PHASE 4 America Cyber Charter School

Application

2013 – 2014 School Year

The concepts presented in this application are the intellectual property of the applicant, PHASE 4 America, Inc. and/or PHASE 4 Learning Centers, Inc. It shall not be used, transferred sold or licensed to any individual or entity other than the charter applicant, PHASE 4 Learning Center, Inc. or PHASE 4 America, Inc.

PHASE 4 AMERICA™ CYBER CHARTER SCHOOL

The Proven Alternative

2013 – 2014 School Year

Policies

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The following are the PHASE 4 America Cyber Charter School policies and procedures contemplated by the Board of Directors for the operation of the charter school in compliance with the Public School Code and Charter School Law. This list is not exhaustive and PHASE 4 America reserves the right to supplement these attachments.

General Policies

CLASS SIZE

CURRICULUM DEVELOPMENT

EVALUATION OF EDUCATIONAL PROGRAM

RELIGIOUS BELIEFS AND CUSTOMS POLICY

WHISTLEBLOWER ACT

CLEARANCE POLICY FOR VOLUNTEERS

Employee Policies

CONFLICT OF INTEREST POLICY

EMPLOYEE HEALTH AND RETIREMENT BENEFITS

EMPLOYEES/EQUAL EMPLOYMENT OPPORTUNITY POLICY

EMPLOYMENT OF PERSONNEL POLICY

ESTABLISHING A POSITION POLICY

PROFESSIONAL GROWTH GUIDELINES POLICY

TRAVEL EXPENSE REIMBURSEMENT

Finance Policies

BANK ACCOUNTS POLICY

BUDGET AMENDMENT POLICY

BUDGET PLANNING POLICY

BUDGET PREPARATION POLICY

COMMON TRUSTS POLICY

DISQUALIFICATION, SUSPENSION OR DEBARMENT OF BIDDERS POLICY

FINANCES POLICY

FINANCIAL REPORTING POLICY

GIFTS, GRANTS, DONATIONS POLICY

INVESTMENTS POLICY

PETTY CASH POLICY

PUBLIC CHARTER SCHOOL AUDIT POLICY

PURCHASES BUDGETED POLICY

PURCHASES SUBJECT TO BID POLICY

SPECIAL PURPOSE FUNDS POLICY

Operations Policies

FOOD SERVICES POLICY

RECORD RETENTION AND DESTRUCTION POLICY

SCHOOL CALENDAR

SCHOOL DAY

Parent Policies

PARENT INVOLVEMENT

Property Policies

DISPOSAL OF SURPLUS PROPERTY, OBSOLETE EQUIPMENT AND REAL PROPERTY

MAINTENANCE POLICY

SCHOOL PROPERTY RECORDS POLICY

Special Education Policies

ACCESS TO INSTRUCTIONAL MATERIALS POLICY

ALTERNATE ASSESSMENT OF STUDENTS POLICY

ASSISTIVE TECHNOLOGY (AT)

CHILD FIND POLICY AND PUBLIC OUTREACH AWARENESS SYSTEM

ANNUAL NOTICE OF SPECIAL EDUCATION SERVICES

DISCIPLINARY EXCLUSIONS OF SPECIAL EDUCATION STUDENTS POLICY

DISPUTE RESOLUTION POLICY

EVALUATION AND REEVALUATION POLICY

EXCEPTIONAL STUDENT RECORDS POLICY/CONFIDENTIALITY POLICY

EXTENDED SCHOOL YEAR SERVICES (ESY) SERVICES

FAPE

FERPA

INCLUSION POLICY

INDEPENDENT EVALUATION POLICY

INDIVIDUALIZED EDUCATION PROGRAM POLICY

INSTRUCTION CONDUCTED IN THE HOME AND HOMEBOUND INSTRUCTION POLICY

INTENSIVE INTERAGENCY POLICY

LEAST RESTRICTIVE ENVIRONMENT

NONACADEMIC SERVCIES AND SETTINGS POLICY

PHYSICAL EDUCATION

POSITIVE BEHAVIORAL SUPPORT POLICY AND PROCEDURES

PROGRAM OPTIONS

PSYCHOLOGICAL SERVICES

RELATED SERVICES

SECTION 504

SPECIAL EDUCATION POLICY

SPECIAL EDUCATION STUDENT ENROLLMENT POLICY

SPECIAL EDUCATION TRAINING

STUDENTS WITH SPECIFIC LEARNING DISABILITIES POLICY

SURROGATE PARENT POLICY

TRANSITION SERVICES POLICY

Student Policies

ANTI-BULLING POLICY

CIPA POLICY

DISCIPLINARY EXCLUSIONS AND HEARING POLICY

ENGLISH AS A SECOND LANGUAGE/BILINGUAL PROGRAM POLICY

DRUG AND ALCOHOL ABUSE POLICY

HEALTH EXAMINATIONS POLICY

MARKING OF STUDENT PROGRESS AND ACHIEVEMENT POLICY

STUDENT ASSISTANCE PROGRAM – DRUG AND ALCOHOL POLICY

STUDENT ASSISTANCE PROGRAM – SUICIDE REFERRAL POLICY

STUDENT CONDUCT AND DISCIPLINE POLICY

STUDENT IMMUNIZATION POLICY

WELLNESS POLICY ON PHYSICAL ACTIVITY AND NUTRITION POLICY

STUDENT CODE OF CONDUCT

PHASE 4 AMERICA™ CYBER CHARTER SCHOOL

The Proven Alternative

General Policies

2013 – 2014 School Year

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PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Class Size Policy

1. Authority

   Class size for all grades shall be determined by the Board of Trustees of PHASE 4 America Cyber Charter School ("PHASE 4") after consultation with the Chief Executive Officer ("CEO") and Principal.

2. Delegation of Responsibility

   The CEO and Principal shall prepare guidelines for class size which shall take into account subject matter, type of instruction, ability of pupils, help of aides, and use of special facilities and equipment. These guidelines shall be consistent with state regulations and PHASE 4's charter agreement with local school districts.

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

ADOPTED this _____ day of _____, 2012

_____
President

_____
Secretary

PHASE 4 America Cyber Charter School
BOARD OF TRUSTEES POLICY

Curriculum Development Policy

Purpose

1. PHASE 4 America Cyber Charter School ("PHASE 4") recognizes its responsibility for the support and improvement of the educational program. To this purpose, the curriculum shall be developed and evaluated on a continuing basis in accordance with the best in educational theory and practice and in accordance with Chapter 4 of Title 22 of the Pennsylvania Code, as to Academic Standards and Assessments and/or any regulations promulgated thereafter.

Definition

1. Curriculum shall be defined as all planned learning activities of PHASE 4 such as courses of study, subjects, class organization, and evaluation of student achievement. It shall include the provisions of applicable state law as well as subjects and procedures within the discretionary powers of the Board of Trustees.

Delegation of Responsibility

The Board of Trustees directs that:

1. No course of study shall be taught in PHASE 4 unless it has been reviewed by the Board of Trustees and determined to be in accordance with the grant of Charter. If a change is determined to be warranted, the local school districts shall be duly notified before any change in curriculum is made consistent with the provisions of the grant of PHASE 4's Charter.
2. A course of study is to be prepared for each curriculum area. This course of study shall contain objectives, subject content, basic instructional activities, references to approved instructional materials, and procedures for evaluation of student achievement.
3. Staff shall use the course of study in planning instruction and judging student progress.
4. The course of study shall be available for public examination.
5. The Chief Executive Officer ("CEO") shall be responsible for the continuous evaluation of the effectiveness of each course of study and

shall recommend to the Board of Trustees such revisions or new courses of study deemed to be in the best interests of the students.

6. The CEO's recommendation to the Board of Trustees shall include the following information about the proposed course of study:
    a. Its applicability to students and an enumeration of the group of students to be affected by it.
    b. Its description and content, including the instructional method where such method departs significantly from current practice and is an integral part of the course of study.
    c. Its rationale in terms of the goals of PHASE 4 especially when it is proposed to take the place of an existing course of study.
    d. The resources that its implementation will require: textbooks, materials, equipment, specially trained personnel.
    e. The evaluative methods and standards by which its efficacy will be monitored and measured.
7. With prior approval, the CEO may conduct pilot programs considered necessary for the continued growth of the instructional program and is authorized to seek State, federal, and private aid for such programs.
8. The Board of Trustees is committed to the support of a full range of educational programs to meet individual needs of it students. These commitments include:

    State mandated programs in basic academic subjects, special education for the handicapped/disabled, guidance counseling, instruction for the homebound, independent study, and summer school for remedial and/or enrichment.

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

ADOPTED this day _____ of _____, 2012

_____
President

_____
Secretary

PHASE 4 America Cyber Charter School
BOARD OF TRUSTEES POLICY

Evaluation of Educational Program Policy

Purpose:

The Board of Trustees of PHASE 4 America Cyber Charter School directs the Chief Executive Officer ("CEO") to develop and implement a systematic short-range and long-range plan for the continuing qualitative assessment of the progress of the educational program toward the goals established by the Board of Trustees. To this end, the CEO shall recommend such tests and methods as may be indicated by generally accepted professional practice and best professional judgment.

Authority:

The Board of Trustees reserves the right to review tests and to approve those which serve a legitimate purpose without infringing upon the personal rights of the students or their parents. The results of any evaluation may be released by the CEO or the Principal employing school data, but such data may not be traceable to individuals.

Delegation of Responsibility:

The CEO shall be responsible for a plan and procedure for an evaluation of the educational program.

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

ADOPTED this _____ day of _____, 2012

_____
President

_____
Secretary

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Religious Beliefs and Customs Policy

No religious belief or non-belief should be promoted by PHASE 4 America Cyber Charter School ("PHASE 4") or its employees, and none should be disparaged. Instead, PHASE 4 should encourage all students and staff members to appreciate and be tolerant of each other's religious views. PHASE 4 should foster understanding and mutual respect among diverse students and parents.

In that spirit of tolerance, students and staff members should be excused from participating in practices which are contrary to their religious beliefs or cultural beliefs unless there are clear issues of law and/or overriding concerns that would prevent such excuse.

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

ADOPTED this _____ day of _____, 2012

_____

President

_____

Secretary

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Whistleblower Policy

All employees of PHASE 4 America Cyber Charter School ("PHASE 4") are subject to the obligations and protections of the Pennsylvania Whistleblower Law, 43 Pa.C.S. §§ 1421-1428. PHASE 4 will not discharge, threaten or otherwise discriminate or retaliate against an employee regarding the employee's compensation, terms, conditions, location or privileges of employment because the employee or a person acting on behalf of the employee makes a good faith report or is about to report to Three Rivers or an appropriate authority an instance of wrongdoing, which is not merely technical or minimal, or an instance of substantial waste, abuse, misuse, destruction or loss of the funds or resources of PHASE 4.

PHASE 4 will not discharge, threaten or otherwise discriminate or retaliate against an employee regarding the employee's compensation, terms, conditions, location or privileges of employment because the employee is requested by an appropriate authority to participate in an investigation, hearing or inquiry held by an appropriate authority or in a court action.

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

ADOPTED this _____ day of _____, 2012

_____

President

_____

Secretary

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Clearance Policy for Volunteers

PHASE 4 America Cyber Charter School ("PHASE 4") parents who volunteer on behalf of Three Rivers and may be alone with small groups of students or an individual student must have FBI clearance, PA Child Abuse and Criminal Record clearances.

Examples of parent volunteer situations requiring clearances include but are not limited to:

- Homeroom parents
- Working with small group of students or individual students
- Driving a team/group to an activity
- Chaperoning a student-only event
- Assisting in a classroom

Parents do not need clearances for:

- Attending a classroom presentation or party
- Attending a school-sponsored event

Parent clearances are accepted and considered valid when the date of the clearance is within one calendar year of the date of receipt by PHASE 4.

Parent clearances must be updated upon request by PHASE 4.

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

ADOPTED this _____ day of _____, 2012

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President

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PHASE 4 AMERICA™ CYBER CHARTER SCHOOL

The Proven Alternative

Employee Policies

2013 – 2014 School Year

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PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Conflict of Interest Policy

1. Purpose

   1.1 Board members, Officers and employees of PHASE 4 America Cyber Charter School ("PHASE 4") have a duty of loyalty to PHASE 4 and to the public whose interest they are sworn to serve. The purpose of this Conflict of Interest Policy, which provides guidance and a general standard of conduct with respect to actual or apparent conflicts, is in keeping with the Pennsylvania Public official and Employee Ethics Law and the State Legislature's declaration that the people have the right to be assured that the financial interests of public officials and employees conflict with the public trust, and the principle which prohibits public officials and employees from entering into situations where private interests may conflict with official duties.

   1.2 The appearance of conflict of interest undermines the public confidence in the integrity of PHASE 4, its Board Members and employees, and should be scrupulously avoided.

2. Standards of Conduct -- No Board Member or employee shall:

   2.1 Engage in conduct that constitutes a conflict of interest, which shall be defined as use by a Board Member or employee of authority of his office or employment of any confidential information received through his position for the private pecuniary benefit of himself, a member of his immediate family, or a business with which the Board Member or employee or a member of his immediate family is associated. "Immediate family" is defined to mean a parent, spouse, child, brother or sister.

   2.2 Engage, or have any interest, financial or otherwise, directly or indirectly, in any business, transaction or professional activity, which conflicts with or impairs the proper discharge of official duties or which could bring disfavor or disrespect upon PHASE 4.

   2.3 Accept an honorarium which represents a payment in recognition of published works, appearances, speeches, and presentations and which is

not intended as consideration of the value of such services which are non-public, occupational or professional in nature.

2.4 Recommend or otherwise participate in the decision to make any contract valued at $500 or more between PHASE 4, any PHASE 4 school or Student Activity Fund, and any business or entity in which the Board Member or employee or a member of his/her immediate family, has a personal or financial interest or act to implement or administer any such contract. A Board Member or employee shall report the nature of his or her interest in a potential PHASE 4 contract to his or her superior. Where a Board Member or employee or a member of his or her immediate family has a personal or financial interest in a contract, he or she shall disclose it publicly and abstain from voting on the contract. Formal approval of the contract by a majority of all members of the Board of Trustees other than the abstaining member shall be required. The foregoing would apply to any business in which the Board Member's or employee's spouse or child is associated.

2.5 Advertise business or professional activities on PHASE 4' property or use PHASE 4' work hours, property or services to perform or promote personal or commercial enterprises or to campaign or raise money for any candidates for political office.

2.6 Use confidential information, as defined by the Sunshine Act 1 or the Board of Trustees, concerning property, personnel matters, or affairs of PHASE 4 or its employees to advance the financial or other private interests of the Board Member, employee or others; nor shall Board Members and employees disclose confidential information except as directed by the Board of Trustees or a court of law. Nothing in this provision shall be interpreted as prohibiting the practice of "whistle-blowing."

2.7 Accept anything of value including, but not limited to, a gift, loan, political contribution, reward, promise of future employment, favor, gratuity, entertainment, transportation or lodging based on any implied or actual understanding that the judgment of the Board Member or public employee would be influenced thereby.

2.8 Solicit directly from other Board Members or employees, students or their parents, anything of value for the Board Member's or employee's personal benefit

2.9 Purchase property of any kind from PHASE 4, either directly or indirectly, except in a manner approved by the Board for the particular sale involved,

unless 1) there is an open and public bid process, including public notice and subsequent public disclosures of all bids considered and contracts awarded, and 2) the Board Member or employee did not act in an official capacity in connection with the sale, and 3) the Board Member or employee was not privy to non-public information received in the course of his office or employment.

2.10 Participate in the review and approval of publications or materials for PHASE 4 purchase if the Board Member or employee is the author/editor of or has any financial interest in the sale of such publications or materials.

2.11 Tutor or counsel as a private enterprise, for compensation, pupils assigned to any class of PHASE 4 to which the employee is assigned. Employees may tutor or counsel pupils enrolled in other schools unless such private enterprise conflicts with or impairs the proper discharge of official duties.

2.12 Refer a PHASE 4' parent or student to a service, service provider or product in return for anything of value. Employees making referrals as part of their official duties shall make referrals to more than one provider of any non-unique service or product. For example, PHASE 4 counselors shall refer parents or students to more than one counselor or provider of medical services where comparably qualified persons are available.

2.13 Upon separation from PHASE 4' service or employment, represent any individual or business entity on any matter before PHASE 4 for a period of one (1) year after such separation.

3. Administration

3.1 Statement of Financial Interest

(a) In accordance with Pennsylvania's Public Official and Employee Ethics Law, PHASE 4 requires each Board Member and employee at the level of Lead Teacher and above to file a Statement of Financial Interest with the Secretary of the Board of Trustees by May 1 of each year for the immediate prior year. All Statements of Financial Interest are reviewed by the Board President.

3.2 The Board of Trustees may require any employee whose duties require the exercise of discretion or judgment to file a Statement of Financial Interest.

3.3 Conflict of Interest Resolution

(a) In the event that a question of conflict of interest or the appearance of conflict of interest arises, a Board Member or employee should apprise his/her superior and the Board President who will investigate and report the fact of the inquiry and results of his investigation to the Chief Executive Officer and the Board of Trustees for resolution. A Board Member having a conflict question shall take it to the President of the Board of Trustees who, if he/she cannot resolve it, with counsel, will refer the question to the entire Board of Trustees for resolution.

3.4 All violations of the foregoing policy are subject to appropriate censure or disciplinary action, including termination of employment and any penalties as prescribed by law.

3.5 Any contract or subcontract made in violation of this policy shall be voidable by the Board of Trustees and subject to termination for the Board's convenience.

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

ADOPTED this _____day of _____, 2012

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President

_____
Secretary

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Employee Health and Retirement Benefits

The Charter School Law requires charter schools to comply with Section 24 P.S. § 17-1724-A regarding employee health care benefits and employee enrollment in the Public School Employee's Retirement System (PSERS).

Section 6-696(i)(2)(i) exempts PHASE 4 America Cyber Charter School ("PHASE 4") from the requirement to comply with Section 17-1724-A of the Charter School Law. Therefore, PHASE 4 will offer eligible PHASE 4' employee's health care benefits as similar to those provided by local school districts as deemed practical by PHASE 4 and its providers. These benefits will be reviewed annually.

PHASE 4 will further offer to enroll eligible PHASE 4 employees in PSERS to the extent deemed practical by PHASE 4 and to the extent required by applicable law.

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

ADOPTED this _____ day of _____, 2012

_____

President

_____

Secretary

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Employees/Equal Employment Opportunity Policy

1. Purpose

   1.1 PHASE 4 America Cyber Charter School ("PHASE 4") has been and remains committed to the principle and practice of equal employment opportunity for all persons without regard to race, color, religion, age, sex, sexual orientation, ancestry, national origin, handicap, disabled or Vietnam era veteran status, consistent with job qualifications and safe performance of work requirements. PHASE 4 seeks to recruit, hire and place into available jobs the most qualified persons and to administer personnel matters such as compensation, benefits, promotion, training, layoffs, discipline, termination and PHASE 4 sponsored educational, social and recreational programs in accordance with this policy. In addition to applying equal employment principles in all its personnel decisions, PHASE 4 is committed to affirmative action to assure equal opportunity. It shall take positive steps to make its policy known and to encourage all qualified minorities, women, handicapped persons, and covered veterans to seek employment with or advancement within PHASE 4.

2. Authority

   2.1 The Chief Executive Officer ("CEO") has overall authority for PHASE 4' equal employment policy and shall designate such personnel as he or she deems appropriate to implement the policy.

3. Responsibility

   3.1 All administrators, supervisors and managers shall be made aware of this policy and shall fulfill their responsibilities in a manner which reflects and fosters PHASE 4' equal employment policy. All other employees are expected to conduct themselves at work in a way consistent with this policy. All employees are expected to deal fairly and courteously with one another to ensure a work environment free of intimidation and harassment. Ethnic, racist, or sexist slurs or other personal derogation not related to legitimate factors concerning work are offensive and

unacceptable employee behavior. Sexual harassment is also a form of unlawful and unacceptable sex discrimination and includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature.

4. Implementation

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

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

ADOPTED this _____day of _____, 2012

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President

_____
Secretary

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Employment of Personnel Policy

1. Purpose

   1.1 In its dedication to excellence in education, PHASE 4 America Cyber Charter School ("PHASE 4") is committed to the employment of the most qualified staff.

2. Authority

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

3. Guidelines

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

- State of Pennsylvania certification where such certification is required.
- Completed PA State Police Request for Criminal Record.
- FBI Clearance for new PA residents in accordance with PA law
- Completed PA Child Abuse History Clearance.

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

(1) Administrators.

(2) Persons employed by contract to perform special services for the Charter where the CEO certifies that such services cannot be performed by current PHASE 4' employees.

(3) Persons temporarily appointed or designated to make or conduct a special inquiry or study, or to perform a special service of a unique character which cannot or should not be performed by PHASE 4' employees.

Physical examinations shall be required of all employees as follows:

Prior to employment, by a licensed physician:

(a) A tuberculin skin test shall be administered within 3 months prior to the date the school receives the form.

(b) PHASE 4 personnel who have a documented nonsignificant tuberculin skin test are not required to have further tuberculin tests unless they are exposed to a case of active tuberculosis or are directed otherwise by the Secretary of the Department of Health to have an additional test.

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

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

ADOPTED this _____day of _____, 2012

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President

_____

Secretary

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Establishing a Position Policy

1. Purpose

   1.1 To maintain an effective charter school, the Board of Trustees of PHASE 4 America Cyber Charter School ("PHASE 4") shall continually evaluate its staff and establish positions essential to the fulfillment of educational goals.

2. Delegation of Responsibility

   2.1 The Chief Executive Officer ("CEO") shall be responsible for recommending new or additional positions whether these are permanent or temporary assignments.

3. Guidelines

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

   3.2 The initial salary or salary range for new positions shall be determined by the Board of Trustees at the time of establishing such positions based upon the recommendation of the CEO, and supporting documentation. In the exercise of its authority to establish new or additional positions, the Board shall give primary consideration to the most effective management of the affairs of PHASE 4, the number of students enrolled, the special needs of students, the financial resources, and, above all, the education goals of PHASE 4.

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

ADOPTED this _____day of _____, 2012

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President

_____

Secretary

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Professional Growth Guidelines Policy

1. Purpose

   1.1 Continued professional study (and in-service training) are prerequisites for continued professional growth and advanced ability to undertake increased responsibility. Therefore, these guidelines are established for all professional PHASE 4 America Cyber Charter School ("PHASE 4") personnel.

2. Guidelines

   2.1 Act 48 of the Commonwealth of Pennsylvania mandates that each certificated employee engage in professional development in order to maintain active status. Act 48 further provides that educational agencies, including PHASE 4, develop a three year educational development program plan and provides guidelines for same. It is the policy of this Board of Trustees that the Chief Executive Officer shall prepare a professional development plan for PHASE 4 consistent with Act 48 and prepare a plan to assure that all affected employees meet their obligation for continuing professional growth.

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

ADOPTED this _____day of _____, 2012

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President

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Secretary

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Travel Reimbursement Policy

1. PURPOSE

a. To establish the policies and procedures governing the reimbursement of travel and other reasonable and proper expenses incurred by employees in the performance of official and necessary PHASE 4 America Cyber Charter School ("PHASE 4") business.

b. To establish procedures for the reimbursement of travel expenses for necessary PHASE 4-related business and activities.

2. AUTHORIZATION AND APPROVAL OF TRAVEL AND REIMBURSEMENTS

a. The Chief Executive Officer ("CEO") or his/her designee is responsible for authorizing travel on necessary and essential PHASE 4 business and the subsequent approval of incurred expenditures. The intent of reimbursement is to defray those expenses the employee would not ordinarily have incurred had the employee not been on travel status.

b. Those designees considered agents of the CEO, and those designees alone have the authority to approve expenditures for this purpose for their direct reports. It shall be their responsibility to see that their subordinates are familiar with these procedures and that their approval is obtained ***before*** such expenditures are incurred. An Administrator may not authorize his/her own travel or approve expenditures, but must obtain the approval of his/her supervisor.

c. All out-of-town travel for educational personnel must be approved by the CEO to ensure that the purpose is consistent with PHASE 4's educational goals and focus. Additionally, expenditures for all out-of-town travel require the prior approval of the CEO or his/her designee(s).

d. Expenditures in excess of the limitations established in these procedures will be approved only if fully documented and a review of the circumstances indicates that such expenditures are necessary and in the best interests of PHASE 4. Approval of the CEO for review and written approval for reasons set forth here. Limited instances outside of established limitations set forth in these procedures when necessitated by business circumstances are subject to ***advance*** written approval of the CEO for reasons other than those set forth here. The CEO may delegate approval to his/her deputy for amounts under $200.00.

3. **CONFERENCE PARTICIPATION**

a. Participation in any one conference will be limited to ***two (2) participants.***

b. PHASE 4 will reimburse employees, directly involved in educating students, for no more than up to two (2) conferences per fiscal year. For all non- instructional employees, PHASE 4 will reimburse for not more than up to one (1) conference per fiscal year.

c. For all employees, attendance at the conference must be essential to job performance. For instance, travel to participate in meetings of professional, civic or social associations will only be approved if their content is deemed to be specifically aligned with and critical to job performance. Employees may attend additional conferences on their own time and at their expense.

d. To share helpful information, attendance at a conference by any employee, including an employee who has been invited to a conference as a presenter, is conditioned upon the employee providing a written report and, if requested by his/her supervisor, a presentation to colleagues regarding conference content within thirty (30) days after the conference.

e. Waiver of any or all of the limitations set forth above in Conference Participation may be granted only by the CEO.

4. **REQUEST FOR REIMBURSEMENT**

a. Employees will be reimbursed for approved expenditures within the policies and limitations established herein. The "PHASE 4 Charter School for Public Service Travel Reimbursement Form" (hereinafter referred to as "Reimbursement Form"), properly executed and signed, will be used to request reimbursement for routine or out-of-state travel. Receipts for transportation, hotel accommodations, taxi fares, tolls, etc., must be obtained and attached to the form.

b. All requests for reimbursement of travel expenses are subject to review by the Board of Trustees to determine the official nature of the expenditure and the propriety and reasonableness of the charges. Expenditures not deemed necessary or reasonable will not be reimbursed.

5. **REIMBURSABLE EXPENSES**

a. **Travel Within Western Pennsylvania** *(Routine Travel)*
The Reimbursement Form should be submitted for reimbursement on a monthly basis.

b. **By Automobile**

1. The shortest distance to the destination should generally be taken. Exceptions may be made when expressways or other highways are more

convenient or require less time. Records must be kept of the distances between stops so that entries on the Reimbursement Form will be accurate. In listing trips on the Reimbursement Form, indicate the start destination (school/location) of each trip and the miles covered. Show the total reimbursable miles covered for the day in the prescribed block, rounding the total to the nearest mile. Attach a computer map showing the miles of the route. PHASE 4' mileage reimbursement rate is the rate allowed by the Internal Revenue Service. Parking fees are reimbursable when parking at commercial parking areas is necessary. Parking fees are ***not*** reimbursable with respect to the regular or normal work location.

2. Mileage reimbursement will not be granted for the first stop of each workday or for the trip home from the last work location of the day. These two trips are equivalent to going to work and returning home after work each day and are not reimbursable. Mileage after the first stop through the last official stop of the day is reimbursable.

3. Travel mileage reimbursement will not be granted to employees who are eligible to earn overtime or compensatory time and who work on a non-scheduled workday, i.e., weekends, holidays, snow days or summer days for ten-month employees, etc.

4. Indicate on the Reimbursement Form each place visited via public transportation and the cost of each trip. Generally, the least expensive mode of travel should be used. Enter the total fares for the day in the amount column on the Reimbursement Form. The cost of travel to and from home and an employee's school or office is not an allowable expense.

c. **Daily Travel Outside of Western Pennsylvania**

Travel within the states of Pennsylvania and Ohio which does not include an overnight stay, and is less than 150 miles *(one-way)*, is considered routine. The same guidelines established for travel within the City of Pittsburgh as outlined above apply. Overnight stay is not permitted within the Pittsburgh Region unless an exception is granted by the CEO or his/her designee(s).

6. OUT-OF-TOWN TRAVEL

a. Out-of-town travel includes any travel that is (a) over 150 miles (one way), or (b) includes an overnight stay, or (c) is outside the states of Pennsylvania or Ohio. All out-of-town travel must be authorized ***in advance*** by the CEO or his/her designee(s), even where reimbursement of expenses is not being requested. The Reimbursement Form should be used for this purpose.

b. The authorizing administrator must be aware of the difference between the costs for automobile, train and air travel before approving a trip and

authorize only that travel plan most advantageous to PHASE 4. Car pooling should be required by supervisors wherever possible.

c. Employees are required to forward a completed Reimbursement Form to the CEO or his designee.

d. Conference registration fees for conventions, professional or trade association meetings are reimbursable by use of the Reimbursement Form. Payment of registration fees must be documented by cancelled check, credit card receipt or money order receipt.

e. Transportation to a terminal for the purpose of beginning a trip, transportation to and from the destination terminal, and transportation home from the terminal must always be made at the lowest possible cost. Public transportation, shuttle service or private automobile, if less costly, must be used in preference to taxi service. Reasonable, long-term airport parking costs will be reimbursed.

f. Bridge and highway tolls incurred in official travel will be reimbursed when receipts are attached to the Reimbursement Form.

7. **MEALS WHILE IN TRAVEL STATUS**

a. Meal allowance will be made for travel of over four (4) hours.

b. ***All meals while on travel status are reimbursable, without documentation, at the following rates (taxes and tips included):***

Meal Allowances:

Breakfast:	$5.00
Luncheon:	$10.00
Dinner:	$20.00
Total Per Day:	$35.00

c. In order to qualify for meal allowances, an employee must be in a travel status during at least one half hour between the following time limits:

Breakfast:	7:30 am and 9:30 am
Luncheon:	11:30 am and 1:30 pm
Dinner:	5:30 pm and 7:00 pm

d. Meals that are part of an official function (conventions, etc.) will be reimbursed in the amount actually expended and should not be included in the meal allowance. A receipt must accompany the reimbursement request for such meals. Meals that are included in the registration fee may not be included in the request for meal allowance.

8. **OTHER EXPENSES**

   a. Telephone costs in the conduct of official business are reimbursable. Personal calls home (for employees on out-of-town travel) are reimbursable up to $5.00 per trip with receipts.

   b. Valet expenses (dry cleaning, laundering) and other such personal expenses are not reimbursable.

   c. Reasonable tips for carrying luggage ***will be allowed of $5.00 per stay.***

   d. Use of a rental car is not reimbursable unless it can be shown that it was essential in the conduct of the official business and/or in the best interests of PHASE 4. Approval for use of a rental car must be secured in advance of travel on the Reimbursement Form.

   e. Any and all entertainment expenses and costs for alcoholic beverages are unallowable for reimbursement.

   f. Upon conclusion of travel, and within ten (10) business days, a Reimbursement Form must be completed and signed by the CEO or his/her designee. Additional requests for travel will be denied to an employee who has not submitted a Reimbursement Form in a timely fashion.

9. **VACATION PRECEDING/FOLLOWING TRAVEL**

   a. When an official period of travel is preceded or followed by an approved employee vacation or other non-work day, only such expenses that are an integral part of the official travel may be charged.

   b. Transportation costs will be reimbursed up to the approved value of the roundtrip cost to and from the point of destination of the official travel.

10. **CEO AND BOARD OF TRUSTEE EXPENSE REIMBURSEMENTS**

   a. The CEO of PHASE 4 is the only eligible employee authorized to use an executive credit card and/or debit card to incur reasonable and necessary expenses related to conducting official PHASE 4 business in accordance with the reimbursement guidelines and the policies and procedures for utilization of PHASE 4.

   b. When traveling out-of-town on official PHASE 4 business, charges for transportation and accommodations for the CEO can be charged directly to the executive credit card and/or debit card by the CEO and on the personal credit card of choice for the Board of Trustees Members.

   c. Requests for payment of executive credit card expenses by the CEO must be submitted to the Board of Trustees. All requests for payment require the credit card statement, original itemized receipt(s) of charges and an explanation of the business purpose(s).

d. Request for reimbursement of expenses by the Board Members must follow, 10 (c), however payments will be made directly to the Board Member who will be responsible for making payment to their personal credit card of choice.

e. Late fees will NOT be reimbursed by PHASE 4, but will be the responsibility of the CEO and/or Board Member to pay using non-PHASE 4 funds.

f. All requests for payment by the CEO must be reviewed and approved by the Board prior to being paid.

g. All requests for reimbursement of expenses by the Board of Trustees must be reviewed and approved by the CEO or his designee.

h. All requests for credit card payment or reimbursement of expenses are subject to review by an internal audit service to determine the official nature of the expenditure and the propriety and reasonableness of the charges.

11. POLICIES AND PROCEDURES FOR AIR TRAVEL

a. Airline reservations will be booked by the employee at the lowest available coach rate requiring as few transfers as possible.

b. Many airlines offer substantially reduced fares when a Saturday evening stay-over is booked. Approval for early arrivals and extended stays at the expense of PHASE 4 will be granted if the employee can demonstrate that the additional cost for lodging and meals is more than offset by reduced airfares.

c. Paper tickets will not be issued. All tickets will be electronic; requiring the employee to present two forms of identification at the check-in. Employees will receive a printed itinerary prior to traveling. This itinerary and appropriate receipts must be submitted along with the properly completed Reimbursement Form.

d. An employee's frequent flier mileage account can be credited for official travel. Employees cannot reject a booking if the lowest available fare is with an airline other than that of which they are a frequent flier member.

e. Charges for change of flights will be the responsibility of the employee unless the change was in the interest of PHASE 4 and approved by the CEO or his designee prior to or after completion of travel.

f. Lodging will be booked at government rates ***or at the lowest available rate if government rates are not available within a ½ mile radius*** except as noted in below. Employees will be required to present identification and a credit card at the time of arrival. Reimbursement of room charges will be through the Reimbursement Form.

g. Regularly scheduled conferences and meetings usually provide for special lodging rates for participants. Employees should check to see if they can book lodging at the designated conference or meeting hotels at a price that is less than

the conference or meeting rate. If a lower rate cannot be secured, the employee should book lodging through the conference or meeting facility.

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

ADOPTED this day _____ of _____, 2012

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President

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Secretary

PHASE 4 AMERICA™ CYBER CHARTER SCHOOL

The Proven Alternative

Finance Policies

2013 – 2014 School Year

The concepts presented in this application are the intellectual property of the applicant, PHASE 4 America, Inc. and/or PHASE 4 Learning Centers, Inc. It shall not be used, transferred sold or licensed to any individual or entity other than the charter applicant, PHASE 4 Learning Center, Inc. or PHASE 4 America, Inc.

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Bank Accounts Policy

1. Purpose

   1.1 The Board of Trustees of PHASE 4 America Cyber Charter School ("PHASE 4") shall designate one or more bank(s) and trust companies as depository(s) for the safeguarding of school funds by a majority vote of the Board of Trustees in accordance with the Bylaws.

2. Authority

   2.1 Each designated depository shall be federally secured and insured by the FDIC and such deposits shall be so secured and insured in accordance with law.

   2.2 Each designated depository shall be advised not to cash checks payable to PHASE 4 but to deposit said checks to PHASE 4' accounts.

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

ADOPTED this day _____ of _____, 2012

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President

_____
Secretary

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Budget Amendment Policy

1. Purpose

   1.1 It is the policy of the Board of Trustees of PHASE 4 America Cyber Charter School ("PHASE 4") that the annual budget may be amended periodically throughout the school year as circumstances, funding levels and needs change.

2. Delegation of Authority

   2.1 The Board of Trustees shall have the power to amend the budget to authorize the transfer of any unencumbered balance or portion thereof from one appropriation to another.

   2.2 The Chief Executive Officer ("CEO") or his/her designee shall present a resolution with a detailed listing of proposed budget adjustments by fund, function and class for approval. The resolution shall specify the source of funds for each amendment.

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

ADOPTED this day _____ of _____, 2012

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President

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Secretary

PHASE 4 America Cyber Charter School
BOARD OF TRUSTEES POLICY

Budget Planning Policy

1. Purpose

The budget shall be designed to reflect PHASE 4 America Cyber Charter School's objectives for the education of the students. Therefore, it must be organized and planned to ensure adequate understanding of the financial needs associated with program implementation, support and development. This necessitates a continuous review of the financial requirements of PHASE 4 Charter School for Public Service's programs.

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

ADOPTED this day _____ of _____, 2012

_____
President

_____
Secretary

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Budget Preparation Policy

1. Purpose

    1.1 The Board of Trustees of PHASE 4 America Cyber Charter School ("PHASE 4") considers the preparation of an annual budget to be one of its most important responsibilities because the budget is the financial reflection of the education plan for PHASE 4. The budget shall be designed to carry out that plan in a thorough and efficient manner and to maintain the facilities and honor the obligations of PHASE 4.

2. Authority

    2.1 The budget should be studied by each member of the Board during its preparation but, once adopted, it deserves the support of all members of the Board regardless of their position when adoption was voted.

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

ADOPTED this day _____ of _____, 2012

_____
President

_____
Secretary

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Common Trusts Policy

1. Purpose

The Board of Trustees of PHASE 4 America Cyber Charter School ("PHASE 4") recognizes the need to establish a mechanism for the acceptance and use of gifts, bequests or grants made to PHASE 4.

2. Delegation of Authority

2.1 The Board accepts with gratitude bequests for the advancement of education or for the general welfare of its students and staff.

2.2 All bequests shall be accepted by a resolution of the Board setting forth the identity of the grantor (unless the grantor requests anonymity), the stipulated use of the bequest, the time period over which the bequest is to be expended and any limitations, if any, which apply to the use of funds.

2.3 The Chief Executive Officer ("CEO") shall see to the investment of all trust funds received with the term of the investment consistent with the period of the intended use of the funds and the purpose of PHASE 4.

2.4 The CEO, in consultation with key staff, shall determine the most appropriate use of trust funds consistent with the intent of the grantor and the purpose of PHASE 4. Recommended uses shall be submitted by resolution for approval of the Board.

3. Guidelines

3.1 No bequest or grant of funds shall be accepted if conditions associated with the grant would be antithetical to the mission of PHASE 4.

3.2 No bequest or grant of funds shall be accepted for any purpose inconsistent with the ideals of a free and democratic society.

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

ADOPTED this day _____ of _____, 2012

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President

_____
Secretary

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Disqualification, Suspension or Debarment of Bidders Policy

1. Purpose

   1.1 This policy sets forth standards to determine what bidders are not responsible and procedures to disqualify or suspend or debar non-responsible bidders from contracting or subcontracting with PHASE 4 America Cyber Charter School ("PHASE 4"). It applies to all contracts which PHASE 4 is required by law to award to the lowest responsible bidder.

