school property, or when performing any school business.

In order to ensure the implementation of this policy, applicants and employees will be subject to drug testing under the following conditions:

Pre-employment Testing: Any prospective employee may be required to submit to drug testing. Prospective employees will only be asked to submit to a test once a conditional offer of employment has been extended and accepted. An offer of employment by Breakthrough Charter School is conditioned on the prospective employee testing negative for illegal substances.

Random Testing: Breakthrough Charter School reserves the right to randomly test employees for compliance with this policy. As used in this policy, “random testing” means a mechanism for selection of employees for testing which results in an equal probability that any employee from a group of employees will be tested, and which does not give Breakthrough Charter School discretion to waive the selection of an employee selected by this random selection method.

Reasonable Suspicion Testing: Whenever Breakthrough Charter School has a reasonable suspicion that an employee has violated this policy, Breakthrough Charter School may insist that the employee submit to a drug or alcohol test as a condition of employment. “Reasonable suspicion” means a belief that the employee has used, or is using, drugs or alcohol in violation of this policy, based upon such factor as: observable phenomena, such as display of physical symptoms of usage of such substances while on duty or actual observation of such usage; reliable and corroborated reports by others that the employee has used forbidden substances while on duty; evidence that the employee has tampered with one or more prior drug or alcohol tests while employed with Breakthrough Charter School; or evidence that the employee has been involved in drug possession, use or sale while on school property or while using school equipment.

Post-Accident Testing: Whenever an employee has been involved in a work-related injury, or has damaged school property, Breakthrough Charter School may require that the employee submit to a drug or alcohol test as a condition of continued employment. In the event medical care is required as a result of a work-related injury, the employee will submit to a drug or alcohol test.

Procedures

Drug and alcohol tests will be conducted at a state-approved laboratory. All expenses related to the test will be incurred by Breakthrough Charter School. The laboratory will comply with all applicable laws and observe the chain of evidence (specimen) protocol.

An employee being tested for drugs or alcohol may be suspended with pay until the results of the drug or alcohol test are made available to Breakthrough Charter School by the laboratory.

The test results will be forwarded to Breakthrough Charter School and will remain confidential to the extent practicable. Breakthrough Charter School may disclose test results as required by law or to cooperate with law enforcement, legal proceedings, or requests by government agencies. Positive results are automatically retested and confirmed positive by the laboratory. If the applicant or employee receives notice that his or her test results were confirmed positive, he or she will be given the opportunity to explain the positive result. In addition, the applicant or employee may have the same sample retested at his or her expense at a Substance Abuse and Mental Health Services Administration (SAMHSA) certified laboratory of his or her choice and all test results must be reviewed by a Medical Review Officer (MRO). If the verified retest result is negative, Breakthrough Charter School will treat the test as negative.

Any applicant or employee who tampers with the test (for example, by diluting a sample) or refuses to be tested will be treated as if he or she tested positive.

Violation of any aspect of this policy is grounds for an applicant not being hired, for a conditional offer of employment being rescinded, and for disciplinary action against any employee up to and including termination.

5205	Employee Code of Conduct
Approval Date	01/2023
Category	Personnel
Governance Accountability	Board of Directors, Leadership Team
Audience	Employees

All BCS Employees will be expected to represent the standards of behavior that are outlined in the Alabama Educator Code of Ethics. This Code defines the professional behavior of educators in Alabama as a guide to ethical conduct. The code protects the health, safety, and general welfare of students and educators; outlines objective standards of conduct for professional educators; and clearly defines actions of an unethical nature for which disciplinary sanctions are justified. See Alabama Educator Code of Ethics in the link below.

http://www.alsde.edu/sec/ee/Documents/Alabama_Educator_Code_of_Ethics.pdf#search=code%20of%20ethics

5210	Athletic Coaching Code of Conduct
Approval Date	01/2023
Category	Personnel
Governance Accountability	Board of Directors, Leadership Team
Audience	Employees, Volunteers

Coach Name:

Sport:

Coaches exert a profound impact on our youth; Therefore, Breakthrough Charter School sets high expectations for them. As such, they are responsible for executing coaching as a professional.

Coaching Responsibilities/Expectations:

- Acts as a role model, displaying leadership and respect for athletes, parents, and community members.
- Fosters Breakthrough Charter School Spirit by promoting other sports and co-curricular ideas.
- Provides technical expertise in coaching the assigned athletic activity.
- Works with the athletic director to evaluate program needs.
- Organizes team tryouts. Maintains the integrity of the selection process. All students who do not make the team should receive a personal call!
- Organizes and carries out a practice schedule.
- Coordinates activities with the school calendar. Gives the athletic director a copy of all student communications.
- Maintains accurate records and submits game reports to the Athletic Director within 24 hours of each match.
- Respects personal privacy. Maintains the confidentiality of privileged information.
- Coaches must attend the annual Coaching Clinics for designated sports.
- Avoids public criticism of training/coaching methods used by other individuals.
- Assumes responsibility for the development of off-season activities (e.g., summer training, etc.).
- Teaches precautions and procedures to help students prevent injuries. Ensures that medical forms are complete. Promptly documents all injuries that require medical attention.
- Evaluates individual and team performance. Prepares statistics. Develops and refines game strategies.
- Secures personnel needed to complete home matches. (i.e. ticket takers)
- Provides guidance, communicates high expectations, and shows an active interest in student progress. Promotes academic success as an important priority for all students.
- Helps with supervision responsibilities related to the preparation of athletic fields and practice areas.
- Assigns and keeps track of athletic equipment as well as keeps equipment inventory for the season.
- Ensures that students keep facilities clean.
- Obtains permission to be away when duties conflict with other assigned duties. Includes but not limited to staff meetings, car line duty and other work related responsibilities.
- Takes precautions to ensure staff/student safety. Does not leave students unsupervised and waits to leave until all students have left.
- Performs other specific job-related duties as directed.
- Communicates via e-mail ALL match results within 24 hours to the athletic director or other designated personnel.

5215	Employee Disciplinary Action Policy
Approval Date	01/2023
Category	Personnel

Governance Accountability	Board of Directors, Leadership Team
Audience	Employees

Breakthrough Charter School will treat employees fairly. In the event that a disciplinary issue arises, for each offense the Breakthrough Charter School will use a three-part corrective action procedure to improve the situation. The progressive, three-part corrective action is:

1. Verbal warning.
2. Written warning reviewed with the employee and placed in the employee's personnel file. This written warning may entail either probation or suspension.
3. Termination.

Breakthrough Charter School reserves the right to terminate an employee without taking corrective action, if Breakthrough Charter School deems termination to be in the best interests of the School, its faculty/staff, and/ or students. The Breakthrough Charter School Board of Directors must approve all involuntary terminations.

5220	Employee Tardiness and Absence Policy
Approval Date	
Category	Personnel
Governance Accountability	Board of Directors, Leadership Team
Audience	Employees

Employees must work their assigned schedules. Excessive absenteeism and tardiness are grounds for disciplinary action, including termination. If the employee is unable to report to work for any reason, he or she must contact the school administrator or Head of Schools. It is the employee's responsibility to keep Breakthrough Charter School informed on a daily basis during a short-term absence and to provide documentation when requested.

Employees are expected to be at their workstation, ready to begin work, at the beginning of their school day as well as at the end of their scheduled breaks and meal period. Except in an emergency, employees must have their supervisor's permission to leave campus during their assigned schedule.

A tardy or absence is considered "excused" only when an employee calls in advance of a scheduled work time and provides a compelling reason. Breakthrough Charter School reserves the right, at its sole discretion, to determine what constitutes a compelling reason. If an employee fails to call according to this school policy and/or being tardy or absent for a non-compelling reason, the absence or tardy will be considered "unexcused."

Employees who are tardy or absent excessively or show consistent patterns of tardiness or absence, whether excused or unexcused, will be subject to disciplinary action, up to and including termination. The school administrator or the Head of School must approve personal leave time taken before or after a holiday.



Section 6000 Students

6010	FERPA and Student Records Policy
Approval Date	01/2023
Category	Students
Governance Accountability	Leadership Team
Audience	Students, Families

The below describes Breakthrough Charter School's policy for requesting, maintaining, securing and forwarding student records.

FERPA Parent and Student (≥18) Rights

The Family Educational Rights and Privacy Act (FERPA) affords parents and students who are 18 years of age or older ("eligible students") certain rights with respect to the student's education records. These rights are:

1. The right to inspect and review the student's education records within 45 days after the day the school receives a request for access.
2. Parents or eligible students should submit to the school administration a written request that identifies the records they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
3. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA. Parents or eligible students who wish to ask the school to amend a record should write the school administrator [or appropriate school official], clearly identify the part of the record they want changed, and specify why it should be changed. If the school decides not to amend the record as requested by the parent or eligible student, the school will notify the parent or eligible student of the decision and of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.
4. The right to provide written consent before the school discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or a person serving on the school board. A school official also may include a volunteer or contractor outside of the school who performs an institutional service of function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, medical consultant, or therapist; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a

parent, student, or other volunteer assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the school discloses education records without consent to officials of another school district in which a student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student's enrollment or transfer. [NOTE: FERPA requires a school district to make a reasonable attempt to notify the parent or student of the records request unless it states in its annual notification that it intends to forward records on request.]

5. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the School to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

6. FERPA defines certain student information as "directory" information to be: name, address, telephone number, photograph, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, "from and to" dates of enrollment, degrees, and honors, and the most recent educational institution attended by the student. Breakthrough Charter School will release this information when requested unless notified in writing by the parent/legal guardian of the eligible student by October 1 that such information not be released. Directory opt out notifications should be completed during the final registration process or mailed via U.S. Postal Service or hand delivered to the Central Office.
7. The Breakthrough Charter School Board of Directors recognizes the right of the United States Armed Forces' recruiters to have access to secondary school student information. These recruiters will be provided "directory information," including students' names, addresses, and telephone numbers unless a parent notifies the district in writing that the student's information should not be disclosed without prior written consent. (Title IX, Section 9528)

For additional information or technical assistance, call (202) 260-3887. Individuals who use TDD may call the Federal Information Relay Service at 1-800-877-8339.

Contact may be made at the following address:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-5920

Website address is: www.ed.gov/print/policy/gen/guid/fpco/ferpa/index.html

FERPA Allowed Disclosures (Forwarding/Sharing of Student Records)

See the list below of the disclosures that elementary and secondary schools may make without consent.

1. FERPA permits the disclosure of PII from students' education records, without consent of the parent or eligible student, if the disclosure meets certain conditions found in §99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the parent

or eligible student, §99.32 of the FERPA regulations requires the school to record the disclosure. Parents and eligible students have a right to inspect and review the record of disclosures. A school may disclose PII from the education records of a student without obtaining prior written consent of the parents or the eligible student.

2. To other school officials, including teachers, within the educational agency or institution whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in §99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(2) are met. (§99.31(a)(1)).
3. To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of §99.34. (§99.31(a)(2))
 - a.
4. To authorized representatives of the U. S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as the State educational agency in the parent or eligible student's State (SEA). Disclosures under this provision may be made, subject to the requirements of §99.35, in connection with an audit or evaluation of Federal- or State- supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf. (§§99.31(a)(3) and 99.35)
5. In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§99.31(a)(4))
6. To state and local officials or authorities to whom information is specifically allowed to be reported or disclosed by a State statute that concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records were released, subject to §99.38. (§99.31(a)(5))
7. To organizations conducting studies for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction. (§99.31(a)(6))
8. To accrediting organizations to carry out their accrediting functions. (§99.31(a)(7))
9. To parents of an eligible student if the student is a dependent for IRS tax purposes. (§99.31(a)(8))
10. To comply with a judicial order or lawfully issued subpoena. (§99.31(a)(9))
11. To appropriate officials in connection with a health or safety emergency, subject to §99.36. (§99.31(a)(10))

12. Information the school has designated as “directory information” under §99.37. (§99.31(a)(11))

Request Review of Student Records

Educational records as defined by law or Board policy will be available for examination and review by authorized persons in the manner prescribed and to the extent required by law. Except where the context requires otherwise, the term “educational records” has the meaning given in 20 U.S.C. §1232g(a)(4). Copies of such records may likewise be provided to the extent required and under circumstances specified by applicable law or regulation. The Head of School is authorized to establish administrative standards and for the reproduction thereof. Parents will be provided required annual notification regarding educational records through the student handbook or by other appropriate means. [Reference: 20 U.S.C. §1232g(a)(4); 34 CFR 99.3]

Parents or eligible students should submit to the school school administrator a written request that identifies the records they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

Securing and Storing Student Records

Hard copies of student records will be housed in a locked cabinet in a locked office. Only school officials, including teachers, within the educational agency or institution whom the school has determined to have legitimate educational interests will be able to view the files. The files must be signed for and signed back into holding by all school personnel. The office administrator will hold the list showing the name of the person who reviewed the file, date, and time out and time the file is returned to the file cabinet. Electronic student records will be stored on a secure server with limited access granted only to school administrators and H.R. personnel. No electronic records will be shared.

6012	SPED Policy
Approval Date	01/2023
Category	Students
Governance Accountability	Leadership Team
Audience	Students, Families

SPECIAL EDUCATION AND PROGRAMS FOR ACADEMICALLY AT-RISK STUDENTS

Breakthrough Charter School will provide free and appropriate educational and related services to students with disabilities who qualify under state and federal guidelines. Special education students include students determined by the school’s multidisciplinary team, upon review of psychological, educational, and/or physical evaluation results, to have intellectual and developmental disabilities, hearing impairments, speech or language impairments, visual impairments, emotional disturbance, orthopedic impairments, autism, traumatic brain injury, other health impairments, or specific learning disabilities, and students who are classified as gifted. Upon recommendation of the Head of School, the Board shall adopt a plan for the provision of education programs for all Breakthrough Charter School students with disabilities and gifted students. The plan for special programs and procedures for exceptional students shall include screening procedures, pre-referral activities, referral procedures,

eligibility criteria, program placement, program dismissal, and descriptions of program organization and operations.

The Breakthrough Charter School special education program shall conform to the provisions adopted by the board and shall function in accordance with the provisions of state and federal law, State Board of Education rules, and other applicable provisions of board rules.

The Head of School or designee shall develop, for the Breakthrough Charter School Board of Director's approval, a plan to assist academically at-risk students addressing dropout prevention. Components of the plans for academically at-risk students may include any state, federal, or local initiatives designed to improve academic achievement and prevent dropouts.

Reference(s): Code of Alabama 16-11-9, 16-13-231, 16-39-1-6, 16-8-10, 16-39-31, IDEA Amendments of 1997, Alabama Act 106, and AAC 290-8-9

6013	Student Seclusion and Restraint Policy
Approval Date	01/2023
Category	Students
Governance Accountability	Leadership Team
Audience	Students, Families

Policy Purpose

- a. BCS acknowledges that maintaining a school environment conducive to school learning requires that the environment be orderly and safe. Accordingly, physical restraint of a student may sometimes be necessary in order to protect the student or other individuals.
- b. The purpose of this policy is to ensure that physical restraint is administered appropriately and only when needed to protect a student and/or member of the school community from imminent, serious physical harm, and to prevent or minimize any harm to a student as a result of the use of physical restraint.
- c. The school system places an emphasis under this policy on the prevention and de-escalation of inappropriate behavior, which reduces the risk of injury to students and program staff, as well as facilitates the care, safety, and welfare of our students.

Definitions

- a. "Physical restraint" is direct physical contact from an adult that prevents or significantly restricts a student's movement. The term physical restraint does not include mechanical restraint or chemical restraint. Additionally, physical restraint does not include: providing limited physical contact and/or redirection to a student in order to promote safety or to prevent self-injurious behavior; providing physical guidance or prompting to a student when teaching a skill; redirecting attention; providing guidance to a location; providing comfort; or providing limited physical contact as reasonably needed to prevent imminent destruction to school or another person's property.

- b. "Chemical restraint" is any medication that is used to control violent physical behavior or to restrict the student's freedom of movement that is not a prescribed treatment for a medical or psychiatric condition of the student.
- c. "Mechanical restraint" is the use of any device or material attached to or adjacent to a student's body that is intended to restrict the normal freedom of movement and which cannot be easily removed by the student. The term does not include an adaptive or protective device recommended by a physician or therapist when used as recommended by the physician or therapist to promote normative body positioning and physical functioning, and/or to prevent self-injurious behavior. The term also does not include seatbelts and other safety equipment when used to secure students during transportation.
- d. "Seclusion" is a procedure that isolates and confines the student in a separate, locked area until he or she is no longer an immediate danger to himself/herself or others. Seclusion occurs in a specifically constructed or designated room or space that is physically isolated from common areas and from which the student is physically prevented from leaving. Seclusion does not include situations in which a staff member trained in the use of de-escalation techniques or restraint is physically present in the same unlocked room as the student; time-out as defined herein; in-school suspension; detention; or a student-requested break in a different location in the room or in a separate room.
- e. "Time-out" is a behavioral intervention in which the student is temporarily removed from the learning activity. Time-out is appropriately used and is not seclusion when:
 1. The non-locking setting used for time-out is appropriately lighted, ventilated, and heated or cooled.
 2. The duration of the time-out is reasonable in light of the purpose of the time-out and the age of the child; however, each time-out should not exceed 45 minutes.
 3. The student is reasonably monitored by an attending adult who is in reasonable physical proximity of the student and has sight of the student while in time-out.
 4. The time-out space is free of objects that unreasonably expose the student or others to harm.

Prohibitions

- a. The use of physical restraint is prohibited in BCS and its educational programs except in those situations in which the student is an immediate danger to himself or others and the student is not responsive to less intensive behavioral interventions, including verbal directives or other de-escalation techniques. Physical restraint is prohibited when used as a form of discipline or punishment.

All physical restraint must be immediately terminated when the student is no longer an immediate danger to himself or others or if the student is observed to be in severe distress during the restraint. Any method of physical restraint in which physical pressure is applied to the student's body that restricts the flow of air into the student's lungs is prohibited in BCS and its educational programs.

- b. The use of chemical restraint is prohibited in BCS and its educational programs.
- c. The use of mechanical restraint is prohibited in BCS and its educational programs.
- d. The use of seclusion is prohibited in BCS and its educational programs.