2. Policy

   2.1 PHASE 4 shall solicit bids from and shall award contracts to or consent to subcontracting only with "responsible bidders" as that term is defined by law. Bidders, contractors, or affiliates may be disqualified, suspended or debarred if they are deemed "not responsible" in order to protect PHASE 4 and the public's interest in accordance with the standards and procedures adopted by PHASE 4 and any other applicable law.

3. Authority

   3.1 PHASE 4 adopts this policy and procedure under its powers to make rules and regulations to manage school affairs and competitive bidding provisions of section 7-751 of the Public School Code.

4. Responsibility

   4.1 The Chief Executive Officer ("CEO") is generally responsible to implement and enforce this policy and may designate subordinate officers or employees to perform any functions provided for in this policy.

5. Definitions

   5.1 "Adequate evidence" means evidence sufficient to support a reasonable belief in the truth of the fact or conclusion it is offered to support and does not require proof in accordance with technical rules of evidence.

5.2 "Affiliates" means persons having an overt or covert relationship such that any one of them directly or indirectly controls or have the power to control another.

5.3 "Bidders" means any person responding to an invitation for bids or otherwise seeking to contract with PHASE 4 or with its contractors.

5.4 "Contractor" means any person independent of PHASE 4 who does or seeks to do business with PHASE 4 pursuant to mutual agreement and includes persons who subcontract with PHASE 4.

5.5 "Conviction" means a judgment or conviction of a criminal offense by any court of competent jurisdiction, whether entered upon a verdict or a plea, including a plea of nolo contendere.

5.6 "Disqualification" means exclusion as a contractor from bidding on any particular contract with PHASE 4; a contractor so excluded is "disqualified".

5.7 "Indictment" means a formal accusation of a criminal offense and includes any information or other filing by a competent authority charging a criminal offense.

5.8 "Legal proceedings" means any civil or criminal judicial proceeding, including appeals.

5.9 "Person" means an individual, company, firm, association, corporation, partnership, or other legal entity.

5.10 "Public prosecutor" means an official having legal authority in any jurisdiction to file or to prosecute indictment.

5.11 "Suspension" means exclusion as a contractor in bidding for a contract or being awarded a contract for a period of time or until some stated future occurrence; a contractor so excluded is "suspended".

6. Disqualification

A. Cause for Disqualification

A bidder or contractor may be disqualified with respect to any particular bid or contract award for any one or more of the following causes:

(1) Any cause set forth in the above sections of this policy;

(2) Inadequate financial resources to perform the contract;

(3) Inadequate experience, organization, or technical resources to perform the contract;

(4) Any other facts or circumstances showing a reasonable likelihood of inability to perform the contract.

(5) Discrimination in the bidder's or contractor's employment or business practices on the basis of race, color, sex or national origin.

B. Period of Disqualification

Disqualification may be imposed for any particular bid or contract award and applies only to the bid or contract award.

7. Responsibility for Agents

Bidders, contractors, and affiliates are deemed responsible for the acts of persons acting for or on their behalf, such that:

(1) The fraudulent, criminal or other improper conduct of any officer, director, shareholder, partner, employee or other associate may be imputed to the bidder, contractor or affiliate when the conduct occurred in connection with the individual's performance of duties for or on behalf of the bidder, contractor or affiliate, or with his/her knowledge, approval or acquiescence. Acceptance of the benefits derived from such conduct shall be evidence of such knowledge, approval or acquiescence;

(2) The fraudulent, criminal or other improper conduct of bidder, contractor or affiliate may be imputed to any officer, director, shareholder, partner, employee, or other associate who participated in, knew of or had reason to know of the conduct; and

(3) The fraudulent, criminal or other improper conduct of one bidder, contractor or affiliate participating in a joint venture or similar arrangement may be imputed to other participating bidders, contractors, or affiliates if the conduct occurred for or on behalf of

the joint venture or similar arrangement or with the knowledge, approval or acquiescence of other participants. Acceptance of the benefits derived from the conduct shall be evidence of such knowledge, approval or acquiescence.

8. Records

The Hearing Officer shall maintain records of all persons disqualified for the purpose of enforcing this policy.

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

ADOPTED this day _____ of _____, 2012

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President

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Secretary

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Finances Policy

1. Purpose

   1.1 The Board of Trustees recognizes its responsibility to the taxpayers to be sure that public monies expended by PHASE 4 America Cyber Charter School ("PHASE 4") are utilized for the furtherance of pupil education in a manner that will ensure full value to the taxpayers, and that adequate constraints and records are established to ensure that end.

2. Authority

   2.1 The Chief Executive Officer ("CEO") has the authority and responsibility, in conjunction with the Board to prepare the budget. The Board has the authority and responsibility to approve the budget, the bids, and pass a resolution authorizing the expenditures of PHASE 4.

3. Responsibility

   3.1 To meet the goals of this policy, the Board requires the CEO to establish sound accounting procedures based upon state and federal recommended accounting procedures and upon the recommendation of the local, state, and federal auditors, and to institute effective business practices and recommend suitable accounting equipment, where necessary.

   3.2 In accordance with state law, the Board will authorize an annual audit by an independent auditor. In addition, a Board audit committee may be established.

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

ADOPTED this day _____ of _____, 2012

_____
President

_____
Secretary

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Financial Reporting Policy

1. Purpose

   1.1 It is the purpose of this policy to establish financial reporting requirements to the Board of Trustees of PHASE 4 America Cyber Charter School ("PHASE 4").

2. Delegation of Authority

   2.1 The Chief Executive Officer ("CEO") or his/her designee shall, as soon as is practicable after the end of each fiscal year, submit to the Board of Trustees an annual financial statement for PHASE 4 for the past year. Such statement shall include itemized data with respect to all assets of PHASE 4, outstanding indebtedness, if any, and such other information relating to the finances of PHASE 4 as the Board may deem necessary or proper.

   2.2 On a monthly basis, the CEO or his/her designee shall prepare a monthly financial report for PHASE 4' operating fund including:

   a. Balance Sheet
   b. Statement of Revenues, Expenditures and Budget Comparison;
   c. Listing of Disbursements; and
   d. Statement of Cash Flow

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

ADOPTED this day _____ of _____, 2012

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President

_____

Secretary

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Gifts, Grants, Donations Policy

1. Purpose

1.1 The Board of Trustees of PHASE 4 America Cyber Charter School ("PHASE 4") recognizes that individuals and organizations in the community may wish to contribute money, supplies or equipment to enhance or extend the instructional program. This policy is intended to establish guidelines and procedures for such gifts.

2. Authority

Gifts

2.1 The Board has the authority to accept such gifts and donations as may be made to PHASE 4. The Board may authorize, that the Chief Executive Officer ("CEO") or his/her designee be authorized to accept gifts of cash or property valued up to $5,000.00. Gifts exceeding $5,000.00 shall be accepted by the Board.

2.2 The Board reserves the right to refuse to accept any gift which does not contribute toward the achievement of the goals of PHASE 4.

2.3 Any gift accepted by the Board, or its designee, shall become the property of PHASE 4, and may not be returned without the approval of the Board, and is subject to the same controls and regulations as are other properties of PHASE 4.

2.4 In the case of gifts, or donations by or through a Parent Advisory Council, the Board is authorized to approve receipt upon certification by the CEO that the property is appropriate to PHASE 4' purposes and needs. At the close of each school term, the CEO shall submit to the Board a detailed statement of these gifts and donations.

2.5 The Board shall be responsible for the maintenance of any gift it accepts, unless otherwise stipulated.

2.6 The Board will make every effort to honor the intent of the donor in its use of the gift so long as the intent of the gift if consistent with the purpose of

PHASE 4, but reserves the right to utilize any gift it accepts in the best interest of the educational program of PHASE 4.

2.7 In no case shall acceptance of a gift be considered to be an endorsement by PHASE 4 of a commercial product or business enterprise or institution of learning.

3. Delegation of Responsibility

3.1 The CEO and the Board shall counsel potential donors on the appropriateness of gifts and encourage individuals and organizations considering a contribution to PHASE 4. All such gifts shall be recorded in the appropriate inventory listing and property records. Such statement shall be audited in accordance with all financial records/statements of PHASE 4.

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

ADOPTED this day _____ of _____, 2012

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President

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Secretary

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Investments Policy

1. Purpose

   1.1 PHASE 4 America Cyber Charter School ("PHASE 4") shall optimize its return through investment of its unencumbered cash balances in such ways as to minimize non-invested balances and maximize return on investments in accordance with and as permitted by state and federal law.

2. Authority

   2.1 All investments of PHASE 4 shall be in accordance with the following policy.

3. Responsibility

   3.1 Funds of PHASE 4 may be invested in U.S. Treasury Securities or placed in time accounts or share accounts of institutions insured by the F.D.I.C. to the extent such certificates are insured by a proper bond in accordance with law and Board of Trustees ("Board") policy.

   3.1 Investment of PHASE 4' funds may be made in the sole discretion of the Board when operating within applicable statutes, provided that no commitment of this Board may be put in default at time due but be paid properly and promptly.

   3.2 The Board requires that the Chief Executive Officer ("CEO") or his/her designee shall report to the Board monthly the amount of funds in investments, the interest earned to date and the transactions occurring since the last report.

   3.3 The CEO or his/her designee working with the Treasurer and President of the Board shall, as soon as is practicable after the end of each fiscal year, and prior to the annual meeting of the Board submit to the Board an annual financial statement for PHASE 4 for the past year. Such statement shall include itemized data with respect to all assets of PHASE 4, outstanding indebtedness, if any, and such other information relating to the finances of PHASE 4 as the Board may deem necessary or proper.

3.4 The Board shall, consistent with law, determine which officers and employees shall be required to furnish surety bonds, conditioned on the faithful performance of their respective duties, to determine the amount of such bonds, and to approve the surety or sureties in each case.

3.5 The Board shall have the power to amend the budget to authorize the transfer of any unencumbered balance or portion thereof from one appropriation to another.

3.6 The Board shall have the power to make additional appropriations or increase existing appropriations to meet emergencies which could not be anticipated when the budget was adopted, the funds therefore to be provided from unexpended balances in existing appropriations, from unappropriated revenues if any, or from temporary loans. Under no circumstances may the Board increase the aggregate total of budget appropriations unless unappropriated revenues become available in sufficient amount to maintain the budget in balance, in which event the Board may make additional or increased appropriations.

3.7 The Board shall, at least thirty (30) days before the end of the fiscal year, adopt by majority vote of all its members an operating budget setting forth in lump sum amounts the proposed expenditures of the Board during the next fiscal year and the estimated receipts of the Board during the next fiscal year including approximate estimates of proposed revenues and all other receipts. The total amount of proposed expenditures shall not exceed the amount of funds available for PHASE 4' purposes.

3.8 Funds of the Board may be withdrawn from approved public depositories, or negotiable instruments owned by the Board may be sold before maturity at the sole discretion of the Board so long as such withdrawals or sales are beneficial to PHASE 4 and are permissible in accordance with applicable state and federal law.

3.9 All securities shall be purchased in the name of PHASE 4 Charter School for Public Service.

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

ADOPTED this day _____ of _____, 2012

_____
President

_____
Secretary

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Petty Cash Policy

1. Purpose

   1.1 Petty cash funds may be used for designated purposes so long as such funds are subject to adequate controls and safeguards.

2. Authority

   2.1 The Board of Trustees of PHASE 4 America Cyber Charter School authorizes the establishment of petty cash funds in the care of the Chief Executive Officer ("CEO") or other administrators charged with the responsibility for the management and administration of budgetary allocations/appropriations or to those serving in acting capacities.

3. Delegation of Responsibility

   3.1 Each responsible person shall ensure that petty cash funds are spent only for designated purposes for which the fund was established, no single purchase for petty cash exceeds $250, each request for funds is made in writing with any confirming papers attached and is signed by the requestor, funds are not used to circumvent the regular purchasing procedure, and the petty cash box is secured daily.

   3.1 A responsible custodian may choose to select an employee from the PHASE 4 staff to carry out the functional operations on his/her behalf related to the maintenance, disbursement, record keeping, and safekeeping of the imprest funds. The functional custodian is directly accountable to the responsible custodian.

   3.2 The responsible custodian shall provide for the safekeeping of funds and records.

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

ADOPTED this day _____ of _____, 2012

_____
President

_____
Secretary

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Charter School Audit (Public) Policy

Purpose:

The Board of Trustees the (the "Board") of PHASE 4 America Cyber Charter School ("PHASE 4") recognizes the importance of the right of the public to have access to the public records of PHASE 4. This includes public financial records. The public has the right under law to inspect and procure copies of the annual audit conducted by PHASE 4' independent auditor and the audit conducted by the Commonwealth's auditor general's office.

The Board also recognizes its obligation to represent the best interests of all of its constituents. Therefore, the Board will make the results of both PHASE 4' accountants' audit and the auditor general's audit available to the public at PHASE 4.

The Board believes that the three (3) available audits – local, state and federal – provide adequate safeguards for the public interest.

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

ADOPTED this _____day of _____, 2012

_____
President

_____
Secretary

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Purchases Budgeted Policy

1. Purpose

   1.1 It is the policy of the Board of Trustees (the "Board") that when funds are available, all purchases contemplated within the current budget and not subject to bid be made in a manner that ensures the best interests of PHASE 4 America Cyber Charter School ("PHASE 4").

2. Authority

   2.1 All purchases that are within budgetary limits and were originally contemplated within the budget may be made upon authorization of the Chief Executive Officer ("CEO") unless the contemplated purchase is for more than $5,000.00 in which case prior approval is required from the Board.

   2.2 All purchase requests must be referred to the CEO or to his/her designee, who shall check as to whether the proposed purchase is subject to bid, whether sufficient funds exist in the budget, and whether the material might already be available.

   2.3 There shall be a reasonable effort made to obtain, in writing, at least three quotations from independent sources for the supplies, equipment or services desired whenever possible.

3. Guidelines

   3.1 Purchase requests shall be submitted on an approved requisition form. Upon the placement of a purchase order, the CEO's designee shall encumber the expenditure against a specific budget line item to guard against the creation of liabilities in excess of appropriations.

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

ADOPTED this day _____ of _____, 2012

_____

President

_____

Secretary

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Purchases Subject to Bid Policy

1. Purpose

1.1 It is the policy of the Board of Trustees (the "Board") to advertise and obtain competitive bids for products and services where such bids are required by law or where such bids may be believed to bring about a cost saving to PHASE 4 America Cyber Charter School ("PHASE 4").

1.2 All construction, reconstruction, repairs, maintenance or work of any nature upon the school building or property or purchases relating to technology and supplies in excess of $10,000.00 shall be conducted through proper public announcement, receipt of valid formal bids, and award as provided by Board Policy and Procedures, including obtaining Board approval in advance. Projects exceeding $10,000.00 may not be partitioned to avoid these requirements.

1.3 All proposals over $5,000.00 must be presented to the Board for review and approval.

1.4 Normally, written or telephonic price quotations should be obtained from at least three (3) qualified and responsible contractors for all contracts that exceed $5,000.00. Such purchases do not require advertisement or competitive bidding. In lieu of price quotations, a memorandum shall be kept on file showing that fewer than three (3) qualified contractors exist in the market area from which to obtain quotations.

1.5 Construction, reconstruction, alteration, repairs, or work of any nature at a cost of less than $5,000.00 may be performed by PHASE 4' own maintenance personnel.

2. Responsibility

2.1 Bid specifications shall be approved by the Board before being published.

2.2 The bid specifications shall combine like items of supply and material whenever it is feasible, and permissible under statute, and not split purchases to avoid requirements for bidding.

2.3 The Board recognizes that emergencies may occur when imminent danger exists to persons or property or the continuance of existing school classes is threatened, and time for bidding cannot be provided because of the need for immediate action in accordance with the Pennsylvania School Code. Such emergency must be declared by the Board and stated by resolution at an emergency meeting which does not require public notice pursuant to the Sunshine Act.

2.4 Whenever a contractor shall submit a bid for the performance of work and the contractor later claims a mistake, error or omission in preparing said bid, the contractor shall, before the bids are open, make known the fact and in such case the bid shall be returned unopened and the contractor may submit a revised bid proposal at the discretion of PHASE 4 or the contractor may lose the right to bid if circumstances as determined by the Board require.

2.5 Bids shall be opened by the Board Secretary and/or an appointed Board Member at the next regularly scheduled Board Meeting after the closing date of the bids. The Board shall accept the bid of the lowest responsible bidder, kind, quality, and material being equal, but shall have the right to reject any and all bids, or select a single item from any bid.

2.6 There are exceptions to contracts or purchases which do not require advertising, bidding or price quotations and are set forth at 16 Pa.C.S.A. sec. 1802(h) and include but are not limited to professional service contracts involving professional expertise (ie., medical, legal, architects, engineers, CPAs) and specifically those involving construction management services.

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

ADOPTED this _____day of _____, 2012

_____
President

_____
Secretary

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Special Purpose Funds Policy

1. Purpose

   1.1 It is the purpose of this policy to establish financial supervision and controls for the administration of the various activities that involve PHASE 4 America Cyber Charter School ("PHASE 4") Special Purpose Funds.

2. Authority

   2.1 Student Body Funds are not part of PHASE 4' funds but shall be supervised by the Chief Executive Officer ("CEO") approved by the Board of Trustees (the "Board"), and the CEO shall countersign all checks drawn upon them.

3. Guidelines

   3.1 Funds of any PHASE 4' student body organization may be deposited or invested in such banks whose accounts are insured by FDIC and approved by the Board.

   3.2 Funds collected shall be turned in to the student organization's Custodian of the fund or to the CEO before the end of each school day to be safeguarded until they are deposited as soon thereafter as possible.

   3.3 The custodian of such funds shall furnish a bond in such amount and with surety as the Board may approve conditioned upon the faithful performance of the duties as custodian.

   3.4 Records shall be maintained of the receipt and disbursement of all such funds in designated accounts according to the activity involved.

   3.5 Disbursements from such funds shall be made by check only upon the request of the authorized advisor and the approval of the Custodian of the fund.

3.6 All checks shall be signed by the person authorized to approve such disbursements.

3.7 All funds should be of an exchange nature and large balances should not be permitted to accumulate. Money should not be raised or collected unless there is a definite purpose for doing so.

3.8 No funds shall be expended without the approval of the faculty advisor of the organizations, a student representative of the organization and the CEO.

3.9 A financial report of the condition of each Special Purpose Fund organization shall be submitted to the Board, no less than every other month.

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

ADOPTED this day _____ of _____, 2012

_____

President

_____

Secretary

PHASE 4 AMERICA™ CYBER CHARTER SCHOOL

The Proven Alternative

Operations Policies

2013 – 2014 School Year

The concepts presented in this application are the intellectual property of the applicant, PHASE 4 America, Inc. and/or PHASE 4 Learning Centers, Inc. It shall not be used, transferred sold or licensed to any individual or entity other than the charter applicant, PHASE 4 Learning Center, Inc. or PHASE 4 America, Inc.

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Food Service Policy

1. Purpose

   1.1 Food service programs of PHASE 4 America Cyber Charter School ("PHASE 4") shall be directed at meeting the needs of the pupils in accordance with these guidelines.

2. Authority

   2.1 Food sold by PHASE 4 may be purchased by students, teachers and other employees only for consumption on school premises.

3. Delegation of Responsibility

   3.1 The operation and supervision of the food services program shall be the responsibility of the Chief Executive Officer ("CEO") or his/her designee.

   3.2 PHASE 4 shall participate in the Federal School Breakfast Program and the Federal School Lunch Program.

   3.3 Provisions shall be made for free and reduced rate meals as prescribed by federal and state law, in accordance with these guidelines.

   3.4 The CEO or his/her designee shall prepare guidelines for the implementation of a food service program including:

   - the maintenance of facilities free from fire or health hazards,
   - the purchase of perishable foodstuffs, seasonal commodities and other supplies,
   - accounting procedures and depositing procedures for cafeteria funds,
   - control, safekeeping and storage of food and food equipment.

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

ADOPTED this day _____ of _____, 2012

_____
President

_____
Secretary

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Record Retention and Destruction Policy

Purpose:

This Policy pertains to all records and documents, regardless of physical form or characteristics, which have been created or received by PHASE 4 America Cyber Charter School ("PHASE 4") in connection with the transaction of school business.

For purposes of this policy, "records" are defined as recorded information that is generated internally or received from external sources that is utilized in the transaction of school business, related to the school's legal obligations, documenting a transaction or verifying a receipt. Recorded information can be comprised of various characteristics and can be found on different media including paper, photographs, audio or video recordings, electronic messages, computer hard drives, tapes, compact discs, microfilm and microfiche.

This policy pertains to records which are specifically defined herein. ***This policy does not pertain to student records.***

Procedure:

PHASE 4 shall designate a person who shall be responsible for implementing this policy and for ensuring compliance with it. Any questions regarding document retention and/or destruction shall be directed to the person designated.

All records are the property of PHASE 4 and no employee has any personal or property right to such records regardless of his or her position or the fact that he or she may have developed or compiled them.

Employees should refer to the Document Retention Schedule attached to this policy for information concerning the period for specific types of records. Records shall not be destroyed before the required retention period has expired. Additionally, records shall not be retained for longer than the required retention period without first contacting the person designated by the school to implement and ensure compliance with this policy. Duplicates of original documents should generally be discarded after use unless necessary to support current operations. If duplicates are so retained, they should be discarded after they have served their purpose. In no event should duplicates be retained for a period longer than the retention period for the original document.

Electronic documents shall be retained as if they were paper documents. Any electronic files that fall into one of the document types on the schedule set forth below shall be maintained for the appropriate amount of time. Electronic and voice mail and other electronic data that are not official records should be destroyed.

Upon any indication of an official investigation of PHASE 4 or litigation involving the school, document destruction shall be suspended immediately. Destruction shall be reinstated upon the conclusion of the investigation or litigation. Employees are prohibited from discarding documents that would normally be retained for a longer period of time because they believe that the records might be harmful to any employee or PHASE 4. The unauthorized destruction, removal, use, falsification or inappropriate alteration of any record is prohibited.

Records are to be maintained for the minimum retention periods stated below in order that PHASE 4 meets legal requirements, ensures retention for historical or archival purposes, ensures necessary documentation to defend PHASE 4 in legal proceedings or relevant to an action that has been threatened or commenced, ensures that documents are available for audit and assist the School in normal management operations. The various reasons given below in the Records Retention Schedule are:

- Archival: permanent retention to meet fiscal, legal, administrative or historic needs;
- Litigation: information necessary to defend the School against claims;
- IRS: periods noted per the regulations for various financial and related functions;
- 24 P.S. §5-518: "Every board of school directors shall retain as a permanent record of the district, the minute book, each annual auditor's report, and each annual financial report. All other financial records of the district, including financial account books, orders, bills, contracts, invoices, receipts, and purchase orders shall be retained by the district for a period of not less than six years. Records may be retained as recorded or copied in accordance with 53 Pa.C.S. Ch. 13 Subch. F (relating to records);
- Administrative: record availability necessary for management of and normal functioning of the School;
- Personnel File: human resource related records which may contain private information which is not subject to PA Right-to-Know Law.

Records Retention Schedule

RECORD	RETENTION	REASON	NOTES

	PERIOD		
Americans with Disabilities Act plans	Permanent	Litigation, Administrative	
Annual Financial Reports	Permanent	24 P.S. §5-518	
Articles of Incorporation	Permanent	Archival	
Asbestos plan	Permanent	Litigation and as required by the Asbestos Hazard Emergency Response Act	
Audits: Financial and Performance	Permanent	24 P.S. §5-518 and archival	
Blueprints and Building Specifications	Permanent	Archival and litigation	
Board & Committee Minutes & Agendas	Permanent	24 P.S. §5-518	
Bylaws	Permanent	Archival	
Catalogue of Library Holdings	Permanent	Archival	
Certified Financial statements	Permanent	24 P.S. §5-518	
Charter	Permanent	Archival	
Deeds, Titles, other Real Property Sale, Acquisition or Expansion records	Permanent	Archival and litigation	
Disaster Response Files	Permanent	Archival and litigation	
Employee evaluations, job descriptions, insurance records and internal investigations	Permanent	Litigation	Human resource record – private information
Employee wage, tax statements, deduction annuity authorization and deduction authorization files	Permanent	Archival and litigation	Human Resource record – private information
Employee Directories	Permanent	Archival and litigation	May contain both public and private information

Equal Employment Opportunity Report & Related Records	Permanent	Archival, Litigation	Human Resource Record; note 29 CFR §1602.39 and 1602.41 require districts to retain for 3 years the most recently filed EE0-5
Executive Correspondence	Permanent	Archival	
Fixed Assets records	Permanent	IRS	
General Ledger	Permanent	IRS, archival and litigation	
IRS exemption application and determination letter and IRS examinations, rulings and comments	Permanent	Archival	
Insurance policies – includes liability, workers' compensation, etc.	Permanent	Litigation	
Job Action Records - as to any actions, including correspondence, press clippings, etc. of work stoppages, informational picketing, etc. by teachers or staff	Permanent	Archival and Litigation	
Job postings – with **specific** duty descriptions (Public Human Resource Record)	Permanent	Archival and Litigation	29 CFR §1627.3(b)(vi) requires 1 year retention from date of personnel action to which records relate.
Leases for Real Estate	Permanent	Archival	
Legal Case files	Permanent	Archival and Litigation	
Official Plans, maps, designs and photos	Permanent	Archival	

Organizational Files – relating to administrative structure of school	Permanent	Archival	
Pension plan/Employee Benefit plan documents	Term of plan plus one year after termination	Per 29 CFR §1627.3(b)(2)	Human Resources Record – public information
Personnel Records – including applications for employment, resume, evaluation, notice to resign/terminate, teacher class records, etc.	Permanent	Archival, Litigation, Administrative and PA Public School Employees' Retirement System	Human Resource Record with both public and private information
Pesticide Application Record	Permanent	Litigation; otherwise, 24 P.S. 7-772.2(b)(2) requires detailed record of all chemical pest control for at least 3 years.	
Policies & Procedures Manual	Permanent	Archival	
Press Release Files	Permanent	Archival	
Publications	Permanent	Archival	
Public Facility Use Files	Permanent or 6 years	Archival	If no historical value, 6 years for administrative purposes
Records Transfer Sheets	Permanent	Archival	Stored at school district record centers or historical society

Toxic Substance Exposure Records	Permanent	Litigation	Exposure of employees handling substances, list of substances present, MSDS, and training records for employee handling
Teacher Course Records and Workshop Records	55 years	Archival, Litigation and Personnel	Private Human Resource Record
Lead or Copper Content Testing and Remediation Files	50 years when level exceeds and ten years when levels below action level	Administrative and Litigation	
Pesticide Inventory	40 years after superseded or obsolete	Litigation	
Annual Budgets	6 years	24 P.S. §5-518	
Bond Issue files	10 Years after expiration	24 P.S. §5-518	
Grant Program files	10 Years after renewal or close of grant	For auditing purposes and 24 P.S. § 5-518 for 6 year minimum	Permanent if of historical value
Job Classification Records	Not less than 10 years	Litigation	Public Human Resource Record
Accounts Payable & Accounts Receivable Ledgers & Schedules	7 years	IRS and 24 P.S. §5-518 requires 6 years minimum	
Bank statements & reconciliation	7 years	IRS and Sec. 5-518 requires 6 years minimum	
Check register, check copy records & void check register	7 years	IRS	

Deposit Slips	7 years	IRS and 24 P.S. §5-518 requires 6 year minimum	
Depreciation Schedules	7 years	IRS	
Direct Deposit Records	7 years	IRS	Human Resource record
Donor contributions	6 year minimum	24 P.S. §5-518	
Equipment inventory files	7 years	IRS	
Income Tax Exemptions and Withholdings	7 years	IRS	Private Human Resource Record
Invoices (after payment)	7 years	IRS and 24 P.S. §5-518 requires 6 year minimum	
Monthly Payroll Deduction billings	7 years	IRS	Private Human Resource Record
Payroll Register and Voucher	7 years	IRS; 29 CFR §516.5 & 1627.3(a) requires 3 years for Payroll Register	Private Human Resource Record
Petty cash records	7 years	IRS and 24 P.S. §5-518 requires 6 year minimum	
Purchase Requests (including vendor invoices)	7 years	IRS and 24 P.S. §5-518 requires 6 year minimum	
Sales Invoices	7 years	IRS and 24 P.S. §5-518 requires 6 year minimum	
Taxable Wage Earning Reports – include IRS Form W-2, withholdings through Form W-3, etc.	7 years	IRS	Private Human Resource Record
Time cards	7 years	IRS	Private Human Resource Record

Travel/Passenger Reimbursement records (include hotel, meals, mileage)	7 years	IRS	Contains both public and private employee information
Accident Reports	6 years	24 P.S. §5-518	OSHA requires 5 years after year to which they pertain per 29 CFR § 1904.33(a)
Bond redemption and destruction certificates and bond redemption registers	6 years after expiration of bonds	24 P.S. §5-518	
Bonds, notes & coupons paid files	6 years	24 P.S. §5-518	
Census Sheet records Note: private information	6 years	Administrative	For tax base and population statistics
Fire and Structural Safety Records	6 years after the building no longer exists, but not less than 21years	Litigation	
Grievance Records	6 years after final resolution	Administrative and Litigation	Human Resource Record – private
Insurance Claims	6 years after resolution of claim	Administrative and 24 P.S. § 5-518 requires 6 years minimum	
Inventory	6 years	24 P.S. §5-518	
Job postings – **without specific** duty descriptions (Public Human Resource Record)	6 years	Litigation	29 CFR §1627.3(b)(vi) requires 1 year retention from date of personnel action to which records relate.

Library Material Censorship & Complaint Records	6 years after last entry	Litigation and Administrative	Note that if issues deal with serious constitutional issues, may retain as permanent for historical significance
Maintenance Testing, Service, Operational and Repair Records	6 years after vehicle or equipment no longer in use	Administrative and Litigation	
Pesticide Applicator Certification	6 years	Administrative and litigation	
Property Inventory	6 years after replacement, sale or discontinuance of use	IRS, Litigation and Administrative	
Receipt & Expenditure Summary – including Funds Ledger and Monthly Journal of Receipts	6 years minimum	24 P.S. §5-518	
Remediation by replacement of lead/copper plumbing and remediation by elimination or replacement of water cooler not connected to copper plumbing	6 years	Administrative and Litigation	
Repair, Installation & Maintenance Records	6 years	Administrative	
Security Records – including visitor register and security guard reports	6 years	Litigation and administrative	
Surplus Property Case files	6 years after final payment	24 P.S. § 5-518 and administrative	
Surveys	6 years	Administrative	Permanent if of historical value

Unemployment Insurance Records	6 years after final payment	Litigation & Personnel	Human Resource Record with both private and public information
Emergency Operating Plan	5 years	35 Pa.C.S. §7701(g)	
Facility Safety Inspection Reports	5 years	Administrative and District requires for insurance policies	
Free and Reduced Lunch Application and approval/denial	5 years	Administrative and 24 P.S. 13-1337(e)	
Leave Adjustment Records – as made during a pay period	5 years	Administrative and Litigation	Private human resource record
Payroll Absence Summary Report	5 years	Administrative and Litigation	Private Human Resource Record
Retirement Files – for employees	5 years after retirement	Litigation	Private Human Resource Record
Working Papers – include studies, notes, drafts and interim reports for projects	5 years after project completion	Administrative	
Individual Authorized Allotment files – including exemptions, withholding taxes, IRS Form W-4, etc.	4 years after being superseded or separation of employee	IRS	Private Human Resource Record
General Journal Entry Report (monthly) – used to make adjustments and corrections to accounting records	4 years	Administrative	Kept with General Ledger which is retained permanently
Daily cash receipts	3 years	IRS	
Disposition Records (Inventory Disposal)	3 years after disposal	IRS	

Distribution Reports-monthly salary and benefit status	3 years	IRS	Human Resource Record with both public and private information
Employment applications for individuals not hired	3 years	Litigation	Public Human Resource Record
Employment applications and related documents for individuals hired	3 years after active employment ends	Litigation	Human Resource Record – private information
Family & Medical Leave Act Notice and other documents	3 years	Litigation and 29 CFR §825.500	Private Human Resource Record
Garnishment Records – for debts owed by employees and attached to employee earnings	3 years after end of garnishment	IRS, Litigation and Personnel file	Human Resource Record – contains some private information
Hazardous Waste Manifest Document	3 years	Litigation	Documents Nurse's office medical waste
Health and Life Insurance Records	3 years after termination of employee or benefit expiration, whichever first	Litigation, archival, administrative and personnel file	Private Human Resource Record
Insurance Deduction files	3 years after employee separation	IRS	Private Human Resource Record
Interdepartmental Billing – for services and materials	3 years	Administrative	

Labor Agreements or contracts including collective bargaining (public) and employment agreements (private)	3 years	29 CFR §516.5 (change from original policy which required permanent record kept but no cite)	Human Resource Record – contains both public and private information
Retirement Reports – monthly as submitted to State Retirement System	3 years	Administrative	Private Human Resource Record
Right-To-Know MSDS File	3 years or until superseded or replaced	Administrative	
Unsuccessful Grant Applications	3 years	Administrative	
Vendor Files for PA Premier Education Technology Bid/Buy Program	3 years	Administrative	Destroy after audit
Computer Repair Statements	2 years	Administrative	For in-house or off-site computers
Deductions/Other Earnings Registers	2 years after deduction made	29 CFR §516.6	Private Human Resource Record
Feasibility Studies - before installation of technology or equipment	2 years	Administrative	May keep longer if need justifies
Internal Committee Records	2 years or until administrative need ends, whichever longer	Administrative	
Vendor File	2 years after inactive	Administrative	
Audio Visual Repair Tag	1 year	Administrative	In-house and off-site repairs
Employee Benefit Plans	1 year after termination of Plan	29 CFR §1627.3(b)(2)	Public Human Resource Record
Food Services file	1 year	Administrative	Destroy after annual audit

Housekeeping file – includes charity fund drives, custodial service requests, parking space assignments and distribution of keys	1 year	Administrative	
Leases – equipment or personally	1 year following expiration/termination of lease	Administrative and litigation	See Real Estate leases – permanent
Leave application files and supporting documents for vacation, sick time, etc.	1 year	Administrative and litigation	Private Human Resource Record
Lost Checks for reissuance	1 year	Administrative	For audit
Monthly financial reports & statements	1 year after publication of annual report	Administrative	Becomes part of permanent record of audit
Performance Guaranties (written warranties)	1 year after expiration	Litigation	
Personnel Action Records – includes corrections to payroll for identifying employee information and salary adjustment, termination, etc.	1 year	Administrative	Human Resource Record – has both public and private information
Right to Know Request Forms of Records	1 year	Administrative	
Service Requests for administration/staff computer system	1 year	Administrative	
Technical Reference File- includes unofficial copies of reports, studies, data compilation, drawings, periodicals, books, brochures, catalogs and vendor lists	1 year	Administrative	
Workers Compensation claims	1 year after death of employee	Litigation	Human Resource Record with both public and private information

Software Licenses	Current as long as software is on computer	Litigation and Administrative	

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

ADOPTED this _____day of _____, 2012

_____
President

_____
Secretary

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

School Calendar

1. Purpose

    1.1 The Board of Trustees ("Board") recognizes that the preparation of a calendar is necessary for the efficient operation of PHASE 4 America Cyber Charter School ("PHASE 4").

2. Authority

    2.1 The Board shall determine annually the days and the hours when PHASE 4 shall be in session for instructional purposes in accordance with State law. Such school calendar shall normally consist of 190 days for students.

3. Delegation of Responsibility

    3.1 The Chief Executive Officer shall prepare a school calendar for Board consideration, annually.

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

ADOPTED this day _____ of _____, 2012

_____
President

_____
Secretary

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

School Day Policy

1. Purpose

   1.1 The normal school day for the instruction of the pupils of PHASE 4 America Cyber Charter School ("PHASE 4") shall be in accordance with law and with the following guidelines.

2. Guidelines

   2.1 The regular school session may be temporarily altered when such alteration is in the best interests of PHASE 4 by the Chief Executive Officer ("CEO") with the approval of the Board President.

   2.2 The CEO, with the approval of the Board President, may close PHASE 4, delay the opening of PHASE 4, or dismiss school early for emergency reasons and to protect the health and safety of students and staff members, and shall prepare rules for the proper and timely notification of concerned persons in the event of such emergency closing. Every attempt shall be made to have information regarding school closing on the air by 6:00 a.m.

   2.3 Day School Programs:

   - PHASE 4 shall be closed on days that the local school districts declares its schools closed due to weather conditions or city-wide emergencies.

The CEO shall develop guidelines which allow students to enter and leave PHASE 4, under exceptional conditions so that variances with the normal school schedule may be accommodated. Such guidelines shall consider such things as inclement weather, family illness, and other similar circumstances.

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

ADOPTED this day _____ of _____, 2012

_____

President

_____

Secretary

PHASE 4 AMERICA™ CYBER CHARTER SCHOOL

The Proven Alternative

Parent Policies

2013 – 2014 School Year

The concepts presented in this application are the intellectual property of the applicant, PHASE 4 America, Inc. and/or PHASE 4 Learning Centers, Inc. It shall not be used, transferred sold or licensed to any individual or entity other than the charter applicant, PHASE 4 Learning Center, Inc. or PHASE 4 America, Inc.

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

PARENT INVOLVEMENT POLICY FOR TITLE I REQUIREMENTS

PHASE 4 America Cyber Charter School ("PHASE 4"), in consultation with the undersigned teachers, principals, program administrators, and parents of participating children, have developed and agreed upon this parent involvement policy. This policy shall be incorporated into PHASE 4 consolidated application for selected programs funded under the No Child Left Behind Act of 2001.

PHASE 4 welcomes the participation of parents in support of student learning and recognizes that parental involvement increases the opportunities for student success. It is the policy of PHASE 4 to foster and maintain ongoing communications with parents concerning their opportunities for involvement, their children's eligibility for special programs, their children's educational progress, the professional qualifications of their children's teachers, and the status of their children's school. PHASE 4 strives to provide such information in an understandable and uniform format, including alternative formats upon request, and, to the extent practicable, in a language that parents can understand. To the extent practicable, PHASE 4 shall also provide full opportunities for the participation of parents with limited English proficiency, parents with disabilities, and parents of migratory children, including providing information and school reports required under section 1111 in a format and, to the extent practicable, in a language such parents understand. Communications with parents shall, at all times, respect the privacy of students and their families.

The following policies are intended to specifically address parts A-F of section 1118 (a) of the No Child Left Behind Act of 2001:

> *(A) It is the policy of PHASE 4 to consult parents, teachers, principals, and program administrators of federally funded programs in the development and revision of PHASE 4' consolidated application for federal funds under section 1112 and in the process of school review and improvement under section 1116 of the No Child Left Behind Act of 2001. The process of school review includes timely publication and dissemination of the results of its annual progress report to parents, teachers, principals, and the school community. It is the intent of PHASE 4 that parents of participating children understand the process by which schools are identified for improvement, corrective action, or restructuring, and that parents of children attending such schools are provided promptly with the following information:*

(1) An explanation of what the identification means, and how PHASE 4 compares in terms of academic achievement to other elementary schools or secondary schools;

(2) The reasons for the identification;

(3) An explanation of how the parents can become involved in addressing the academic issues that caused the school to be identified for school improvement;

(4) An explanation of the parents' option to transfer their child to another public school, including the provision of transportation to the new school and information on the academic achievement of the school or schools to which the child may transfer.

(5) If PHASE 4 is in its second year of improvement or subject to corrective action or restructuring, a notice explaining how parents can obtain supplemental education services for their child, including:

(a) The identity of approved providers of those services available within PHASE 4; and

(b) A brief description of the services, qualification, and demonstrated effectiveness of the providers; and,

(c) If requested, assistance in choosing a provider.

PHASE 4 also publishes and disseminates to parents and to the public, information regarding any actions taken by PHASE 4 to address the problems that led to the identification of a school for improvement, corrective action, or restructuring, including:

(1) An explanation of what PHASE 4 is doing to address the problem of low achievement; and

(2) A description of corrective actions or restructuring plans.

In order to address section 200.61 ***Parents' Right to Know*** *of the Final Regulations of the No Child Left Behind Act, it is the policy of PHASE 4 to notify parents of participating children at the beginning of each school year that parents may request and the district will provide information on the professional qualifications of the student's classroom teachers and whether the child is provided services by paraprofessionals and, if so, their qualifications.*

(B) It is the policy of The Board of Trustees of PHASE 4 to provide and seek technical assistance and other support necessary to assist in

planning and implementing effective parent involvement activities to improve student academic achievement and school performance.

(C) PHASE 4, in order to build the capacity of PHASE 4 and parents for strong parental performance, partners with local PIRCs and other expert providers to:

(1) provide assistance to parents of children served by PHASE 4 or local educational agency, as appropriate, in understanding such topics as the State's academic content standards and State student academic achievement standards, State and local academic assessments, the requirements of this part, and how to monitor a child's progress and work with educators to improve the achievement of their children;

(2) provide materials and training to help parents to work with their children to improve their children's achievement, such as literacy training and using technology, as appropriate, to foster parental involvement;

(3) educate teachers, pupil services personnel, administrators, and other staff, with the assistance of parents, in the value and utility of contributions of parents, and in how to reach out to, communicate with, and work with parents as equal partners, implement and coordinate parent programs, and build ties between parents and PHASE 4;

(4) ensure that information related to PHASE 4 and parent programs, meetings, and other activities is sent to the parents of participating children in a format and, to the extent practicable, in a language the parents can understand; and

(5) provide such other reasonable support for parental involvement activities under this section as parents may request.

(6) may involve parents in the development of training for teachers, principals, and other educators to improve the effectiveness of such training;

(7) may provide necessary literacy training from funds received under this part if the local educational agency has exhausted all other reasonably available sources of funding for such training;

(8) may pay reasonable and necessary expenses associated with local parental involvement activities, including transportation and child care

costs, to enable parents to participate in school-related meetings and training sessions;

(9) may train parents to enhance the involvement of other parents;

(10) may arrange PHASE 4 meetings at a variety of times, or conduct in-home conferences between teachers or other educators, who work directly with participating children, with parents who are unable to attend such conferences at PHASE 4, in order to maximize parental involvement and participation;

(11) may adopt and implement model approaches to improving parental involvement;

(12) may establish a school wide parent advisory council to provide advice on all matters related to parental involvement in programs supported under this section;

(13) may develop appropriate roles for community-based organizations and businesses in parent involvement activities; and,

(14) shall provide such other reasonable support for parental involvement activities under this section as parents may request.

(D) PHASE 4, to the extent feasible and appropriate, coordinates and integrates parent involvement programs and activities with Head Start, Reading First, Early Reading First, Even Start, the Home Instruction Programs for Preschool Youngsters, the Parents as Teachers Program, and public preschool and other programs, and conducts other activities, such as parent resource centers, that encourage and support parents in more fully participating in the education of their children.

(E) To ensure the effectiveness of this parent involvement policy, PHASE 4 conducts, with the involvement of parents, an annual evaluation of its parent involvement policy in improving the academic quality of the schools served, including identifying barriers to greater participation by parents in activities authorized under the parent involvement section on the No Child Left Behind Act of 2001. This evaluation will focus particular attention on parents who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background. PHASE 4 uses the findings of this evaluation to design strategies for more effective parental involvement, and to revise, if necessary, the parental involvement policies described herein.

(F) It is the policy of PHASE 4 to involve parents in the activities served under this part by monitoring local schools to assure that participating schools:

(1) convene an annual meeting, at a convenient time, to which all parents of participating children shall be invited and encouraged to attend, to inform parents of their school's participation under this part and to explain the requirements of this part, and the right of the parents to be involved;

(2) offer a flexible number of meetings, such as meetings in the morning or evening, and may provide, with funds provided under this part, transportation, child care, or home visits, as such services relate to parental involvement;

(3) carry out capacity-building activities for parents listed in (C) above;

(4) involve parents, in an organized, ongoing, and timely way, in the planning, review, and improvement of programs under this part, including the planning, review, and improvement of PHASE 4 parental involvement policy and the joint development of the school wide program plan under section 1114(b)(2), except that if PHASE 4 has in place a process for involving parents in the joint planning and design of PHASE 4' programs, PHASE 4 may use that process, if such process includes an adequate representation of parents of participating children;

(5) provide parents of participating children –

(A) timely information about programs under this part;

(B) a description and explanation of the curriculum in use at PHASE 4, the forms of academic assessment used to measure student progress, and the proficiency levels students are expected to meet; and

(C) if requested by parents, opportunities for regular meetings to formulate suggestions and to participate, as appropriate, in decisions relating to the education of their children, and respond to any such suggestions as soon as practicably possible; and

(6) if the school wide program plan under section 1114(b)(2) is not satisfactory to the parents of participating children, submit any parent comments on the plan when PHASE 4 makes the plan available to the local educational agency.

As a component of the school-level parental involvement policy, PHASE 4 develops a school-parent compact that outlines how parents, the entire school staff, and students share the responsibility for improved student academic achievement and the means by which PHASE 4 and parents will build and develop a partnership to help children achieve the State's high standards. These compacts –

> *(1) describe PHASE 4' responsibility to provide high-quality curriculum and instruction in a supportive and effective learning environment that enables the children served under this part to meet the State's student academic achievement standards, and the ways in which each parent will be responsible for supporting their children's learning, such as monitoring attendance, homework completion, and television watching; volunteering in their child's classroom; and participating, as appropriate, in decisions relating to the education of their children and positive use of extracurricular time; and*
>
> *(2) address the importance of communication between teachers and parents on an ongoing basis through, at a minimum –*
>
> > *(A) parent-teacher conferences in elementary schools, at least annually, during which the compact shall be discussed as the compact relates to the individual child's achievement;*
> >
> > *(B) frequent reports to parents on their children's progress; and*
> >
> > *(C) reasonable access to staff, opportunities to volunteer and participate in their child's class, and observation of classroom activities.*

If PHASE 4 is identified for improvement, corrective action, or restructuring PHASE 4 ensures that:

(1) *Parents are consulted in the development or revision of the required two-year school improvement plan;*

(2) *The plan includes a description of how PHASE 4 will provide written notice about the identification to parents of each student enrolled in PHASE 4; and*

(3) *The plan includes strategies to promote effective parental involvement at PHASE 4.*

Signatures: *Date:*

PHASE 4 AMERICA™ CYBER CHARTER SCHOOL

The Proven Alternative

Property Policies

2013 – 2014 School Year

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PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Disposal of Surplus Property, Obsolete Equipment, And Real Estate

PURPOSE

Unneeded surplus, unusable, and/or obsolete property can consume valuable storage space. This policy is intended to quickly and efficiently dispose of such property, thus avoiding future unnecessary handling and storage.

AUTHORITY

When it has been determined that any property is obsolete or unneeded surplus and should be exchanged for other property, the Board of Trustees (the "Board") of PHASE 4 America Cyber Charter School ("PHASE 4") authorizes that such property may be sold or exchanged in accordance with any of the following provisions:

a) The property is no longer required for its originally intended purpose.
b) The property is considered out of date, obsolete, or in unusable condition.
c) The property is in quantities exceeding any possibility of effective use by PHASE 4

DELEGATION OF RESPONSIBILITY

If any staff member identifies property which is unused, obsolete or surplus, that member is to notify PHASE 4' Chief Executive Officer ("CEO") of such property. It is the CEO's responsibility to create a list of such property and provide this list to the Board.

Determination as to whether any of the state criteria apply to property possessed by PHASE 4 shall be made by the CEO, who may delegate this responsibility provided that all requirements of this policy are met. As necessary, the CEO or his/her designee may call upon other staff personnel to develop criteria to aid in this identification.

School property owned by PHASE 4 which is unusable, obsolete, surplus to need, has been replaced, or is otherwise no longer of value to PHASE 4 will be listed and presented to the Board with a recommendation for disposition. The Board is vested with the final authority to approve any disposition.

GUIDELINES

Items of some value may be disposed of in the following ways:

a) Public auction generally conducted by a licensed auctioneer.
b) Salvage scrap sold to local dealers.
c) Negotiated sale normally used when disposing of items or property of substantial value.
d) Sealed bid normally used for items of substantial value or unique qualities.
e) Pre-priced sale large quantities of obsolete or surplus furniture and equipment may be sold by this method.
f) Some items have no sale value or disposal exceeds the net worth. These items may be donated to charitable organizations or otherwise discarded.
g) Offered to the general public at a predetermined price.

Equipment being replaced may be traded in on new equipment as part of the purchase procedure.

PHASE 4' employees, officers, directors, etc. may not receive or accept abandoned or disposed of property. PHASE 4' employees, officers, directors, etc. may submit sealed bids or purchase pre-priced items, as long as the person had nothing to do with the bid process or pricing and must recuse themselves from any decisions regarding disposition of the items.

No property that has been acquired by, or conveyed or granted to PHASE 4 shall be considered as abandoned by it unless and until the Board has passed, by vote of the majority of members of the Board, a resolution declaring it to be the intention of PHASE 4 to vacate and abandon same, whereupon all rights, title, and interest of PHASE 4' in such property shall be fully terminated. 24 P.S. § 7-708.

REAL ESTATE

This policy does not apply to the disposition of PHASE 4' real estate, which shall be handled at the discretion of the Board in accordance with applicable state and federal laws, including applicable sections of the Public School Code of 1949 and any applicable sections of the PA Municipalities Planning Code.

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

ADOPTED this _____day of _____, 2012

_____

President

_____

Secretary

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Property/Maintenance Policy

1. Purpose

   1.1 Adequate maintenance of buildings, grounds and property is essential to efficient management of PHASE 4 America Cyber Charter School ("PHASE 4").

2. Authority

   2.1 The Board of Trustees directs that a continuous program of inspection and maintenance of all school buildings and equipment be implemented. Wherever possible, maintenance shall be preventive. Suitable provisions are to be made for the heating, ventilating, lighting systems and for sanitary conditions and safe supply of water for proper and healthful accommodations.

3. Delegation of Responsibility

   3.1 The Chief Executive Officer ("CEO") shall develop and implement a maintenance program which shall include a regular program of facilities repair and conditioning, critical spare parts inventory, and an equipment replacement program.

   3.2 The CEO shall develop such guidelines as may be necessary for the maintenance and repair of the physical plant.

   3.3 The CEO shall report to the Board regarding the current maintenance and improvement program.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH APPLICABLE STATE AND/OR

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

ADOPTED this _____day of _____, 2012

_____

President

_____

Secretary

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

School Property Records Policy

1. Purpose

1.1 In order to ensure accountability for the prudent use of public funds, the Board of Trustees directs that a property accounting and inventory system be established and maintained for all PHASE 4 America Cyber Charter School ("PHASE 4") real and personal property as defined herein.

(a) Real property shall consist of all land and buildings acquired by PHASE 4 in the course of its operations.

(b) PHASE 4' personal property shall consist of furniture and equipment items with a purchase price in excess of $ 500.00. All furniture or equipment items of lesser value shall be placed in use without being recorded on personal property inventory records.

(c) PHASE 4' consumable supplies and materials, including books and computer software shall be accounted for through the use of a stock record and bin card system or its equivalent.

2. Delegation of Authority

2.1 The Chief Executive Officer ("CEO") shall be responsible for the design and implementation of PHASE 4' real and personal property inventory control system. Such inventories shall be maintained on a current basis and shall be verified by annual physical inventories.

2.2 The CEO shall be responsible for the design and implementation of a stock record and bin card system or its equivalent for all PHASE 4' consumable supplies and materials including books and computer software. Inventory balances shall be verified by periodic, unannounced physical inventories of stock items.

2.3 This delegation carries with it the delegation of whatever authority is necessary for the successful implementation of an effective inventory control system at PHASE 4.

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

ADOPTED this day _____ of _____, 2012

_____
President

_____
Secretary

PHASE 4 AMERICA™ CYBER CHARTER SCHOOL

The Proven Alternative

Special Education Policies

2013 – 2014 School Year

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PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Access to Instructional Materials Policy

The Pennsylvania State Board of Education adopted the National Instructional Materials Accessibility Standard (NIMAS) as defined in the Education of Individuals with Disabilities Education Improvement Act of 2004 ("IDEA"), for the purpose of providing print instructional materials in alternate accessible formats or specialized formats to blind persons or other persons with print disabilities in a timely manner. Pursuant to the state regulations which incorporate the IDEA, the Charter School will adopt NIMAS to ensure the timely provision of high quality, accessible instructional materials to children who are blind or other persons with print disabilities. The NIMAS refers to a standard for source files of print instructional materials created by publishers that may be converted into accessible instructional materials.

The Charter School, shall, in a timely manner, provide print instructional materials in specialized, accessible formats (that is, Braille, audio, digital, large-print, and the like) to children who are blind or other persons with print disabilities, as defined in 2 U.S.C.A. § 135a (regarding books and sound-reproduction records for blind and other physically handicapped residents; annual appropriations; and purchases).

The Charter School, shall, in a timely manner, provide instructional materials under subsection (a) if they take steps to ensure that children who are blind or other persons with print disabilities have access to their accessible format instructional materials at the same time that students without disabilities have access to instructional materials. The Charter School will not withhold instructional materials from other students until instructional materials in accessible formats are available.

Receipt of a portion of the instructional materials in alternate accessible or specialized format will be considered receipt in a timely manner if the material received covers the chapters that are currently being taught in the student's class.

If a child who is blind or other person with a print disability enrolls in the Charter School after the start of the school year, the School shall take steps to ensure that the student has access to accessible format instructional materials within 10 school days from the time it is determined that the child requires printed instructional materials in an alternate accessible or specialized format.

(f) The Charter School may coordinate with the National Instructional Materials Access Center (NIMAC) to facilitate the production of and delivery of accessible materials to children who are blind or other persons with print disabilities. The NIMAC refers to the central repository, established under section 674(e) of the Education of Individuals with Disabilities Education Act, which is responsible for processing, storing and distributing NIMAS files of textbooks and core instructional materials.

(g) Schools coordinating with NIMAC shall require textbook publishers to deliver the contents of print instructional materials to the NIMAC in NIMAS format files on or before delivery of the print instructional materials to the School. Schools that choose not to coordinate with NIMAC may require that publishers deliver the contents of print instructional materials to the NIMAC in NIMAS format files on or before delivery of the print instructional materials to the School.

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

ADOPTED this _____ day of _____, 2012

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President

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Secretary

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Alternate Assessment of Students Policy

The Chief Executive Officer ("CEO") or his/her designee shall ensure that all children with disabilities are included in all general state and district-wide assessment programs, including the PSSA, with appropriate accommodations and alternate assessments where necessary and as indicated in their respective IEPs.

Alternate assessments such as the PASA must be aligned with the state's academic content standards and student academic achievement standards or if the state has adopted alternate academic achievement standards, measure the achievement of children with disabilities against those standards.

PHASE 4 America Cyber Charter School ("PHASE 4") must maintain information regarding the number of children who: participate in regular assessments; were provided accommodations in order to participate in those assessments; and participate in alternate assessments.

The CEO or his/her designee is directed to develop procedures to ensure that students with disabilities participate in the PSSA or PASA to the extent consistent with applicable law.

The CEO or his/her designee is directed to monitor student participation in statewide assessment to foster participation.

The CEO or his/her designee is directed to provide training opportunities to personnel regarding statewide assessment participation and PSSA and PASA requirements.

The CEO or his/her designee is directed to make Pennsylvania's guidelines regarding statewide assessments available to personnel.

The CEO or his/her designee is directed to develop procedures to prepare students in test-taking techniques prior to test administration.

The CEO or his/her designee is directed to review assessment data and use data to drive any needed program changes. The CEO or her designee is directed to report to the Board what changes are recommended and needed.

The CEO or his/her designee must maintain information regarding the performance of children with disabilities on regular assessments and on alternate assessments.

IEPs must include a description of benchmarks or short-term objectives for children who take alternate assessments aligned to alternate achievement standards.

IEPs must include a statement of any accommodations that are necessary to measure the academic achievement and functional performance of the child on statewide and district-wide assessments consistent with law.

IEPs must, if the IEP team determines that the child shall take an alternate assessment on a particular statewide or school-wide assessment of student achievement, provide a statement of why the child cannot participate in the regular assessment, and why the particular alternate assessment selected is appropriate for the child.

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

ADOPTED this _____ day of _____, 2012

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President

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Secretary

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Assistive Technology (AT) Policy and Procedures

As defined in federal and state law, **assistive technology device** means any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve the functional capabilities of children with disabilities. Assistive technology devices range from a simple switch for a child with particular physical limitations to a sophisticated vocal output augmentative communication device for a child with severe speech impairment.

Assistive technology service means any service that directly assists a child with a disability in the selection, acquisition, or use of an assistive technology device.

By virtue of these expansive definitions, an exhaustive yet specific list of what constitutes assistive technology devices and/or services would be impossible to create.

By way of example:

Hearing aids worn in school by children with hearing impairments, including deafness, must be functioning properly.

External components of surgically implanted medical devices must be functioning properly.

The Board recognizes that assistive technology devices and/or services may be essential factors in meeting the educational needs of children with disabilities. Both federal and state special education laws explicitly include assistive technology devices and/or services among those services which must be provided for a child with a disability, at no cost to parents, if determined by the Individualized Education Program (IEP) team to be necessary for the student to receive a free appropriate public education (FAPE). Such services may be required as part of special education, related services, or supplementary aids and services required to enable a child to be educated in the least restrictive environment.

The Board further recognizes that, as with every other special education service, the IEP team is responsible for determining if an assistive technology device and/or service is necessary for a child with a disability to receive FAPE. It is important to remember

that assistive technology devices and/or services are not ends in themselves. The IEP team should focus on whether or not assistive technology devices and/or services are necessary for the eligible child to meet educational demands and therefore receive FAPE.

THEREFORE, to the extent that assistive technology devices and/or services may be required as part of special education, related services, or supplementary aids or services, a child's IEP must include a statement describing the full extent of devices (e.g., no, low, and high technology and back-up strategies) and service(s) as well as the amount of such service(s). The provision of assistive technology devices and/or services may not be made conditional on subsequent approval by entities outside the IEP process (i.e., IU availability, Medical Access Reimbursement, etc.).

All procedural safeguards and time lines set forth in federal and state laws for completing multidisciplinary evaluations, reevaluations, and developing and implementing IEPs are fully applicable to assistive technology devices and/or services when they are necessary to ensure eligible children receive FAPE. Assistive technology devices should be secured on loan or leased if manufacturer delay is anticipated.

It is the charter school's responsibility to provide assistive technology devices and services when included as part of a student's IEP. The charter school is responsible for the maintenance and repair of assistive technology devices used to implement a child's IEP.

The Chief Executive Officer ("CEO") or his/her designee is directed to seek any necessary assistance from the Commonwealth regarding the purchase and payment for Assistive Technology. According to PDE, the CEO or his/her designee should inform the family not to assume the device will be billed to Medical Assistance (MA), even if a child's MA number is provided on an equipment acquisition form. If the device is billed to MA, the CEO or his/her designee will notify the parents by sending a transfer of ownership letter. When the parents are in receipt of the transfer of ownership letter, the billing process has begun. If the billing is ultimately rejected by MA, the parents will be informed by letter. The CEO or his/her designee may not delay or deny a student's receipt of assistive technology while it attempts to secure MA funding and is directed to comply with my applicable procedures as modified by PDE.

Additional Administrative Procedures: The CEO or his/her designee is charged with implementing procedures to ensure that devices are properly maintained and functioning, including hearing aids and surgically implanted medical devices.

Routine checks and tests of those devices will be administered and results logged or otherwise noted when necessary. The CEO or his/her designee is directed to implement a process to address: the need for AT, effective maintenance of all AT

devices, the selection of age and developmentally appropriately AT devices, review of recommendations from qualified personnel including speech language pathologists regarding AT, and the maintenance of AT by the charter school. All AT devices are to be maintained in a manner deemed appropriate for their intended use and purpose as directed by the manufacturer to the maximum extent possible.

The need for AT services and devices are to be identified with specificity in students' IEPs and AT services and devices are to be reviewed at least annually in the course of an IEP team meeting, or as requested by the IEP team and/or parent.

The CEO or his/her designee is directed to have AT devices promptly repaired when needed and in the interim a device or back up plan is to be in place while the device is being repaired/maintained.

The CEO or his/her designee is further directed to have a plan in place to provide AT services without interruption.

The CEO or his/her designee is charged with making personnel aware of the availability of AT resources.

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

ADOPTED this _____ day of _____, 2012

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President

_____
Secretary

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Child Find Policy and Public Outreach Awareness System

In accordance with Chapter 711 of Title 22 of the Pennsylvania Code, the Chief Executive Officer ("CEO") or his/her designee shall ensure that children with disabilities, regardless of the severity of their disabilities, and who are enrolled at the charter school and are in need of special education and related services, are identified, located, and evaluated and a practical method is developed and implemented to determine which children with disabilities are currently receiving needed special education and related services.

Child find includes children who are suspected of having a disability under Section 300.8 of the federal regulations that implement IDEA 2004 and in need of special education, even though they are advancing from grade to grade; and highly mobile children, including migrant children and homeless youth, as appropriate.

Public Awareness

The CEO or his/her designee shall ensure that the following public awareness activities occur concerning programs and services for children with disabilities who are enrolled at PHASE 4 America Cyber Charter School ("PHASE 4").

PHASE 4 shall publish annually a written notice (attached hereto), in means accessible to PHASE 4 families. Such notice must be included in the Charter School's Handbook and on PHASE 4' website. The Notice may also be made available in means accessible to the public, such as: at PHASE 4' main office, in the PHASE 4' special education office, through local Intermediate Units and/or through other generally accessible print and electronic media deemed appropriate, and with the Board meeting minutes a description of: child identification activities, of PHASE 4' special education services and programs, of the manner in which to request services and programs, and of the procedures followed by PHASE 4 to ensure the confidentiality of student information pertaining to students with disabilities pursuant to state and federal law.

Outreach Activities

The CEO or his/her designee shall ensure that the following outreach activities occur concerning programs and services for children with disabilities who attend PHASE 4:

- Offer parents and family (including foster and surrogate parents) information regarding training activities and publicize the availability of such activities to all parents (trainings in the areas of behavior support, response to intervention, inclusive practices, transition, assistive technology, autism, and interagency coordination are important and parents may also be directed to PaTTAN training opportunities). Parent input is to be sought to determine what parent trainings are needed/desired;

- Provide to interested health and mental health professionals, daycare providers, county agency personnel and other interested professionals, including: professionals and agencies who work with homeless and migrant or other highly mobile youth, wards of the state, as well as to students attending private schools (where applicable), information concerning the types of special education programs and services available in and through PHASE 4 and information regarding the manner in which parents can request and access those services.

- Provide or obtain periodic training for PHASE 4' regular education staff and special education staff concerning the identification and evaluation of, and provision of special education programs and services to students with disabilities.

- The public outreach awareness system utilized by PHASE 4 shall include methods for reaching homeless children, wards of the state, and highly mobile children, including migrant children.

- PHASE 4 shall conduct child find activities to inform the public of its special education services and programs and the manner in which to request them.

- PHASE 4' child find effort must include information regarding potential signs of developmental delays and other risk factors that could indicate disabilities.

- Efforts must be made to identify enrolled students who have a native language other than English and to ensure that notices and other outreach efforts are available to them in their native language as required by law and unless it is clearly and absolutely not feasible to do so.

Screening

The CEO or his/her designee shall establish a system of screening in order to:

- Identify and provide screening for students prior to referral for an initial special education multidisciplinary team evaluation;

- Provide peer support for teachers and other staff members to assist them in working effectively with students in the general education curriculum;

- Conduct hearing and vision screening in accordance with the Public School Code of 1949 for the purpose of identifying students with hearing or vision difficulty so that they can be referred for assistance or recommended for evaluation for special education if necessary;

- Identify students who may need special education services and programs.

- Maintain the confidentiality of information in accordance with applicable state and federal regulations.

Pre-Evaluation Screening

The pre-evaluation screening process shall include:

- For students with academic concerns, an assessment of the student's functioning in the curriculum including curriculum-based or performance-based assessments;

- For students with behavioral concerns, a systematic observation of the student's behavior in the classroom or area in which the student is displaying difficulty ("FBA" or functional behavior assessment);

- An intervention based on the results of the assessments conducted;

- An assessment of the student's response to the intervention, if applicable;

- A determination of whether or not the assessed difficulties of the student are the result of a lack of instruction or limited English proficiency;

- A determination of whether or not the student's needs exceed the functional capacity of the regular education program, without special education programs and services, to maintain the student at an instructional level appropriate to the level and pace of instruction provided in that program;

- Activities designed to gain the participation of parents;

- Controls to ensure that if screening activities have produced little or no improvement within the specified timeframe after initiation, the student shall be referred for a multidisciplinary team evaluation.

The screening activities shall not serve as a bar to the right of a parent to request a multidisciplinary team evaluation at any time. When the completion of screening activities prior to referral for a multidisciplinary team evaluation will result in serious mental or physical harm, or significant educational regression, to the student or others, PHASE 4 may initiate a multidisciplinary team reevaluation without completion of the screening process in accordance with Chapter 711. Whenever an evaluation is conducted without a pre-evaluation screening, the activities described shall be completed as part of that evaluation whenever possible.

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

ADOPTED this _____ day of _____, 2012

_____

President

_____

Secretary

PHASE 4 America Cyber Charter School

2013-2014 School Year

Annual Public Notice of Special Education Services and Programs and Rights for Students with Disabilities
And
Notification of Rights under the Family Educational Rights and Privacy Act

All children with disabilities residing in the Commonwealth, regardless of the severity of their disabilities, and who are in need of special education and related services, are to be located, identified and evaluated. This responsibility is required by a federal law called the Individuals with Disabilities Education Improvement Act of 2004, 20 U.S.C. 1200 *et. seq.* ("IDEA 2004").

Chapter 711 of Title 22 of the Pennsylvania Code requires the publication of a notice to parents regarding public awareness activities sufficient to inform parents of children applying to or enrolled in the Charter School of available special education services and programs and how to request those services and programs and of systematic screening activities that lead to the identification, location and evaluation of children with disabilities enrolled in the Charter School.

In addition, the federal Family Educational Rights and Privacy Act of 1974 (FERPA), which protects confidentiality, requires educational agencies to notify parents annually of their confidentiality rights.

The Charter School fulfills its duties with this annual notice and has incorporated several sections of the PaTTAN Procedural Safeguards Notice and other applicable guidelines from the Pennsylvania Department of Education into the Board-approved Child Find Notice, and Policies and Procedures described below. **The Charter School also directs parents to the procedural safeguards notice from PaTTAN available at the school's main office for additional information regarding rights and services.** Parents may contact the Charter School's **CEO at the school (phone number TBD),** at any time to request a copy of the procedural safeguards notice or with any other questions about special education, services, screenings, policies or procedures. The Procedural Safeguards Notice is provided to parents by the Charter School once per school year or: (1) upon initial referral or parent request for evaluation; (2) upon filing by parents of their first State complaint under 34 CFR §§300.151 through 300.153 and upon filing by parents of their first due process complaint under §300.507 in a school year; (3) when a decision is made to take a disciplinary action that constitutes a change of placement; and (4) upon parent request.

The purpose of this annual notice is to comply with the Charter School's obligations under Chapter 711 of Title 22 of the Pennsylvania Code and to describe: (1) the types of disabilities that might qualify the child for special education, (2) the special education programs and related services that are available, (3) the process by which the Charter School screens and evaluates such students to determine eligibility, (4) the special rights that pertain to such children and their parents or legal guardians and (5) the confidentiality rights that pertain to student information.

A copy of this Annual Notice is also available on the school's website at:
www.phase4learningcenter.org

Qualifying for special education and related services

Under the federal Individuals with Disabilities Education Improvement Act of 2004, or "IDEA 2004," children qualify for special education and related services if they have one or more of the following disabilities and, as a result, need special education and related services: mental retardation; hearing impairment, including deafness; speech or language impairment; visual impairment, including blindness; serious emotional disturbance; orthopedic impairment; autism; traumatic brain injury; other health impairment; specific learning disability; deaf-blindness; or multiple disabilities.

IDEA 2004 provides legal definitions of the disabilities that qualify a student for special education, which may differ from those terms used in medical or clinical practice or common usage.

Section 504 Services

Under Section 504 of the federal Rehabilitation Act of 1973, some school age children with disabilities who do not meet the eligibility criteria outlined above might be eligible for special protections and for adaptations and accommodations in instruction, facilities, and activities. Children are entitled to such protections, adaptations, and accommodations if they have a mental or physical disability that substantially limits or prohibits participation in or access to an aspect of the school program and otherwise qualify under the applicable state and federal laws, including Chapter 711 of Title 22 of the Pennsylvania Code and Section 504.

The Charter School must ensure that qualified handicapped students have equal opportunity to participate in the school program and activities to the maximum extent appropriate for each individual student. In compliance with applicable state and federal laws, the Charter School provides to each qualifying protected handicapped student without discrimination or cost to the student or family, those related aids, services or accommodations which are needed to provide equal opportunity to participate in and obtain the benefits of the school program and activities to the maximum extent appropriate to the student's abilities and to the extent required by the laws.

These services and protections for "protected handicapped students" may be distinct from those applicable to eligible or thought-to-be eligible students. The Charter School or the parent may initiate an evaluation if they believe a student is a protected handicapped student. For further information on the evaluation procedures and provision of services to protected handicapped students, parents should contact the school **CEO at 412-650-9004.**

Children Below Mandatory School Age

If a Charter School admits children below school age, early intervention services may be available to eligible children with special needs. Any questions about services available to children under school age should be directed to the **CEO at 412-650-9004.**

Least Restrictive Environment "LRE"

Charter Schools ensure that children with disabilities are educated to the maximum extent possible in the regular education environment or "least restrictive environment". To the maximum extent appropriate, students with disabilities, are educated with students who are not disabled. Special classes, separate schooling or other removal of students with disabilities from the general educational environment occurs only when the nature or severity of the disability is such that education in general education classes, even with the use of supplementary aids and services, cannot be achieved satisfactorily. Programs and services available to students with disabilities, might include: (1) regular class placement with supplementary aides and services provided as needed in that environment; (2) regular class placement for most of the school day with itinerant service by a special education teacher either in or out of the regular classroom; (3) regular class placement for most of the school day with instruction provided by a special education teacher in a resource classroom; (4) part time special education class placement in a regular public school or alternative setting; and (5) special education class placement or special education services provided outside the regular class for most or all of the school day, either in a regular public school or alternative setting.

Depending on the nature and severity of the disability, a Charter School can provide special education programs and services as determined by the IEP team, in locations such as: (1) the classroom/building the child would attend if not disabled, (2) an alternative regular class either in or outside the school, (3) a special education center operated by an IU, (4) an approved private school or other private facility licensed to serve children with disabilities, (5) a residential school, (6) approved out-of-state program, or (7) the home.

Special education services are provided according to the educational needs of the child, not the category of disability. Types of service that may be available, depending upon the child's disability and needs include, but are not limited to: (1) learning support; (2) life skills support; (3) emotional support; (4) deaf or hearing impaired support; (5) blind or visually impaired support; (6) physical support; (7) autistic support; (8) multiple disabilities support; (9) speech and language support; (10) extended school year support; and (11) vision support.

Related services are designed to enable the child to participate in or access his or her program of special education. Examples of related services that a child may require include but are not limited to: speech and language therapy, transportation, occupational therapy, physical therapy, school nursing services, audiology counseling services, parent counseling, or training, certain medical services for diagnostic or evaluation purposes, social work, recreation, and transition. Some students may also be eligible for extended school year services if determined needed by their IEP teams in accordance with Chapter 711 regulations.

The Charter School, in conjunction with the parents, determines the type and intensity of special education and related services that a particular child needs based on the unique program of special education and related services that the school develops for that child. The child's program is described in writing in an individualized education program, or "IEP," which is developed by an IEP team. The participants in the IEP team are dictated by IDEA 2004. The parents of the child have the right to be notified of and to be offered participation in all meetings of their child's IEP team. The IEP is revised as often as circumstances warrant but reviewed at least annually. The law requires that the program and placement of the child, as described in the IEP, be reasonably calculated to ensure meaningful educational benefit to the student. In accordance with IDEA 2004, there may be situations

in which a Charter School may hold an IEP team meeting if the parents refuse or fail to attend the IEP team meeting.

IEPs generally contain: (1) a statement of the student's present levels; (2) a statement of measurable annual goals established for the child; (3) a statement of how the child's progress toward meeting the annual goals will be measured and when periodic reports will be provided; (4) a statement of the special education and related services and supplementary aids and services and a statement of the program modifications or supports for school personnel that will be provided, if any; (5) an explanation of the extent, if any, to which the child will not participate with nondisabled children in the regular class and in activities; (6) a statement of any individual appropriate accommodations that are necessary to measure the performance of the child on State and school assessments; and (7) the projected date for the beginning of the services and modifications and the anticipated frequency, location and duration of those services or modifications.

Beginning not later than the first IEP to be in effect when the child turns 14, or younger if determined appropriate by the IEP Team, and updated annually, thereafter, the IEP must include appropriate measurable postsecondary goals and transition services needed to assist in reaching those goals. The Charter School must invite the child to the IEP team meeting at which the transition plan is developed.

Beginning not later than one year before the child reaches the age of majority under State law, the IEP must include a statement that the child has been informed of the child's rights, if any, that will transfer to the child on reaching the age of majority.

Screening and Evaluation Procedures for Children to Determine Eligibility

Screening

The Charter School has established a system of screening which may include pre-referral intervention services to accomplish the following:

(1) Identification and provision of initial screening for students prior to referral for a special education evaluation.
(2) Provision of peer support for teachers and other staff members to assist them in working effectively with students in the general education curriculum.
(3) Identification of students who may need special education services and programs.

The screening process includes:

Hearing and vision screening in accordance with Section 1402 of the Public School Code of 1949 (24 P. S. § 14-1402) for the purpose of identifying students with hearing or vision difficulty so that they can be referred for assistance or recommended for evaluation for special education.

Screening at reasonable intervals to determine whether all students are performing based on grade-appropriate standards in core academic subjects.

The Charter School has established and implements procedures to locate, identify and evaluate children suspected of being eligible for special education. These procedures involve

screening activities which may also include but are not limited to: review of data and student records; motor screening; and speech and language screening. The school assesses the current achievement and performance of the child, designs school-based interventions, and assesses the effectiveness of interventions. If the concern can be addressed without special education services, or is the result of limited English proficiency or appropriate instruction, a recommendation may be made for interventions other than a multidisciplinary team evaluation. Parents have the right to request a multidisciplinary team evaluation at any time, regardless of the outcome of the screening process.

In accordance with Chapter 711, in the event that the Charter School would meet the criteria in 34 CFR 300.646(b)(2) (relating to disproportionality), as established by the State Department of Education, the services that would be required would then include:

(1) A verification that the student was provided with appropriate instruction in reading, including the essential components of reading instruction (as defined in section 1208(3) of the Elementary and Secondary Education Act (ESEA) (20 U.S.C.A. § 6368(3)), and appropriate instruction in math.

(2) For students with academic concerns, an assessment of the student's performance in relation to State-approved grade level standards.

(3) For students with behavioral concerns, a systematic observation of the student's behavior in the school environment where the student is displaying difficulty.

(4) A research-based intervention to increase the student's rate of learning or behavior change based on the results of the assessments under paragraph (2) or (3), or both.

(5) Repeated assessments of achievement or behavior, or both, conducted at reasonable intervals, reflecting formal monitoring of student progress during the interventions.

(6) A determination as to whether the student's assessed difficulties are the result of a lack of instruction or limited English proficiency.

(7) A determination as to whether the student's needs exceed the functional ability of the regular education program to maintain the student at an appropriate instructional level.

(8) Documentation that information about the student's progress as identified in paragraph (5) was periodically provided to the student's parents.

Except as indicated above or otherwise announced publicly, screening activities take place on-going at periods throughout the school year. Screening is conducted at the Charter School, unless other arrangements are necessary or arranged.

The screening of a student by a teacher or specialist to determine appropriate instructional strategies for curriculum implementation is not to be considered an evaluation for eligibility for special education and related services.

If parents need additional information regarding the purpose, time, and location of screening activities, they should call or write the CEO of Charter School at 412-650-9004.

Screening or pre-referral intervention activities may not serve as a bar to the right of a parent to request an evaluation, at any time, including prior to or during the conduct of screening or pre-referral intervention activities.

Evaluation

An evaluation under IDEA 2004 involves the use of a variety of assessment tools and strategies to gather relevant functional, developmental, and academic information about the child, including information provided by the parent that may assist in determining whether the child is a child with a disability and the content of the child's IEP. The Charter School does not use any single measure or assessment as a sole criterion for determining whether a child is a child with a disability and for determining an appropriate educational program for the child. Technically sound instruments are used to assess the relative contribution of cognitive and behavioral factors in addition to physical or developmental factors.