Requirements

- a. BCS will provide staff with guidelines and procedural information regarding physical restraint and will arrange for the appropriate training of those designated staff members that may be called upon to physically restrain a student. This training of designated staff members shall be provided as a part of a program which addresses prevention and de-escalation techniques as well as positive behavioral intervention strategies. The training of designated staff members will be based on evidence-based techniques and strategies when possible. Breakthrough Charter School's school administrator or his/her designee or program coordinator shall be responsible for providing periodic reviews.
- b. Breakthrough Charter School's school administrator or his/her designee and each educational program that utilize physical restraint will maintain written or electronic documentation on training provided at the local school regarding physical restraint and the list of participants in each training session. Records of such training will be made available to the Alabama Department of Education or any member of the public upon request.
- c. Breakthrough Charter School's school administrator or his/her designee and each educational program that utilize physical restraint is responsible for generating and maintaining incident and debriefing reports of the use of restraint as well as reports of any prohibited use of seclusion and chemical, mechanical, or physical restraint at the local school and for gathering/reporting data to BCS's Board of Directors and to the Alabama Department of Education annually. The use of physical restraint will be monitored by Breakthrough Charter School's school administrator or his/her designee or program's coordinator on an on-going basis to ensure fidelity of implementation. Follow-up training will be provided following any situations in which procedures are not being followed.
- d. Breakthrough Charter School's school administrator or his/her designee and each educational program that utilize physical restraint shall ensure that following an incident of restraint or seclusion of an student, all school personnel involved in the incident and appropriate administrative staff participate in a debriefing session for the purpose of planning to prevent or reduce the reoccurrence of the use of restraint. The debriefing session shall occur no later than five school days following the imposition of the physical restraint or seclusion.
- e. Breakthrough Charter School's school administrator or his/her designee and each educational program that utilize physical restraint will provide written notification to a student's parent or legal guardian when physical restraint is used on a student within a reasonable time following the restraint not to exceed one school day from the use of restraint.
- f. Breakthrough Charter School's school administrator or his/her designee and each educational program will provide written notification to a student's parent or legal guardian when their child is removed from his/her school or program setting by emergency, medical, or law enforcement personnel within a reasonable time following the removal not to exceed one school day from the removal.
- g. Each student's parent or legal guardian will be provided information regarding the school or program's policies governing the use of physical restraint. This information will be provided to parents at the beginning of each school year or upon the student's enrollment if the student enrolls after school has started. To effectuate this requirement, BCS's website and student handbook/code of conduct will contain the following statement:

As a part of the policies and procedures of BCS, the use of physical restraint is prohibited in the system and its educational programs except in those situations in which the student is an immediate danger to himself or others and the student is not responsive to less intensive behavioral interventions including verbal directives or other de-escalation techniques. Physical restraint is expressly prohibited when used as a form of discipline or punishment. The use of

other physical restraint, chemical restraint, mechanical restraint, or seclusion is prohibited in BCS and its educational programs.

The use of restraint may occur along with other emergency actions such as the school seeking assistance from law enforcement and/or emergency medical personnel which could result in a removal of the student by such personnel.

Significant violations of the law including assaults on students and staff will be reported to the police. As soon as possible after the restraint or removal of a student (and no longer than one school day following the occurrence), the parent or legal guardian will be provided written notification.

Clarifications

A. Nothing in this policy shall be construed to interfere with BCS's or school personnel's authority to utilize time-out as defined herein or to utilize any other classroom management technique or approach, including a student's removal from the classroom that is not specifically addressed as part of this policy.

B. Nothing in this policy modifies the rights of school personnel to use reasonable force as permitted under the Code of Alabama, 1975, §16-1-14 or modifies the rules and procedures governing discipline under the Code of Alabama, 1975, §16-28-12.

C. Nothing in this policy shall be construed to prohibit BCS's or school personnel's right to take reasonable action to diffuse or break up a student fight or altercation.

D. Nothing in this policy shall be construed to prohibit BCS's or school personnel from taking reasonable action to obtain possession of a weapon or other dangerous objects in a student's possession or within the control of a student.

E. Nothing in this policy shall be construed to eliminate or restrict the ability of school personnel to use his or her discretion in the use of physical restraint as provided in this policy to protect students or others from imminent harm or bodily injury.

F. Nothing in this policy shall be construed to create a criminal offense or a private cause of action against the Breakthrough Charter School Board of Directors or its programs, agents or employees.

G. Nothing in this policy shall be construed to interfere with the duties of law enforcement or emergency medical personnel or to interfere with the rights of BCS or school personnel from seeking assistance from law enforcement and/or emergency medical personnel. Parents must be promptly informed when students are removed from the school or program setting by emergency medical or law enforcement personnel.

Reference: ALA. ADMIN. CODE §§290-3-1-.01, 290-3-1-.02]

6015	Academic Standards Policy
Approval Date	01/2023
Category	Students
Governance Accountability	Leadership Team
Audience	Students, Families

Teachers will assign grades and confer academic credit for work and activities performed by students in accordance with objective and generally accepted instructional and grading standards, applicable laws and regulations, and criteria hereinafter specified.

General Grade Scale – Grades for academic coursework will be awarded according to the following scale:

<u>Letter Grade</u>	<u>Numerical Grade (100 point scale)</u>	<u>Regular Grade Point Average Points (4 point scale)</u>	<u>Honors Grade Point Average Points</u>	<u>AP, IB, DE/DC Grade Point Average Points</u>
A	90 – 100	4.00	4.50	5.0
B	80-89	3.00	3.50	4.0
C	70-79	2.00	2.50	3.0
D	60-69	1.00	1.50	2.0
F	Below 60	0.00	0.00	0.0

International Baccalaureate (IB), DE/DC, Advanced Placement, and Honors Grade Scale –When calculating the grade point average on a four-point scale one point will be added for IB, DE/DC, and Advanced Placement courses. One half point (.5) will be added for Honors courses.

Special Education Grading Standards – Students who are receiving special educational services may be graded according to an individualized educational plan, and nothing in Board policy or procedure prohibits the extension of appropriate academic modifications or accommodations to students who may be eligible for such modifications or accommodations under provisions of state and federal law.

Report Cards – Report cards reflecting student progress will be provided to the parents or legal guardians of students on a regularly scheduled basis.

Promotion – Students are promoted from grade to grade on the basis of academic credit earned during the school year, in summer school programs, or in such other academic programs as may be approved or recognized by the Board. Students who are eligible for promotion from grade to grade may nevertheless be retained by agreement of the parents and appropriate school officials.

Class Rankings – Beginning with the ninth grade of high school, all students will be ranked based on the four- point grade point average scale (GPA) (calculated and weighted as described herein). The GPA calculation will be carried out four decimal places and rounded off. Credit Recovery – The Head of School is authorized to develop procedures for a program through which a student may recover credits in one or more failed courses, in compliance with regulations promulgated by the State Department of Education.

The curriculum will align with the State Board of Education course of study and study content standards in which the student seeking credit recovery is deficient.

Secondary Student Placement

Grades 9-12

For students to be permitted to progress to the next grade level, the following standards must be met:

- Tenth Grade – students who have earned five (5) Carnegie units will be classified as tenth graders.
- Eleventh Grade - students who have earned ten (10) Carnegie units will be classified as eleventh graders.
- Twelfth Grade – students who have earned seventeen (17) Carnegie units, three of which must be English, will be classified as twelfth graders.

6020	High School Credit Option Policy
Approval Date	01/2023
Category	Students
Governance Accountability	Leadership Team
Audience	Students, Families

In an attempt to provide our students with as many opportunities as possible to be successful while attending Breakthrough Charter School, several options are available for students to earn high school credit outside of traditional classes at Breakthrough Charter School.

All options must receive prior approval from the administration before beginning a course. During the academic year, only courses that are not available on campus will be approved. Families will be responsible for any and all costs associated with choosing an alternative credit option.

6021	Early Graduation Policy
Approval Date	01/2023
Category	Students
Governance Accountability	Leadership Team
Audience	Students, Families

Subject to and in accordance with the implementing procedures, BCS authorizes early graduation for high school seniors who have successfully met graduation requirements. With parental consent, qualifying students may elect to graduate high school at the end of the first semester of their senior year. The following criteria must be satisfied:

1. The completed Application for Early Graduation must be submitted and on file in the student's cumulative record. Application is available from the school counselor and must be submitted by September 1 of the student's senior year.
2. The student must meet all graduation requirements as defined by the Alabama State Department of Education and the Breakthrough Charter School graduation policy through one or a combination of the following:
 - a. Courses offered by BCS during the regular school day.
 - b. Credit acceleration provided by BCS
 - c. Dual enrollment for dual credit courses offered through a partnership between BCS and an institution of higher education.
 - d. Civics Exam and ACT WorkKeys assessment administered prior to early graduation.

Considerations for the early graduation candidate:

1. No high school master schedules will be rearranged to make accommodations for students seeking early graduation.
2. Students who graduate early will not be eligible for valedictorian or salutatorian.
3. Early graduates are invited to participate in Spring graduation ceremonies with their traditional cohort of students. It is the responsibility of the student to know deadlines and expectations for graduation. There will not be a separate graduation ceremony held for early graduates.
4. Early graduates are no longer considered students at Breakthrough Charter School and as such are ineligible to participate in athletics or other extracurricular activities (field trips, prom, internships, clubs, etc.). The only exception to this is the opportunity to participate in graduation ceremonies.
5. Early graduates are considered alumni and are not eligible to enroll into another secondary school. As alumni, early graduates must comply with school policies for visitors regarding access to campus and school facilities during normal operating hours.

6022	Graduation Requirement Policy
Approval Date	01/2023
Category	Students
Governance Accountability	Leadership Team
Audience	Students, Families

Diplomas will be awarded to students who fulfill all of the local and state graduation requirements.

Requirements

Local graduation requirements are specified in the Student Handbook. The most current state graduation requirements can be found online at www.alabamaachieves.org or by request from the BCS Counselor.

Graduation Ceremony

Participation in graduation ceremonies is contingent on a student meeting all graduation requirements and payment of outstanding financial obligations to BCS. Early graduates are invited to participate in

graduation ceremonies as governed by the Early Graduation Policy. Participation in graduation ceremonies is subject to final school administrator approval.

Graduate Distinctions

BCS will recognize distinguished academic performance of graduating students at the conclusion of each academic year as part of graduation ceremonies. Specific requirements regarding ties and required GPA for honor graduate classification are outlined in the Student Handbook. BCS will determine the valedictorian, salutatorian, and honor graduate status using students’ numerical GPA through the conclusion of the fall semester of students’ senior year. Spring semester grades and GPA will not be included in the determination of valedictorian, salutatorian, or honor graduate distinction. Early graduates are not eligible for valedictorian and salutatorian, but are eligible for honor graduate distinction when GPA requirements are met.

1. Valedictorian - the graduating senior with the highest cumulative weighted grade point average (GPA).
2. Salutatorian - the graduating senior with the second highest cumulative weighted grade point average (GPA).
3. Honor Graduates - students who have demonstrated proficiency in advanced coursework opportunities will be recognized in the following categories: Summa Cum Laude, Magna Cum Laude, and Cum Laude. Specific information regarding levels of distinction is available in the Student Handbook.

6025	Honor Student Designation Policy
Approval Date	01/2023
Category	Students
Governance Accountability	Leadership Team
Audience	Students, Families

Breakthrough Charter School will acknowledge those students who have achieved Honor Roll status.

6026	Dual Enrollment Policy
Approval Date	01/2023
Category	Students
Governance Accountability	Leadership Team
Audience	Students, Families

Dual Enrollment for Dual Credit is an enrichment opportunity allowing eligible high school students to earn high school and college credits for courses taken through an Alabama Community College System (ACCS) institution or Institution of Higher Education (IHE) while still enrolled in high school.

Partnering Institutions

BCS will establish dual enrollment for dual credit agreements with ACCS and IHE partners at the discretion of the Head of School and leadership team. Factors influencing partnerships include program and course offerings, student interest, and tuition expenses. Students who choose to enroll in college level courses outside of the established agreements will not receive high school credit for the courses taken.

Admission Requirements

Students must meet admission requirements as set by the ACCS and IHE partners. At a minimum, students must be in grades 10, 11 or 12. Students must have written approval of the appropriate school administrator or career and technical education program representative and counselor. Approval from secondary school officials indicates that the student has demonstrated both academic readiness and social maturity. BCS may determine that it is appropriate to set higher eligibility requirements than the partnering institution in an effort to ensure student readiness and academic success.

Continuous Eligibility

In order to qualify for continuation in the dual enrollment for dual credit program, students must maintain the minimum admissions qualifications and demonstrate successful completion of dual credit courses. Successful completion is indicated with a grade of C or better in all attempted college courses. Students who fail to meet this minimum grade requirement or who withdraw from a course after the drop course deadline will be suspended from the program for a minimum of one term. The one-term suspension may not be served during the summer. The student may not re-enroll until the suspension has been served. For re-entry, the student must reapply to the program and must meet the minimum grade point average requirements.

Course Offerings

Dual Enrollment for Dual Credit courses offered by the postsecondary institution shall be of postsecondary/college level. Students may be exposed to and be involved in discussions of mature subject-matter. Course curricula will not be modified. Courses may be offered at approved locations on or off the BCS campus or in an on-line format.

Credit Award

BCS will utilize the most recent dual enrollment course equivalency list provided by the ALSDE to determine high school course credits awarded.

Provisions for Disability Services and Accommodations

ACCS institutions must comply with Section 504 of the Rehabilitation Act and the Americans with Disabilities Act (ADA) which prohibit discrimination against individuals with disabilities who are otherwise qualified for ACCS programs and services. It is the student's responsibility to disclose and provide current documentation in support of his or her request for accommodation from the disability services office of the college. Decisions regarding accommodations provided in postsecondary courses will be made by the post-secondary institution upon submission of appropriate documentation. Institutions will not provide modifications to change the course content or performance expectations that would substantially alter the essential functions or physical demands of the course, unless required to do so by applicable law. Students with disabilities who meet the prerequisites of ACCS courses will be provided reasonable accommodations that allow equal access. Some accommodations available at the high school may not be provided by the postsecondary institution.

Payment of Tuition and Fees

Students in Dual Enrollment for Dual Credit courses are responsible for the cost of tuition, fees, textbooks, and materials and supplies as required in the syllabus of each course at the institution, unless covered by alternative funding sources. Partnering institutions may decide to offer scholarships or discounted tuition rates for dual enrollment students. The availability of this assistance is determined by the post-secondary institution varies based on funding availability.

Credit Limitations

Student enrollment in a combined number of high school and college courses per term will not exceed that which is educationally sound as determined by the institution and BCS. The maximum credit hours allowed for each semester will be set within the agreement between BCS and the post-secondary institution.

6027	Extended Learning Opportunities
Approval Date	01/2023
Category	Students
Governance Accountability	Board of Directors, Leadership Team, Teachers
Audience	Students, Families

An extended learning opportunity (ELO) is an out-of-classroom learning experience, approved by the State Board of Education and Breakthrough Charter School, in which an eligible entity provides a student with any of the following:

- a. Enrichment opportunities
- b. Career readiness or employability skills opportunities, including internships, pre-apprenticeships, and apprenticeships.
- c. Any other approved educational opportunity.

Section 1. Application process for accepting and approving Extended Learning Opportunities offered for credit by outside entities.

Extended Learning Opportunities (ELOs) shall involve partnerships between Breakthrough Charter School, parents or guardians, students, and outside entities who will be providing or assisting with high-quality instruction. Such partnerships shall clearly delineate the responsibilities of each partner and provide structures to guide the ELO.

Section 2. Entities that are eligible to submit applications for offering Extended Learning Opportunities.

A. According to Alabama Code, Section 16-46C-5, eligible entities shall include, but not be limited to, all of the following:

- (1) Nonprofit organizations.
- (2) Businesses with established locations in the state.
- (3) Trade associations.
- (4) Any of the Armed Forces of the United States, subject to applicable age requirements.

B. Partnership agreements with eligible entities shall comply with all federal and state labor laws and must include provisions for ensuring that students are supervised by approved individuals who meet and agree to guidelines set forth in local school district policy.

Section 3. Process for students to follow for requesting credit.

- (a) The ELO application is to be completed by the student, a certified educator, parent/guardian, ELO partner (supervising member of the entity described in Part 2), Head of School, and other members of the leadership team designated in local district policy. At the time of application, the responsible entities will select the amount of credit to be awarded and will set the guidelines for awarding such credit.
- (b) No student shall receive more than one (1) credit for any given ELO.
- (c) Local school board policy will set guidelines for grading, calculation of GPA, and inclusion of ELO credit on the student transcript.
- (d) The student and the certified educator will research the competencies/skills that can be met through the ELO to establish general expectations and goals for the project. The student and the certified educator work together to develop an overview of the project.
- (e) The student, certified school personnel, family member/adult advocate, and community member/non-school based mentor, will work as a team to provide a detailed plan that includes standards and assessment strategies and clearly defined grading criteria.
- (f) Matriculation through the ELO requires benchmarks that may include, but are not limited to small projects, rehearsals, practices, drafts, artifacts, or other work that allows the student to move towards competency mastery.
- (g) Students with IEPs and 504 Plans shall be given the appropriate accommodations so that they can construct meaning from their ELO experience.

Section 4. Criteria Breakthrough Charter School shall use to determine whether a proposed Extended Learning Opportunity shall be approved to count toward credit.

ELO applications shall, at a minimum, take into account the criteria provided in samples provided by the State Board of Education.

Section 5. Criteria Breakthrough Charter School shall use to award a student a certificate of completion and credit for completing an approved Extended Learning Opportunity.

- (a) Assessments of ELOs shall be based upon the process and work product described in the application and learning plan.
- (b) Once the student satisfactorily completes the ELO, a signed copy of the ELO application shall be placed in the student cumulative record to document the standards by which the credit was awarded and transcribed.