Parental consent must be obtained by the Charter School prior to conducting an initial evaluation to determine if the child qualifies as a child with a disability, and before providing special education and related services to the child. Parental consent for an evaluation shall not be construed as consent for their child to receive special education and related services. The screening of a child by a teacher or specialist to determine appropriate instructional strategies for curriculum implementation is not considered to be an evaluation for eligibility for special education and related services; therefore, parental consent is not required in this instance.

The law contains additional provisions and due process protections regarding situations in which parental consent for an initial evaluation is absent or refused discussed more fully below and in the PaTTAN Procedural Safeguards Notice. If you have any questions about where to obtain a copy of the PaTTAN Procedural Safeguards Notice, kindly contact the **CEO at 412-650-9004.**

The evaluation process is conducted by a Multi-Disciplinary Team (MDT) which includes a teacher, other qualified professionals who work with the child, the parents and other members as required by law. The MDE process must be conducted in accordance with specific timelines and must include protective procedures. For example, tests and procedures used as part of the Multi-Disciplinary Evaluation may not be racially or culturally biased.

The MDE process culminates with a written report called an Evaluation Report (ER). This report makes recommendations about a student's eligibility for special education based on the presence of a disability and the need for specially designed instruction.

Parents who think their child is eligible for special education may request, at any time, that the Charter School conduct a Multi-Disciplinary Evaluation. **Requests for a Multi-Disciplinary Evaluation must be made in writing to the CEO at PHASE 4 America Cyber Charter School, Brentwood Towne Square, 121 Towne Square Way, Pittsburgh, PA 15227.**

If a parent makes an oral request for a Multi-Disciplinary Evaluation, the Charter School shall provide the parent with a form(s) for that purpose. If the public school denies the parents' request for an evaluation, the parents have the right to challenge the denial through an impartial hearing or through voluntary alternative dispute resolution such as mediation.
Reevaluations are conducted if the Charter School determines that the educational or related services needs, including improved academic achievement and functional performance, of the child warrant a reevaluation; or if the child's parent or teacher requests a reevaluation. A reevaluation may occur not more than once a year, unless the parent and the Charter School agree; and must occur once every 3 years, unless the parent and the Charter School agree that a reevaluation is unnecessary. Students with mental retardation must be reevaluated every two years under State law.

Educational Placement

The determination of whether a student is eligible for special education is made by an Individualized Education Program (IEP) team. The IEP team includes: the parents of a child with a disability; not less than one regular education teacher, if the child is, or may be, participating in the regular education environment; not less than one special education teacher, or when appropriate, not less than one special education provider; a representative of the school who is qualified to provide or supervise the provision of specially designed instruction to meet the unique needs of children with disabilities, is knowledgeable about the general education curriculum, and is knowledgeable about the availability of resources of the Charter School; an individual who can interpret the instructional implications of evaluation results, who may be a member of the team described above; other individuals, at the discretion of the parent or the agency, who have knowledge or special expertise regarding the child, including related services personnel as appropriate; and whenever appropriate, a child with a disability. IEP team participation is directly addressed by the regulations. If the student is determined to be eligible for special education, the IEP team develops a written education plan called an IEP. The IEP shall be based in part on the results of the Multi-Disciplinary Evaluation. When the IEP team decides that a student is not eligible for special education, recommendations for educational programming in regular education may be developed from the ER.

Placement must be made in the "least restrictive environment", as described more fully above, in which the student's needs can be met with special education and related services. All students with disabilities must be educated to the maximum extent appropriate with children who are not disabled.

Parents and Surrogate Parents

For purposes of this Notice, the Charter School considers parents to be biological or adoptive parents of a child; a foster parent; a guardian generally authorized to act as the child's parent, or authorized to make educational decisions for the child; an individual acting in the place of a biological or adoptive parent (including a grandparent, stepparent, or other relative) with whom the child lives, or an individual who is legally responsible for the child's welfare; or a surrogate parent.

A surrogate parent must be appointed when no parent can be identified; a public agency, after reasonable efforts, cannot locate a parent; the child is a ward of the State under the laws of Pennsylvania, or the child in an unaccompanied homeless youth as defined by the McKinney-Vento Homeless Assistance Act, 42 U.S.C. Sec. 11434a(6). A person selected as a surrogate parent must not be an employee of the SEA, the Charter School or any other agency that is involved in the education or care of the child; has no personal or professional interest that conflicts with the interest of the child the surrogate parent represents; and has knowledge and skills that ensure adequate representation of the child. The surrogate parent may represent the child in all matters relating to the identification, evaluation, and educational placement of the child and the provision of FAPE to the child. Reasonable efforts must be made to ensure the assignment of a surrogate parent not more than 30 days after it is determined that the child needs a surrogate parent.

Prior Written Notice

The Charter School will notify the parent whenever the Charter School:

a. Proposes to initiate or to change the identification, evaluation, or educational placement of the child, or the provision of a free appropriate public education (FAPE) to the child; or
b. Refuses to initiate or to change the identification, evaluation, or educational placement of your child, or the provision of FAPE to the child.
c. Change of placement for disciplinary reasons.
d. Due process hearing, or an expedited due process hearing, initiated by the Charter School.
e. Refusal of the Charter School to agree to an independent educational evaluation (IEE) at public expense.

In Pennsylvania, prior written notice is provided by means of a Prior Written Notice Form/Notice of Recommended Educational Placement (NOREP). You should be given reasonable notice of this proposal or refusal so that if you do not agree with the Charter School you may take appropriate action. Reasonable Notice means ten days.

The prior written notice must:

Describe the action that the Charter School proposes or refuses to take;

1. Explain why the Charter School is proposing or refusing to take the action;
2. Describe each evaluation procedure, assessment, record, or report the Charter School used in deciding to propose or refuse the action;
3. Include a statement that you have protections under the procedural safeguards provisions in Part B of IDEA;
4. Tell how you can obtain a description of the procedural safeguards if the action that the Charter School is proposing or refusing is not an initial referral for evaluation;
5. Include resources for you to contact for help in understanding Part B of the IDEA;
6. Describe any other choices that your child's IEP Team considered and the reasons why those choices were rejected; and
7. Provide a description of other reasons why the Charter School proposed or refused the action.

The notice must be:

1) Written in language understandable to the general public; **and**
2) Provided in your native language or other mode of communication you use, unless it is clearly not feasible to do so.
3) If your native language or other mode of communication is not a written language, the Charter School will ensure that:
    a) The notice is translated for you orally or by other means in your native language or other mode of communication;
    b) You understand the content of the notice; **and**
    c) There is written evidence that 1 and 2 have been met.

Native language, when used with an individual who has limited English proficiency, means the following:

a. The language normally used by that person, or, in the case of a child, the language normally used by the child's parents;
b. In all direct contact with a child (including evaluation of a child), the language normally used by the child in the home or learning environment.

For a person with deafness or blindness, or for a person with no written language, the mode of communication is what the person normally uses (such as sign language, Braille, or oral communication).

Parental Consent

Consent means:

a. You have been fully informed in your native language or other mode of communication (such as sign language, Braille, or oral communication) of all information about the action for which consent is sought;
b. You understand and agree in writing to that action, and the consent describes that action and lists the records (if any) that will be released and to whom; **and**
c. You understand that the consent does not negate (undo) an action that has occurred after you gave your consent and before you withdrew it.

Need for Parental Consent

1. **Initial Evaluations (34 CFR §300.300)**

   a. General Rule: Consent for initial evaluation
   The Charter School cannot conduct an initial evaluation of your child to determine whether your child is eligible under Part B of the IDEA to receive special education and related services without first providing you with prior written notice of the proposed action and without obtaining your consent. The Charter School must make reasonable efforts to obtain your informed consent for an initial evaluation to decide whether your child is a child with a disability. Your consent for initial evaluation does not mean that you have also given your consent for the Charter School to start providing special education and related services to your child. If your child is enrolled in public school or you are seeking to enroll your child in a public school and you have refused to provide consent or failed to respond to a request to provide consent for an initial evaluation, the Charter School may, but is not required to, seek to conduct an initial evaluation of your child by utilizing the Act's mediation or due process complaint, resolution meeting, and impartial due process hearing procedures. The Charter School will not violate its obligations to locate, identify and evaluate your child if it does not pursue an evaluation of your child in these circumstances.

   b. Special rules for initial evaluation of wards of the State
   Under Pennsylvania law, if a child is designated a ward of the state, the whereabouts of the parent are not known or the rights of the parent have been terminated in accordance with State law. Therefore, someone other than the parent has been designated to make educational decisions for the child. Consent for an initial evaluation should, therefore, be obtained from the individual so designated.
   Ward of the State, as used in the IDEA, encompasses two other categories, so as to include a child who is:
      1. A foster child who does not have a foster parent;
      2. Considered a ward of the State under State law; **or**
      3. In the custody of a public child welfare agency.

2. **Consent for Initial Placement in Special Education (34 CFR §300.300)**

Definitions of Parental Consent:

1. Consent Means:

   a. You have been fully informed in your native language or other mode of communication (such as sign language, Braille, or oral communication) of all information about the action for which consent is sought;
   b. You understand and agree in writing to that action, and the consent describes that action and lists the records (if any) that will be released and to whom; **and**
   c. You understand that the consent does not negate (undo) an action that has occurred after you gave your consent and before you withdrew it.

2. Can the Parent Revoke Consent?

   a. Yes. You must submit written documentation to the staff revoking consent for special education and related services;
   b. When you revoke consent for special education and related services, the Charter School must provide you with Prior Written Notice;
   c. Special education and related services cannot cease until the Charter School provides you with Prior Written Notice;
   d. Prior notice is defined as ten calendar days;
   e. Charter School staff cannot use mediation or due process to override your revocation of consent;
   f. The Charter School will not be considered in violation of the requirement to make FAPE available to the child because of the failure to provide the child with further special education and related services;
   g. The Charter School is not required to amend the child's educational records to remove any references to the child's receipt of special education and related services because of the revocation of consent; and
   h. The Charter School is not required to convene an IEP team meeting or develop an IEP for the child for further provision of special education and related services.

Parental consent for services

The Charter School must obtain your informed consent before providing special education and related services to your child for the first time. The Charter School must make reasonable efforts to obtain your informed consent before providing special education and related services to your child for the first time.
If you do not respond to a request to provide your consent for your child to receive special education and related services for the first time, or if you refuse to give such consent, the Charter School may not use the procedural safeguards (i.e. mediation, due process complaint, resolution meeting, or an impartial due process hearing) in order to obtain agreement or a ruling that the special education and related services as recommended by your child's IEP Team may be provided to your child without your consent.

If you refuse to give your consent for your child to start receiving special education and related services, or if you do not respond to a request to provide such consent and the Charter School does not provide your child with the special education and related services for which it sought your consent, the Charter School:

1. Is not in violation of the requirement to make FAPE available to your child for its failure to provide those services to your child; **and**
2. Is not required to have an IEP meeting or develop an IEP for your child for the special education and related services for which your consent was requested.

3. **Consent for Reevaluations (34 CFR §300.300)**
The Charter School must obtain your informed consent before it reevaluates your child, unless the Charter School can demonstrate that:
   1. It took reasonable steps to obtain your consent for your child's reevaluation; **and**
   2. You did not respond.

4. **Documentation of Reasonable Efforts to Obtain Parental Consent (34 CFR §300.300)**
The Charter School must maintain documentation of reasonable efforts to obtain parental consent for initial evaluations, to provide special education and related services for the first time, to reevaluate and to locate parents of wards of the State for initial evaluations. The documentation must include a record of the Charter School's attempts in these areas, such as:
   1. Detailed records of telephone calls made or attempted and the results of those calls;
   2. Copies of correspondence sent to the parents and any responses received; **and**
   3. Detailed records of visits made to the parent's home or place of employment and the results of those visits.

5. **Consent Not Required Related to Evaluation**
Your consent is not required before the Charter School may:
   1. Review existing data as part of your child's evaluation or a reevaluation; **or**
   2. Give your child a test or other evaluation that is given to all children unless, before that test or evaluation, consent is required from all parents of all children.

6. **Refused Consent to a Reevaluation**
If you refuse to consent to your child's reevaluation, the Charter School may, but is not required to, pursue your child's reevaluation by using the mediation, due process complaint, resolution meeting, and impartial due process hearing procedures to seek to override your refusal to consent to your child's reevaluation. As with initial evaluations, the Charter School does not violate its obligations under Part B of the IDEA if it declines to pursue the reevaluation in this manner.

   The Charter School may not use your refusal to consent to one service or activity to deny you or your child any other service, benefit, or activity.

7. **Disagreements with an Evaluation**
   a. **Independent Educational Evaluations (34 CFR §300.502)**
      1) **General**
      As described below, you have the right to obtain an independent educational evaluation (IEE) of your child if you disagree with the evaluation of your child

that was obtained by the Charter School. If you request an IEE, the Charter School must provide you with information about where you may obtain an IEE and about the Charter School's criteria that apply to IEEs.

2) **Definitions**
   a) *Independent educational evaluation* means an evaluation conducted by a qualified examiner who is not employed by the Charter School responsible for the education of your child.
   b) *Public expense* means that the Charter School either pays for the full cost of the evaluation or ensures that the evaluation is otherwise provided at no cost to you, consistent with the provisions of Part B of the IDEA, which allow each State to use whatever State, local, Federal and private sources of support are available in the State to meet the requirements of Part B of the Act.
3) **Parent right to evaluation at public expense**
   You have the right to an IEE of your child at public expense if you disagree with an evaluation of your child obtained by the Charter School, subject to the following conditions:
   a) If you request an IEE of your child at public expense, the Charter School must, without unnecessary delay, either: (a) File a due process complaint to request a hearing to show that its evaluation of your child is appropriate; or (b) Provide an IEE at public expense, unless the Charter School demonstrates in a hearing that the evaluation of your child that you obtained did not meet the Charter School's criteria.
   b) If the Charter School requests a hearing and the final decision is that the Charter School's evaluation of your child is appropriate, you still have the right to an IEE, but not at public expense.
   c) If you request an IEE of your child, the Charter School may ask why you object to the evaluation of your child obtained by the Charter School. However, the Charter School may not require an explanation and may not unreasonably delay either providing the IEE of your child at public expense or filing a due process complaint to request a due process hearing to defend the Charter School's evaluation of your child.
   d) You are entitled to only one IEE of your child at public expense each time the Charter School conducts an evaluation of your child with which you disagree.
   e) Charter School criteria
      If an IEE is at public expense, the criteria under which the evaluation is obtained, including the location of the evaluation and the qualifications of the examiner, must be the same as the criteria that the Charter School uses when it initiates an evaluation (to the extent those criteria are consistent with your right to an IEE).
      Except for the criteria described above, a Charter School may not impose conditions or timelines related to obtaining an IEE at public expense.

b. **Parent-initiated evaluations**
   If you obtain an IEE of your child at public expense or you share with the Charter School an evaluation of your child that you obtained at private expense:

1) The Charter School must consider the results of the evaluation of your child, if it meets the Charter School's criteria for IEEs, in any decision made with respect to the provision of FAPE to your child; **and**
2) You or the Charter School may present the evaluation as evidence at a due process hearing regarding your child.

c. **Requests for evaluations by hearing officers**
If a hearing officer requests an IEE of your child as part of a due process hearing, the cost of the evaluation must be at public expense.

ANNUAL NOTICE OF RIGHTS REGARDING STUDENT RECORDS:

CONSENT FOR DISCLOSURE OF PERSONALLY IDENTIFIABLE INFORMATION (34 CFR §300.622)

Unless the information is contained in education records, and the disclosure is authorized without parental consent under FERPA, your consent must be obtained before personally identifiable information is disclosed to parties other than officials of participating agencies. Except under the circumstances specified below, your consent is not required before personally identifiable information is released to officials of participating agencies for purposes of meeting a requirement of Part B of the IDEA.

Your consent, or consent of an eligible child who has reached the age of majority under State law, must be obtained before personally identifiable information is released to officials of participating agencies providing or paying for transition services.

ACCESS TO CONFIDENTIAL INFORMATION RELATED TO STUDENT (34 CFR §300.611)

1. **Related to the confidentiality of information, the following definitions apply:**
   a. *Destruction* means physical destruction or removal of personal identifiers from information so that the information is no longer personally identifiable.
   b. *Education records* means the type of records covered under the definition of "education records" in 34 CFR Part 99 (the regulations implementing the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. 1232g (FERPA)).
   c. *Participating agency* means any Charter School, agency or institution that collects, maintains, or uses personally identifiable information, or from which information is obtained, under Part B of the IDEA.
   d. ***Personally identifiable*** **(34 CFR §300.32)** means information that has:
      1) Your child's name, your name as the parent, or the name of another family member;
      2) Your child's address;
      3) A personal identifier, such as your child's social security number or student number; **or**
      4) A list of personal characteristics or other information that would make it possible to identify your child with reasonable certainty.
2. **Access Rights (34 CFR §300.613)**
   a. **Parent Access**

The Charter School must permit you to inspect and review any education records relating to your child that are collected, maintained, or used by the Charter School under Part B of the IDEA. The Charter School must comply with your request to inspect and review any education records on your child without unnecessary delay or before any meeting regarding an IEP, or any impartial due process hearing (including a resolution meeting or a hearing regarding discipline), and in no case more than 45 calendar days after you have made a request.

1) Your right to inspect and review education records includes:
2) Your right to a response from the Charter School to your reasonable requests for explanations and interpretations of the records;
3) Your right to request that the Charter School provide copies of the records if you cannot effectively inspect and review the records unless you receive those copies; **and**
4) Your right to have your representative inspect and review the records.
    a) The Charter School may presume that you have authority to inspect and review records relating to your child unless advised that you do not have the authority under applicable State law governing such matters as guardianship, or separation and divorce.
    b) If any education **record includes information on more than one child**, the parents of those children have the right to inspect and review only the information relating to their child or to be informed of that specific information.
    c) On request, each Charter School must provide you with a **list of the types and locations of education records** collected, maintained, or used by the Charter School.

b. **Other Authorized Access (34 CFR §300.614)**
The Charter School must keep a record of parties obtaining access to education records collected, maintained, or used under Part B of the IDEA (except access by parents and authorized employees of the participating agency), including the name of the party, the date access was given, and the purpose for which the party is authorized to use the records.

3. **Fees**
The Charter School may charge a fee or copies of records (34 CFR §300.617) that are made for you under Part B of the IDEA, if the fee does not effectively prevent you from exercising your right to inspect and review those records.
The Charter School may not charge a fee to search for or to retrieve information under Part B of the IDEA.
4. **Amendment of Records at Parent's Request (34 CFR §300.618)**
If you believe that information in the education records regarding your child collected, maintained, or used under Part B of the IDEA is inaccurate, misleading, or violates the privacy or other rights of your child, you may request the Charter School that maintains the information to change the information.
The Charter School must decide whether to change the information in accordance with your request within a reasonable period of time of receipt of your request.
If the Charter School refuses to change the information in accordance with your request, it must inform you of the refusal and advise you of the right to a hearing for this purpose.
5. **Opportunity for a Records Hearing (34 CFR §300.619)**

The Charter School must, on request, provide you an opportunity for a hearing to challenge information in education records regarding your child to ensure that it is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of your child.

a. **Hearing Procedures (34 CFR §300.621)**
A hearing to challenge information in education records must be conducted according to the following procedures for such hearings under the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. Section 1233g (FERPA):
   1) The educational agency or institution shall hold the hearing within a reasonable time after it has received the request for the hearing from the parent or eligible student.
   2) The educational agency or institution shall give the parent or eligible student notice of the date, time, and place, reasonable in advance of the hearing.
   3) The hearing may be conducted by any individual, including an official of the educational agency or institution who does not have a direct interest in the outcome of the hearing.
   4) The educational agency or institution shall give the parent or eligible student a full and fair opportunity to present evidence to challenge the content of the student's education records on the grounds that the information contained in the education records is inaccurate, misleading, or in violation of the privacy rights of the student. The parent or eligible student may, at their own expense, be assisted or represented by one or more individuals of his or her own choice, including an attorney.
   5) The educational agency or institution shall make its decision in writing within a reasonable period of time after the hearing.
   6) The decision must be based solely on the evidence presented at the hearing, and must include a summary of the evidence and the reasons for the decision.

b. **Result of Hearing (34 CFR §300.620)**
If, as a result of the hearing, the Charter School decides that the information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child, it must change the information accordingly and inform you in writing. If, as a result of the hearing, the Charter School decides that the information is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of your child, you may place in the records that it maintains on your child a statement commenting on the information or providing any reasons you disagree with the decision of the participating agency.
Such an explanation placed in the records of your child must:
   1. Be maintained by the Charter School as part of the records of your child as long as the record or contested portion is maintained by the participating agency; **and**
   2. If the Charter School discloses the records of your child or the challenged portion to any party, the explanation must also be disclosed to that party.

c. **Safeguards (34 CFR §300.623)**
Each Charter School must protect the confidentiality of personally identifiable information at collection, storage, disclosure, and destruction stages.
One official at each Charter School must assume responsibility for ensuring the confidentiality of any personally identifiable information.

All persons collecting or using personally identifiable information must receive training or instruction regarding your State's policies and procedures regarding confidentiality under Part B of the IDEA and FERPA.
Each Charter School must maintain, for public inspection, a current listing of the names and positions of those employees within the agency who have access to personally identifiable information.

6. **Destruction of Information (34 CFR §300.624)**
   The Charter School must inform you when personally identifiable information collected, maintained, or used is no longer needed to provide educational services to your child, and the information must be destroyed at your request.

However, a permanent record of your child's name, address, and phone number, his or her grades, attendance record, classes attended, grade level completed, and year completed may be maintained without time limitation.

PROCEDURES FOR DISCIPLINARY EXCLUSION OF CHILDREN WITH DISABILITIES.

There are special rules in Pennsylvania for excluding children with disabilities for disciplinary reasons:

AUTHORITY OF SCHOOL PERSONNEL (34 CFR §300.530)

1. **Case-by-case determination**
   School personnel may consider any unique circumstances on a case-by-case basis, when determining whether a change of placement, made in accordance with the following requirements related to discipline, is appropriate for a child with a disability who violates a school code of student conduct.
2. **General**
   To the extent that they also take such action for children without disabilities, school personnel may, for not more than **10 consecutive school days**, remove a child with a disability (other than a child with mental retardation) who violates a code of student conduct from his or her current placement to an appropriate interim alternative educational setting, another setting, or suspension. School personnel may also impose additional removals of the child of not more than **10 consecutive school days** in that same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement (see ***Change of Placement Because of Disciplinary Removals*** for the definition, below) or exceed 15 cumulative school days in a school year. Once a child with a disability has been removed from his or her current placement for a total of **10 school days** in the same school year, the Charter School must, during any subsequent days of removal in that school year, provide services to the extent required below under the sub-heading ***Services***.
3. **Additional authority**
   If the behavior that violated the student code of conduct was not a manifestation of the child's disability (see ***Manifestation determination***, below) and the disciplinary change of placement would exceed **10 consecutive school days**, school personnel may apply the disciplinary procedures to that child with a disability in the same manner and for the same duration as it would to children without disabilities, except that the school must provide services to that child as described below under ***Services***. The child's IEP Team determines the interim alternative educational setting for such services. Under PA special education regulations, a

disciplinary exclusion of a student with a disability for more than 15 cumulative school days in a school year will be considered a pattern so as to be deemed a change in educational placement (explained under Change of Placement Because of Disciplinary Removals). The Charter School is required to issue a NOREP/Prior Written Notice to parents prior to a removal that constitutes a change in placement (removal for more than 10 consecutive days or 15 cumulative days).

4. **Services**

The services that must be provided to a child with a disability who has been removed from the child's current placement may be provided to an interim alternative educational setting. A Charter School is only required to provide services to a child with a disability who has been removed from his or her current placement for **10 school days or less** in that school year, if it provides services to a child without disabilities who has been similarly removed. Students may have the responsibility to make up exams and work missed while being disciplined by suspension and may be permitted to complete these assignments within guidelines established by their Charter School.

A child with a disability who is removed from the child's current placement for **more than 10 consecutive school days** must:

a. Continue to receive educational services, so as to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP; **and**
b. Receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not happen again.

After a child with a disability has been removed from his or her current placement for **10 school days** during one school year, or **if** current removal is for **10 consecutive school days** or less, **and** if the removal is not a change of placement (see definition below), **then** school personnel, in consultation with at least one of the child's teachers, determine the extent to which services are needed to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP.

If the removal is a change of placement (see definition below), the child's IEP Team determines the appropriate services to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP.

5. **Manifestation determination**

Within 10 school days **of any decision to change the placement of a child with a disability because of a violation of a code of student conduct (except for a removal that does not constitute a change in educational placement i.e., is for** 10 consecutive school days **or less and not a change of placement), the Charter School, the parent, and relevant members of the IEP Team (as determined by the parent and the Charter School) must review all relevant information in the student's file, including the child's IEP, any teacher observations, and any relevant information provided by the parents to determine:**

a. If the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; **or**

b. If the conduct in question was the direct result of the Charter School's failure to implement the child's IEP.

If the Charter School, the parent, and relevant members of the child's IEP Team determine that either of those conditions was met, the conduct must be determined to be a manifestation of the child's disability.

If the Charter School, the parent, and relevant members of the child's IEP Team determine that the conduct in question was the direct result of the Charter School's failure to implement the IEP, the Charter School must take immediate action to remedy those deficiencies.

6. **Determination that behavior was a manifestation of the child's disability**

If the Charter School, the parent, and relevant members of the IEP Team determine that the conduct was a manifestation of the child's disability, the IEP Team must either:

a. Conduct a functional behavioral assessment, unless the Charter School had conducted a functional behavioral assessment before the behavior that resulted in the change of placement occurred, and implement a behavioral intervention plan for the child; **or**
b. If a behavioral intervention plan already has been developed, review the behavioral intervention plan, and modify it, as necessary, to address the behavior.

Except as described below under the sub-heading **Special circumstances**, the Charter School must return the child to the placement from which the child was removed, unless the parent and the school agree to a change of placement as part of the modification of the behavioral intervention plan.

7. **Special circumstances**

Whether or not the behavior was a manifestation of the child's disability, school personnel may remove a student to an interim alternative educational setting (determined by the child's IEP Team) for up to 45 school days, if the child:

a. Carries a weapon (see the **Definitions** below) to school or has a weapon at school, on school premises, or at a school function under the jurisdiction of the Charter School:
b. Knowingly has or uses illegal drugs (see the **Definitions** below), or sells or solicits the sale of a controlled substance, (see the **Definitions** below), while at school, on school premises, or at a school function under the jurisdiction of the Charter School; **or**
c. Has inflicted serious bodily injury (see the **Definitions** below) upon another person while at school, on school premises, or at a school function under the jurisdiction of the State Educational Agency or a Charter School.

8. **Definitions**

a. *Controlled substance* means a drug or other substance identified under schedules I, II, III, IV, or V in section 202 (c) of the Controlled Substances Act (21 U.S.C. 812(c)).
b. *Illegal drug* means a controlled substance; but does not include a controlled substance that is legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under that Act or under any other provision of Federal law.
c. *Serious bodily* injury has the meaning given the term "serious bodily injury" under paragraph (3) of subsection (h) of section 1365 of title 18, United States Code.
d. *Weapon* has the meaning given the term "dangerous weapon" under paragraph (2) of the first subsection (g) of section 930 of title 18, United States Code.

9. **Notification**

On the date it makes the decision to make a removal that is a change of placement of the child because of a violation of a code of student conduct, the Charter School must notify the parents of that decision, and provide the parents with a procedural safeguards notice.

Change Of Placement Because Of Disciplinary Removals (34 CFR §300.536)

A removal of a child with a disability from the child's current educational placement is a **change of placement** requiring a NOREP/prior written notice if:

1. The removal is for more than 10 consecutive school days; or
2. The removal is for 15 cumulative school days total in any one school year;
3. The child has been subjected to a series of removals that constitute a pattern because:
    a. The series of removals total more than 10 school days in a school year;
    b. The child's behavior is substantially similar to the child's behavior in previous incidents that resulted in a series of removals;
    c. Of such additional factors as the length of each removal, the total amount of time the child has been removed, and the proximity of the removals to one another; **and**

Whether a pattern of removals constitutes a change of placement is determined on a case-by-case basis by the Charter School and, if challenged, is subject to review through due process and judicial proceedings.

Determination of Setting (34 CFR §300.531)

The IEP must determine the interim alternative educational setting for removals that are **changes of placement**, and removals under the headings ***Additional authority*** and ***Special circumstances***, above.

1. **General**
   The parent of a child with a disability may file a due process complaint (see above) to request a due process hearing if he or she disagrees with:
    a. Any decision regarding placement made under these discipline provisions; or
    b. The manifestation determination described above.

   The Charter School may file a due process complaint (see above) to request a due process hearing if it believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others.
2. **Authority of hearing officer**
   A hearing officer that meets the requirements described under the sub-heading ***Impartial Hearing Officer*** must conduct the due process hearing and make a decision.
   The hearing officer may:
    a. Return the child with a disability to the placement from which the child was removed if the hearing officer determines that the removal was a violation of the requirements described under the heading Authority of School Personnel, or that the child's behavior was a manifestation of the child's disability; or
    b. Order a change of placement of the child with a disability to an appropriate interim alternative educational setting for not more than 45 school days if the hearing officer determines that maintaining the current placement of the child is substantially likely to result in injury to the child or to others.

   These hearing procedures may be repeated, if the Charter School believes that returning the child to the original placement is substantially likely to result in injury to the child or to others. Whenever a parent or a Charter School files a due process complaint to request such a hearing, a hearing must be held that meets the requirements described under the headings ***Due Process Complaint Procedures, Hearings on Due Process Complaints***, except as follows:

1. The SEA must arrange for an expedited due process hearing, which must occur within 20 school days of the date the hearing is filed and must result in a determination within 10 school days after the hearing.
2. Unless the parents and the Charter School agree in writing to waive the meeting, or agree to use mediation, a resolution meeting must occur within 7 calendar days of receiving notice of the due process complaint. The hearing may proceed unless the matter has been resolved to the satisfaction of both parties within 15 calendar days of receipt of the due process complaint.

A party may appeal the decision in an expedited due process hearing in the same way as they may for decisions in other due process hearings.

When, as described above, the parent or Charter School has filed a due process complaint related to disciplinary matters, the child must (unless the parent and the State Educational Agency or Charter School agree otherwise) remain in the interim alternative educational setting pending the decision of the hearing officer, or until the expiration of the time period of removal as provided for and described under the heading *Authority of School Personnel*, whichever occurs first.

Special Rules for Students with Mental Retardation

The disciplinary removal of a child with mental retardation attending either a Charter School for any amount of time is considered a change in placement and requires NOREP/prior written notice (if the disciplinary event does not involve drugs, weapons and/or serious bodily injury). A removal from school is not a change in placement for a child who is identified with mental retardation when the disciplinary event involves weapons, drugs, and/or serious bodily injury. According to certain assurances the Commonwealth entered into related to the PARC consent decree, a Charter School may suspend on a limited basis a student with mental retardation who presents a danger to himself or others upon application and approval by the Bureau of Special Education and only to the extent that a student with a disability other than mental retardation could be suspended.

Protections For Children Not Yet Eligible For Special Education and Related Services (34 CFR §300.534)

1. **General**
   If a child has not been determined eligible for special education and related services and violates a code of student conduct, but the Charter School had knowledge (as determined below) before the behavior that brought about the disciplinary action occurred, that the child was a child with a disability, then the child may assert any of the protections described in this notice.
2. **Basis of knowledge for disciplinary matters**
   A Charter School must be deemed to have knowledge that a child is a child with a disability if, before the behavior that brought about the disciplinary action occurred:
   a. The parent of the child expressed concern in writing that the child is in need of special education and related services to supervisory or administrative personnel of appropriate educational agency, or a teacher of the child;
   b. The parent request an evaluation related to eligibility for special education and related services under Part B of the IDEA; or
   c. The child's teacher, or other Charter School personnel expressed specific concerns about a pattern of behavior demonstrated by the child directly to the Charter School's director of special education or to other supervisory personnel of the Charter School.

3. **Exception**
   A Charter School would not be deemed to have such knowledge if:
   a. The child's parent has not allowed an evaluation of the child or refused special education services; or
   b. The child has been evaluated and determined to not be a child with a disability under Part B of the IDEA.
4. **Conditions that apply if there is no basis of knowledge**
   If prior to taking disciplinary measures against the child, a Charter School does not have knowledge that a child is a child with a disability, as described above under the sub-headings ***Basis of knowledge for disciplinary matters*** and ***Exception,*** the child may be subjected to the disciplinary measures that are applied to children without disabilities who engaged in comparable behaviors.
   However, if a request is made for an evaluation of a child during the time period in which the child is subjected to disciplinary measures, the evaluation must be conducted in an expedited manner.
   Until the evaluation is completed, the child remains in the educational placement determined by school authorities, which can include suspension or expulsion without educational services. If the child is determined to be a child with a disability, taking into consideration information from the evaluation conducted by the Charter School, and information provided by the parents, the Charter School must provide special education and related services in accordance with Part B of the IDEA, including the disciplinary requirements described above.

B. REFERRAL TO AND ACTION BY LAW ENFORCEMENT AND JUDICIAL AUTHORITIES (34 CFR §300.535)

1. **The state and federal regulations do not:**
   a. Prohibit an agency from reporting a crime committed by a child with a disability to appropriate authorities; or
   b. Prevent State law enforcement and judicial authorities from exercising their responsibilities with regard to the application of Federal and State law to crimes committed by a child with a disability.

Subsequent to a referral to law enforcement, an updated functional behavior assessment and positive behavior support plan are required.

2. **Transmittal of records**

If a Charter School reports a crime committed by a child with a disability, the Charter School: must ensure that copies of the child's special education and disciplinary records are transmitted for consideration by the authorities to whom the agency reports the crime; and May transmit copies of the child's special education and disciplinary records only to the extent permitted by FERPA.

THIS ANNUAL NOTICE AND STATEMENT OF POLICY AND PROCEDURES HAS BEEN WRITTEN IN ACCORDANCE WITH CHAPTER 711 OF TITLE 22 OF THE PA CODE AND INCORPORATED INFORMATION FROM APPLICABLE PDE AND STATE FORMS AND SOURCES.

THE CONTENT OF THIS NOTICE HAS BEEN WRITTEN IN STRAIGHTFORWARD, SIMPLE ENGLISH LANGUAGE. IF A PERSON DOES NOT UNDERSTAND ANY OF THIS NOTICE, HE OR SHE SHOULD ASK THE CEO OF THE CHARTER SCHOOL FOR AN EXPLANATION. THE CHARTER SCHOOL WILL ARRANGE FOR AN INTERPRETER FOR PARENTS WITH LIMITED ENGLISH PROFICIENCY. IF A PARENT IS DEAF OR BLIND OR HAS NO WRITTEN LANGUAGE, THE SCHOOL WILL ARRANGE FOR COMMUNICATION OF THIS NOTICE IN THE MODE NORMALLY USED BY THE PARENT (E.G., SIGN LANGUAGE, BRAILLE, OR ORAL COMMUNICATION).

THIS NOTICE IS ONLY A SUMMARY OF THE SPECIAL EDUCATION SERVICES, EVALUATION AND SCREENING ACTIVITIES, AND RIGHTS AND PROTECTIONS PERTAINING TO CHILDREN WITH DISABILITIES, CHILDREN THOUGHT TO BE DISABLED, AND THEIR PARENTS AND IS ONLY A SUMMARY OF THE CONFIDENTIALITY RIGHTS REGARDING STUDENT INFORMATION.

FOR MORE INFORMATION OR TO REQUEST EVALUATION OR SCREENING OF A CHARTER SCHOOL STUDENT CONTACT THE CEO OF PHASE 4 CHARTER SCHOOL AT 5854 BAUM BOULEVARD, PITTSBURGH, PA 15206, (412) 924-0053
NOTHING IN THIS NOTICE IS INTENDED TO CONFLICT WITH OR SUPPLANT THE INFORMATION CONTAINED IN THE PENNSYLVANIA DEPARTMENT OF EDUCATION'S CURRENT "PROCEDURAL SAFEGUARDS NOTICE" WHICH IS AVAILABLE THROUGH THE SCHOOL FOR YOUR REVIEW OR WITH APPLICABLE STATE AND/OR FEDERAL LAWS.

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Disciplinary Exclusions of Special Education Students Policy

There are special rules in Pennsylvania for excluding children with disabilities for disciplinary reasons as set forth in Chapter 711 of Title 22 of the Pennsylvania Code as well as the Procedural Safeguards Notice available through PaTTAN. The Board of Trustees directs compliance with these requirements and directs the Chief Executive Officer ("CEO") or his/her designee to implement procedures necessary to effectuate the following:

AUTHORITY OF SCHOOL PERSONNEL (34 CFR §300.530)

1. **Case-by-case determination**
   PHASE 4 America Cyber Charter School ("PHASE 4") personnel may consider any unique circumstances on a case-by-case basis, when determining whether a change of placement, made in accordance with the following requirements related to discipline, is appropriate for a child with a disability who violates a school's code of student conduct.

2. **General**
   To the extent that they also take such action for children without disabilities, school personnel may, for not more than 10 consecutive school days, remove a child with a disability (other than a child with mental retardation) who violates a code of student conduct from his or her current placement to an appropriate interim alternative educational setting, another setting, or suspension. School personnel may also impose additional removals of the child of not more than 10 consecutive school days in that same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement (see **Change of Placement Because of Disciplinary Removals** for the definition, below) or exceed 15 cumulative school days in a school year. Once a child with a disability has been removed from his or her current placement for a total of 10 school days in the same school year, PHASE 4 must, during any subsequent days of removal in that school year, provide services to the extent required below under the sub-heading **Services**.

3. **Additional authority**

If the behavior that violated the student code of conduct was not a manifestation of the child's disability (see **Manifestation determination**, below) and the disciplinary change of placement would exceed 10 consecutive school days, school personnel may apply the disciplinary procedures to that child with a disability in the same manner and for the same duration as it would to children without disabilities, except that the school must provide services to that child as described below under **Services**. The child's IEP Team determines the interim alternative educational setting for such services. Under PA special education regulations, a disciplinary exclusion of a student with a disability for more than 15 cumulative school days in a school year will be considered a pattern so as to be deemed a change in educational placement (explained under Change of Placement Because of Disciplinary Removals). PHASE 4 is required to issue a NOREP/Prior Written Notice to parents prior to a removal that constitutes a change in placement (removal for more than 10 consecutive days or 15 cumulative days).

4. **Services**

The services that must be provided to a child with a disability who has been removed from the child's current placement may be provided in an interim alternative educational setting. A charter school is only required to provide services to a child with a disability who has been removed from his or her current placement for 10 school days or less in that school year, if it provides services to a child without disabilities who has been similarly removed. Students may have the responsibility to make up exams and work missed while being disciplined by suspension and may be permitted to complete these assignments within guidelines established by their charter school.