6027	Work-Based Learning Policy
Approval Date	01/2023
Category	Students
Governance Accountability	Board of Directors, Leadership Team, Teachers

Audience	Students, Families
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Work-Based Learning Defined

Breakthrough Charter School offers students the opportunity to gain career awareness, exploration, and preparation through work-based learning experiences. Work-based learning is defined as “sustained interactions with industry or community professionals in real workplace settings, to the extent practicable, or simulated environments at an educational institution that foster in-depth, first-hand engagement with the tasks required of a given career field, that are aligned to curriculum and instruction.” These activities include but are not limited to:

- Job shadowing
- Career Expo / Career Fair
- Employability Skill Building
- Industry Tours
- Simulated Workplace
- Externships / Internships
- Clinical / Practicum Based Experience
- Cooperative Education
- On the Job Learning (OJL)
- Apprenticeships (Pre-, Registered, Industry-Recognized, or youth)

Locations / Work Sites

Work-based learning experiences may be hosted inside the school or off campus. Breakthrough Charter School will work closely with local community, business and industry leaders to ensure eligible students seeking work based learning placements are able to participate in the program. Placements will be made in alignment with students' career goals whenever possible.

Student Eligibility

Students must meet and maintain eligibility requirements in accordance with the work-based learning procedures established at the school level. At a minimum each work based learning opportunity will require a student application and interview (formal or informal). Students must be on track to graduate as evidenced by a transcript audit conducted by the secondary counselor or another school official.

Student Participation

Length of work-based learning experiences vary from a few hours to a year. Students participating in work-based learning must commit to participation for the full length of the designated program; failure to complete the program will result in a loss of eligibility for the student for one semester.

Employer Requirements and Responsibilities

Partnering employers are expected to comply with all child labor laws established by the State of Alabama Department of Labor. This includes attending any mandatory training and posting required literature. It is the responsibility of the employer to maintain compliance with Child Labor laws. BCS will provide every effort to support employers by providing resources and contact information when requested. BCS reserves the right to request documentation to verify legitimacy of the business and appropriateness of the Work-Based Learning student placement.

6030	School Uniform and Dress Code Policy
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Approval Date	01/2023
Category	Students
Governance Accountability	Board of Directors, Leadership Team, Teachers
Audience	Students, Families

Breakthrough Charter School (“BCS”) requires all students wear the approved uniforms, per the BCS Uniform and School Dress Code Policy. The uniform policy is designed to provide students a safe and orderly learning environment. The uniform policy is in effect every school day, including field trips and off campus events. Advanced notice will be given for any event requiring specific uniforms or guidance will be provided when uniforms are not required. Students are required to follow the non-uniform guidelines in instances when Breakthrough Charter School uniforms are not required.

Students out of compliance with the uniform policy will be referred to the BCS Student Code of Conduct, Policy 1015, for appropriate disciplinary consequences.

BCS is sensitive to the needs of families in meeting the uniform requirements. The parent or guardian of a student may contact the BCS central office regarding requirements for financial assistance for uniforms. The BCS uniform vendor and approved styles and colors are available on the school website. Upcoming changes of vendors, styles or colors will be announced to the BCS community by June 1st of each school year. The changes go into effect on the first day of classes the following fall.

UNIFORM POLICY

Breakthrough Charter School requires uniforms for all students. The uniform policy is designed to provide students a safe and orderly learning environment. The policy is in effect every school day, including field trips or any trips off campus. The Administration reserves the right to determine appropriate uniform compliance in all situations. If a student is out of compliance, parents will be contacted. The student will need to change into uniform and be reminded about the policy before they can be returned to the classroom.

Breakthrough Charter School is sensitive to the needs of families in meeting the uniform requirements. The parent or guardian should contact the Head of School regarding qualifications and requirements for financial assistance for uniforms.

General Uniform Requirements:

- A. Everyday attire (Mondays, Tuesdays, Thursdays, Fridays)
 - 1. All students should wear any combination of the everyday attire each school day..
 - 2. Students may wear any BCS jacket/coat WITHOUT a hood or any BCS outerwear purchased from the uniform vendor as outerwear both inside and outside of the building with their everyday attire.
- B. Students must be neat, clean, and well-groomed while at school.
- C. All clothing must fit appropriately (e.g. no tight or baggy clothing).
- D. All clothing must be neat in appearance. No clothing with holes, frays, or extensive staining.

- E. Tank tops or t-shirts that are solid white may be worn under approved logoed shirts. They may NOT be worn under a cardigan or other sweater without an approved uniform shirt (i.e. polo or oxford).
- F. Long sleeve shirts may not be worn underneath short sleeve polo shirts.
- G. BCS uniform shirt with logo must be worn underneath uniform approved jackets.
- H. All skirts, dresses, and shorts for girls with the exception of PE shorts must be less than 4 inches above the knee.
- I. Clothing must cover all undergarments.

Student Hair

- A. All hair accessories (bows, scrunchies, headbands, beads or barrettes) must be clear, white, red, navy, or brown.
- B. No hair wraps allowed.
- C. Facial hair must be kept short and neatly trimmed; sideburns may not extend past the bottom of the earlobes.

Student Shoes

- A. Students are allowed to wear closed-toe shoes of any color. Steel-toed boots and flip-flops are not allowed.
- B. Crocs may be worn to school with the back strap covering the heel of the foot. Students are required to bring additional shoes when participating in physical education activities.

Accessories

- A. Sunglasses may not be worn inside the buildings or classrooms.
- B. All hats/caps must be removed before entering buildings.
- C. Oversized belt buckles are not allowed.
- D. The carrying of chains or chains connected to wallets, or metal spiked apparel are prohibited.
- E. The number of earrings should not exceed two pieces of pierced jewelry per ear.
- F. Jewelry that may be considered a danger to the student (large hoop or long in length) will be at the discretion of school administration.

Outerwear

- A. Students may wear any BCS jacket/coat WITHOUT a hood or any BCS outerwear purchased from the uniform vendor as outerwear both inside and outside of the building.
- B. Hooded jackets should be removed by the student once inside the building.

MALE STUDENTS

Everyday Clothes

- Gray, khaki, or black pants or gray, khaki, or black shorts
- Maroon, Gray, Black, or White Polo Shirt
- Black or Brown belt (elementary—stretch or leather, middle/high—leather)
- Closed toe shoes
- Any BCS jacket/coat WITHOUT a hood or any BCS outerwear purchased from the uniform vendor as outerwear both inside and outside of the building

PE Attire (Required for 6th-12th Grade Only)

- Any BCS branded T-shirt (short sleeve or long sleeve) that is black, maroon, gray, or white or any SOLID t-shirt (short sleeve or long sleeve) that is black, maroon, gray, or white
- T-shirts other than BCS branded T-shirts must be SOLID with NO logos, images, wording, etc
- Any solid black, gray, or navy shorts or pants (sweatpants, gym pants, joggers)
- PE outerwear: students may wear any BCS jacket/coat WITHOUT a hood or any BCS outerwear purchased from the uniform vendor.
- Tennis shoes. No Crocs, slides, sandals, or other open-toed shoes.

FEMALE STUDENTS

Everyday Clothes

- Elementary AND Middle/High School:
 - Plaid skirt, gray/black/khaki pants, or gray/black/khaki shorts
 - Maroon, black, white, or gray polo shirt
 - Tennis shoes
 - White short (not knee high) socks with tennis shoes
 - White, maroon, gray or black knee socks or black tights with dress shoes
 - Any BCS jacket/coat WITHOUT a hood or any BCS outerwear purchased from the uniform vendor as outerwear both inside and outside of the building
- Elementary Only (additional everyday option):
 - Jumper dress
 - Ruffled knit dress
 - Modesty shorts (required under skirt and dress)

PE Attire (Required for 6th-12th Grade Only)

- Any BCS branded T-shirt (short sleeve or long sleeve) that is black, maroon, gray, or white or any SOLID t-shirt (short sleeve or long sleeve) that is black, maroon, gray, or white
- T-shirts other than BCS branded T-shirts must be SOLID with NO logos, images, wording, etc
- Any solid black, gray, or navy shorts or pants (sweatpants, gym pants, joggers)
- PE outerwear: students may wear any BCS jacket/coat WITHOUT a hood or any BCS outerwear purchased from the uniform vendor.
- Tennis shoes. No Crocs, slides, sandals, or other open-toed shoes.

Guidelines for Dress Down Days

- a. On days when, as designated by BCS Head of School or school administrator, students are allowed to “dress down”, the following rules apply:
 - BCS t-shirt or sweatshirt (long or short sleeve)
 - Blue jeans or pants, must have button closure, no jeggings or leggings
 - Pants and tops must follow all general uniform standards
 - Tennis shoes that follow uniform guidelines
- b. Inappropriate dress for dress down days includes:
 - Clothing that exposes bare midribs or backs;
 - T-shirts that have advertisements/promotion of drugs, violence, alcohol, tobacco products, depict prejudice, unlawful acts, obscene words or pictures, or anything else not appropriate for a school setting;
 - Pants that are excessively sagging or low cut
 - Pajamas or slippers, unless the dress-down event specifically allows pajamas and slippers;

- Hats, bandanas, head wraps or other head coverings, unless the dress-down event specifically allows them, e.g. costume days;
 - Sheer or see-through clothing;
 - Studded bracelets, chains or any other clothing item or accessory that may be dangerous
- c. Special circumstances: coaches/advisors have discretion to require students under their supervision to dress out in team- or organization- appropriate attire as long as all students in the group are dressed uniformly and the attire is school-appropriate (i.e. athletic team track suits with school-appropriate shoes, career technical education student organization attire).