A child with a disability who is removed from the child's current placement for more than 10 consecutive school days must:

a. Continue to receive educational services, so as to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP; and
b. Receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not happen again.

After a child with a disability has been removed from his or her current placement for 10 school days during one school year, or if current removal is for 10 consecutive school days or less, and if the removal is not a change of placement (see definition below), then school personnel, in consultation with at least one of the child's teachers, determine the extent to which services are needed to enable the child to continue to participate in the general education

curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP.

If the removal is a change of placement (see definition below), the child's IEP Team determines the appropriate services to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP.

5. **Manifestation determination**
Within 10 school days of any decision to change the placement of a child with a disability because of a violation of a code of student conduct (except for a removal that does not constitute a change in educational placement i.e., is for 10 consecutive school days or less and not a change of placement), PHASE 4, the parent, and relevant members of the IEP Team (as determined by the parent and PHASE 4) must review all relevant information in the student's file, including the child's IEP, any teacher observations, and any relevant information provided by the parents to determine:
    a. If the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or
    b. If the conduct in question was the direct result of PHASE 4' failure to implement the child's IEP.

If PHASE 4, the parent, and relevant members of the child's IEP Team determine that either of those conditions were met, the conduct must be determined to be a manifestation of the child's disability.
If PHASE 4, the parent, and relevant members of the child's IEP Team determine that the conduct in question was the direct result of PHASE 4' failure to implement the IEP, PHASE 4 must take immediate action to remedy those deficiencies.

6. **Determination that behavior was a manifestation of the child's disability**
If PHASE 4, the parent, and relevant members of the IEP Team determine that the conduct was a manifestation of the child's disability, the IEP Team must either:
    a. Conduct a functional behavioral assessment, unless PHASE 4 had conducted a functional behavioral assessment before the behavior that resulted in the change of placement occurred, and implement a behavioral intervention plan for the child; or
    b. If a behavioral intervention plan already has been developed, review the behavioral intervention plan, and modify it, as necessary, to address the behavior.

Except as described below under the sub-heading Special circumstances, PHASE 4 must return the child to the placement from which the child was removed,

unless the parent and PHASE 4 agree to a change of placement as part of the modification of the behavioral intervention plan.

7. **Special circumstances**
   Whether or not the behavior was a manifestation of the child's disability, school personnel may remove a student to an interim alternative educational setting (determined by the child's IEP Team) for up to 45 school days, if the child:
   a. Carries a weapon (see the Definitions below) to school or has a weapon at school, on school premises, or at a school function under the jurisdiction of PHASE 4;
   b. Knowingly has or uses illegal drugs (see the **Definitions** below), or sells or solicits the sale of a controlled substance, (see the **Definitions** below), while at school, on school premises, or at a school function under the jurisdiction of PHASE 4; or
   c. Has inflicted serious bodily injury (see the **Definitions** below) upon another person while at school, on school premises, or at a school function under the jurisdiction of the State Educational Agency or an LEA.

8. **Definitions**
   a. *Controlled substance* means a drug or other substance identified under schedules I, II, III, IV, or V in section 202 (c) of the Controlled Substances Act (21 U.S.C. 812(c)).
   b. *Illegal drug* means a controlled substance; but does not include a controlled substance that is legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under that Act or under any other provision of Federal law.
   c. *Serious bodily* injury has the meaning given the term "serious bodily injury" under paragraph (3) of subsection (h) of section 1365 of title 18, United States Code.
   d. *Weapon* has the meaning given the term "dangerous weapon" under paragraph (2) of the first subsection (g) of section 930 of title 18, United States Code.

9. **Notification**
   On the date it makes the decision to make a removal that is a change of placement of the child because of a violation of a code of student conduct, PHASE 4 must notify the parents of that decision, and provide the parents with a procedural safeguards notice.

Change Of Placement Because Of Disciplinary Removals

A removal of a child with a disability from the child's current educational placement is a change of placement requiring a NOREP/prior written notice if:

1. The removal is for more than 10 consecutive school days; or
2. The removal is for 15 cumulative school days total in any one school year;
3. The child has been subjected to a series of removals that constitute a pattern because:
    a. The series of removals total more than 10 school days in a school year;
    b. The child's behavior is substantially similar to the child's behavior in previous incidents that resulted in a series of removals;
    c. Of such additional factors as the length of each removal, the total amount of time the child has been removed, and the proximity of the removals to one another; and

Whether a pattern of removals constitutes a change of placement is determined on a case-by-case basis by PHASE 4 and, if challenged, is subject to review through due process and judicial proceedings.

Determination of Setting

The IEP team must determine the interim alternative educational setting for removals that are **changes of placement**, and removals under the headings ***Additional authority*** and ***Special circumstances***, above.

1. **General**
   The parent of a child with a disability may file a due process complaint (see above) to request a due process hearing if he or she disagrees with:
    a. Any decision regarding placement made under these discipline provisions; or
    b. The manifestation determination described above.

   PHASE 4 may file a due process complaint (see above) to request a due process hearing if it believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others.

2. **Authority of hearing officer**
   A hearing officer that meets the requirements described under the sub-heading Impartial Hearing Officer must conduct the due process hearing and make a decision.
   The hearing officer may:
    a. Return the child with a disability to the placement from which the child was removed if the hearing officer determines that the removal was a violation of the requirements described under the heading Authority of School Personnel, or that the child's behavior was a manifestation of the child's disability; or

b. Order a change of placement of the child with a disability to an appropriate interim alternative educational setting for not more than 45 school days if the hearing officer determines that maintaining the current placement of the child is substantially likely to result in injury to the child or to others.

These hearing procedures may be repeated, if PHASE 4 believes that returning the child to the original placement is substantially likely to result in injury to the child or to others.

Whenever a parent or a charter school files a due process complaint to request such a hearing, a hearing must be held that meets the requirements described under the headings **Due Process Complaint Procedures, Hearings on Due Process Complaints**, except as follows:

1. The SEA must arrange for an expedited due process hearing, which must occur within 20 school days of the date the hearing is filed and must result in a determination within 10 school days after the hearing.
2. Unless the parents and PHASE 4 agree in writing to waive the meeting, or agree to use mediation, a resolution meeting must occur within 7 calendar days of receiving notice of the due process complaint. The hearing may proceed unless the matter has been resolved to the satisfaction of both parties within 15 calendar days of receipt of the due process complaint.

A party may appeal the decision in an expedited due process hearing in the same way as they may for decisions in other due process hearings.

When, as described above, the parent or PHASE 4 has filed a due process complaint related to disciplinary matters, the child must (unless the parent and the State Educational Agency or PHASE 4 agree otherwise) remain in the interim alternative educational setting pending the decision of the hearing officer, or until the expiration of the time period of removal as provided for and described under the heading **Authority of School Personnel**, whichever occurs first.

Special Rules for Students with Mental Retardation

The disciplinary removal of a child with mental retardation attending a charter school for any amount of time is considered a change in placement and requires a NOREP/prior written notice (if the disciplinary event does not involve drugs, weapons and/or serious bodily injury). A removal from school is not a change in placement for a child who is identified with mental retardation when the disciplinary event involves weapons, drugs, and/or serious bodily injury. According to certain assurances the Commonwealth entered into related to the PARC consent decree, a charter school may suspend on a limited basis a student with mental retardation who presents a danger to himself or others upon application and approval by the Bureau of Special Education and only to the extent that a student with a disability other than mental retardation could be suspended.

Protections For Children Not Yet Eligible For Special Education and Related Services

1. **General**
   If a child has not been determined eligible for special education and related services and violates a code of student conduct, but PHASE 4 had knowledge (as determined below) before the behavior that brought about the disciplinary action occurred, that the child was a child with a disability, then the child may assert any of the protections described in this notice.

2. **Basis of knowledge for disciplinary matters**
   A charter school must be deemed to have knowledge that a child is a child with a disability if, before the behavior that brought about the disciplinary action occurred:
   a. The parent of the child expressed concern in writing that the child is in need of special education and related services to supervisory or administrative personnel, or a teacher of the child;
   b. The parent requested an evaluation related to eligibility for special education and related services under Part B of the IDEA; or
   c. The child's teacher, or other PHASE 4 personnel expressed specific concerns about a pattern of behavior demonstrated by the child directly to PHASE 4' director of special education or to other supervisory personnel of PHASE 4.

3. **Exception**
   A charter school would not be deemed to have such knowledge if:
   a. The child's parent has not allowed an evaluation of the child or refused special education services; or
   b. The child has been evaluated and determined to not be a child with a disability under Part B of the IDEA.

4. **Conditions that apply if there is no basis of knowledge**
   If prior to taking disciplinary measures against the child, a charter school does not have knowledge that a child is a child with a disability, as described above under the sub-headings **Basis of knowledge for disciplinary matters** and **Exception**, the child may be subjected to the disciplinary measures that are applied to children without disabilities who engaged in comparable behaviors. However, if a request is made for an evaluation of a child during the time period in which the child is subjected to disciplinary measures, the evaluation must be conducted in an expedited manner.

   Until the evaluation is completed, the child remains in the educational placement determined by school authorities, which can include suspension or expulsion without educational services. If the child is determined to be a child with a disability, taking into consideration information from the evaluation conducted

by PHASE 4, and information provided by the parents, PHASE 4 must provide special education and related services in accordance with Part B of the IDEA, including the disciplinary requirements described above.

REFERRAL TO AND ACTION BY LAW ENFORCEMENT AND JUDICIAL AUTHORITIES

1. **The state and federal regulations do not:**
   a. Prohibit an agency from reporting a crime committed by a child with a disability to appropriate authorities; or
   b. Prevent State law enforcement and judicial authorities from exercising their responsibilities with regard to the application of Federal and State law to crimes committed by a child with a disability.

Subsequent to a referral to law enforcement, an updated functional behavior assessment and positive behavior support plan are required.

2. **Transmittal of records**

If a charter school reports a crime committed by a child with a disability, the charter school: must ensure that copies of the child's special education and disciplinary records are transmitted for consideration by the authorities to whom the agency reports the crime; and may transmit copies of the child's special education and disciplinary records only to the extent permitted by FERPA.

NON-DISCRIMINATION

PHASE 4 shall not discriminate in its discipline policies or practices on the basis of intellectual ability, status as a person with a disability, proficiency in the English language or any other basis that would be illegal under applicable state and/or federal laws.

The CEO or his/her designee is directed to develop procedures and practices related to the use of positive behavioral interventions and supports, and procedural safeguards and to ensure that those policies and procedures are implemented.

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

ADOPTED this _____ day of_____, 2012

_____
President

_____
Secretary

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Dispute Resolution and Alternative Dispute Resolution Policy

It is the policy of PHASE 4 America Cyber Charter School ("PHASE 4") to ensure that disputes between parents and PHASE 4 regarding the identification, evaluation, programming and services available to eligible students are addressed effectively and in accordance with applicable state and federal laws.

Every effort should be made to address and resolve disputes at the building/IEP team level if possible. The Chief Executive Officer or his/her designee is directed to be aware of alternative dispute resolution procedures and programs, including facilitated IEP team meetings and mediation, and utilize those programs when deemed appropriate.

The CEO or his/her designee is responsible for ensuring that any agreements entered into as a result of a mediation session are implemented in accordance with the state regulations and is directed to maintain evidence of implementation.

When alternative dispute resolution is not practical or otherwise appropriate, or when a due process complaint is filed, the CEO or his/her designee is directed to follow applicable state procedures regarding the filing and answering of a due process complaint, including requirements relating to dissemination of procedural safeguards.

The CEO or his/her designee is responsible for ensuring that due process decisions are implemented in accordance with the state regulations and is directed to maintain evidence of implementation.

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

ADOPTED this _____ day of_____, 2012

_____
President

_____
Secretary

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Evaluation and Reevaluation Policy

In accordance with applicable state and federal regulations, the Board of Trustees of PHASE 4 America Cyber Charter School (the "Charter School") recognizes that in order to properly identify a student as eligible, the Charter School must have a process and procedures in place and therefore, directs as follows:

That the Charter School adopts this policy which sets forth procedural requirements for Evaluations and Reevaluations which are necessary to identify specific learning disabilities in accordance with its application for charter. To determine that a child has a specific learning disability, the Charter School shall address whether the child does not achieve adequately for the child's age or meet State-approved grade-level standards in one or more of the following areas, when provided with learning experiences and scientifically based instruction appropriate for the child's age or State-approved grade-level standards:

(i) Oral expression.

(ii) Listening comprehension.

(iii) Written expression.

(iv) Basic reading skill.

(v) Reading fluency skills.

(vi) Reading comprehension.

(vii) Mathematics calculation.

(viii) Mathematics problem solving.

(2) Use one of the following procedures:

(i) A process based on the child's response to scientific, research-based intervention, which includes documentation that:

(A) The student received high quality instruction in the general education setting.

(B) Research-based interventions were provided to the student.

(C) Student progress was regularly monitored.

(ii) A process that examines whether a child exhibits a pattern of strengths and weaknesses, relative to intellectual ability as defined by a severe discrepancy between intellectual ability and achievement, or relative to age or grade.

(3) Have determined that its findings under this section are not primarily the result of:

(i) A visual, hearing or orthopedic disability.

(ii) Mental retardation.

(iii) Emotional disturbance.

(iv) Cultural factors.

(v) Environmental or economic disadvantage.

(vi) Limited English proficiency.

(4) Ensure that underachievement in a child suspected of having a specific learning disability is not due to lack of appropriate instruction in reading or mathematics by considering documentation that:

(i) Prior to, or as a part of, the referral process, the child was provided scientifically-based instruction in regular education settings, delivered by qualified personnel, as indicated by observations of routine classroom instruction.

(ii) Repeated assessments of achievement were conducted at reasonable intervals, reflecting formal assessment of student progress during instruction, which was provided to the child's parents.

The IEP Team, which consists of a group of qualified professionals and the student's parents, reviews the evaluation materials to determine whether the child is a child with a disability. The Team shall include a certified school psychologist when evaluating a child for autism, emotional disturbance, mental retardation, multiple disabilities, other health impairments, specific learning disability or

traumatic brain injury. Other professionals include hearing or visual specialists, a medical doctor, and occupational, physical or speech therapists. The evaluation must include information from the child's teacher(s), such as the results of informal tests and narrative statements describing the student's strengths and needs and also verbal and written input from the parent(s) as to the student's medical, social and academic history and observations from the home.

The initial evaluation shall be completed and a copy of the evaluation report presented to the parents no later than 60-calendar days after the agency receives written parental consent for evaluation, except that the calendar days from the day after the last day of the spring school term up to and including the day before the first day of the subsequent fall school term will not be counted. The evaluator shall prepare and sign the full report of the evaluation containing information such as: a clear explanation of the testing and assessment results; a complete summary of all test scores, including, for all standardized testing administered, all applicable full scale or battery scores, domain or composite scores, and subtest scores reported in standard, scaled, or T-score format; a complete summary of all information obtain or reviewed from sources other than testing conducted by the evaluator; and specified recommendations for educational programming and/or placement, if necessary.

Parents may request an evaluation at any time, and the request must be in writing. The Charter School shall make the Permission to Evaluate form readily available for that purpose. If a request is made orally to any professional employee or administrator of the Charter School, that individual shall provide a copy of the Permission to Evaluate form to the parents within 10-calendar days of the oral request.

Copies of the Evaluation Report shall be disseminated to the parents at least 10 school days prior to the meeting of the IEP Team, unless this requirement is waived by a parent in writing.

Reevaluations

Once the child has been identified as being eligible for special education, the child must be reevaluated to determine whether the child's needs have changed. A Reevaluation must be conducted every three years. An exception to this is if a child has mental retardation. For students who have been determined to have mental retardation, reevaluations must occur every two years.

The Reevaluation process begins with a review of existing evaluation data by the IEP Team, which once more includes the parents. The IEP Team shall also include a certified school psychologist when evaluating a child for autism, emotional

disturbance, mental retardation, multiple disabilities, other health impairment, specific learning disability and traumatic brain injury.

The information the IEP Team must review includes, but is not limited to, existing evaluation data, evaluations and information provided by the parents, current classroom-based assessments and observations, observations by teachers and services providers, and whether any additions or modifications to the special education and related services are needed to enable the child to meet the measurable annual goals in the IEP and to participate as appropriate in the general curriculum.

At the end of the review, the IEP Team concludes either that no additional data are needed to determine continued eligibility for special education and related services, or that there is a need for additional data.

When additional data is needed to complete a Reevaluation to determine whether the child continues to be a child with a disability and still in need of special education, Charter School officials must also obtain written permission through a formal Permission to Re-Evaluate form. However, if the Charter School has made "reasonable attempts" to get permission and has failed to get a response, it may proceed with the Reevaluation.

Reasonable attempts must consist of:

- Documented Telephone calls
- Registered (return receipt required) and First Class Mail letters to the parents
- Visits to the home or parents' place of business

The reevaluation time line will be 60-calendar days, except that the calendar days from the day after the last day of the spring school term up to and including the day before the first day of the subsequent fall school term will not be counted.

Copies of the reevaluation report shall be disseminated to the parents at least 10 school days prior to the meeting of the IEP team, unless this requirement is waived by a parent in writing.

All evaluations (whether an initial evaluation or a reevaluation) needed to determine a child's eligibility for special education services must be provided by the Charter School at no charge to the parents. If a child needs special education, the special programs and related services as determined by the IEP Team will be provided free by the Charter School.

The Chief Executive Officer or his/her designee is directed to implement all procedures in accordance with this policy.

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

ADOPTED this _____ day of _____, 2012

_____
President

_____
Secretary

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Exceptional Student Records Confidentiality Policy

The PHASE 4 America Cyber Charter School ("PHASE 4") recognizes the need to protect the privacy rights of PHASE 4' exceptional students and their parents. The classification, collection, use, maintenance and dissemination of any information about a student or his or her family raises issues regarding the privacy of that information. Thus, PHASE 4, shall adhere to the provisions of federal and state laws pertaining to those privacy rights, including but not limited to the Family Educational Rights and Privacy Act of 1974 ("FERPA"), as amended, and its accompanying regulations; the applicable provisions of the Individuals with Disabilities Education Improvement Act (2004) ("IDEA"), as amended, and its implementing regulations; the applicable provisions of the Pennsylvania Public School Code of 1949, and the applicable provisions of Chapters 12 and 711 of the Pennsylvania Administrative Code containing the regulations of the Pennsylvania State Board of Education and other provisions applicable to charter schools. The Chief Executive Officer ("CEO") or his/her designee is designated as the administrator responsible for the maintenance, access, use and release of exceptional student records. This policy is to be used in combination with PHASE 4' Student Records Policy.

The CEO or his/her designee shall be responsible for the implementation of this policy.

CONSENT FOR DISCLOSURE OF PERSONALLY IDENTIFIABLE INFORMATION (34 CFR §300.622)

Unless the information is contained in education records, and the disclosure is authorized without parental/legal guardian consent under FERPA, the student's parent's/legal guardian's consent (or student's consent if the student has reached the age of majority and is otherwise eligible to have record rights transferred to him or her) must be obtained before personally identifiable information about that student is disclosed to parties other than officials of PHASE 4. Except under the circumstances specified below, parental consent is not required before personally identifiable information is released to officials of PHASE 4 for purposes of meeting a requirement of Part B of IDEA 2004.

A parent's (legal guardian's) consent, or consent of an eligible child who has reached the age of majority under State law, must be obtained before personally identifiable information is released to officials of participating agencies providing or paying for transition services.

ACCESS TO CONFIDENTIAL INFORMATION RELATED TO STUDENT (34 CFR §300.611)

1. **Related to the confidentiality of information, the following definitions apply:**
   a. ***Destruction*** means physical destruction or removal of personal identifiers from information so that the information is no longer personally identifiable.
   b. ***Education records*** means the type of records covered under the definition of "education records" in 34 CFR Part 99 (the regulations implementing the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. 1232g (FERPA)).
   c. ***Participating agency*** means any charter school, agency or institution that collects, maintains, or uses personally identifiable information, or from which information is obtained, under Part B of the IDEA.
   d. ***Personally identifiable*** **(34 CFR §300.32)** means information that has:
      1) A child's name, a parent's name, or the name of another family member;
      2) A child's address;
      3) A personal identifier, such as a child's social security number or student number; **or**
      4) A list of personal characteristics or other information that would make it possible to identify a child with reasonable certainty.

2. **Access Rights (34 CFR §300.613)**

   a. **Parent Access**
   PHASE 4 must permit a parent to inspect and review any education records relating to the parent's child that are collected, maintained, or used by the charter school under Part B of the IDEA. The charter school must comply with a parent's request to inspect and review any education records on the parent's child without unnecessary delay or before any meeting regarding an IEP, or any impartial due process hearing (including a resolution meeting or a hearing regarding discipline), and in no case more than 45 calendar days after the parent has made a request.

   A Parent's right to inspect and review education records includes:
      1) A parent's right to a response from PHASE 4 to reasonable requests for explanations and interpretations of the records;
      2) A parent's right to request that PHASE 4, provide copies of the records if the parent cannot effectively inspect and review the records unless the parent receives those copies; **and**
      3) A parent's right to have a representative inspect and review the records.
         a) PHASE 4 may presume that a parent has authority to inspect and review records relating to the parent's child unless advised that the parent does not have the authority under applicable State law governing such matters as guardianship, or separation and divorce.
         b) If any education record includes information on more than one child, the parents of those children have the right to inspect and review only the information relating to their child or to be informed of that specific information.

c) On request, each charter school must provide the parent with a list of the types and locations of education records collected, maintained, or used by PHASE 4.

b. Other Authorized Access (34 CFR §300.614)
PHASE 4 must keep a record of parties obtaining access to education records collected, maintained, or used under Part B of the IDEA 2004 (except access by parents and authorized employees of the participating agency), including the name of the party, the date access was given, and the purpose for which the party is authorized to use the records.

2. Fees
PHASE 4 may charge a fee for copies of records (34 CFR §300.617) that are made for a parent under Part B of the IDEA, if the fee does not effectively prevent the parent from exercising the right to inspect and review those records.
PHASE 4 may not charge a fee to search for or to retrieve information under Part B of IDEA 2004.

3. Amendment of Records at Parent's Request (34 CFR §300.618)
If a parent believes that information in the education records regarding the parent's child collected, maintained, or used under Part B of IDEA 2004 is inaccurate, misleading, or violates the privacy or other rights of the child, the parent may request the charter school that maintains the information to change the information.

PHASE 4 must decide whether to change the information in accordance with the parent's request within a reasonable period of time of receipt of the parent's request.

If PHASE 4 refuses to change the information in accordance with the parent's request, it must inform the parent of the refusal and advise the parent of the right to a hearing for this purpose.

4. Opportunity for a Records Hearing (34 CFR §300.619)
PHASE 4 must, on request, provide the parent an opportunity for a hearing to challenge information in education records regarding the parent's child to ensure that it is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child.

a. Hearing Procedures (34 CFR §300.621)
A hearing to challenge information in education records must be conducted according to the following procedures for such hearings under the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. Section 1233g (FERPA):

1) The educational agency or institution shall hold the hearing within a reasonable time after it has received the request for the hearing from the parent or eligible student.
2) The educational agency or institution shall give the parent or eligible student notice of the date, time, and place, reasonably in advance of the hearing.

3) The hearing may be conducted by any individual, including an official of the educational agency or institution who does not have a direct interest in the outcome of the hearing.
4) The educational agency or institution shall give the parent or eligible student a full and fair opportunity to present evidence to challenge the content of the student's education records on the grounds that the information contained in the education records is inaccurate, misleading, or in violation of the privacy rights of the student. The parent or eligible student may, at their own expense, be assisted or represented by one or more individuals of his or her own choice, including an attorney.
5) The educational agency or institution shall make its decision in writing within a reasonable period of time after the hearing.
6) The decision must be based solely on the evidence presented at the hearing, and must include a summary of the evidence and the reasons for the decision.

b. Result of Hearing (34 CFR §300.620)

If, as a result of the hearing, PHASE 4, decides that the information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child, it must change the information accordingly and inform the parent in writing. If, as a result of the hearing, the charter school decides that the information is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the parent's child, the parent may place in the records that it maintains on the parent's child a statement commenting on the information or providing any reasons the parent disagrees with the decision of the participating agency.

Such an explanation placed in the records of the parent's child must:

1. Be maintained by PHASE 4 as part of the records of the child as long as the record or contested portion is maintained by PHASE 4 ; **and**
2. If PHASE 4 discloses the records of the child or the challenged portion to any party, the explanation must also be disclosed to that party.

c. Safeguards (34 CFR §300.623)

Each charter school must protect the confidentiality of personally identifiable information at collection, storage, disclosure, and destruction stages.

The Chief Executive Officer ("CEO") or his/her designee must assume responsibility for ensuring the confidentiality of any personally identifiable information.

All persons collecting or using personally identifiable information must receive training or instruction regarding Pennsylvania's policies and procedures regarding confidentiality under Part B of IDEA 2004 and FERPA.

Each charter school must maintain, for public inspection, a current listing of the names and positions of those employees within the agency who have access to personally identifiable information.

Persons who have access to personally identifiable information at the charter school will include members of the child's IEP team, PHASE 4' records custodian and the CEO or his/her designee. Any individual accessing a student's personally identifiable information must sign a sheet evidencing review of the records. The sheet will be maintained with the student records.

5. **Destruction of Information (34 CFR §300.624)**

PHASE 4 must inform the parent when personally identifiable information collected, maintained, or used is no longer needed to provide educational services to the parent's child, and the information must be destroyed at the parent's request.

However, a permanent record of the child's name, address, and phone number, his or her grades, attendance record, classes attended, grade level completed, and year completed may be maintained without time limitation.

TRANSFER OF RECORDS BETWEEN SCHOOLS

When the education records for a child with a disability are transferred from a public agency, private school, approved private school or private agency, to a charter school, the public agency, private school, approved private school or private agency from which the child transferred shall forward all of the child's educational records, including the most recent IEP, within 10 days after the public agency, private school, approved private school or private agency is notified in writing that the child is enrolled in a charter school.

When the educational records for a child with a disability are transferred to a public agency, private school approved private school or private agency from a charter school, the charter school shall forward the child's educational records, including the most recent IEP, within 10 school days after the charter school is notified in writing that the child is enrolled at another public agency, private school, approved private school or private agency.

REFERRAL TO AND ACTION BY LAW ENFORCEMENT AND JUDICIAL AUTHORITIES AND RECORD TRANSMITTAL

PHASE 4 reporting a crime committed by a child with a disability must ensure that copies of the special education and disciplinary records of the child are transmitted for consideration by the appropriate authorities to whom the crime is reported. A charter school reporting a crime may transmit copies of the child's special education and disciplinary records only to the extent that the transmission is permitted by FERPA.

ELECTRONIC TRANSMISSIONS

PHASE 4 will ensure that any records kept or transmitted electronically are subject to high standards of electronic security. PHASE 4 uses electronic firewalls and encryption systems, and monitors and tests the system regularly to ensure its stability and integrity. All PHASE 4' electronic mail correspondence shall include the following:

CONFIDENTIALITY NOTICE
The information in this transmission is intended only for the individual or entity named above. It may be legally privileged and confidential. If you have received this information in error, notify us immediately by calling PHASE 4 at (412) 924-0053. Send the original transmission to us by mail. Return postage is guaranteed. If the reader of this message is not the intended recipient, you are hereby notified that any disclosure, dissemination, distribution or copying of this communication or its contents is strictly prohibited.

ADMINISTRATIVE PROCEDURES:

The CEO or his/her designee shall be responsible for ensuring that the education records, confidentiality policies and procedures established under IDEA 2004 (relating to confidentiality of education records of exceptional students) are enforced and administered. This official shall:

Notify parents on an annual basis of the policies and procedures regarding exceptional student education records and the rights of parents under both Federal and State Law concerning the confidentiality of education records of exceptional students;

Develop a system of safeguards which will protect the confidentiality of personally identifiable information at the point of collection, storage, use, maintenance, release and destruction;

Provide training and instruction in the implementation of records policy requirements for all educational agency personnel who collect or use exceptional student personally identifiable information; and

Maintain a current listing of the names and positions of those agents and employees of PHASE 4 who are authorized by the school to have access to personally identifiable information of exceptional students.

An education record shall not be destroyed by PHASE 4 if there is an outstanding request to inspect and review it by the parent or eligible student.

PHASE 4 will inform the parents of an exceptional student when personally identifiable information collected, maintained, or used in the records of the exceptional student is no longer needed to provide educational services to the exceptional student.

Upon request of the parents, information no longer relevant to and necessary for the provision of educational services to the exceptional student must be destroyed by PHASE 4. However, a written record of an exceptional student's name, address, phone numbers, grades, attendance records, classes attended, grade level completed, and year completed will be maintained for 100 years.

Prior to the destruction of the information referred to in the above paragraph, PHASE 4 shall send written notification to the parents which shall inform the parents of their right to receive a copy of the material to be destroyed.

PHASE 4 shall not destroy education records containing information necessary for the education of an exceptional student who is enrolled or has been enrolled in an education program operated by the school.

Except as is stated in the above paragraph of this subsection, nothing in this section shall be construed to mean that PHASE 4 is required to destroy education records and PHASE 4 Administration is directed to implement any procedures necessary to maintain student records consistent with this policy and applicable state and federal laws and regulations.

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

ADOPTED this _____ day of_____, 2012

_____
President

_____
Secretary

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Extended School Year Services ("ESY ") Policy

The Board of Trustees directs that PHASE 4 America Cyber Charter School ("PHASE 4") comply with the requirements incorporated by reference in 34 CFR 300.106 (relating to extended school year services).

The Chief Executive Officer ("CEO") or his/her designee is directed to ensure that PHASE 4 uses the following standards for determining whether a student with disabilities requires ESY as part of the student's program:

(1) At each IEP meeting for a student with disabilities, the charter school shall determine whether the student is eligible for ESY services and if so, make subsequent determinations about the services to be provided.

(2) In considering whether a student is eligible for ESY services, the IEP team shall consider the following factors, however, no single factor will be considered determinative:

(i) Whether the student reverts to a lower level of functioning as evidenced by a measurable decrease in skills or behaviors which occurs as a result of an interruption in educational programming (Regression).

(ii) Whether the student has the capacity to recover the skills or behavior patterns in which regression occurred to a level demonstrated prior to the interruption of educational programming (Recoupment).

(iii) Whether the student's difficulties with regression and recoupment make it unlikely that the student will maintain the skills and behaviors relevant to IEP goals and objectives.

(iv) The extent to which the student has mastered and consolidated an important skill or behavior at the point when educational programming would be interrupted.

(v) The extent to which a skill or behavior is particularly crucial for the student to meet the IEP goals of self-sufficiency and independence from caretakers.

(vi) The extent to which successive interruptions in educational programming result in a student's withdrawal from the learning process.

(vii) Whether the student's disability is severe, such as autism/pervasive developmental disorder, serious emotional disturbance,

severe mental retardation, degenerative impairments with mental involvement and severe multiple disabilities.

Reliable sources of information regarding a student's educational needs, propensity to progress, recoupment potential and year to year progress may include the following:

(1) Progress on goals in consecutive IEPs.
(2) Progress reports maintained by educators, therapists and others having direct contact with the student before and after interruptions in the education program.
(3) Reports by parents of negative changes in adaptive behaviors or in other skill areas.
(4) Medical or other agency reports indicating degenerative-type difficulties, which become exacerbated during breaks in educational services.
(5) Observations and opinions by educators, parents and others.
(6) Results of tests, including criterion-referenced tests, curriculum-based assessments, ecological life skills assessments and other equivalent measures.

The need for ESY services will not be based on any of the following:

(1) The desire or need for day care or respite care services.
(2) The desire or need for a summer recreation program.
(3) The desire or need for other programs or services that while they may provide educational benefit, are not required to ensure the provision of a FAPE.

Students with severe disabilities such as autism/pervasive developmental disorder, serious emotional disturbance; severe mental retardation; degenerative impairments with mental involvement; and severe multiple disabilities require expeditious determinations of eligibility for ESY services to be provided as follows:

(1) Parents of students with severe disabilities shall be notified by the charter school of the annual review meeting to ensure their participation.

(2) An IEP review meeting must occur no later than **February 28** of each school year for students with severe disabilities.
(3) The notice of recommended educational placement (NOREP) shall be issued to the parent no later than **March 31** of the school year for students with severe disabilities.

(4) If a student with a severe disability transfers into a charter school after the dates in paragraphs (2) and (3), and the ESY eligibility decision has not been made, the eligibility and program content must be determined at the IEP meeting.

The eligibility for ESY services of all students with disabilities shall be considered at the IEP meeting. ESY determinations for students other than those described above as having severe disabilities are not subject to the timelines for students with the severe disabilities described above. However, determinations for those other students shall still be made in a timely manner.

If the parents disagree with PHASE 4' recommendation on ESY, the parents will be afforded an expedited due process hearing in accordance with applicable laws. Parents are to be provided with the required procedural safeguards notice.

ESY programs are to be individualized with regard to the amount of services and individually appropriate goals and related services.

In cases where ESY is denied, evidence to support the denial is to be made part of the student's file.

The CEO or his/her designee is directed to develop procedures consistent with this policy and applicable laws.

TIMELINES CONTAINED IN THIS POLICY MAY BE CHANGED BY THE PENNSYLVANIA DEPARTMENT OF EDUCATION AND THE SCHOOL MUST FOLLOW ANY REVISED TIMELINES.

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

ADOPTED this _____ day of _____, 2012

_____
President

_____
Secretary

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Free Appropriate Public Education (FAPE) Policy

The Charter School must ensure that FAPE is available to any individual child with a disability who needs special education and related services, even though the child has not failed or been retained in a course or grade, and is advancing from grade to grade.

The determination that a child described above is eligible, must be made on an individual basis by the group responsible within the Charter School for making eligibility determinations.

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

ADOPTED this _____ day of _____, 2012

_____

President

_____

Secretary

PHASE 4 America Cyber Charter School

2013-2014 School Year

Annual Notification of Rights under Family Educational Rights and Privacy Act (FERPA) for the 2013-2014 School Year /Notice to Parents and Guardians Regarding the Disclosure of Student "Directory Information"

The Family Educational Rights and Privacy Act (FERPA), a federal law, affords parents, legally emancipated students, and students over 18 years of age ("eligible students") certain rights with respect to the student's education records.

These rights are briefly summarized below and are explained more fully in the Board's Student Records Policy which is on file at the school and is available upon request:

1. The right to inspect and review the student's education records within 45 days of the day the PHASE 4 America Cyber Charter School ("School") receives a request for access. Parents or eligible students should submit to the School Chief Executive Officer ("CEO") a written request that identifies the record(s) 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.

2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate or misleading. Parents or eligible students may ask the School to amend a record that they believe is inaccurate or misleading. They should write the School CEO, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. 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 advise him or her of the 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.

3. The right to consent to disclosures of personally identifiable information contained in 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 may include a person employed by the school as an administrator, supervisor, instructor, or support staff member (including health

or medical staff and law unit personnel); a person serving on the Board; a person or company with whom the School has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); contractors, consultants, volunteers, and other outside service providers used by the school; or a parent or student serving on official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his/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, school district, school system, or institution of higher learning in which a student seeks or intends to enroll.

4. 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 is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue SW
Washington, D.C. 20202-4605

Directory Information

Directory information includes information contained in the educational record of a student, which is not considered harmful or an invasion of privacy if disclosed, so that it may be disclosed without prior parental consent, unless you have advised the School to the contrary in accordance with School procedures. The primary purpose of directory information is to allow the School to include this type of information from your child's education records in certain school-related publications or notices.

As part of the School's annual notification under FERPA, we designate for the school year 2013-2014 the following types or categories of information as "directory information":

- Student Name
- Participation in officially recognized activities, clubs and sports
- Naming of Student to the Honor Roll, National Honor Society or as Valedictorian
- Address
- Telephone listing
- Weight and height of members of athletic teams
- Electronic Mail Address
- Photograph

- Degrees, honors, awards received
- Date and place of birth
- Major field of study
- Dates of attendance
- Grade level
- The most recent educational agency or institution attended

Examples of how and where the School may disclose directory information include disclosing the directory information in the following, by way of example:

- Newsletters
- A playbill, showing student's role in a drama production
- The annual yearbook
- Honor Roll or other recognition lists
- Graduation programs
- Sports activity sheets, such as for wrestling, showing weight and height of team members
- Companies or outside organizations that manufacture class rings or yearbooks
- Newspapers or other news sources
- Class Lists
- Staff and/or Student Directories and/or listings
- School Website
- School Bulletin Boards
- Organizations conducting studies
- Military recruiters requesting directory information
- Institutions of Higher Learning requesting directory information

These examples are for illustration only and are not an exclusive list of the manner in which directory information may be disclosed. This notice provides you as a parent or eligible student with an opportunity to object in writing to any or all of those types of information that the School has designated as directory information. You have the right to refuse to permit the release by notifying the School in writing that you do not want any or all of those types of information to be designated as directory information for your child or yourself.

Please submit any refusal with the types of information you wish removed from the list of directory information and mail your written objections on or before **September 18, 2013**, to the CEO of the School at:

PHASE 4 America Cyber Charter School
Brentwood Towne Square
121 Towne Square Way
Pittsburgh, PA 15227

Please note that an opt out of directory information disclosures does not prevent the School from identifying a student by name or from disclosing a student's electronic identifier or institutional e-mail address in class. The right to opt out of directory information disclosures does not include a right to remain anonymous in class, and may not be used to impede routine classroom communications and interactions, whether class is held in a specified physical location or on-line through electronic communications.

If you have any questions regarding this notice, please call or write the CEO of the School at: Address and Phone TBD. **If you do not submit a written refusal on or before September 18, 2013 then the School may disclose directory information without your prior consent.**

THE CONTENT OF THIS NOTICE HAS BEEN WRITTEN IN STRAIGHTFORWARD, SIMPLE ENGLISH. IF A PERSON DOES NOT UNDERSTAND ANY OF THIS NOTICE, HE OR SHE SHOULD ASK THE CEO OF PHASE 4 CHARTER SCHOOL FOR AN EXPLANATION. THE SCHOOL WILL ARRANGE FOR AN INTERPRETER FOR PARENTS WITH LIMITED ENGLISH PROFICIENCY. IF A PARENT IS DEAF OR BLIND OR HAS NO WRITTEN LANGUAGE, THE SCHOOL WILL ARRANGE FOR COMMUNICATION OF THIS NOTICE IN THE MODE NORMALLY USED BY THE PARENT (E.G., SIGN LANGUAGE, BRAILLE, OR ORAL COMMUNICATION). IF A STUDENT HAS A DISABILITY, ADDITIONAL INFORMATION IS AVAILABLE IN THE SCHOOL'S ANNUAL PUBLIC NOTICE OF SPECIAL EDUCATION SERVICES AND PROGRAMS AND RIGHTS FOR STUDENTS WITH DISABILITIES.

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Inclusion Policy

In accordance with applicable state and federal regulations regarding students with disabilities, the Board of Trustees of the Charter School recognizes and directs as follows:

To the maximum extent appropriate, children with disabilities, are educated with children who are nondisabled; and special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

A continuum of alternative placements must be available to meet the needs of children with disabilities for special education and related services. The continuum must include alternative placements (including, but not limited to: instruction in, regular classes, supplementary aids and services, instruction in special classes, instruction in alternative schools, home instruction, and instruction in hospitals and institutions to the extent required by applicable laws and regulations).

Administration is further directed to make provision for supplementary services (such as resource room or itinerant instruction) to be provided in conjunction with regular class placement to the extent required by law and to inform the Board when supplementary aids and services must be procured and/or approved by the Board.

In determining the educational placement of a child with a disability, Administration is directed to ensure that the placement decision is made by a group of persons, including the parents, and other persons knowledgeable about: the child, the meaning of the evaluation data, and the placement options. Such decision must be made in conformity with the LRE provisions of the federal regulations.

The child's placement must be determined at least annually; be based on the child's IEP; and must be as close as possible to the child's home to the extent required by applicable law. Unless the IEP of a child with a disability requires some other arrangement, the child is educated in the school that he or she would attend if nondisabled.

In selecting the LRE, Administration is directed to give consideration to any potential harmful effect on the child or on the quality of services that he or she needs.

A child with a disability is not to be removed from education in age appropriate regular classrooms solely because of needed modifications in the general education curriculum.

In providing or arranging for the provision of nonacademic and extracurricular services and activities, including meals, recess periods, and the services and activities set forth in the applicable state and federal regulations, Administration is directed to ensure that each child with a disability participates with nondisabled children in the extracurricular services and activities to the maximum extent appropriate to the needs of that child.

Administration is directed to ensure that each child with a disability has the supplementary aids and services determined by the child's IEP Team to be appropriate and necessary for the child to participate in nonacademic settings.

Administration shall ensure that the IEP team making educational placement decisions understands and adheres to the following guiding principles from the Pennsylvania Department of Education to the extent that they are consistent with applicable federal and state regulations:

1. A Free and Appropriate Public Education (FAPE) must be provided to every student with an IEP; moreover, FAPE must be delivered in the LRE as per the IEP team.
2. Students will not be removed from regular education classrooms merely because of the severity of their disabilities;
3. When students with disabilities, including students with significant cognitive disabilities, need specially designed instruction or other supplementary aids and services to benefit from participating in regular education classrooms, as required in their IEP, the team is obliged to ensure that those services are Provided to the extent required by applicable state and federal regulations and laws;
4. IEP teams must determine whether the goals in the student's IEP can be implemented in regular education classrooms with supplementary aids and services before considering removal from the regular education classroom;
5. The team will consider the full range of supplementary aids and services in regular education classrooms, based on peer-reviewed research to the extent practicable, including modification of curriculum content, before contemplating placement in a more restrictive setting.

To determine whether a child with disabilities can be educated satisfactorily in a regular education classroom with supplementary aids and services, the following factors provided by the Pennsylvania Department of Education shall be considered and

addressed:

1. What efforts have been made to accommodate the child in the regular classroom and with what outcome(s);
2. What additional efforts (i.e. supplementary aids and services) in the regular classroom are possible;
3. What are the educational benefits available to the child in the regular classroom, with the use of appropriate supplementary aids and services; and
4. Are there possible significant and negative effects of the child's inclusion on the other students in the class?

Per the Pennsylvania Department of Education, the presumption is that IEP teams begin placement discussions with a consideration of the regular education classroom and the supplementary aids and services that are needed to enable a student with a disability to benefit from educational services. Benefit from educational services is measured by progress toward the goals and objectives of the student's IEP, not by mastery of the general education curriculum, and is not limited to academic progress alone; therefore, Administration is directed to ensure that special education placement in a more restrictive environment is not justified solely on the basis that the child might make greater academic progress outside the regular education environment.

The law and the Pennsylvania Department of Education policy favor education with non-disabled peers; however, inclusion or education with non-disabled peers is not a foregone conclusion; such a decision remains exclusively with the IEP team as they consider FAPE. An IEP team may choose a more specialized setting if:

1. The student will receive greater benefit from education in a specialized setting than in a regular class.
2. He or she is so disruptive as to significantly impair the education of other students in the class; or
3. The cost of implementing a given student's IEP in the regular classroom will significantly affect other children in the LEA.

If, after considering these factors, an IEP team determines that the student needs to be educated in a more specialized setting, the school is required to include the child in school programs with non-disabled children to the maximum extent appropriate. These may include but are not limited to extra curricular activities, assembly programs, recess, lunch, homeroom, etc. Note that a student is not required to "try out" each level of LRE and "fail" before the student moves to a more specialized setting.

Administration is further directed to provide opportunities for teachers to participate in professional development and to become aware of peer-reviewed and

research-based practices that can be used to support students in regular classroom settings. In consideration of Pennsylvania Department of Education guidance, Administration is directed to ensure that:

- Program and placement decisions are based on student strengths, potential and needs;
- IEP teams consider the regular classroom with supplementary aids and services before considering a more restrictive environment;
- Staff is aware of this policy on inclusion.
- Supportive team structures are in place to enable general education teachers to effectively educate students with IEPs in their regular classroom as appropriate;
- IEP teams use the most current IEP format;
- Educational placement decisions are made in the proper IEP sequence, which is:
    1. Initial eligibility decision;
    2. Determine FAPE and design the program (i.e. IEP);
    3. Determine whether FAPE can be delivered in the regular classroom with the use of supplementary aids and services;
    4. If the answer to step #3 is "no," then, move to the next step along the continuum of placement options to determine where FAPE can be delivered; and
    5. Correct LRE data is entered into the Penn Data system.

Administration, teachers and Staff shall be required to adhere to the following:

- Be familiar with a wide array of supplementary aids and services.
- Know the proper IEP decision making sequence.
- Consider the whole range of supplementary aids and services when making placement decisions.
- Understand that modifications to the regular curriculum may be an appropriate means of delivering educational benefit within the regular classroom.
- Address services needed for a student in a single plan.
- Be clear about the supports you need in order to implement any given student's IEP within your regular classroom.
- Be familiar with the continuum of placement options.

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

ADOPTED this _____ day of _____, 2012

_____
President

_____
Secretary

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Independent Evaluations Policy

The Board of Trustees recognizes that in accordance with applicable state and federal laws, including Chapter 711 of Title 22 of the Pennsylvania Code, a parent has the right to obtain an independent educational evaluation ("IEE") of his or her child if the parent disagrees with an evaluation by PHASE 4 America Cyber Charter School ("PHASE 4") to the extent permitted by law, including the right of PHASE 4, to file a due process complaint to show that its evaluation is appropriate and to contest the need for an independent evaluation.

If a parent requests an IEE, the Chief Executive Officer ("CEO") or her designee is directed to provide the parent with information about where the parent may obtain an IEE and about PHASE 4' criteria that apply to IEEs. As this policy contains information about PHASE 4' criteria, this policy should be provided to parents upon request.

An Independent Educational Evaluation or IEE is defined under applicable requirements as an evaluation conducted by a qualified examiner who is not employed by PHASE 4.

Public expense is defined as follows: PHASE 4 either pays for the full cost of the evaluation or ensures that the evaluation is otherwise provided at no cost to the parent, consistent with the provisions of Part B of IDEA 2004.

A parent has the right to an IEE of his or her child at public expense if the parent disagrees with an evaluation of the child obtained by PHASE 4, SUBJECT TO THE FOLLOWING CONDITIONS:

If a parent requests an IEE at public expense, PHASE 4 must, without unnecessary delay, either: (1) File a due process complaint to request a hearing to show that its evaluation of the child is appropriate; or (2) Provide an IEE at public expense, unless PHASE 4 demonstrates in a hearing that the evaluation obtained did not meet PHASE 4' criteria.

The CEO or his/her designee is directed to notify parents when declining the parent's request for an IEE at public expense and the reason for denial of the IEE.

The CEO or his/her designee must not unreasonably delay either providing the IEE at public expense or initiating due process.

The CEO or his/her designee is directed to ensure that the IEP team considers a valid IEE.

The CEO or his/her designee is directed to maintain a list of qualified independent evaluators in each of the various disciplines commonly relied upon to provide education-related evaluations and assessments and shall make that list reasonably available to any parent who requests it.

If PHASE 4 initiates a hearing and the final decision is that PHASE 4' evaluation is appropriate, the parent still has the right to an independent evaluation, but not at public expense.

If a parent requests an evaluation at public expense, PHASE 4 shall ask in writing for the parent's reason why he or she objects to the public evaluation. However, it must be made clear that the explanation by the parent may not be required and the School may not unreasonably delay either providing the independent evaluation at public expense or initiating a hearing to defend its evaluation.

If a parent obtains an independent evaluation at private expense the results of the evaluation must be considered by PHASE 4, if it meets PHASE 4' criteria, in any decision made with respect to the provision of FAPE to the child and may be presented as evidence at a hearing relating to the child.

If an independent evaluation is at public expense, the criteria under which the evaluation is obtained including the location of the evaluation and qualifications of the examiner must be the same as the criteria that PHASE 4 uses when it initiates an evaluation to the extent that those criteria are consistent with the parents' right to an independent evaluation. This criteria must be made known to the parent.

PHASE 4 may not impose conditions or timelines related to obtaining an evaluation at public expense.

All evaluations performed must take into account the child's English language skills and ethnicity to ensure that the testing and evaluation will not be unfair or discriminatory. Tests must be given in the child's native language or mode of communication (such as Braille or sign language) of the child, unless it is clearly not feasible to do so.

Evaluations must also take into account the child's disability to be sure the test measures what it is supposed to measure.

The specific tests used in the evaluation process depend upon the problems the child is experiencing.

In most cases, the child will be given several tests to help find strengths and needs.

Teacher and IEP team member input must be considered.

Information that parents provide must also be included in the evaluation.

Evaluators must be properly certified and qualified to administer the tests, assessments and evaluation techniques used. Such certification and qualification requirements must meet those mandated in Pennsylvania.

Evaluation techniques must be consistent with the most up to date techniques commonly practiced in the evaluator's field.

Evaluations must not be racially, culturally or otherwise biased or discriminatory.

Recommendations must be based upon the child and must not be generalized.

A complete copy of the independent evaluation report must be made available to the IEP team.

Parents are to be given a release of records so that information from PHASE 4 (including records, observations and other information gathered regarding the child) about the child may be disclosed to the independent evaluator.

PHASE 4 will comply with and monitor changes in all state and federal time lines, procedures and due process requirements throughout the entire independent evaluation process. In the event that there are changes in state or federal law with regard to any part of this policy, PHASE 4 will comply with state and federal law.

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

ADOPTED this _____day of _____, 2012

_____
President

_____
Secretary

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Individualized Education Program Policy (IEP)

The Board of Trustees of the Charter School recognizes and directs that in addition to the federal requirements incorporated by reference, the state regulations require that the IEP of each student with a disability must include when appropriate:

(1) A description of the type or types of support as defined in this paragraph that the student will receive, the determination of which may not be based on the categories of the child's disability alone. Students may receive more than one type of support as appropriate and as outlined in the IEP and in accordance with this chapter. Special education supports and services may be delivered in the regular classroom setting and other settings as determined by the IEP team. In determining the educational placement, the IEP team must first consider the regular classroom with the provision of supplementary aids and services before considering the provision of services in other settings.

(i) Autistic support. Services for students with the disability of autism who require services to address needs primarily in the areas of communication, social skills or behaviors consistent with those of autism spectrum disorders. The IEP for these students must address needs as identified by the team which may include, as appropriate, the verbal and nonverbal communication needs of the child; social interaction skills and proficiencies; the child's response to sensory experiences and changes in the environment, daily routine and schedules; and, the need for positive behavior supports or behavioral interventions.

(ii) Blind-visually impaired support. Services for students with the disability of visual impairment including blindness, who require services to address needs primarily in the areas of accessing print and other visually-presented materials, orientation and mobility, accessing public and private accommodations, or use of assistive technologies designed for individuals with visual impairments or blindness. For students who are blind or visually impaired, the IEP must include a description of the instruction in Braille and the use of Braille unless the IEP team determines, after the evaluation of the child's reading and writing needs, and appropriate reading and writing media, the extent to which Braille will be taught and used for the student's learning materials.

(iii) Deaf and hard of hearing support. Services for students with the disability of deafness or hearing impairment, who require services to address needs primarily in the

area of reading, communication, accessing public and private accommodations or use of assistive technologies designed for individuals with deafness or hearing impairment. For these students, the IEP must include a communication plan to address the language and communication needs, opportunities for direct communications with peers and professional personnel in the child's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the child's language and communication mode; and assistive technology devices and services.

(iv) Emotional support. Services for students with a disability who require services primarily in the areas of social or emotional skills development or functional behavior.

(v) Learning support. Services for students with a disability who require services primarily in the areas of reading, writing, mathematics, or speaking or listening skills related to academic performance.

(vi) Life skills support. Services for students with a disability who require services primarily in the areas of academic, functional or vocational skills necessary for independent living.

(vii) Multiple disabilities support. Services for students with more than one disability the result of which is severe impairment requiring services primarily in the areas of academic, functional or vocational skills necessary for independent living.

(viii) Physical support. Services for students with a physical disability who require services primarily in the areas of functional motor skill development, including adaptive physical education or use of assistive technologies designed to provide or facilitate the development of functional motor capacity or skills.

(ix) Speech and language support. Services for students with speech and language impairments who require services primarily in the areas of communication or use of assistive technologies designed to provide or facilitate the development of communication capacity or skills.

(2) Supplementary aids and services

(3) A description of the type or types of personnel support.

(4) The location where the student attends school and whether this is the school the student would attend if the student did not have an IEP.

(5) For students who are 14 years of age or older, a transition plan that includes appropriate measurable postsecondary goals related to training, education, employment and, when appropriate, independent living skills.

(6) The IEP of each student shall be implemented as soon as possible, but no later than 10 school days after its completion.

(7) Every student receiving special education and related services provided for in an IEP developed prior to July 1, 2008, shall continue to receive the special education and related services under that IEP, subject to the terms, limitations and conditions set forth in law.

(b) In addition to the requirements incorporated by reference with regard to development, review, and revision of IEP, the Charter School shall designate persons responsible to coordinate transition activities.

The Chief Executive Officer or his/her designee is directed to implement all procedures in accordance with this policy.

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

ADOPTED this _____ day of _____, 2012

_____

President

_____

Secretary

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Instruction Conducted in the Home and Homebound Instruction Policy

The Board of Trustees directs the Chief Executive Officer ("CEO") or his/her designee to implement procedures needed to comply with applicable state and federal requirements, including the following as directed by the Pennsylvania Department of Education:

INSTRUCTION CONDUCTED IN THE HOME

Instruction conducted in the home is included in the definition of special education in the federal regulations and is recognized as a placement option on the continuum of alternative placements for students with disabilities. It is highly restrictive and should only be considered when less restrictive placements are not appropriate in accordance with applicable state and federal laws.

The use of instruction conducted in the home is typically restricted to students whose needs require full-time special education services and programs outside the school setting for the entire day.

Although a student placed by his or her Individualized Education Program ("IEP") team on instruction conducted in the home does not receive his or her program in the school setting, he or she remains entitled to a free appropriate public education equal to his or her non-disabled peers, unless this amount of instruction would jeopardize the child's health or welfare. In such cases, the IEP team can agree on fewer hours of instruction so long as the student still receives a free appropriate public education.

In all circumstances involving the placement of a student on instruction conducted in the home, PHASE 4 America Cyber Charter School ("PHASE 4") must file any report or other documentation promulgated by the PDE within 5 days of the placement or as required by PDE. PHASE 4 must supply the PDE with information about the student that is required (his or her disability, and the anticipated length and reason for the placement). In addition, PHASE 4 must provide information regarding the person in PHASE 4 whom PDE can contact to discuss the placement if necessary.

Instruction conducted in the home is not an appropriate option if the IEP team is experiencing difficulty in arranging the program or placement that a student requires. In such cases, PHASE 4 should continue to serve the student in accordance with his or

her IEP while taking steps to promptly arrange for the services that the student requires. These steps may include seeking assistance from the PDE or from other child-serving agencies involved with the student.

Although instruction conducted in the home is not ordinarily permitted when the student has no condition preventing him or her from leaving the home, there are occasional, exceptional cases in which the parents and school agree to instruction conducted in the home as a short-term option. In these cases, the school must immediately file a report with the PDE utilizing the form required by PDE. As indicated on the form, the school is also responsible for informing the PDE when the short-term placement has concluded.

HOMEBOUND INSTRUCTION

"Instruction conducted in the home," which is listed in the continuum of special education alternative placements in federal regulations is not "homebound instruction," which describes the instruction a school may provide when a student has been excused from compulsory attendance under 22 Pa. Code §11.25 due to temporary mental or physical illness or other urgent reasons.

Although homebound instruction is not a special education placement option for students with disabilities, there are occasions when a student with a disability may receive homebound instruction due to a temporary excusal from compulsory attendance in the same manner as the student's non-disabled peers. Schools must also file any PDE required report or documentation with the PDE for students with disabilities for whom homebound instruction is approved and must also file a follow up report when the temporary placement has concluded and the student has returned to school as required by PDE. In addition, as indicated on the form, schools must attach to the form the physician's recommendation for homebound instruction.

If the temporary condition that precipitated the excusal from attendance for a student with disabilities results in a change in the student's need for specially designed instruction, the school may need to reevaluate the student. The school may also need to reconvene the student's IEP team to determine whether it is necessary to revise the IEP and change the student's placement to instruction conducted in the home.

The CEO or his/her designee is directed to implement procedures necessary to effectuate this policy, including obtaining any forms required by the Pennsylvania Department of Education and updating any forms and information as necessary.

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

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

ADOPTED this day _____ of _____, 2012

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President

_____
Secretary

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Intensive Interagency Policy

The Chief Executive Officer ("CEO") or his/her designee shall ensure that PHASE 4 America Cyber Charter School ("PHASE 4") identifies, reports and provides FAPE for all students with disabilities including those students needing intensive interagency approaches.

PHASE 4 must identify any students currently on instruction conducted in the home or students with disabilities on homebound instruction.

The CEO or his/her designee shall have procedures to ensure that services are located for difficult to place students.

The CEO or his/her designee shall utilize the Regional Interagency Coordinators to assist in interagency planning and to mitigate and/or eliminate barriers to placement.

The CEO or his/her designee shall ensure that training is provided regarding interagency approaches.

Where appropriate, other child serving systems, such as mental health, mental retardation, child protective services, juvenile probation, and drug-alcohol treatment services are used for difficult to place students.

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

ADOPTED this _____ day of _____, 2012

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President

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Secretary

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Least Restrictive Environment

The Board of Trustees directs the Chief Executive Officer ("CEO") or his/her designee to ensure that, in accordance with applicable state and federal laws and regulations, to the maximum extent appropriate, children with disabilities are educated with children who are nondisabled and that special classes, separate schooling, or other removal of children with disabilities from the regular education environment occurs only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

The CEO or his/her designee is directed to ensure that a continuum of alternative placements is available to meet the needs of children with disabilities for special education and related services. The continuum of alternative placements may include but is not limited to: instruction in regular classes with or without supplementary aids and services, special classes, special schools, approved private schools, home instruction and instruction in hospitals and institutions to the extent the IEP team determines such placements are appropriate.

The CEO or his/her designee is directed to provide training opportunities for school personnel regarding inclusion.

The CEO or his/her designee is directed to make opportunities available for students to interact with nondisabled peers when they need to be removed for any amount of time from the regular education environment.

The CEO or his/her designee is directed to support participation of students with disabilities in nonacademic and extracurricular activities where appropriate (including transportation).

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

ADOPTED this _____ day of _____, 2012

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President

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Secretary

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Nonacademic Services and Settings Policy

In accordance with applicable state and federal regulations regarding students with disabilities, the Board of Trustees of the Charter School recognizes and directs as follows:

(a) The Charter School must take steps, including the provision of supplementary aids and services determined appropriate and necessary by the child's IEP and/or Section 504 Team, to provide nonacademic and extracurricular services and activities in the manner necessary to afford children with disabilities an equal opportunity for participation in those services and activities as their nondisabled peers. Children with disabilities shall participate with nondisabled children in those services and activities to the extent appropriate under applicable state and federal laws and regulations.

(b) Nonacademic and extracurricular services and activities may include counseling services, athletics, transportation, health services, recreational activities, special interest groups or clubs sponsored by the Charter School.

(c) The Charter School must ensure that each child with a disability has the supplementary aids and services determined by the child's IEP Team to be appropriate and necessary for the child to participate in nonacademic settings when same are required to afford a student with equal opportunity or are otherwise required under IDEA 2004 and/or Section 504.

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

ADOPTED this _____ day of _____, 2012

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President

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Secretary

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Physical Education Policy

Physical education services, specially designed if necessary, must be made available to every child with a disability receiving FAPE, unless the public agency enrolls children without disabilities and does not provide physical education to children without disabilities in the same grades.

Each child with a disability must be afforded the opportunity to participate in the regular physical education program available to nondisabled children unless the child is enrolled full time in a separate facility; or the child needs specially designed physical education, as prescribed in the child's IEP.

If specially designed physical education is prescribed in a child's IEP, the Charter School must provide the services directly or make arrangements for those services to be provided through other public or private programs.

The child with a disability who is enrolled in a separate facility must receive appropriate physical education services.

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

ADOPTED this _____ day of _____, 2012

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President

_____
Secretary

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Positive Behavioral Support Policy and Procedures

In accordance with applicable state regulations, including Title 22 Pa. Code Chapter 711.46, PHASE 4 America Cyber Charter School ("PHASE 4") Board of Trustees has established this policy to effectuate a program of positive behavior support at PHASE 4. Some procedures have been included.

DEFINITIONS:

Aversive techniques--Deliberate activities designed to establish a negative association with a specific behavior.

Positive behavior support plan—A plan for students with disabilities who require specific intervention to address behavior that interferes with learning. A positive behavior support plan shall be developed by the IEP team, be based on a functional behavior assessment and become part of the student's IEP. These plans include methods that utilize positive reinforcement and other positive techniques to shape a student's behavior, ranging from the use of positive verbal statements as a reward for good behavior to specific tangible rewards.

Restraints –

(i) The application of physical force, with or without the use of a device, for the purpose of restraining the free movement of a student's body. The term does not include briefly holding, without force, a student to calm or comfort him, guiding a student to an appropriate activity, or holding a student's hand to safely escort him from one area to another.

(ii) Excluded from this definition are hand-over-hand assistance with feeding or task completion and techniques prescribed by a qualified medical professional for reasons of safety or for therapeutic or medical treatment, as agreed to by the student's parents and specified in the IEP. Devices used for physical or occupational therapy, seatbelts in wheel chairs or on toilets used for balance and safety, safety harnesses in buses, and functional positioning devices are examples of mechanical restraints which are excluded from this definition.

POSITIVE BEHAVIOR SUPPORT:

Positive rather than negative measures shall form the basis of positive behavior support programs to ensure that all of PHASE 4' students shall be free from demeaning treatment, the use of aversive techniques and the unreasonable use of restraints.

Positive techniques required for the development, change and maintenance of behavior shall be the least intrusive necessary.

RESEARCH-BASED PRACTICES:

Behavior support programs must include research based practices and techniques to develop and maintain skills that will enhance an individual student's opportunity for learning and self-fulfillment.

FUNCTIONAL BEHAVIOR ASSESSMENT:

Behavior support programs and plans shall be based on a functional assessment of behavior ("FBA") and utilize positive behavior techniques. When an intervention is needed to address problem behavior, the types of intervention chosen for a particular student must be the least intrusive necessary.

RESTRAINTS:

The use of restraints is considered a measure of last resort, only to be used after other less restrictive measures, including de-escalation techniques.

Restraints to control acute or episodic aggressive or self-injurious behavior may be used only when the student is acting in a manner as to be a clear and present danger to himself, to other students or to employees, and only when less restrictive measures and techniques have proven to be or are less effective.

NOTIFICATION OF USE OF RESTRAINT AND PROCEDURES:

The use of restraints to control the aggressive behavior of an individual student shall cause PHASE 4 to notify the parent of the use of restraint and shall cause a meeting of the IEP team within 10 school days of the inappropriate behavior causing the use of restraints in order to review the effectiveness and appropriateness of the current IEP, unless the parent, after written notice, agrees in writing to waive the meeting. At this meeting, the IEP team shall consider whether the student needs a functional behavioral assessment, reevaluation, a new or revised positive behavior support plan or a change of placement to address the inappropriate behavior.

INCLUSION OF USE OF RESTRAINTS IN A STUDENT'S IEP:

The use of restraints may only be included in a student's IEP when:

(i) Utilized with specific component elements of positive behavior support.
(ii) Used in conjunction with the teaching of socially acceptable alternative skills to replace problem behavior.
(iii) Staff are authorized to use the procedure and have received the staff training required.
(iv) There is a plan in place for eliminating the use of restraint Through application of positive behavior support.

The use of restraints may not be included in the IEP for the convenience of staff, as a substitute for an educational program or employed as punishment.

PROHIBITION AGAINST PRONE RESTRAINTS:

The use of prone restraints is **prohibited** in educational programs. Prone restraints are those in which a student is held face down on the floor.

RESTRAINT REPORTING AND PROCEDURES:

PHASE 4 shall maintain and report data on the use of restraints as prescribed by the Secretary of the Department of Education. The report is subject to review during cyclical compliance monitoring conducted by the Department.

MECHANICAL RESTRAINTS:

Mechanical restraints, which are used to control involuntary movement or lack of muscular control of students when due to organic causes or conditions, may be employed only when specified by an IEP and as determined by a medical professional qualified to make the determination, and as agreed to by the student's parents. Mechanical restraints must prevent a student from injuring himself or others or promote normative body positioning and physical functioning.

PROHIBITION AGAINST AVERSIVE TECHNIQUES:

The following aversive techniques of handling behavior are considered inappropriate and **shall not** be used in educational programs:

(1) Corporal punishment.
(2) Punishment for a manifestation of a student's disability.

(3) Locked rooms, locked boxes or other locked structures or spaces from which the student cannot readily exit.
(4) Noxious substances.
(5) Deprivation of basic human rights, such as withholding meals, water or fresh air.
(6) Suspensions constituting a pattern.
(7) Treatment of a demeaning nature.
(8) Electric shock.

TRAINING OF PERSONNEL

The Board of Trustees hereby directs that school personnel be trained each school year on the general use of positive behavior support, de-escalation techniques, and emergency responses.

In addition to general positive behavior support training, when students are identified as in need of these supports, individual teachers and teacher groups are notified and trained accordingly so that they can act in accordance with the student's specific Positive Behavior Support Plan and de-escalation techniques, and respond appropriately in emergencies.

Per guidance from the Pennsylvania Department of Education, the core training components the positive support plan and de-escalation (restraint reduction) staff trainings should include:

- The growing concern and potential legal issues surrounding physical restraints;

- How to create a commitment to the reduction of the use of physical restraints;

- Creating a safe environment where positive rather than negative measures form the basis of behavior management programs;

- How staff can avoid taking conflict personally; avoiding power struggles;

- Prevention of problem behaviors through a system of recognition of signs of anxiety and distress in students and staff;

- Identification of the phases of crisis events and matching behaviors to interventions;

• Demonstration and modeling of the de-escalation techniques and other alternatives to physical restraint;

• Effective positive behavior support plans that include methods of utilizing positive reinforcement and other positive techniques to shape replacement behavior(s);

• Research-based practices that develop and maintain replacement behaviors that enhance student learning and skills for life;

• Risks associated with the use of physical interventions including the signs of physical distress, positional asphyxiation, and the psychological effects of restraint;

• Safe techniques for the use of physical restraints (prone restraints prohibited);

• Documentation of the incident and compliance with notification procedures; and

• Post intervention debriefing with student and staff.

REPORTING

Administration is directed to write internal procedures that detail who is responsible for reporting restraints, who is responsible for notifying key administrators regarding the use of a restraint, and who is responsible for entering restraints in the PDE system to reporting on the use of restraints. Administration is further directed to comply with PDE guidelines regarding the reporting of the use of restraints.

Staff trained and/or certified in a program of positive behavioral supports and de-escalation techniques, and safe physical management techniques will be designated as the individuals to intervene in crisis management situations that might require restraint of a student. Physical interventions should only be undertaken by staff persons who have successfully completed a comprehensive crisis management course that covers: crisis definition and theory; the use of de-escalation techniques; crisis communication; anger management; passive physical intervention techniques; the legal, ethical, and policy aspects of physical intervention use; decision making related to physical interventions and debriefing strategies.

Parental notification should occur within one school day of a restraint incident unless other procedures are written in the student's IEP.

Any restraint that results in an injury to a student and/or staff person must be reported to the CEO who will comply with any requirement to report the injury to the Bureau of Special Education.

ADDITIONAL REQUIREMENTS AND ADMINISTRATIVE PROCEDURES

The CEO or his/her designee is directed to ensure that behavior support programs administered at PHASE 4 are in accordance with Title 22 Pa. Code Chapter 711, including the training of personnel for the use of specific procedures, methods and techniques, and for having written procedures on the use of behavior support techniques and obtaining parental consent prior to the use of restrictive or intrusive procedures or restraints.

The CEO or his/her designee may convene a review, upon Board approval, including the use of human rights committees, to oversee the use of restrictive or intrusive procedures or restraints; only to the extent the use of such procedures is allowed by law and this policy.

The CEO or his/her designee is further directed to make professional development opportunities provided by the Bureau of Special Education available to train staff regarding Positive Behavior Support.

The CEO or his/her designee is charged with using the most updated forms available through the Bureau of Special Education related to positive behavior support, including the use of any forms promulgated for functional behavior assessments and behavior support plans.

REFERRALS TO LAW ENFORCEMENT

Subsequent to a referral to law enforcement, for a student with a disability who has a positive behavior support plan, an updated functional behavior assessment and positive behavior support plan shall be required.

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ADOPTED this _____ day of _____, 2012

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President

_____
Secretary

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Program Options Policy

In accordance with applicable state and federal regulations regarding students with disabilities, the Board of Trustees of the Charter School recognizes and directs as follows:

It is the Charter School's policy that children with disabilities have available to them the variety of educational programs and services available to nondisabled children.

The Chief Executive Officer or his/her designee is directed to implement all procedures in accordance with this policy.

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

ADOPTED this _____ day of _____, 2012

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President

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Secretary

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Psychological Services

The Board of Trustees ("Board") directs that the Chief Executive Officer ("CEO") or his/her designee ensure that psychological services be made available to eligible students in accordance with Chapter 711 of Title 22 of the Pennsylvania Code as follows:

Psychological services may include:

(1) Administering psychological and educational testing, and other assessment procedures;
(2) Interpreting assessment results;
(3) Consulting with other staff members in planning school programs to meet the special educational needs of children as indicated by psychological tests, interviews, direct observation, and behavioral evaluations;
(4) Planning and managing a program of psychological services;
(5) Obtaining, integrating and interpreting information about child behavior and conditions related to learning; and
(6) Assisting in developing positive behavioral intervention strategies.

The CEO or his/her designee is directed to maintain a listing of what services are available both within the school setting and of school-funded services obtained from outside agencies.

Parents are not to be charged for psychological services that students require as a related service in accordance with applicable laws.

The CEO or his/her designee is directed to advise the Board regarding psychological service needs of the school's students as well as related services needs, such as transportation.

Administration is directed to ensure appropriate psychological services are obtained for students in accordance with applicable state and federal laws and regulations.

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

ADOPTED this _____ day of _____, 2012

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President

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Secretary

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Related Services

The Board of Trustees of PHASE 4 America Cyber Charter School ("PHASE 4") recognizes that charter schools must comply with Chapter 711 of Title 22 of the Pennsylvania Code regarding the provision of related services.

It is the intent of the Board of Trustees to ensure that all students with disabilities have available to them a free appropriate public education that emphasizes special education and related services designed to meet their unique needs and to prepare them for further education, employment, and independent living.

Pursuant to 34 CFR § 300.34, related services are transportation and those developmental, corrective and other supportive services that are required to assist a child with a disability to benefit from special education. Such services may include (depending upon the child's need and applicable state regulations):

(1) speech-language pathology and audiology services,
(2) interpreting services,
(3) psychological services,
(4) physical and occupational therapy,
(5) recreation, including therapeutic recreation,
(6) early identification and assessment of disabilities in children,
(7) counseling services, including rehabilitation counseling,
(8) orientation and mobility services, and
(9) medical services for diagnostic or evaluation purposes.

Related services may also include school health services and school nurse services, social work services in schools, and parent counseling and training.

Related services do not include a medical device that is surgically implanted, the optimization of that device's functioning (e.g., mapping), maintenance of that device, or the replacement of that device. However, nothing:

(i) Limits the right of a child with a surgically implanted device (e.g., cochlear implant) to receive related services that are determined by the IEP Team to be necessary for the child to receive FAPE.

(ii) Limits the responsibility to appropriately monitor and maintain medical devices that are needed to maintain the health and safety of the child, including breathing, nutrition, or operation of other bodily functions, while the child is transported to and from school or is at school; or

(iii) Prevents the routine checking of an external component of a surgically implanted device to make sure it is functioning properly, as required in Sec. 300.113(b) of Title 34 CFR.

PHASE 4 will provide related services to include those services which the IEP team determines are necessary for a student after a comprehensive evaluation and the development of an IEP.

The types of services provided by PHASE 4 include, but are not limited to the following types of services:

(1) Audiology includes:

(i) Identification of children with hearing loss;

(ii) Determination of the range, nature, and degree of hearing loss, including referral for medical or other professional attention for the habilitation of hearing;

(iii) Provision of habilitative activities, such as language habilitation, auditory training, speech reading (lip-reading), hearing evaluation, and speech conservation;

(iv) Creation and administration of programs for prevention of hearing loss;

(v) Counseling and guidance of children, parents, and teachers regarding hearing loss; and

(vi) Determination of children's needs for group and individual amplification, selecting and fitting an appropriate aid, and evaluating the effectiveness of amplification.

(2) Counseling services mean services provided by qualified social workers, psychologists, guidance counselors, or other qualified personnel.

(3) Early identification and assessment of disabilities in children means the implementation of a formal plan for identifying a disability as early as possible in a child's life.

(4) Interpreting services include—

(i) The following, when used with respect to children who are deaf or hard of hearing: Oral transliteration services, cued language transliteration services, sign language transliteration and interpreting services, and transcription services, such as communication access real-time translation (CART), C-Print, and TypeWell; and

(ii) Special interpreting services for children who are deaf-blind.

(5) Medical services means services provided by a licensed physician to determine a child's medically related disability that results in the child's need for special education and related services.

(6) Occupational therapy—

(i) Means services provided by a qualified occupational therapist; and

(ii) Includes—

(A) Improving, developing, or restoring functions impaired or lost through illness, injury, or deprivation;

(B) Improving ability to perform tasks for independent functioning if functions are impaired or lost; and

(C) Preventing, through early intervention, initial or further impairment or loss of function.

(7) Orientation and mobility services—

(i) Means services provided to blind or visually impaired children by qualified personnel to enable those students to attain systematic orientation to and safe movement within their environments in school, home, and community; and

(ii) Includes teaching children the following, as appropriate:

(A) Spatial and environmental concepts and use of information received by the senses (such as sound, temperature and vibrations) to establish, maintain, or regain orientation and line of travel (e.g., using sound at a traffic light to cross the street);

(B) To use the long cane or a service animal to supplement visual travel skills or as a tool for safely negotiating the environment for children with no available travel vision;

(C) To understand and use remaining vision and distance low vision aids; and

(D) Other concepts, techniques, and tools.

(8) (i) Parent counseling and training means assisting parents in understanding the special needs of their child;

(ii) Providing parents with information about child development; and

(iii) Helping parents to acquire the necessary skills that will allow them to support the implementation of their child's IEP or IFSP.

(9) Physical therapy means services provided by a qualified physical therapist.

(10) Psychological services include—

(i) Administering psychological and educational tests, and other assessment procedures;

(ii) Interpreting assessment results;

(iii) Obtaining, integrating, and interpreting information about child behavior and conditions relating to learning;

(iv) Consulting with other staff members in planning school programs to meet the special educational needs of children as indicated by psychological tests, interviews, direct observation, and behavioral evaluations;

(v) Planning and managing a program of psychological services, including psychological counseling for children and parents; and

(vi) Assisting in developing positive behavioral intervention strategies.

(11) Recreation includes—

(i) Assessment of leisure function;
(ii) Therapeutic recreation services;
(iii) Recreation programs in schools and community agencies; and
(iv) Leisure education.

(12) Rehabilitation counseling services mean services provided by qualified personnel in individual or group sessions that focus specifically on career development, employment preparation, achieving independence, and integration in the workplace and community of a student with a disability. The term also includes vocational rehabilitation services provided to a student with a disability by vocational rehabilitation programs funded under the Rehabilitation Act.

(13) School health services and school nurse services mean health services that are designed to enable a child with a disability to receive FAPE as described in the child's IEP. School nurse services are services provided by a qualified school nurse. School health services are services that may be provided by either a qualified school nurse or other qualified person.

(14) Social work services in schools include—

(i) Preparing a social or developmental history on a child with a disability;

(ii) Group and individual counseling with the child and family;

(iii) Working in partnership with parents and others on those problems in a child's living situation (home, school, and community) that affect the child's adjustment in school;

(iv) Mobilizing school and community resources to enable the child to learn as effectively as possible in his or her educational program; and

(v) Assisting in developing positive behavioral intervention strategies.

(15) Speech-language pathology services include –

(i) Identification of children with speech or language impairments;

(ii) Diagnosis and appraisal of specific speech or language impairments;

(iii) Referral for medical or other professional attention necessary for the habilitation of speech or language impairments;

(iv) Provision of speech and language services for the habilitation or prevention of communicative impairments; and

(v) Counseling and guidance of parents, children, and teachers regarding speech and language impairments.

(16) Transportation includes –

(i) Travel to and from school and between schools;

(ii) Travel in and around school buildings; and

(iii) Specialized equipment (such as special or adapted buses, lifts, and ramps), if required to provide special transportation for a child with a disability.