Protection of Religious Expression

Students may display religious messages or artifacts (such as necklaces or rings), but not on clothing. If wearing particular attire during the school day is part of a student’s usual religious practice, under the Religious Freedom Restoration Act, the school will not prohibit the wearing of such items. Parents must discuss any potential situations with Breakthrough Charter School.

6040	School Wellness Policy
Approval Date	01/2023
Category	Students
Governance Accountability	Board of Directors, Leadership Team, Teachers
Audience	Students, Families

In furtherance of its commitment to fostering healthy nutritional and physical activities that support student achievement and that promote the development of lifelong wellness practices, the Board of Directors endorses the following programs, practices, and activities:

Nutrition Education and Promotion

Nutrition education that teaches the knowledge, skills, and values needed to develop healthy eating behavior and nutrition awareness that promotes and reinforces student health will be integrated into the curriculum and offered throughout school campuses, including school dining areas and classrooms by appropriately trained personnel.

Nutrition Standards and Guidelines

The Board of Directors will ensure that reimbursable school meals meet the program requirements and nutritional standards established by applicable state and federal regulations. The Board of Directors will encourage students to make nutritious food choices and will monitor all food and beverages sold or served to students, including those available outside federally regulated child nutrition programs. Fundraisers will meet the Smart Snack standards. The Board will consider nutrient density, portion size, and any applicable state and federal regulations before permitting food and beverages to be sold, served, or marketed to students.

Physical Education and Physical Activity Opportunities

The Board of Directors will offer physical education opportunities that include the components of a sound physical education program. Physical education will equip students with the knowledge, skills, and values

necessary to maintain healthful lifelong physical activity. Physical education instruction will be aligned with the curriculum. All students will be provided the opportunity to participate regularly in supervised physical activities that are intended to maintain physical fitness and to impart the benefits of maintaining a physically active and healthy lifestyle.

Cardiopulmonary Resuscitation

All students enrolled in high school health classes will receive instruction in cardiopulmonary resuscitation (“CPR”) techniques in accordance with methods or standards prescribed by the American Heart Association or the American Red Cross.

Other School-Based Activities Designed to Promote Student Wellness

The Board of Directors may implement other programs that help create a school environment that conveys consistent wellness messages and that is conducive to healthy eating and physical activity.

Administrative Implementation

The Head of School is authorized to develop and implement administrative rules and directives that are consistent with the BCS Procedure Handbook for the Wellness Policy and that are based on input from the Wellness Committee which includes teachers (including specialist in health and physical education), school nurses, parents and guardians, students, representatives of the school food service program, school board members, school administrators and the public.

The Head of School will report to the Board of Directors, as requested, on programs and efforts that are designed to meet the purpose and intent of this policy and will inform and update the public regarding the content and implementation of the wellness program.

6110	Technology Policy
Approval Date	01/2023
Category	Students
Governance Accountability	Board of Directors, Leadership Team, Teachers
Audience	Students, Families

Breakthrough Charter School provides its students and staff access to a variety of technological resources. These resources provide opportunities to enhance learning and improve communication within the school community and with the larger global community. Through the school’s technological resources, users can observe events as they occur around the world, interact with others on a variety of subjects, and acquire access to current and in-depth information.

Breakthrough Charter School intends that students and employees benefit from these resources while remaining within the bounds of safe, legal and responsible use. Accordingly, the board establishes this policy to govern student and employee use of the school technological resources. This policy applies regardless of whether such use occurs on or off school property, and it applies to all school technological resources, including but not limited to computer networks and connections, the resources, tools and

learning environments made available by or on the networks, and all devices that connect to those networks.

EXPECTATIONS FOR USE OF SCHOOL TECHNOLOGICAL RESOURCES

Breakthrough Charter School's technological resources may only be used by students, staff and others expressly authorized by BCS. The use of school technological resources, including access to the Internet, is a privilege, not a right. Individual users of the school's technological resources are responsible for their behavior and communications when using those resources. Responsible use of the school technological resources is use that is ethical, respectful, academically honest and supportive of student learning. Each user has the responsibility to respect others in the school community and on the Internet. Users are expected to abide by the generally accepted rules of network etiquette. General student and employee behavior standards, including those prescribed in applicable board policies, the Student Code of Conduct and other regulations and school rules, apply to use of the Internet and other school technological resources.

In addition, anyone who uses school's computers or electronic devices or who accesses the school network or the Internet using school resources must comply with the additional rules for responsible use listed in the Rules for Use of School Technological Resources, below. These rules are intended to clarify expectations for conduct but should not be construed as all-inclusive. Furthermore, all students must adhere to the Technology Use Guidelines as set forth in the Student Code of Conduct. Prior to using the Internet, all students must be trained about appropriate on-line behavior as provided in the Internet Safety Policy.

All students and employees must be informed annually of the requirements of this policy and the methods by which they may obtain a copy of this policy. Before using school technological resources, students and employees must sign a statement indicating that they understand and will strictly comply with these requirements. Failure to adhere to these requirements will result in disciplinary action, including revocation of user privileges. Willful misuse may result in disciplinary action and/or criminal prosecution under applicable state and federal law.

In the event virtual learning needed to occur, students would check out their chromebook and internet hotspots would be available to students with connectivity issues. Students would be expected to complete assignments via Google Classroom.

RULES FOR USE OF SCHOOL TECHNOLOGICAL RESOURCES

1. School technological resources are provided for school-related purposes only. Acceptable uses of such technological resources are limited to responsible, efficient and legal activities that support learning and teaching. Use of school technological resources by employees for political purposes is prohibited. Use of technological resources by employees or students for commercial gain or profit is prohibited. Because some incidental and occasional personal use by employees and students is inevitable, Breakthrough Charter School permits infrequent and brief personal use by employees and students so long as it occurs on personal time, does not interfere with school business and is not otherwise prohibited by board policy or procedure.
2. School technological resources are installed and maintained by members of the BCS staff. Students and employees shall not attempt to perform any installation or maintenance without the permission of the Technology staff.
3. Under no circumstance may software purchased by the school be copied for personal use.
4. Students and employees must comply with all applicable laws, including those relating to copyrights and trademarks, confidential information, and public records. Any use that violates

state or federal law is strictly prohibited. Plagiarism of Internet resources will be treated in the same manner as any other incidents of plagiarism, as stated in the Student Code of Conduct.

5. No user of technological resources, including a person sending or receiving electronic communications, may engage in creating, intentionally viewing, accessing, downloading, storing, printing or transmitting images, graphics (including still or moving pictures), sound files, text files, documents, messages or other content that is obscene, defamatory, profane, pornographic, harassing, abusive or considered to be harmful to minors. All users must comply with the Student Code of Conduct Policy/Harassment Policy for Employees and Students/Teachers Code of Conduct when using school technology.
6. The use of anonymous proxies to circumvent content filtering is prohibited.
7. Users may not install or use any Internet-based file sharing program designed to facilitate sharing of copyrighted material.
8. Users of technological resources may not send electronic communications fraudulently (i.e., by misrepresenting the identity of the sender).
9. Users must respect the privacy of others. When using e-mail, chat rooms, blogs or other forms of electronic communication, students must not reveal personal identifying information, or information that is private or confidential, such as the home address or telephone number, credit or checking account information or social security number of themselves or fellow students. In further information regarding what constitutes personal identifying information, see Access to Student Information Policy/Family Information Privacy Policy. In addition, school employees must not disclose on school websites or web pages or elsewhere on the Internet any personally identifiable, private or confidential information concerning students (including names, addresses or pictures) without the written permission of a parent or guardian or an eligible student, except as otherwise permitted by the Family Educational Rights and Privacy Act (FERPA) or Student Records Policy. Users also may not forward or post personal communications without the author's prior consent.
10. Users may not intentionally or negligently damage computers, computer systems, electronic devices, software, computer networks or data of any user connected to school technological resources. Users may not knowingly or negligently transmit computer viruses or self-replicating messages or deliberately try to degrade or disrupt system performance. Users must scan any downloaded files for viruses.
11. Users may not create or introduce games, network communications programs or any foreign program or software onto any school computer, electronic device or network without the express permission of the technology department.
12. Users are prohibited from engaging in unauthorized or unlawful activities, such as "hacking" or using the computer network to gain or attempt to gain unauthorized or unlawful access to other computers, computer systems or accounts.
13. Users are prohibited from using another individual's ID or password for any technological resource without permission from the individual. Students must also have permission from the teacher or other school official.
14. Users may not read, alter, change, block, execute or delete files or communications belonging to another user without the owner's express prior permission.
15. Employees shall not use passwords or user IDs for any data system (e.g., PowerSchool, time-keeping software, etc.), for an unauthorized or improper purpose.
16. If a user identifies a security problem on a technological resource, he or she must immediately notify a teacher, school official or the technology department. Users must not demonstrate the problem to other users. Any user identified as a security risk will be denied access.