PHASE 4 may provide related services to students in the home to students who require related services in the home as part of the IEP. When related services are not provided in the school, PHASE 4 arranges transportation to and from the location of related services in accordance with applicable state and federal regulations.

Related services are provided to students during normal school hours during PHASE 4 regular school year as dictated by the student's IEP or during times and hours as otherwise agreed upon by the student's IEP team. Related services are provided during the extended school year to the extent extended school year services are applicable for a particular student pursuant to state regulations and the student's IEP.

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

ADOPTED this day _____ of _____, 2012

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President

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Secretary

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Section 504 Policy

The Board of Trustees recognizes that all qualified persons with disabilities in PHASE 4 America Cyber Charter School ("PHASE 4") are entitled to a free and appropriate public education under Section 504 of the Rehabilitation Act.

The Section 504 regulations define a person with a disability as any person who (i) has a physical or mental impairment which substantially limits one or more major life activities, (ii) has a record of such an impairment, or (iii) is regarded as having such an impairment.

A "physical or mental impairment" includes:

(A) Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory; including speech organs; cardiovascular; reproductive; digestive; genito-urinary; hemic and lymphatic; skin; and endocrine; or (B) any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

Per the Office for Civil Rights (OCR) guidance regarding "Protecting Students with Disabilities", the regulations "do not set forth an exhaustive list of specific diseases and conditions that may constitute physical or mental impairments."

"Major life activity" includes: functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working. According to OCR, this list is also not exhaustive.

A qualified person with a disability is a person with a disability who is of an age during which it is mandatory under state law to provide such services to persons with disabilities; of an age during which persons without disabilities are provided such services; or a person for whom a state is required to provide a free appropriate public education under IDEA 2004.

All school-age children who are individuals with disabilities as defined by Section 504 are entitled to a free and appropriate public education ("FAPE").
According to the OCR, an appropriate education includes: education services designed to meet the individual education needs of students with disabilities as adequately as the

needs of nondisabled students are met; the education of each student with a disability with nondisabled students, to the maximum extent appropriate to the needs of the student with a disability; evaluation and placement procedures established to guard against misclassification or inappropriate placement of students, and a periodic reevaluation of students who have been provided special education or related services; and establishment of due process procedures that enable parents and guardians to receive required notices, review their child's records, and challenge identification, evaluation and placement decisions, and that provide for an impartial hearing with the opportunity for participation by parents and representation by counsel, and a review procedure.

To be appropriate, education programs for students with disabilities must be designed to meet their individual needs to the same extent that the needs of nondisabled students are met. An appropriate education may include regular or special education and related aids and services to accommodate the needs of individuals with disabilities.

The quality of education services provided to students with disabilities must equal the quality of services provided to nondisabled students. Teachers of students with disabilities must be trained in the instruction of individuals with disabilities. Facilities and classrooms must be comparable, and appropriate materials and equipment must be available.

Students with disabilities may not be excluded from participating in nonacademic services and extracurricular activities on the basis of disability. Persons with disabilities must be provided an opportunity to participate in nonacademic services that is equal to that provided to persons without disabilities. These services may include physical education and recreational athletics, transportation, health services, recreational activities, special interest groups or clubs sponsored by the school, and referrals to agencies that provide assistance to persons with disabilities and employment of students.

Students with disabilities and students without disabilities must be placed in the same setting, to the maximum extent appropriate to the education needs of students with disabilities.

A person with a disability must be placed in the regular education environment, unless it is demonstrated that the student's needs cannot be met satisfactorily with the use of supplementary aids and services. Students with disabilities must participate with nondisabled students in both academic and nonacademic services to the maximum extent appropriate to their individual needs.

As necessary, specific related aids and services must be provided for students with disabilities to ensure an appropriate education setting. Supplementary aids may include

interpreters for students who are deaf, readers for students who are blind, and equipment to make physical accommodations for students with mobility impairments to the extent required in a cyber setting.

Section 504 requires the use of evaluation and placement procedures.

An individual evaluation must be conducted before any action is taken with respect to the initial placement of a child who has a disability, or before any significant change in that placement.

The Chief Executive Officer ("CEO") or his/her designee must establish standards and procedures for initial and continuing evaluations and placement decisions regarding persons who, because of a disability, need or are believed to need special education or related services. Procedures must ensure that tests and other evaluation materials: have been validated for the specific purpose for which they are used, and are administered by trained personnel in conformance with the instructions provided by their producer; are tailored to assess specific areas of education need and are not designed merely to provide a single general intelligence quotient; and are selected and administered so as best to ensure that, when a test is administered to a student with impaired sensory, manual, or speaking skills, the test results accurately reflect the student's aptitude or achievement level or whatever other factor the test purports to measure, rather than reflecting the student's impaired sensory, manual, or speaking skills (except where those skills are the factors that the test purports to measure).

The CEO or his/her designee is directed to draw upon a variety of sources in the evaluation and placement process so that the possibility of error is minimized. All significant factors related to the learning process must be considered. These sources and factors include aptitude and achievement tests, teacher recommendations, physical condition, social and cultural background, and adaptive behavior.

Information from all sources must be documented and considered by a group of knowledgeable persons, and procedures must ensure that the student is placed with nondisabled students to the greatest extent appropriate.

Periodic reevaluation is required.

The CEO or his/her designee must have in effect procedural safeguards regarding the identification, evaluation, or educational placement of persons who, because of disability, need or are believed to need special instruction or related services. Parents must be told about these procedures. In addition, parents or guardians must be notified of any evaluation or placement actions, and must be allowed to examine the student's records. The due process procedures must allow the parents or guardians of students to

challenge evaluation and placement procedures and decisions.

If parents or guardians disagree with the school's decisions, they must be afforded an impartial hearing. A review procedure also must be available to parents or guardians who disagree with the hearing decision.

It is the policy of the Board to provide a free and appropriate public education to each qualified disabled student within PHASE 4, regardless of the nature or severity of the disability. Consequently, it is the intent of the Board to ensure that students who are disabled within the definition of Section 504 are identified, evaluated and provided with appropriate educational services.

PROCEDURES

Students who are in need or are believed to be in need of services under Section 504 may be referred for evaluation by a parent/guardian, teacher, or other certified school employee. Requests should be directed to PHASE 4' CEO (address TBD)

PHASE 4 will consider the referral, and based upon a review of the student's records, including academic, social, testing, and behavioral records, determine whether an evaluation is appropriate. Any student, who, because of a disability, needs or is believed to need special services, will be referred for evaluation. If a request for evaluation is denied, PHASE 4 will inform the parents or guardian of this decision and of their procedural rights.

EVALUATION

The purpose of a student evaluation shall be to determine eligibility for accommodations as a disabled person under Section 504.

PHASE 4' Section 504 evaluation procedures must ensure that:

Evaluation materials have been validated for the specific purpose for which they are used and are interpreted and/or administered by trained personnel in conformance with the instructions provided by their producer.

Tests and the evaluation materials include those tailored to assess specific areas of educational need and not merely those which are designed to provide a single general intelligence quotient.

The eligibility determining team will take into account all records, test results, evaluations, teacher input, counselor input and consider the following when discussing eligibility and possible accommodations:

Determine if there are reasonable accommodations that can enable the student to participate in learning in the school environment.
Do not provide different or separate aid unless it is necessary to make benefits or services as effective as those being provided to all other students in the class.
Do not require the identical result or level of achievement as other students; rather, provide equal opportunity.
If the education of a person, in a regular environment with the use of reasonable supplementary aids, cannot be achieved satisfactorily, then the implementation of an IEP may be considered.
Other students' educational rights may not be significantly impaired by the accommodations.
The accommodations must be reasonable, must not fundamentally alter the school program, or present undue burden to the school.
The accommodations being considered are for the child's current placement only.
No final determination of whether the student is a disabled individual within the meaning of Section 504 will be made without informing the parent or guardian of the student concerning the determination. With regard to a student who is determined to be disabled under Section 504 of the Rehabilitation Act of 1973, but who is not determined to be disabled under IDEA, PHASE 4 shall periodically conduct a re-evaluation of the student as required by law.
The CEO or his/her designee is directed to develop procedures necessary to implement this policy in a school setting.

PORTIONS OF THIS POLICY HAVE BEEN EXCERPTED FROM OCR'S WEB GUIDANCE ON SECTION 504 STUDENTS.

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

ADOPTED this day _____ of _____, 2012

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President

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Secretary

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Special Education Policy

The Board of Trustees of PHASE 4 America Cyber Charter School ("PHASE 4") recognizes that charter schools are bound by Chapter 711 of Pennsylvania's Regulations, Charter School Services and Programs for Children with Disabilities.

The Board of Trustees of PHASE 4 also recognizes that charter schools are not exempt from federal special education laws or regulations. These include but are not limited to the Individuals with Disabilities Education Improvement Act (2004) ("IDEA") and Section 504 of the Rehabilitation Act of 1973.

According to IDEA, schools shall ensure that all children with disabilities residing in the State, regardless of the severity of their disabilities, and who are in need of special education and related services, are identified, located, and evaluated and a practical method is developed and implemented to determine which children with disabilities are currently receiving needed special education and related services.

PHASE 4 must be able to document that students with disabilities, who are in need of special education programs and services, are identified and evaluated through child find activities. Child find includes public awareness activities that are sufficient to inform parents of the special education programs and services that are available and how to request those services.

PHASE 4 must conduct systematic screening activities that lead to the identification and evaluation of children with disabilities. Basic screening procedures might include but are not limited to hearing and vision tests as well as grade level tests of academic performance.

PHASE 4 must also have a system to evaluate the overall success and effectiveness of public awareness and child find activities. Such a system might include, but not be limited to, a school-wide survey by mail or phone to determine how many families had been reached by the public awareness and child find campaigns.

PHASE 4 recognizes that:

- Children with disabilities must be admitted on the same basis as children without disabilities.
- Upon admitting a child with a disability, the school must provide services to address the child's specific needs.
- When a student with a disability transfers to the school, the school is responsible for ensuring that the student receives services that are described in an Individualized Education Program (IEP), either by adopting the old IEP or by developing a new IEP.
- PHASE 4 will use the most current and appropriate versions of Special Education Formats.
- To meet the requirements of federal law, PHASE 4 may provide the services itself, or contract with another entity, such as an intermediate unit or school district, to provide the services, respecting the least restrictive environment requirements.

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

ADOPTED this _____ day of _____, 2012

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President

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Secretary

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Special Education Student Enrollment

PHASE 4 America Cyber Charter School Administration must not deny enrollment or otherwise discriminate in admission practices on the basis of a child's need for special education or supplementary aids or services.

Administration shall comply with the Board's Student Admissions Policy which has been adopted by the Board of Trustees. Administration is further directed to make Admissions Policy available for inspection by auditors from the Pennsylvania Department of Education during any special education cyclical monitoring audit.

Administration shall comply with Section 24 P.S. 17-1723-A of the Charter School Law regarding enrollment and shall not discriminate in its admission policies or practices on the basis of intellectual ability (except to the extent specifically allowed by law), or athletic ability, measures of achievement or aptitude, status as a person with a disability, proficiency in the English language or any other basis that would be illegal under applicable state and/or federal laws or regulations.

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

ADOPTED this _____ day of _____, 2012

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President

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Secretary

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Special Education Training Policy

Personnel

The Chief Executive Officer ("CEO") or his/her designee shall ensure that in-service training appropriately and adequately prepares and trains personnel to address the special knowledge, skills and abilities to serve the unique needs of children with disabilities in the school, including those with low incidence disabilities.

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

Training must be a part of PHASE 4 America Cyber Charter School's Professional Development Plan and Act 48 credits are to be made available.

Trainings are to be administered in areas including but not limited to: behavior support, reading, FAPE in the LRE, Transition, and At/Low Incidence, confidentiality, FBAs/Manifestation Determinations, use of positive behavior support, de-escalation techniques and emergency responses.

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

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

Instructional paraprofessionals are to receive 20 hours of staff development activities related to their assignment each year.

Personal care assistants are to receive 20 hours of staff development activities related to their assignment each school year (the 20 hours of training may include training required by any school-based ACCESS program, if applicable).

Educational interpreters are to receive 20 hours of staff development activities relating to interpreting or transliterating services annually.

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

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

Parent Training: Administration is further directed to make training opportunities available to parents or students who require same as part of any IEP and to the extent appropriate under applicable state and federal laws and regulations.

Administration is directed to maintain appropriate documentation of trainings offered and attendance.

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ADOPTED this _____ day of _____, 2012

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President

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Secretary

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Students with Specific Learning Disabilities Policy

The Board of Trustees directs the Chief Executive Officer ("CEO") or his/her designee to develop procedures for the determination of specific learning disabilities that conform to the criteria in Section 711.25 of Title 22 of the Pennsylvania Code. These procedures are to be included in the school's annual report and any charter renewal application to the extent that a charter renewal application is required to be submitted:

To determine that a child has a specific learning disability, PHASE 4 America Cyber Charter School ("PHASE 4") shall:

(1) Address whether the child does not achieve adequately for the child's age or meet State-approved grade-level standards in one or more of the following areas, when provided with learning experiences and scientifically based instruction appropriate for the child's age or State-approved grade-level standards:

(i) Oral expression.
(ii) Listening comprehension.
(iii) Written expression.
(iv) Basic reading skill.
(v) Reading fluency skills.
(vi) Reading comprehension.
(vii) Mathematics calculation.
(viii) Mathematics problem solving.

(2) Use one of the following procedures:

(i) A process based on the child's response to scientific, research-based intervention, which includes documentation that:

(A) The student received high quality instruction in the general education setting.
(B) Research-based interventions were provided to the student.
(C) Student progress was regularly monitored.

(ii) A process that examines whether a child exhibits a pattern of strengths and weaknesses, relative to intellectual ability as defined by a severe discrepancy between intellectual ability and achievement, or relative to age or grade.

(3) Have determined that its findings are not primarily the result of any of the following:

(i) A visual, hearing or orthopedic disability.
(ii) Mental retardation.
(iii) Emotional disturbance.
(iv) Cultural factors.
(v) Environmental or economic disadvantage.
(vi) Limited English proficiency.

(4) Ensure that underachievement in a child suspected of having a specific learning disability is not due to lack of appropriate instruction in reading or mathematics by considering documentation that:

(i) Prior to, or as a part of, the referral process, the child was provided scientifically-based instruction in regular education settings, delivered by qualified personnel, as indicated by observations of routine classroom instruction.

(ii) Repeated assessments of achievement were conducted at reasonable intervals, reflecting formal assessment of student progress during instruction, which was provided to the child's parents.

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ADOPTED this day _____ of _____, 2012

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President

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Secretary

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Surrogate Parent Policy

PHASE 4 America Cyber Charter School ("PHASE 4") must ensure that an individual is assigned to act as a surrogate of a child when no parent or person acting as the parent can be identified, or PHASE 4, after reasonable efforts, cannot locate the parent, or the child is an unaccompanied homeless youth as defined in the McKinney-Vento Homeless Assistance Act, 42 U.S.C. Sec. 11434 a(6).

PHASE 4 must have a method of determining whether or not a child needs a surrogate parent, and for assigning a surrogate parent to the child as well as ensuring that surrogates are trained and have adequate knowledge to serve in this capacity.

PHASE 4 may select a surrogate parent in any way permitted under State law, but must ensure that a person selected as a surrogate is not an employee of the State Educational Agency ("SEA"), PHASE 4 or any other agency that is involved in the education or care of the child. For a child who is a ward of the State, a surrogate may be appointed by a judge overseeing the child's care or by PHASE 4. The surrogate must have no personal or professional interest that conflicts with the interest of the child the surrogate parent represents. The surrogate parent must have knowledge and skills that ensure adequate representation of the child. The surrogate parent may represent the child in all matters relating to the identification, evaluation, educational placement and provisions of FAPE to the child.

For a homeless youth, not in the physical custody of the parent or guardian, PHASE 4 must appoint a surrogate. Reasonable efforts are to be made by the SEA to ensure the assignment of a surrogate not more than thirty (30) days after there is a determination by PHASE 4 that the child needs a surrogate.

The IDEA of 2004 contains language about seeking parental permission for initial evaluations when a child is a ward of the State. If a child is designated a ward of the State, the whereabouts of the parent is not known or the rights of the parent have been terminated in accordance with State law; someone other than the parent has been designated to make educational decisions for the child. Therefore, PHASE 4 must obtain consent for an initial evaluation from the individual designated to represent the interests of the child.

The Chief Executive Officer ("CEO") or his/her designee is directed to develop procedures that may be necessary to implement this policy.

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ADOPTED this _____ day of _____, 2012

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President

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Secretary

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Transition Services Policy

For students who are 14 years of age or older, PHASE 4 America Cyber Charter School ("PHASE 4") shall include a transition plan in the student's IEP, which includes appropriate measurable postsecondary goals related to training, education, employment and, when appropriate, independent living skills.

If determined appropriate by the IEP team, transition planning may begin prior to 14 years of age.

The student must be invited to the IEP team meeting where transition planning is being considered.

If the student does not attend the IEP meeting, the school must take other steps to ensure that the student's preferences and interests are considered.

Transition services are a coordinated set of activities for a student with a disability designed to be within a results oriented process, that is focused on improving the academic and functional achievement of the student with a disability to facilitate the student's movement from school to post school activities, including postsecondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation that is based on the individual student's needs taking into account the student's strengths, preferences, and interests as well as the fact that the student has been educated in a school setting.

Based on age appropriate assessment, the student's IEP team is to define and project the appropriate measurable postsecondary goals that address education and training, employment, and as needed, independent living. Such postsecondary goals or goals covering education, training, employment or independent living, will be updated annually.

The services/activities and courses of study that support that goal are to be included in student IEPs. For each service/activity, the location, frequency, projected beginning date, anticipated duration, and person/agency responsible are also to be included.

The specific courses of study which facilitate the student's successful move from school to the student's expressed post-school goal must be included in the IEP. If specific

transition services are required, based upon the student's skill deficit area(s), to assist the student in realizing his/her goal(s), these must be set forth in the IEP. Each post-school goal should contain information as to the instruction, related service(s), community experience and if appropriate, acquisition of daily living skills that are necessary for meeting the post-school goal(s).

Overall, for each post-school goal, there must be at least one annual goal included in the IEP which contains the student's name, clearly defined behavior and performance criteria. Lastly, there should be means by which to measure progress towards the post-school goal(s) and indication of adjustment to the transition plan if the progress monitoring data does not support achievement of the goal and/or positive movement towards achievement of same.

The Chief Executive Officer or his/her designee is directed to inform the Board of any new requirements regarding Transition Planning and any need to obtain additional services, training and/or assessment tools related to Transition Planning.

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ADOPTED this day _____ of _____, 2012

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President

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Secretary

PHASE 4 AMERICA™ CYBER CHARTER SCHOOL

The Proven Alternative

Student Policies

2013 – 2014 School Year

The concepts presented in this application are the intellectual property of the applicant, PHASE 4 America, Inc. and/or PHASE 4 Learning Centers, Inc. It shall not be used, transferred sold or licensed to any individual or entity other than the charter applicant, PHASE 4 Learning Center, Inc. or PHASE 4 America, Inc.

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Anti-Bullying Policy

The Board of Trustees recognizes the importance of a safe school environment to the educational process of PHASE 4 America Cyber Charter School ("PHASE 4"). The Board has determined that a safe and civil environment in school is necessary for students to learn and achieve high academic standards. Bullying, like other disruptive or violent behaviors that disrupt both a student's ability to learn and a school's ability to educate its students in a safe environment, is prohibited at PHASE 4. Because students learn by example, school administrators, faculty, staff and volunteers are directed to demonstrate appropriate behavior, treat others with civility and respect and to refuse to tolerate bullying. This policy pertains to all students and staff, regardless of their status.

"Bullying" is defined as an intentional electronic, written, verbal or physical act, or a series of acts:

(1) directed at another student or students;
(2) which occurs in a "school setting" or outside of school and materially and substantially interferes with the educational process or program at the school such as to create a sufficient nexus with the school, as allowed by law;
(3) that is severe, persistent or pervasive; and
(4) that has the effect of doing any of the following:
- substantially interfering with a student's education;
- creating a threatening environment; or
- substantially disrupting the orderly operation of the school; and

A "school setting" shall mean in the school, on school grounds, on the school property, in school vehicles, at designated bus stops or at any activity sponsored, supervised or sanctioned by the school and any time spent necessarily traveling to and from these locations. Additionally, any student who's out of school conduct materially and substantially interferes with the educational process in the school is also subject to this policy.

In addition, bullying includes all forms of cyber-bullying, harassment and intimidation. These and any and all other bullying acts are prohibited.

Students shall conduct themselves in a manner in keeping with their levels of development, maturity, and demonstrated capabilities with a proper regard for the rights and welfare of other students, school staff, volunteers, and contractors.

The Board believes that standards for student behavior must be set cooperatively through interaction among the students, parents and guardians, staff, and community members of PHASE 4, producing an atmosphere that encourages students to grow in self-discipline. The development of this atmosphere requires respect for self and others, as well as for school and community property on the part of students, staff, and community members.

Since bystander support of bullying can bolster these behaviors, PHASE 4 prohibits both active and passive support for acts of bullying. The staff should encourage all students to walk away from these acts when they see them and to report them to the Principal of PHASE 4.

Consequences and appropriate remedial actions for a student or staff member who commits one or more acts of bullying may range from positive behavioral interventions up to and including in school or out of school suspension from PHASE 4 or expulsion or other disciplinary removal from PHASE 4, in the case of a student, or suspension or termination in the case of an employee, as set forth in PHASE 4' approved code of student conduct or employee handbook.

The parents or guardians of a victim of bullying and the parents or guardian of the perpetrator of the bullying shall be immediately notified of the acts. Consequences for a student who commits an act of bullying shall be unique to the individual incident and will vary in method and severity according to the nature of the behavior, the developmental age of the student, and the student's history of problem behaviors and performance, and must be consistent with the school's approved code of student conduct. Remedial measures shall be designed to: correct the problem behavior; prevent another occurrence of the behavior; and protect the victim of the act. In some cases, the bullying may constitute criminal activity and the Pittsburgh Police Department will be notified. This may lead to a criminal investigation and criminal charges against the student.

The Board requires the Principal at PHASE 4 to be responsible for receiving complaints alleging violations of this policy. All school employees are required to report alleged violations of this policy to the Principal. All other members of the school community, including students, parents, volunteers, and visitors, are encouraged to report any act that may be a violation of this policy. Reports may be made anonymously, but formal disciplinary action *may not* be based solely on the basis of an anonymous report.

The Board requires the Principal to be responsible for determining whether an alleged act constitutes a violation of this policy. In so doing, the Principal shall conduct a prompt, thorough, and complete investigation of each alleged incident. The investigation is to be completed within three (3) school days after a report or complaint is made known to the Principal.

The Board prohibits reprisal or retaliation against any person who reports an act of bullying. The consequences and appropriate remedial action for a person who engages in reprisal or retaliation shall be determined by the administrator after consideration of the nature, severity, and circumstances of the act.

The Board prohibits any person from falsely accusing another of bullying. The consequences and appropriate remedial action for a *student* found to have falsely accused another of bullying may range from positive behavioral interventions up to and including suspension or expulsion. Consequences and appropriate remedial action for a *school employee* found to have falsely accused another of bullying shall be disciplined in accordance with school policies, procedures, and agreements.

The Board requires school officials to annually disseminate the policy to all school staff, students, and parents, along with a statement explaining that it applies to all applicable acts of bullying that occur in the school, on school grounds, on the school property, in school vehicles, at designated bus stops or at any activity sponsored, supervised or sanctioned by the school and any time spent necessarily traveling to and from these locations. Additionally, any student's out of school conduct that materially and substantially interferes with the educational process in the school is also subject to this policy.

PHASE 4 will comply with applicable federal and state laws relating to bullying, including but not limited to those requirements delineated in the Charter School Law, Title 22 of Chapter 12 of the Pennsylvania Code and the applicable House Bill 1067 amendments relating to bullying.

PHASE 4 will comply with applicable federal and state laws, including Chapter 711 of Title 22 of the Pennsylvania Code and applicable provisions of the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004) and its applicable implementing regulations regarding the discipline of special education students and thought-to-be eligible students who engage in an act of bullying.

PHASE 4 will further comply with applicable federal and state laws, including Chapter 15 of Title 22 of the Pennsylvania Code regarding Protected handicapped students and applicable sections of Section 504 of the Rehabilitation Act and its applicable implementing regulations.

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

ADOPTED this day _____ of _____, 2012

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President

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Secretary

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Internet Safety Policy Pursuant to the Children's Internet Protection Act (CIPA)

Background

According to the Pennsylvania Department of Education ("PDE"), the Federal Children's Internet Protection Act ("CIPA"), Pub. L. No. 106-554 and 47 USC 254(h), mandates that schools that receive federal technology funds must develop and implement measures and policies to prevent access to "visual depictions" that are determined to be "obscene", "child pornography", or "harmful to minors" as defined herein.

PDE has further stated that schools receiving certain E-rate discounts are also mandated by the Neighborhood Children's Internet Protection Act (N-CIPA) to adopt and enforce an Internet Safety Policy (ISP) that addresses harmful or inappropriate online activities. N–CIPA was passed as part of CIPA.

The Board of Trustees of PHASE 4 America Cyber Charter School ("PHASE 4") has adopted this Policy in order to establish specific standards to comply with CIPA and N-CIPA requirements.

This Policy is to be read in conjunction with PHASE 4's Acceptable Use of Computer Resources Policy and shall supplement, not supplant, PHASE 4's Acceptable Use of Computer Resources Policy.

The Chief Executive Officer "CEO" or his or her designee is directed to include this Policy in the Parent and Student Handbook and the Employee Handbook. Failure to comply with this Policy and/or Internet safety requirements of PHASE 4 shall result in consequences as set forth in the school's Parent and Student Handbook, Code of Conduct or Employee Handbook and/or as allowed by applicable law. Consequences may include, but are not limited to: denial of or restriction to access to technology, suspension, expulsion, notification of authorities, termination, commencement of civil and/or criminal proceedings and/or other consequences available under school policy and/or applicable state and/or federal laws.

This Policy has been adopted after reasonable public notice and at a meeting held open to the public to address this Policy.

Purpose

PHASE 4 uses computer resources to facilitate the education of students and to aid in matters related to the operations of PHASE 4. PHASE 4 further places student Internet safety as a primary concern.

It is every computer user's duty to use computer resources, including the Internet, responsibly, professionally, ethically and lawfully. Access to these resources shall be designated a privilege, not a right.

This policy applies to aspects of both adult and student compliance with Internet safety at PHASE 4.

CIPA/N-CIPA Compliance/Internet Safety

It is the policy of PHASE 4 to:

(1) Prevent user access over its computer network to, or transmission of, inappropriate material via Internet, electronic mail, and all other forms of direct electronic communications;

(2) Prevent unauthorized access and other unlawful online activity;

(3) Prevent unauthorized online disclosure, use, or dissemination of personal identification information of minors; and

(4) Comply with the Children's Internet Protection Act, Pub. L. No. 106-554 and 47 USC 254(h).

To the extent consistent with applicable state and federal laws and reasonably practical, technology protection measures (or "Internet filters") shall be used at PHASE 4 to block or filter Internet, and other forms of electronic communications, and access to inappropriate information. The form and type of technology protection measures used during the 2011-2012 school year include: *See Section 1, Technology*

The term "technology protection measure" means a specific technology that blocks or filters Internet access to visual depictions that are:

(1) Obscene, as that term is defined in section 1460 of title 18, United States Code;

(2) Child Pornography, as that term is defined in section 2256 of Title 18, United States Code; or

(3) Harmful to minors. The term "harmful to minors" means any picture, image, graphic image file, or other visual depiction that:

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.

The terms "sexual act" and "sexual contact" have the meanings given such terms in section 2246 of title 18, United States Code.

As required by the Children's Internet Protection Act (CIPA), blocking shall be applied to visual depictions of material deemed obscene or child pornography, or to any material deemed harmful to minors.

Technology protection measures shall only be disabled pursuant to the direction of the CEO or his or her designee to the extent allowed by applicable law and regulation, for bona fide research or other lawful purposes of an adult as determined by the CEO or his or her designee. The development of procedures for the disabling or otherwise modifying of any technology protection measures shall be the responsibility of the CEO of PHASE 4 or his or her designee.

The CEO or his or her designee shall take reasonable steps to promote the safety and security of users of the online computer network when using electronic mail, chat rooms, instant messaging, and other forms of direct electronic communications.

As required by the Children's Internet Protection Act, prevention of inappropriate network usage at PHASE 4 shall include:

(1) Unauthorized access, including so-called 'hacking,' and other unlawful activities; and

(2) Unauthorized disclosure, use, and dissemination of personal identification information regarding minors.

It shall be the responsibility of all members of the PHASE 4 staff to supervise and monitor usage of the online computer network and access to the Internet in accordance

with this policy and applicable laws, including the Children's Internet Protection Act as well as in accordance with any administrative procedures developed by the CEO in furtherance of this Policy.

In accordance with the "Protecting Children in the 21st Century Act" and its requirement to certify to the Schools and Library Division ("SLD") that the school's Internet Safety Policy includes educating minors about appropriate online behavior, students shall be educated about appropriate online behavior, including cyber-bullying awareness and response and interacting with other individuals on social networking sites and in chat rooms.

With regard to educating minors about appropriate online behavior, the CEO or his or her designee is directed to:

(1) Make such educational opportunities available to students during the school year;

(2) Notify students and their parents about these educational opportunities in advance; and

(3) Maintain documentation of:

a. educational programs offered;
b. the dates and locations of such opportunities;
c. how online safety was taught and what was covered in the programs offered; and
d. those in attendance at the programs offered.

The CEO or his or her designee is directed to file and/or provide the appropriate certifications evidencing compliance with CIPA and N-CIPA as required by applicable state and/or federal laws and regulations.

The CEO or his or her designee is directed to maintain documentation of compliance with CIPA and N-CIPA certification requirements including the annual filing of FCC Form 486.

The CEO or his or her designee is directed to ensure that PHASE 4 employs necessary technology protection measures in accordance with this Policy and shall report to the Board when modifications are needed to technology protection measures at PHASE 4.

The online activities of students shall be monitored and minors' access to harmful materials shall be restricted to the extent required by applicable laws and regulations.

To the extent not inconsistent with applicable laws and regulations, the following disclaimers apply:

(1) There shall be no expectation of privacy by users of PHASE 4' Computer Resources;

(2) PHASE 4 does not guarantee the effectiveness of technology protection measures or internet filtering; and

(3) PHASE 4 does not guarantee network functionality or accuracy of online information.

The CEO is directed to implement any procedures that may be necessary to implement this policy as well as to timely submit any forms and paperwork as required by CIPA and N-CIPA and/or applicable state and federal Internet safety laws and regulations.

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

ADOPTED this day _____ of _____, 2012

_____

President

_____

Secretary

PHASE 4 America Charter School for Public Service

BOARD OF TRUSTEES POLICY

Disciplinary Exclusions and Hearings Policy

Exclusion from School: may take the form of suspension or expulsion;

(1) Suspension is exclusion from school for a period of from one (1) to ten (10) consecutive school days.

(i) Suspensions may be given by the Chief Executive Officer ("CEO") or his/her designee of PHASE 4 America Charter School for Public Service ("PHASE 4").

(ii) A student may not be suspended until the student has been informed of the reasons for the suspension and given an opportunity to respond. Prior notice of the intended suspension need not be given when it is clear that the health, safety or welfare of the school community is threatened.

(iii) The parents or guardians shall be notified immediately in writing when the student is suspended.

(iv) When the suspension exceeds three (3) school days, the student and parent shall be given the opportunity for an informal hearing consistent with the requirements of the Pennsylvania Code.

(v) Suspensions may not be made to run consecutively beyond the ten (10) school day period.

(vi) Students shall have the responsibility to make up exams and work missed while being disciplined by suspension and shall be permitted to complete these assignments within guidelines established by the Board of Trustees ("Board").

(2) Expulsion is exclusion from school by the Board for a period exceeding ten (10) school days and may be permanent expulsion from the school rolls. Expulsions require a prior formal hearing pursuant to the Pennsylvania Code.

(i) During the period prior to the hearing and decision of the Board in an expulsion case, the student shall be placed in his/her normal class except as set forth in subsection (ii).

(ii)If it is determined after an informal hearing that a student's presence in his/her normal class would constitute a threat to the health, safety or welfare of others and it is not possible to hold a formal hearing within the period of a suspension, the student may be excluded from school for more than ten (10) school days. A student may not be excluded from school for longer than fifteen (15) school days without a formal hearing unless mutually agreed upon by both parties. Any

student so excluded shall be provided with alternative education, which may include home study.

(iii) Students who are under 17 years of age are still subject to the compulsory school attendance law even though expelled and shall be provided an education.

(1) The initial responsibility for providing the required education rests with the student's parents or guardian, through placement in another school, tutorial or correspondence study, or another educational program approved by the district's superintendent.

(2) Within thirty (30) days of action by the Board, the parents or guardians shall submit to PHASE 4 written evidence that the required education is being provided as described in paragraph (1) or that they are unable to do so. If the parents or guardians are unable to provide the required education, PHASE 4, within the (10) days of receipt of the notification, make provision for the student's education. A student with a disability shall be provided educational services as required by the Individuals with Disabilities Education Act 2004.

(3) If the approved educational program is not complied with, PHASE 4 may take action in accordance with 42 Pa.C.S. Chapter 63 (relating to the Juvenile Act) to ensure that the child will receive a proper education. See Pennsylvania Code § 12.1(b) (relating to free education and attendance).

Exclusion from classes—in-school suspension

(1) A student may not receive an in-school suspension unless the student has been informed of the reasons for the suspension and has been given an opportunity to respond before the suspension becomes effective.

(2) Communication to the parents or guardian shall follow the suspension action taken by PHASE 4.

(3) When the in-school suspension exceeds ten (10) consecutive school days, an informal hearing with the CEO or his/her designee shall be offered to the student and the student's parent or guardian prior to the eleventh (11th) school day in accordance with the procedures in the Pennsylvania Code.

(4) PHASE 4 has the responsibility to make provision for the student's education during the period of the in-school suspension.

Hearings

(a) *General.* Education is a statutory right, and students shall be afforded due process if they are to be excluded from school. In a case involving a possible expulsion, the student is entitled to a formal hearing.

(b) *Formal hearings.* A formal hearing is required in all expulsion actions. The hearing may be held before the Board or an authorized committee of the Board, or a qualified hearing examiner appointed by the Board. When a committee of the Board or a hearing

examiner conducts the hearing, a majority vote of the entire Board is required to expel a student. The following due process requirements shall be observed with regard to the formal hearing:

(1) Notification of the charges shall be sent to the student's parents or guardians by certified mail.

(2) At least three (3) days notice of the time and place of the hearing shall be given. A copy of the expulsion policy, notice that legal counsel may represent the student and hearing procedures shall be included with the hearing notice. A student may request the rescheduling of the hearing when the student demonstrates good cause for an extension.

(3) The hearing shall be held in private unless the student or parent requests a public hearing.

(4) The student may be represented by counsel, at the expense of the parents or guardians, and may have a parent or guardian attend the hearing.

(5) The student has the right to be presented with the names of witnesses against the student, and copies of the statements and affidavits of those witnesses.

(6) The student has the right to request that the witnesses appear in person and answer questions or be cross-examined.

(7) The student has the right to testify and present witnesses on his/her own behalf.

(8) A written or audio record shall be kept of the hearing. The student is entitled, at the student's expense, to a copy. A copy shall be provided at no cost to a student who is indigent.

(9) The proceeding shall be held within fifteen (15) school days of the notification of charges, unless mutually agreed to by both parties. A hearing may be delayed for any of the following reasons, in which case the hearing shall be held as soon as reasonably possible:

(i) Laboratory reports are needed from law enforcement agencies.

(ii) Evaluations or other court or administrative proceedings are pending due to a student invoking his/her rights under the Individuals With Disabilities Education Act 2004 (20 U.S.C.A. § § 1400—1482).

(iii) In cases in juvenile or criminal court involving sexual assault or serious bodily injury, delay is necessary due to the condition or best interests of the victim.

(10) Notice of a right to appeal the results of the hearing shall be provided to the student with the expulsion decision.

(c) *Informal hearings.* The purpose of the informal hearing is to enable the student to meet with the appropriate school official to explain the circumstances surrounding the event for which the student is being suspended or to show why the student should not be suspended.

(1) The informal hearing is held to bring forth all relevant information regarding the event for which the student may be suspended and for students, their parents or guardians and school officials to discuss ways by which future offenses might be avoided.

(2) The following due process requirements shall be observed in regard to the informal hearing:

(i) Notification of the reasons for the suspension shall be given in writing to the parents or guardians and to the student.

(ii) Sufficient notice of the time and place of the informal hearing shall be given.

(iii) A student has the right to question any witnesses present at the hearing.

(iv) A student has the right to speak and produce witnesses on his/her own behalf.

(v) PHASE 4 shall offer to hold the informal hearing within the first five (5) days of the suspension.

Discipline of Students with Disabilities

PHASE 4 shall comply with the Individuals with Disabilities Education Improvement Act (IDEA 2004) and any applicable federal and state statutes or regulations when disciplining students with disabilities. Students with disabilities who engage in inappropriate behavior, disruptive or prohibited activities, and/or conduct injurious to themselves or others shall be disciplined in accordance with their Individualized Education Programs (IEP), behavioral intervention plan, Title 22 Chapter 711 and relevant portions of Chapter 12 of the State Board of Education Regulations, IDEA 2004, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, and any other applicable federal or state law.

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

ADOPTED this day _____ of _____, 2012

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President

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Secretary

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

English as a Second Language/Bilingual Program Policy

Purpose:

In accordance with the Board of Trustees' ("Board") philosophy to provide a quality educational program for all students, the PHASE 4 America Cyber Charter School ("PHASE 4") shall provide an appropriate planned instructional program for identified students whose dominant language is not English.

The purpose of the program is to increase the English language proficiency of English language learner so students can attain the state academic standards within the ESL program setting as well as within the regular classroom environment, to provide equal opportunities for these students to participate in extra curricular activities, and to provide the cultural, social and emotional supports for English language learners to adapt to this new cultural setting.

Definition:

English as Second Language students (ESL) are from diverse linguistic and cultural backgrounds. We must equip students with the skills to compete in American Society. Our students must develop academic skills along with their general program peers while additionally learning English. As they are in transition from their native language to English, the emphasis must be on developing academic skills that comply with Pennsylvania State Standards.