17. Teachers shall make reasonable efforts to supervise students' use of the Internet during instructional time, to ensure that such use is appropriate for the student's age and the circumstances and purpose of the use.
18. Views may be expressed on the Internet or other technological resources as representing the view of the school or part of the school only with prior approval by the Head of Schools or designee.
19. Without permission, users may not connect any personal technologies such as laptops and workstations, wireless access points and routers, etc. to a school owned and maintained local, wide or metro area network. Connection of personal devices such as iPods, smartphones, PDAs and printers is permitted but not supported by Breakthrough Charter School's technical staff. Breakthrough Charter School is not responsible for the content accessed by users who connect to the Internet via their personal mobile telephone technology (e.g., 3G, 4G service).
20. Users must back up data and other important files regularly.
21. Those who use school owned and maintained technologies to access the Internet at home are responsible for both the cost and configuration of such use.
22. Students who are issued school owned and maintained devices must also follow these guidelines:
 - a. Keep the device secure and damage free.
 - b. Use the recommended protective case at all times.
 - c. Do not loan out the device, charger or cords.
 - d. Do not leave the device in your vehicle.
 - e. Do not leave the device unattended.
 - f. Do not eat or drink while using the device or have food or drinks in close proximity to the device.
 - g. Do not allow pets near the device.
 - h. Do not place the device on the floor or on a sitting area such as a chair or couch.
 - i. Do not leave the device near table or desk edges.
 - j. Do not stack objects on top of the device.
 - k. Do not leave the device outside.
 - l. Do not use the device near water such as a pool.
 - m. Do not check the device as luggage at the airport.
 - n. Back up data and other important files regularly. Breakthrough Charter School will provide reasonable notice, whenever possible, prior to performing any system maintenance activity. All files not backed up may be deleted during this process.

RESTRICTED MATERIAL ON THE INTERNET

The Internet and electronic communications offer fluid environments in which students may access or be exposed to materials and information from diverse and rapidly changing sources, including some that may be harmful to students. Breakthrough Charter School recognizes that it is impossible to predict with certainty what information on the Internet students may access or obtain. Nevertheless, school personnel shall take reasonable precautions to prevent students from accessing material and information that is obscene, pornographic or otherwise harmful to minors, including violence, nudity, or graphic language that does not serve a legitimate pedagogical purpose. The Head of Schools shall ensure that technology protection measures are used as provided in the Internet Safety Policy, and are disabled or minimized only when permitted by law and board policy. Breakthrough Charter School is not responsible for the content accessed by users who connect to the Internet via their personal mobile telephone technology (e.g., 3G, 4G service).

PARENTAL CONSENT

Breakthrough Charter School recognizes that parents of minors are responsible for setting and conveying the standards their children should follow when using media and information sources. Accordingly, before a student may independently access the Internet, the student's parent must be made aware of the possibility that the student could obtain access to inappropriate material while engaged in independent use of the Internet. The parent and student must consent to the student's independent access to the Internet and to monitoring of the student's e-mail communication by school personnel.

In addition, in accordance with Breakthrough Charter School's goals and visions for technology, students may require accounts in third party systems for school related projects designed to assist students in mastering effective and proper online communications or to meet other educational goals. Parental permission will be obtained when necessary to create and manage such third party accounts.

PRIVACY

No right of privacy exists in the use of technological resources. Users should not assume that files or communications accessed, downloaded, created or transmitted using school technological resources or stored on services or hard drives of individual computers will be private. School administrators or individuals designated by the Head of Schools may review files, monitor all communication and intercept e-mail messages to maintain system integrity and to ensure compliance with board policy and applicable laws and regulations. School personnel shall monitor on-line activities of individuals who access the Internet via a school-owned computer.

Under certain circumstances, Breakthrough Charter School may be required to disclose such electronic information to law enforcement or other third parties, for example, as a response to a document production request in a lawsuit against Breakthrough Charter School, as a response to a public records request or as evidence of illegal activity in a criminal investigation.

SECURITY/CARE OF PROPERTY

Security on any computer system is a high priority, especially when the system involves many users. Employees are responsible for reporting information security violations to appropriate personnel. Employees should not demonstrate the suspected security violation to other users. Unauthorized attempts to log onto any school system computer on Breakthrough Charter School's network as a system administrator may result in cancellation of user privileges and/or additional disciplinary action. Any user identified as a security risk or having a history of problems with other systems may be denied access. Users of school technology resources are expected to respect school property and be responsible in using the equipment. Users are to follow all instructions regarding maintenance or care of the equipment. Users may be held responsible for any loss or damage caused by intentional or negligent acts in caring for computers while under their control. The school is responsible for any routine maintenance or standard repairs to school system computers.

PERSONAL WEBSITES (Social Media)

The Head of School may use any means available to request the removal of personal websites that substantially disrupt the school environment or that utilize school or individual school names, logos or trademarks without permission.

1. Students

Though school personnel generally do not monitor students' Internet activity conducted on non-school devices during non-school hours, when the student's on-line behavior has a direct and immediate effect on school safety or maintaining order and discipline in the schools, the student may be disciplined in accordance with the Student Code of Conduct Policy.

2. Employees

Employees' are subject to the Academic Partners Code of Conduct.

3. **Volunteers**

Volunteers are to maintain an appropriate relationship with students at all times. Volunteers are encouraged to block students from viewing personal information on volunteer personal websites or on-line networking profiles in order to prevent the possibility that students could view materials that are not age-appropriate. An individual volunteer's relationship with the school may be terminated if the volunteer engages in an appropriate online interaction with students.

DISCLAIMER

Breakthrough Charter School makes no warranties of any kind, whether express or implied, for the service it is providing. Breakthrough Charter School will not be responsible for any damages suffered by any user. Such damages include, but are not limited to, loss of data resulting from delays, non-deliveries or service interruptions, whether caused by the school district's or the user's negligence, errors or omissions. Use of any information obtained via the Internet is at the user's own risk. The school specifically disclaims any responsibility for the accuracy or quality of information obtained through its Internet services.

Legal Reference (s): U.S. Const. amend. I; Children's Internet Protection Act, 47 U.S.C. 254(h)(5); Electronic Communications Privacy Act, 18 U.S.C. 2510-2522; Family Educational Rights and Privacy Act, 20 U.S.C. 1232g; 17 U.S.C. 101 et seq.; 20 U.S.C. 6777; G.S. 115C-325(e)

6115	Internet Safety Policy
Approval Date	01/2023
Category	Students
Governance Accountability	Board of Directors, Leadership Team, Teachers
Audience	Students, Families

INTRODUCTION

It is the policy of Breakthrough Charter School to: (a) prevent user access via its technological resources to, or transmission of, inappropriate material on the Internet or through electronic mail or other forms of direct electronic communications; (b) prevent unauthorized access to the Internet and devices or programs connected to or accessible through the Internet; (c) prevent other unlawful online activity; (d) prevent unauthorized online disclosure, use, or dissemination of personal identification information of minors; and (e) comply with the Children's Internet Protection Act (CIPA).

It is the policy of Breakthrough Charter School to comply with applicable laws and regulations, including those referenced herein, such as the Children's Internet Protection Act. 47 U.S.C. 254(h); Neighborhood Children's Internet Protection Act, 47 U.S.C. 254 (l); and Protecting Children in the 21st Century Act, 47 U.S.C. 254(h). In the event of any change in the laws which create any inconsistency between the law and this Internet Safety Policy, the law shall supersede.

DEFINITIONS

Technology Protection Measure

The term “technology protection measure” means a specific technology that blocks or filters Internet access to any content that is obscene, child pornography, or harmful to minors.

Harmful to Minors

The term “harmful to minors” means any picture, image, graphic image file, or any content:

- a. taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion;
- b. depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and
- c. taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

Child Pornography

The term “child pornography” means any visual depiction, including any photograph, film, video picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct, where:

- a. the production of such visual depiction involves the use of a minor engaging in sexually explicit conduct;
- b. such visual depiction is a digital image, computer image, or computer-generated image that is, or is indistinguishable from, that of a minor engaging in sexually explicit conduct; or
- c. such visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaging in sexually explicit conduct.

Sexual Act; Sexual Contact

The terms “sexual act” and “sexual contact” have the meanings given such terms in section 2246 of title 18, United States Code.

Minor

For purposes of this policy, the term “minor” means any individual who has not attained the age of 19 years.

ACCESS TO INAPPROPRIATE MATERIAL

To the extent practical, technology protection measures (or “Internet filters”) will be used to block or filter access to inappropriate content on the Internet and World Wide Web. Specifically, blocking will be applied to audio and visual depictions deemed obscene or to be child pornography or harmful to minors. Student access to other materials that are inappropriate to minors will also be restricted. Breakthrough Charter School has determined that audio or visual materials that depict violence, nudity, or graphic language that does not serve a legitimate pedagogical purpose are inappropriate for minors. The Head of Schools shall make a determination regarding what other matter or materials are inappropriate for minors. School personnel may not restrict Internet access to ideas, perspectives, or viewpoints if the restriction is motivated solely by disapproval of the viewpoints involved.

A student or employee must immediately notify the appropriate school official if the student or employee believes that a website or web content that is available to students through the school system’s Internet access is obscene, constitutes child pornography, is “harmful to minors” as defined by CIPA, or is otherwise inappropriate for students. Students must notify a teacher or the school administrator; employees must notify the Head of Schools or designee.

Due to the dynamic nature of the Internet, sometimes Internet websites and web material that should not be restricted are blocked by the Internet filter. A student or employee who believes that a website or web content has been improperly blocked by the school system’s filter should bring the website to the attention of the school administrator. The school administrator shall confer with the technology department to determine whether the site or content should be unblocked. The school administrator shall notify the student or teacher promptly of the decision. The decision may be appealed through the school system’s grievance procedure. Subject to staff supervision, technology protection measures may be disabled during use by an adult for bona fide research or other lawful purposes.

INAPPROPRIATE NETWORK USAGE

All users of school technological resources are expected to comply with the requirements established in the Technology Policy. In particular, users are prohibited from: (a) attempting to gain unauthorized access, including “hacking” and engaging in other similar unlawful activities; and (b) engaging in the unauthorized disclosure, use, or dissemination of personal identifying information regarding minors.

EDUCATION, SUPERVISION, AND MONITORING

To the extent practical, steps will be taken to promote the safety and security of users of the school’s online computer network, especially when they are using electronic mail, chat rooms, instant messaging, and other forms of direct electronic communications. It is the responsibility of all school personnel to educate, supervise, and monitor usage of the online computer network and access to the Internet in accordance with this policy.

Procedures for the disabling or otherwise modifying any technology protection measures are the responsibility of the technology director or designated representatives.

The technology department or designated representatives shall provide age-appropriate training for students who use the school’s Internet services. The training provided will be designed to promote the school’s commitment to educating students in digital literacy and citizenship, including:

- the standards and acceptable use of Internet services as set forth in the Technology Policy;
- student safety with regard to safety on the Internet, appropriate behavior while online, including behavior on social networking websites and in chat rooms, and cyberbullying awareness and response; and
- compliance with the E-rate requirements of the Children’s Internet Protection Act.

Following receipt of this training, the student must acknowledge that he or she received the training, understood it, and will follow the provisions of the Technology Policy.

The Head of Schools shall develop any regulations needed to implement this policy and shall submit any certifications necessary to demonstrate compliance with this policy.

Legal Reference (s): Children’s Internet Protection Act, 47 U.S.C. 254(h); Neighborhood Children’s Internet Protection Act, 47 U.S.C. 254(l); Protecting Children in the 21st Century Act, 47, U.S.C. 254(h)

6120	Field Trip Policy
Approval Date	01/2023
Category	Students

Governance Accountability	Board of Directors, Leadership Team, Teachers
Audience	Students, Families

School trips designed to stimulate student interest and inquiry can be appropriate and valuable extensions of the classroom and extracurricular activities. School trips can help meet educational goals and objectives by connecting learning with experiences outside the classroom environment.

School administrators must approve day school trips, and the Head of School must approve any overnight school trips. Approval for overnight trips must be obtained prior to the trip. To be approved, a school trip must (1) provide an effective method for accomplishing curriculum objectives and extracurricular; (2) be consistent with the educational goals of the board; and (3) keep to a minimum any disruptions of other educational programs and/or loss of instructional time. The Head of School will be responsible for developing procedures for the request and approval of desired school trips.

Any fees imposed for school trips will be waived or reduced for students who demonstrate real economic hardship. The Head of School will be responsible for establishing procedures to review requests for fee waivers or reductions and to notify students and parents of the availability of and the process for requesting a fee waiver or reduction.

Legal Reference(s): G.S. 115C-47, -288, -307

6125	Selection and Review of Instructional Materials
Approval Date	01/2023
Category	Students
Governance Accountability	Board of Directors, Leadership Team, Teachers
Audience	Students, Families

The Head of School is authorized to approve the selection of instructional materials (including textbooks) that are used in conjunction with student instruction and in school libraries and media centers. The Head of School is further authorized to develop a procedure for the review of instructional material that will evaluate and eliminate bias pertaining to sex, race, creed, religion, color, national origin, veteran or military status, sexual orientation, gender expression, gender identity, disability, or the use of a trained dog or service animal in all textbooks and instructional materials.

6205	Athletic Requirements
Approval Date	01/2023
Category	Students

Governance Accountability	Board of Directors, Leadership Team, Teachers
Audience	Students, Families

Athletic Eligibility Requirements

While all students are encouraged to pursue athletics, Breakthrough Charter School has a set of conditions that need to be met in order for a student to be eligible to participate. These conditions form the basis of Eligibility Requirements, and are meant to ensure all Students, Parents, Coaches, Athletic Directors, and school community enjoy consistent access to, and expectations from, the athletic programs offered.

The conditions under which students are considered eligible to participate in athletic programs offered are as follows:

1. **Physical Examinations**
A student must have a physical examination completed by a physician certifying the student is fully able to compete in athletics. The physicals will be valid for 365 days. The student athlete must submit the physical form to the Coach, Athletic Director or athletic administrative assistant. The student SHALL NOT PARTICIPATE in any TRYOUT, practice session or contests until the completed form has been turned into the team Coach, Athletic Director, or athletic administrative assistant.
2. **Athletic Handbook Forms/Participation Fee**
Prior to any student participating in any tryout, they must also sign all appropriate athletic forms (copy of certified birth certificate, current physical, student release form, Star Sportsmanship completion certificate exam form signed, concussion information form signed). Finally, each student must have his pay for participation fee taken care of as he/she will not receive their game uniform prior to payment.
3. **Concussion Awareness**
A Concussion Information Form signed by each student and his/her parent must be kept on file central office at BCS (The form will satisfy the requirement for one school year.) (NFHS Suggested Guidelines for Management of a Concussion are found in the Appendix in the back of each NFHS Rules Book).
4. **Permission to Treat**
In the event Breakthrough Charter School contracts the services of certified Athletic Trainers (ATC) to serve our student athletes, the Permission to Treat document must be signed and on file before the ATC may treat the student athlete, and this document must be resigned annually.
5. **Tryouts**
There may be tryouts for each sport. Roster sizes will be dictated by state and conference rules in addition to the coach's personal preference. If tryouts are held, students are strongly encouraged to be at each tryout session and must be in attendance for AT LEAST one tryout session to be deemed eligible to make a team. Only students with a doctor's note will be permitted to tryout after the tryout deadline (within 7 school days of the missed tryout). Only students who are currently enrolled at Breakthrough Charter School may attend tryouts.
6. **Academic Eligibility**
Breakthrough Charter School is dedicated to the academic success of our student athletes as well as preparing them for post-secondary education. The following guidelines will be followed for students to be eligible for extracurricular athletic activities:

- A student must meet the minimum academic standards as defined by the AHSAA Academic Rule to be deemed an eligible athlete. Students must meet ALL AHSAA Eligibility Rules to be deemed an eligible athlete.
- A student who is not academically eligible at the beginning of the semester is not eligible at any time during the semester. Likewise, a student who is academically eligible at the beginning of a semester remains academically eligible throughout the semester. Students who are identified as ineligible are not permitted to tryout, attend team meetings or sit on the team benches during contests, but may attend practices if allowed by the coach and AD.
- Although athletic eligibility will be semester based, the academic progress of student athletes will be monitored on 9 week terms. All students with a D or an F in any of their classes will be placed on academic probation. Any student on academic probation who wishes to remain on the team will be required to attend a 2 study sessions a week for the remainder of that term.
- Extenuating circumstances will be decided collaboratively by the Athletic Director and appropriate school administrator, and Head of School.

7. Attendance at Athletic Practice Sessions and Contests

Students are expected to be in attendance during both contests and practice sessions. If a student is not in attendance due to illness, injury or other required school or family commitment, the student should make prior arrangements with the coach for an excused absence. Students will be expected to attend all practices which can include Saturdays and school vacation periods that may be occurring during the specific sport season. These practices will be addressed at the beginning of the sports season with the student.

A participant who fails to attend a regularly scheduled practice session or contest and receives an unexcused absence, may be withheld from the next scheduled contest. If an additional unexcused absence occurs, the participant may be dismissed from the team for the remainder of the sport season. Excused absences may also affect a student athlete's playing time as new plays, stunts and formations may have been missed.

The game and practice schedules (including expectations for potential playoff schedules) will be communicated to athletes and families prior to the tryout period if tryouts exist, or prior to the first practice if tryouts do not exist.

8. Student School Attendance Required for Athletics

Students must be in school at least one half of the school day in order to participate in practice or contests during the same day or evening.

Students absent from athletic practice for five or more days due to illness or injury must receive a medical release by a physician licensed to practice medicine before being readmitted for either practice or contests.

9. NCHSAA Transfer Policy

In accordance with Alabama High School Athletic Association (AHSAA) policy, a student who is enrolled in one school then leaves and enrolls in another school at any time after beginning the seventh grade is a transfer. A student who attends a school outside of his/her home school district must attend that school for one full calendar year in order to establish athletic eligibility. As a member of the AHSAA, Breakthrough Charter School students will be affected by this policy.

All students are eligible at any school upon initial entry into seventh grade. After initial entry into seventh grade, the above mentioned transfer criteria will apply. Please contact the Athletic Director for more information regarding an appeal to the AHSAA if you think an exception to this rule may apply.

6215	Student and Athlete Accident Insurance Policy
Approval Date	01/2023
Category	Students
Governance Accountability	Board of Directors, Leadership Team, Teachers
Audience	Students, Families

Athletic participation increases the potential for injury; therefore, the Board requires that all students participating in athletic competition, including cheerleading, show proof of accident insurance. This proof may come from the accident insurance made available by the school and/or from a family health insurance policy. If a family policy is used, proof of said policy and the expiration of that policy must be on file with the Athletic Director.