Responsibility

PHASE 4 shall provide a program for each student whose dominant language is not English for the purpose of facilitating the student's achievement of English proficiency and the academic standards. The program shall include bilingual-bicultural or English as a Second Language instruction. The program shall meet the three-pronged test of program compliance: (1) sound research-based education theory, (2) sufficient resources and staffed by appropriate prepared personnel, (3) periodic program evaluation.

The Chief Executive Officer ("CEO") or his/her designee shall implement and supervise a ESL/Bilingual Program that meets the legal requirements for ESL/Bilingual program compliance.

The CEO or his/her designee, in conjunction with appropriate stakeholders, shall develop and disseminate written procedures regarding the ESL program.

1. Program goals;
2. Student enrollment procedures (i.e., Home Language Survey);
3. Assessment procedures for program entrance, measuring progress in gaining English proficiency, and program exiting;
4. Accommodations for English as Second Language (ESL) students in the general education classroom;
5. Grading policies; and
6. List of resources including support agencies and interpreters.

As part of the registration process a Home Language Survey will be completed for every student entering PHASE 4 and filed in the student's permanent record folder through graduation.

The Administration and faculty of PHASE 4 will monitor the progress of ESL students and will provide appropriate accommodations within the content areas to ensure achievement of the academic standards and curricular goals. The designated ESL teacher will complete the grading and evaluation process for ESL students (in English, Reading, and Language Arts)

The program shall be evaluated for effectiveness based on the attainment of English proficiency yearly. If ESL students are not making adequate progress towards English acquisition, the student's individual program and school program shall be reviewed and modified as indicated to ensure greater success.

Students shall have access to and should be encouraged to participate in all PHASE 4 academic and extracurricular activities available.

The goals of the PHASE 4' ESL program are to assist the English language learner in using English:

- to communicate in social settings;
- to achieve academically in all content areas; and
- in socially and culturally appropriate ways.

ESL students will be placed in appropriate grade level classes. They will receive instruction in all content areas as do other students in the class. The ESL student will receive additional supplement support and instruction from the ESL teacher

periodically during Language Arts class and during necessary content area classes. The ESL teacher will assist the classroom teacher in identifying and implementing teaching strategies that will help the ESL student achieve academic success in the classroom. During the initial period of language acquisition and development, PHASE 4 may grade the ESL student on a pass/fail basis.

The ESL program will come under the direction of the CEO or his/her designee. He/She will be responsible for the assurance of the implementation of the program and that proper procedures are being followed. The CEO or his/her designee and ESL teacher will be responsible for informing staff with instructional strategies and cultural needs of students who will receive ESL instruction. ESL teaching resource materials will be obtained by the coordinator and kept in his/her office for reference for both program and non-program teachers.

Program Goals and Objectives

PHASE 4 has developed the following goals and objectives for the ESL program.

Goal 1: To use English to communicate in social settings
Objective: By the end of the school year, students will increase their ability to use English to participate in social interactions. This will be evidenced by observation of students in cooperative learning activities, playground interactions and personal conversation.

Objective: By the end of the school year, students will increase their ability to interact in, through and with spoken and written English for personal expression and enjoyment. This will be evidenced by personal writing journals and book choice with reading log.

Goal 2: To use English to achieve academically in all content areas.
Objective: By the end of the school year, students will increase their use of English to interact in the classroom; evidenced by conversations with the teacher, observations of student in cooperative group settings and observation of students in social interactions, report cards and WIDA test results.

Objective: By the end of the school year, students will increase their ability to use English to obtain process, construct and provide subject matter information in spoken and written form. This will be evidenced by an increase in standardized testing content area scores, a portfolio of student work and the teacher's observations of

the student's ability to pose questions and have discussions in content area classes.

Goal 3: To use English in socially and culturally appropriate ways
Objective: By the end of the school year, students will increase their ability to the appropriate language variety, register, and genre according to the audience, purpose and setting. This will be evidenced by student academic presentations, observations of student's social conversations with peers and conversations with the teacher.

Objective: By the end of the school year, students will increase their ability to use nonverbal communication appropriate to audience, purpose and setting. This will be evidenced by observations of student by the teacher.

The success of the ESL program will be measured by: students increasing scores within their level of the program; students testing to the next level of the program; and students testing out of the program as evidenced by yearly English proficiency testing. Success will also be measured by an increase in academic scores on a content area standardized test. We will also look at student portfolios and teacher narratives to demonstrate progress of the ESL student.

Attendance policies will be the same for ESL students as for English-speaking students.

The Student Handbook will clearly state PHASE 4' policy and expectations.

PHASE 4' policy on ESL student participation in school-wide assessments and the PSSA. Students with immigrant status who have lived in the United States for less than one year are exempt form participating in the PSSA and local assessments.

Identification and Placement

Entry Criteria

Students will be placed in the ESL program based on their W-APT scores and additional criteria including current or previous grades, performance on state assessment and school based formative or summative assessments. The eligibility criterion is aligned with the requirements established by the Pennsylvania Department of Education.

Exit Criteria

The exit criteria English Language Learners (ELL's) represents valid and reliable evidence of a student's English language proficiency to exit from an English language instructional program.

Once a student exits the program, he/she will be monitored for two years. During that time, the ESL teacher will maintain contact with the classroom teacher to monitor the student's progress. At the end of each year, the student progress will be evaluated to determine if he/she is maintaining or demonstrates growth in language skills. Students will be placed back into the ESL program if evidence does not support maintenance or growth of language skills.

Instructional Program

PHASE 4 will implement English to Speakers of Other Languages (ESL) program. ESL planned instruction will be aligned to the Pennsylvania Academic Standards. ESL and classroom teachers will use the Standards when creating lessons and planning instruction in order to meet the goals and objectives of the ESL program.

- **Special Education** for ESL students would be instruction designed for students who require some degree of modification in their educational programs because of intellectual, emotional, sensory, or physical impairments. Effective IEPs for exceptional ESL students would account for all of the students' basic educational needs, including the need for English-as-a-second-language (ESL) instruction. ESL students enrolled in special education would require what is most appropriately labeled Special Education-ESL (SE-ESL) which indicates that the services to be provided account for both a particular student's disability needs and the students second language status. Modifications would possibly include special curricular materials, specialized teaching strategies or behavior management techniques.

Interpretation services will be provided where necessary for meetings with parents and notices and documents will be provided in parents' native language unless it is not feasible to do so.

Program Evaluation Procedures

Individual student progress will be evaluated on a continuous basis with the ESL teacher and classroom teacher providing individual learning plan changes to ensure academic success for the ESL student. PHASE 4 will evaluate the ESL program as a whole on a yearly basis. A yearly review of student standardized test scores, English

proficiency test scores, student portfolios, and teacher narratives regarding observations will be reviewed to note student progress in the program.

A standardized form will be kept in the student's permanent record file noting date, level and English proficiency score upon entering the program, report of progress towards ESL goals, and academic standardized test scores. A narrative regarding the attainment of the program objectives by each student will also be part of the data collection and review process. This will allow a quick overview of the effectiveness of the ESL program.

The CEO and his/her designee will oversee the implementation of the ESL program. He/she will be responsible for overseeing the identification process of the ESL, instructional program, data collection and program review.

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

ADOPTED this day _____ of _____, 2012

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President

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Secretary

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Drug and Alcohol Abuse Policy

The Board of Trustees ("Board") recognizes that the misuse of drugs is a serious problem with legal, physical and social implications for PHASE 4 America Cyber Charter School ("PHASE 4") communities. As an educational institution, PHASE 4 should strive to prevent the abuse of drugs.

The possession, use of and/or condition of being under the influence of narcotic drugs or dangerous drugs are defined by federal and state laws. Drugs and the possession of paraphernalia related to the use thereof on PHASE 4' property, buses, or at any PHASE 4' sponsored function is prohibited. This also includes all substances which constitute so-called bogus or counterfeit drugs.

For purposes of this policy, the term "drug," "drugs," and/or "controlled substances" shall mean: all controlled substances prohibited by law; all look-alike drugs; all alcoholic beverages; all malt beverages; any drug paraphernalia; any anabolic steroids; any prescription or patent drug or other medication; any non-prescription drug or medications; any mood altering substance; any mind altering substance; and/or, any inhalant except those for which permission for use in PHASE 4 or at PHASE 4' sponsored events has been granted pursuant to Board policy.

The Board prohibits huffing, unlawful manufacture, possession, use, distribution and/or sale of any drug or controlled substance at any time, on PHASE 4' property at any time, on PHASE 4 sponsored or sanctioned transportation, and at any PHASE 4 sponsored or sanctioned event, even if conducted off PHASE 4' property.

The Board may require participation in drug counseling, rehabilitation, testing or other programs as a condition of reinstatement into PHASE 4' educational, extracurricular, or athletic programs. This testing will be at the sole expense of the student's parent(s) and/or legal guardian(s).

The Chief Executive Officer ("CEO") shall prepare rules for the identification and control of abuse of controlled substances which shall: establish procedures dealing with students suspected of huffing, unlawful manufacture, possession, use, distribution, and/or sale of controlled substances in the district, on PHASE 4' property, or at PHASE 4 sponsored or sanctioned events, up to and including expulsion and

referral for prosecution; discourage abuse of controlled substances; and establish procedures for the instruction and readmission to PHASE 4 of students convicted of offenses involving controlled substances. In addition, the CEO shall ensure that students are made aware of this policy, and that students violating this policy are subjected to PHASE 4' Discipline Policy. The prohibitions outlined in this policy shall be made a part of PHASE 4' code of conduct and shall be distributed to students and parents.

Incidents of alleged violations by any person on PHASE 4' property shall be reported to the Office of Safe Schools or other agency established for reporting purposes on the required form at least once each year. In all cases involving students and drugs, the need to protect PHASE 4' community from undue harm and exposure to drugs shall be recognized.

Implementation of Policy

1. Students bringing prescription and non-prescription medication to PHASE 4 sponsored events for reasons of health must present to the school nurse a note signed by the parent and one by the prescribing doctor with dosing and other applicable instructions.

2. Students judged to be in need of immediate medical attention will be taken by a staff member to the school nurse.

3. It is the responsibility of each PHASE 4 employee to notify the CEO of any students who appear to be in apparent need of immediate medical attention, or of students allegedly huffing, unlawfully manufacturing, possessing, using, distributing, and/or selling controlled substances.

4. PHASE 4' personnel and coaches shall not recommend, supply and/or dispense any drug, medication or food supplement.

In order to minimize health and safety risks to student athletes, maintain ethical standards, and reduce liability risks, PHASE 4' personnel and coaches shall never condone, permit, encourage, supply, recommend, and/or dispense any drug, medication, or food supplement recommended by the manufacturer for performance-enhancing purposes.

5. Parents are to be informed of the concern for a child regarding huffing, unlawful manufacture, possession, use, distribution, and/or sale of controlled substances. Evidence will be turned over to the police.

6. The CEO is required to notify police of all incidents in which students are apprehended for the huffing, unlawful manufacture, possession, use, distribution, and/or sale of controlled substances on PHASE 4' premises or at any PHASE 4 sponsored event. Any physical evidence of violation of laws relating to drug use shall be turned over to police officials by the CEO. PHASE 4 will ask the police to cooperate and produce the physical evidence at the hearing.

7. The CEO shall be given immediate verbal notice of all drug violations. Such notice shall be followed before the end of the day with a written report setting forth the pertinent details of the incident.

8. A student apprehended by PHASE 4' officials for the alleged violation of this policy shall be subject to the following disciplinary procedures:

a. The CEO will immediately implement a ten-day out-of-school suspension.

b. The CEO may recommend expulsion to the Board, on a case-by-case basis.

c. Participation in extracurricular activities by the offender will be prohibited at least during the period of suspension and potentially longer as evaluated by the CEO on a case by case basis.

d. The CEO shall take all steps necessary to comply with the Individual with Disabilities Education Act and its amendments for students with disabilities.

9. All desks, clothing, backpacks, gym bags, and other personal possessions, and lockers used by students shall be subject to inspection by PHASE 4' authorities when reasonable suspicion exists.

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

ADOPTED this day _____ of _____, 2012

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President

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Secretary

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Health Examination Policy

Purpose

In compliance with the Pennsylvania School Code, the Board shall require that PHASE 4 America Cyber Charter School's students submit to appropriate health and dental examinations to ensure each student's health status is at an optimal level and that achievement is not lessened as a result of unresolved or undiagnosed health problems.

Authority

1) Each student shall receive a comprehensive health examination in the first, sixth, and eleventh grades by PHASE 4 America Cyber Charter School ("PHASE 4"). These examinations shall be conducted by the school physician or school nurse practitioner at various locations (students/parents will ne notified of times, dates and locations in advance). A private examination conducted at the parents' request and at their expense will be accepted in lieu of the school examination.

2) Annual vision tests shall also be given to each student. Other tests as determined by the Pennsylvania Advisory Health Board shall be as follows: hearing tests for children in grade eleven; tuberculosis tests (PPD) for children in grade nine; annual height and weight examinations for children in ninth through twelfth grade including body mass index; and dental exams upon entry to PHASE 4.

3) For each student transferring to the Charter School the Superintendent or CEO shall request an adequate health record from the transferring school. If the record is not transferred or missing necessary documentation, PHASE 4 shall conduct a medical exam for a comprehensive health appraisal upon student's entry to PHASE 4.

4) The individual student records of health examinations shall be maintained as a confidential record subject to statute and the policies of the Board.

5) A student who presents a statement signed by his/her parent or guardian that a medical examination is contrary to his/her religious beliefs shall be examined only when the Secretary of Health determines that the student presents a

substantial health menace to the health of other persons exposed to contact with the unexamined person(s).

6) Where it appears to school health officials or teachers that a child deviates from normal growth and development or where school examinations reveal conditions requiring health or dental care, the parent or guardian of the student shall be so informed and a recommendation shall be made that the parent consult a private physician or dentist. The parent shall be required to report to the school the action taken subsequent to such notification.

7) When the parents or guardians inform PHASE 4 of financial inability to provide an examination, PHASE 4 shall advise them of the special educational medical procedures available in the local school districts .

8) Parents and guardians of students who are to be examined shall be notified of such examinations. The notice shall include the date and location of the examination and encouragement that the parent or guardian attend. Such notice may also include notification that the parent may have the examination conducted privately at the parents' expense and encouragement that the parent do so in the interest of providing continuity in the student's health care; and, notification that the student may be exempted from such examination if it is contrary to the parents' religious beliefs.

Delegation of Responsibility

1) The CEO shall instruct all staff members to observe students continually for conditions that indicate physical defect or disability and to report such conditions promptly to the school nurse.

2) When a CEO receives a report of the existence of a communicable disease in a student's family, the school physician, school nurse practitioner or nurse must be notified and vice versa and also the Department of Health in either circumstance.

3) A pupil with a communicable disease may not be readmitted to school except upon written receipt of a physician's certificate of recovery or a statement that the illness is not communicable, or upon instruction from the school physician, school nurse practitioner, or nurse.

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

ADOPTED this day _____ of _____, 2012

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President

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Secretary

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Marking Student Progress Policy

Purpose:

The Board of Trustees ("Board") recognizes that a system of marking student progress and achievement can help the student, teachers, parents and guardians to better assess the student's progress toward educational goals.

The Board also acknowledges the value of a system of computing grade point averages and class ranking for senor high school graduates to inform students, parents, and others of each graduate's relative academic placement among his/her peers.

Definition:

Marking shall be that system of evaluation and recording student progress and achievement which enables the student, parents, guardians and teachers to learn the student's strengths and weaknesses; plan an educational and vocational future for the student in the areas of the greatest potential for success; and determine where remedial work is required.

Delegation of Responsibility:

1) The Board directs that the instructional program of PHASE 4 America Cyber Charter School ("PHASE 4") include a system of marking for all students which is consistent with the educational goals of PHASE 4.

2) The CEO shall develop procedures that provide:

    a) Each student, at the outset of any course of study, with the expected achievement for that course.

    b) Information, on a continual basis, to each student regarding his/her progress and achievement during the course of study.
    c) Teachers with marking procedures appropriate to the course of study and the maturity of the students.

d) Encouragement of students to evaluate their progress and achievement.
e) Periodic review and, if necessary, revision of all marking procedures. To the greatest extent possible, this review shall involve students, staff and parents.
f) Consistency of marking procedures and format in all schools.

1) All students shall be ranked together.

2) Class rank shall be computed by final marks in all subjects.

3) Any two or more students whose computed grade point averages are identical shall be given the same rank.
   1) The rank of the student who immediately follows a tied position will be determined by the number of students preceding him/her and not by the rank of the person preceding him/her.
   2) In recognition of varied course requirements, grade point averages shall be weighted to reflect this variation.
   3) A student's grade point average and rank in class shall be entered on his/her records and shall be subject to the Board's policy on release of student records.
   4) Rank in class shall be entered on students' records and on all transcripts where they will be available for review by authorized persons.
   5) The statement of the methods for such computation and assignment shall be made available for those to whom a student's grade point average or rank in class is released.

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

ADOPTED this day _____ of _____, 2012

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President

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Secretary

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Student Assistance Program – Drug and Alcohol Policy

1. Purpose

   1.1 This policy, including its rules, regulations and guidelines, is a coordinated effort by PHASE 4 America Cyber Charter School ("PHASE 4") to openly and effectively respond to the potential and current uses and abuses of drugs, alcohol and mood altering substances by members of its entire student population.

2. Objectives

   - Through the use of a revised curriculum, classroom activities, community support and resources, a strong and consistent administrative and faculty effort, and rehabilitative and disciplinary procedures, PHASE 4 will work to educate, prevent and intervene in the use and abuse of all drug, alcohol and mood altering substances by the entire student population.

   - As an extension of this policy, the following rules, regulations, and guidelines shall be used by all school personnel when responding to drug, mood altering substance, and alcohol related situations.

3. Definition

   - Drug/Mood Altering Substance/Alcohol – Shall include any alcohol or malt beverage, any drug listed in Act 64 (1972) as a controlled substance, chemical, abused substance or medication for which a prescription is required under the law and/or any substance which is intended to alter mood.

   - Examples of the above include, but are not limited to, beer, wine, liquor, marijuana, hashish, chemical solvents, glue, look alike substances and any capsules or pills not registered with the nurse, annotated within the student's health record and given in accordance with PHASE 4' policy for the administration of medication to students in school.

- Student Assistance Program – is a multi-disciplinary team composed of school personnel (teachers, staff, administrators, nurses, counselors) and other members of the community. This team has been trained to understand and work on the issues of adolescent chemical use, abuse, and dependency and will play a primary role in the identification and referral process of students coming to their attention through the procedures outlined in this policy.

- Chemical Abuse Specialist – is a certified program specialist with expertise in the area of chemical dependency and school-based assessment.

- Distributing – deliver, sell, pass, share or give any alcohol, drug, or mood altering substance, as defined by this policy, for one person to another to aid therein.

- Possession – possess or hold, without any attempt to distribute, any alcohol, drug or mood altering substance determined to be illegal or as defined by this policy.

- Cooperative Behavior – shall be defined as the willingness of a student to work with staff and school personnel in a reasonable and helpful manner, complying with requests and recommendations of the members of the Student Assistance Program.

- Uncooperative Behavior – is a resistance or refusal, verbal, physical or passive, on the part of the student to comply with the reasonable request or recommendations of school personnel. Defiance, assault, deceit, and flights shall constitute examples of uncooperative behavior. Uncooperative behavior shall also include the refusal to comply with the recommendations of the members of the Student Assistance Program.

- Drug Paraphernalia – includes any utensil or item which in the school's judgment can be associated with the use of drugs, alcohol, or mood altering substances. Examples include, but are not limited to, roach clips, pipes, and bowls.

4. Statement of Policy

4.1. A student who on school grounds, during a school session, or anywhere at a school-sponsored activity or on school related transportation is under the influence of alcohol, drugs or mood altering substances or possesses, uses, dispenses, sells or aids in the procurement of alcohol, narcotics, restricted drugs, mood altering substances, or any substance purported to be a restricted substance or over the counter drug shall be subjected to discipline pursuant to the provisions and procedures outlined in the PHASE 4' Code of Conduct.

4.2 As an integral part of PHASE 4' Drug and Alcohol Prevention Program, these guidelines represent one component in an effort to respond effectively to drug, mood altering substance and alcohol related situations that may occur at school-sponsored activities. These guidelines are intended to provide a consistent minimum disciplinary means to respond to drug, mood altering substance and alcohol related incidents.

4.3 PHASE 4 will provide a safe and health environment for students with due consideration for their legal rights and responsibilities. The Board of Trustees reserves the right to use any extraordinary measures deemed necessary to control substance abuse even if the same is not provided for specifically in any rule or regulation enumerated herein.

See Program for Student Support System - Summarization of Drug and Alcohol Administrative Guidelines.

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

ADOPTED this day _____ of _____, 2012

_____
President

_____
Secretary

PROGRAM FOR STUDENT SUPPORT SYSTEM
SUMMARIZATION OF DRUG AND ALCOHOL ADMINISTRATIVE GUIDELINES

SITUATIONAL CATEGORY	IMMEDIATE ACTION	INVESTIGATION	NOTIFICATION OF PARENTS	NOTIFICATION OF POLICE	DISPOSITION OF SUBSTANCE	DISCIPLINE/ REHABILITATION
1. The possible use of drugs, alcohol or mood altering substances by a student of violation of law or school regulation.	The student is informed of available help and encouraged to seek assistance.	Referral to the Student Assistance Program.	Yes	Not applicable.	Not applicable.	An intervention conference will be held by the Student Assistance Program Team as warranted by the individual situation..
2. The student has a drug, mood altering substance or alcohol related medical emergency.	Standard health and first aid procedures will be followed. The nurse will be summoned immediately. The student will be transported to a medical facility via emergency medical services.	The CEO/Principal will investigate the incident. This will include a search of the student, his/her locker, car and other possessions.	Yes, .	At the discretion of the Executive Director.	Analysis will be made.	Referral in the Student Assistance Program. Referral to Student Code of Conduct for appropriate discipline.
3. A student possesses drug-related paraphernalia.	CEO/Principal is summoned. Paraphernalia is confiscated. Staff member writes report of the incident . which is placed in student file.	The student, his/her desk, locker, car and other possessions will be searched.	Yes,.	At the discretion of the CEO/Principal.	Confiscated by School personnel.	Referral to Student Assistance Program. .Referral to Student Code of Conduct for appropriate discipline.
4. A student is found to be in possession, use, or under the influence of drugs, mood altering substances or alcohol at school or when attending a school sponsored function.	The chaperone will contact the School's group advisor or administrator. A report of the incident will be written and submitted to the CEO and placed in the student's file.	The student will be searched and , his/her desk, locker, car and other possessions may be searched.	Yes.	At the discretion of the CEO/Principal.	Analysis will be made for possible use in further proceedings.	Referral to Student Assistance Program. The student will be detained until a parent can accompany the student unless condition warrants contacting emergency medical services.. Further discipline as provided by the Student Code of Conduct. .
8. A student is distributing a drug, mood altering substance, or alcohol.	CEO/Principal is summoned. Staff member report of the incident which is placed in Student file. .	The student, his/her locker, car, desk and other possession will be searched.	Yes, requested to come to the CEO/Principal's office immediately.	Yes,	Analysis for use in further proceedings will be requested.	Referral to Student Code of Conduct for appropriate discipline.

ALL STAFF MEMBERS, ADMINISTRATORS, AND MEMBERS OF THE BOARD OF TRUSTEES INVOLVED IN SUCH CIRCUMSTANCES ARE OGLIGATED TO GUARD THE CONFIDENTIALITY OF THE STUDENT.

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Student Assistance Program – Suicide Referral Policy

1. Purpose

   1.1 Suicide is the leading cause of death among teenagers in Pennsylvania. Recognizing the alarming increase in teenage depression/suicides, PHASE 4 America Cyber Charter School ("PHASE 4") has developed the stated procedures to assist administrators and staff in dealing with students at risk. These procedures have been developed as part of the Student Assistance Program. The primary focus of this effort will be the implementation of a referral process. PHASE 4 will support all efforts initiated by the family (treatment plans) that contribute toward the safety and well being of students at risk.

2. Authority

   2.1 PHASE 4 recognizes that all school personnel should be alerted to the warning signs of childhood and adolescent depression/suicide. It is PHASE 4' belief that students at risk should receive the necessary help as quickly and as professionally as possible. The primary responsibilities of school personnel working with a depressed or suicidal student are support, parental contact and referral.

3. Definitions

   - Student at risk – marked change in behavior; expressed suicidal ideation (verbal or written) and/or depression.

   - Depression – a mental state characterized by dejection, lack of hope, absence of cheerfulness, and/or aggressive behavior and impulsive outbursts characterized by expression of anger.

   - Prevention – to hinder or ward off the occurrence of self-harm through education, and thus increase awareness.

   - Intervention – confrontational procedure intended to protect an individual from harm.

- Post-invention – appropriate method to deal with the aftermath of a suicide. Includes notification of staff, students, and media. Provides for establishment of short term support groups.

- Impulsivity – inclined to sudden or spontaneous acts.

- Confidentiality – in recognition of a student's right to privacy, information is only on a "need to know" basis.

- Professional Behavior – staff members shall adhere to written policy guidelines, maintain the appropriate level of confidentiality, and use the Core Team as their primary support resource.

- Core Team – those staff members trained in the assessment and evaluation of information dealing with students at risk.

4. Procedures – See Procedural Flow Chart – Student at Risk

   - Primary Contact – person initiating the referral; includes parents, family, physician, self, other students, school employees and community members.

   - Referral – Administrator, counselor, school psychologist, nurse or Core Team Member and these individuals should involve interagency assistance when necessary, ie., psychiatric consult.

   - Intervention – Evaluation by two of the above.

   - Parent Notification – Share information with parent.

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

ADOPTED this day _____ of _____, 2012

_____
President

_____
Secretary

SUICIDE INTERVENTION PROCEDURES

SITUATION	IMMEDIATE ACTION	INFORMATION COLLECTION	PARENT NOTIFICATION	REFERRAL	DISPOSITION*
LEVEL I RISK This refers to the youth who is threatening or making an attempt on his/her life at the present time.	Staff member will: 1. Notify the Executive Director or Core SAP Team Member immediately. 2. Never leave a student alone and monitor student until he/she is under the supervision of Executive Director or Core SAP Team Member. School Psychologist and School Counselor will be informed of the situation 3. If violent or out of control, police summoned to transport student to mental health facility or hospital.	At least two Core SAP Team Members will assess level of risk by collecting and documenting all pertinent information about the student but not limited to a private interview with the student. Information will be placed in the student's file. Provide report as necessary to District.	Immediately, by phone, requesting an immediate in-school parent conference with Exec. Dir., School Psychologist, School Counselor or Core SAP Team. If parents of child under 13 years of age refuse to come to school or participate, the School, may, acting in loco parentis, have student examined by an emergency psychiatric consult at a Community Mental Health Center. Document attempts to reach parents in student file. Police should be notified.	Discuss with parents referral for professional assessment at a mental health facility. Provide parents with appropriate community resources. Follow up letter to parents with referrals and recommendations from SAP Team.	Transport to hospital by two Core Team Members with emergency medical service or by parent. Student admitted back to school upon written recommendation from health provider. Continued monitoring and documentation by SAP Team. Obtain Release of Information from parents to meet with student's teacher(s) prior to student return to school. When appropriate, consult with Children and Youth Services.
LEVEL II RISK This is the youth who is not an immediate risk but has exhibited depression and marked behavioral changes.	Staff member will: 1. Notify CEO or Core Team Member immediately. 2. Monitor student until he/she is under the supervision of CEO or Core Team Member. School Psychologist will be informed of the situation immediately.	At least two Core Team Members will assess level of risk by collecting and conducting all pertinent information about the student but not limited to a private interview with the student.	Immediately, by phone, requesting an immediate in-school parent conference with CEO, Counselor or Core Team.	When deemed appropriate, referral is made for professional assessment.	Counselor/Core Team will meet with student's teachers. If student remains in school or upon return, student will be monitored for at least 12 weeks.
SUICIDE ATTEMPT IN SCHOOL	Staff member will remain with student until medical emergency procedures are initiated. CEO, Nurse, Counselor immediately contacted. School Psychologist will be informed of the situation.	Core Team, CEO, will talk with witnesses and document all pertinent information concerning time, place and method of attempt.	Immediately, parents phone for in-school conference with CEO, and Core Team.	Immediate and mandatory referral to hospital with psychiatric unit.	Follow medical emergency procedure. Same as Level I. Support service provided per postvention procedures. Continued monitoring by Core Team. Meeting with student's teachers prior to return to school.

SUICIDE ATTEMPT OUT OF SCHOOL	CEO, Counselor, or other Core Team Member will contact parent/guardian to confirm attempt.	Determine and document circumstances relating to incident. Determine what professional assessment help or treatment was undertaken. Notify School Psychologist.	N/A	Encourage parental follow-up with hospital. Ask for release of information if the referral was initiated by family.	Continued monitoring and documentation by Core Team. Meeting with student's teachers prior to return to school.
STUDENT COMPLETES SUICIDE IN OR OUT OF SCHOOL	Notify CEO, or designee. Follow emergency medical procedures if completed in school. CEO, Core Team implements postvention procedure and offers support to family, friends and witnesses.	Core Team Members will document all pertinent information relating to incident.	Immediately, if completion in school.	N/A	As per postvention plan for survivors.

*Note: Disposition of Situation Level I Risk: Child who is 14 years or older may authorize own evaluation. If student unable to understand treatment offered or uncooperative, involuntary examination may be requested by PHASE 4. Community Mental Health forms to be completed by School personnel with personal knowledge of suicide attempt. Community Mental Health staff will contact mental health delegate to authorize exam. Police to transport student and accompanied by two SAP Team members.

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Student Conduct and Discipline Policy

Purpose

1.1 The Board of Trustees of PHASE 4 America Cyber Charter School ("PHASE 4") has the authority to make reasonable and necessary rules governing the conduct of students in PHASE 4. The rulemaking power, however, is not unlimited; it must operate within statutory and constitutional restraints. The Board acts within those powers that are enumerated in the statutes of the Commonwealth, or that may reasonably be implied or necessary for the orderly operation of PHASE 4.

Authority

2.1 Accordingly, the Board's adoption of a Student Code of Conduct, which contains student rights and responsibilities as well as levels of misconduct and resulting discipline, is within its grant of authority from the General Assembly. The rules contained within this Code of Conduct are to be implemented in a consistent and non-discriminatory manner and are a rational means of accomplishing the legitimate school purpose of a safe and orderly environment in which students may be instructed.

All students in PHASE 4 are entitled to share in its educational and related programs to the extent of their abilities without regard to race, color, sex, sexual orientation, national origin, religion or handicap. Every student is expected to behave at school and in school-related activities in accordance with public laws, school rules and lawful directions of assigned staff, and to deal fairly and courteously with fellow students, staff and the public.

2.2 Given the ongoing developments in technology, this Code of Conduct must specifically apply to student use of computers and computer technology. Therefore, a separate document and related procedures shall be developed and implemented and shall be identified as an "Acceptable Use of Technology and Internet Safety

Policy" for computer, electronic mail and other technology use by both students and staff.

2.3 The Chief Executive Officer ("CEO") shall develop and disseminate reasonable rules to carry out the purpose of this policy. These rules shall comply with applicable public law and shall include the following elements:

(a) Standards of student conduct shall inform students and staff what conduct is acceptable and what is prohibited. These standards shall apply to students while traveling to and from school, at school and in all school-related activities and shall be appropriate to students' ages.

(b) Disciplinary sanctions shall state which staff may employ what sanctions to penalize and correct students who violate reasonable standards of conduct. Discipline must be rationally related to the offense, designed to teach responsibility for one's actions and applied without discrimination on account of race, color, sex, sexual orientation, national origin or religion.

2.4 Authorized sanctions shall not include corporal punishment of students.

2.5 Procedures to enforce standards of conduct and apply disciplinary sanctions shall provide for due process by giving students notice of the offense charged and an opportunity to respond. The extent of appeal to review the application of any discipline shall be reasonably related to the weight of the sanction.

2.6 These standards of student conduct will be presented to the Board of Trustees for approval.

2.7 Student records shall reflect disciplinary action to the extent necessary to support educational and counseling objectives with appropriate safeguards for proper use and limited dissemination.

2.8 Special education students are afforded appropriate protection of their due process rights through a separate document, "Special Education Discipline Procedures."

2.9 This Code shall be published and distributed to students and parents or guardians on an annual basis and copies of the code shall also be available in the main office.

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

ADOPTED this _____ day of _____, 2012

_____
President

_____
Secretary

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Student Immunization Policy

It is the policy of PHASE 4 America Cyber Charter School ("PHASE 4") to comply with applicable state laws and regulations designed to ensure that school children are immunized against diseases which spread easily in schools and interrupt school life and learning for individuals and groups.

ADMITTANCE

A child may not be admitted to or permitted to attend the charter school unless the immunization, exemption or provisional admission requirements of the Department of Health, at 28 Pa. Code Chapter 23, Subchapter C (relating to immunization), have been met or the child has received from the Chief Executive Officer ("CEO") of PHASE 4 a medical or religious exemption from immunization under 28 Pa. Code § 23.84 (relating to exemption from immunization).

PROVISIONAL ADMITTANCE

A child who has not received all doses of the required immunizations or who has not been exempted from immunization, but who has received at least **one dose** of each of the required immunizations as described more fully below, may be provisionally admitted and attend school for a period of up to 8 months. Provisional admission or continued attendance shall be conditioned upon the parent or guardian's submission to the CEO of PHASE 4 of a plan for the student's completion of the required immunization doses. The plan shall be reviewed by the charter school at least every 60 calendar days. If, after 8 months, the child has not received all doses of the required immunizations, the child thereafter may not be further admitted to or be permitted to attend the charter school until all doses have been received.

DEFINITIONS

The following words and terms, when used in this policy, have the following meanings, unless the context clearly indicates otherwise:

Ascertain--To determine whether or not a child is immunized as defined in this policy.

Attendance at school--The attendance at a grade, or special classes, kindergarten through 12th grade.

Certificate of immunization--The official form furnished by the Department of Health. The certificate is filled out by the parent or health care provider and signed by the health care provider, public health official or school nurse or a designee. The certificate is given to the school as proof of immunization. The school maintains the certificate as the official school immunization record or stores the details of the record in a computer data base.

Department--The Department of Health of the Commonwealth.

Immunization--The requisite number of dosages of the specific antigens at the recommended time intervals under the regulations.

Record of immunization--A written document showing the date of immunization-- that is, baby book, Health Passport, family Bible, other states' official immunization documents, International Health Certificate, immigration records, physician record, school health records and other similar documents or history.

Secretary--The Secretary of the Department.

IMMUNIZATION REQUIREMENTS

REQUIRED FOR ENTRY. The following immunizations are required for entry into school for the first time at the first grade level:

(1) Hepatitis B. Three properly-spaced doses of hepatitis B vaccine or a history of hepatitis B immunity proved by laboratory testing.

(2) Diphtheria. Four or more properly-spaced doses of diphtheria toxoid, which may be administered as a single antigen vaccine, in combination with tetanus toxoid or in combination with tetanus toxoid and pertussis vaccine. One dose shall be administered on or after the 4th birthday.

(3) Tetanus. Four or more properly-spaced doses of tetanus toxoid, which may be administered as a single antigen vaccine, in combination with diphtheria toxoid or in combination with diphtheria toxoid and pertussis vaccine. One dose shall be administered on or after the 4th birthday.

(4) Poliomyelitis. Three or more properly-spaced doses of any combination of oral polio vaccine or enhanced inactivated polio vaccine.

(5) Measles (rubeola). Two properly-spaced doses of live attenuated measles vaccine, the first dose administered at 12 months of age or older, or a history of measles

immunity proved by serological evidence showing antibody to measles as determined by the hemagglutination inhibition test or a comparable test. Each dose of measles vaccine may be administered as a single antigen vaccine.

(6) German measles (rubella). One dose of live attenuated rubella vaccine, administered at 12 months of age or older or a history of rubella immunity proved by serological evidence showing antibody to rubella determined by the hemagglutination inhibition test or any comparable test. Rubella vaccine may be administered as a single antigen vaccine.

(7) Mumps. One dose of live attenuated mumps vaccine, administered at 12 months of age or older or a physician diagnosis of mumps disease indicated by a written record signed by the physician or the physician's designee. Mumps vaccine may be administered as a single antigen vaccine.

(8) Chickenpox (varicella). One of the following:

(i) One dose of varicella vaccine, administered at 12 months of age or older.

(ii) A history of chickenpox immunity proved by laboratory testing or a written statement of history of chickenpox disease from a parent, guardian or physician.

MINIMAL IMMUNIZATIONS REQUIRED FOR ATTENDANCE

The following immunizations are required as a condition of attendance if the child has not received the immunizations required for school entry listed under "**IMMUNIZATION REQUIREMENTS**" above:

(1) Diphtheria. Three or more properly spaced doses of diphtheria toxoid, which may be administered as a single antigen vaccine, in combination with tetanus toxoid or in combination with tetanus toxoid and pertussis vaccine.

(2) Tetanus. Three or more properly spaced doses of tetanus toxoid, which may be administered as a single antigen vaccine, in combination with diphtheria toxoid or in combination with diphtheria toxoid and pertussis vaccine.

(3) Poliomyelitis. Three or more properly spaced doses of either oral polio vaccine or enhanced inactivated polio vaccine. If a child received any doses of inactivated polio vaccine administered prior to 1988, a fourth dose of inactivated polio vaccine is required.

(4) Measles (rubeola). Two properly spaced doses of live attenuated measles vaccine, administered at 12 months of age or older or a history of measles immunity

proved by serological evidence showing antibody to measles determined by the hemagglutination inhibition test or a comparable test. Each dose of measles vaccine may be administered as a single antigen vaccine.

(5) German measles (rubella). One dose of live attenuated rubella vaccine, administered at 12 months of age or older or a history of rubella immunity proved by serological evidence showing antibody to rubella determined by the hemagglutination inhibition test or any comparable test. Rubella vaccine may be administered as a single antigen vaccine.

(6) Mumps. One dose of live attenuated mumps vaccine, administered at 12 months of age or older or a physician diagnosis of mumps disease indicated by a written record signed by the physician or the physician's designee. Mumps vaccine may be administered as a single antigen vaccine.

EXEMPTION FROM IMMUNIZATION.

MEDICAL **EXEMPTION**. Children need not be immunized if a physician or the physician's designee provides a written statement that immunization may be detrimental to the health of the child. When the physician determines that immunization is no longer detrimental to the health of the child, the child shall be immunized according to this policy and the state regulations.

A medical exemption will not be granted unless a parent or guardian makes this objection in writing to the CEO of PHASE 4 and a written statement from a physician that immunization may be detrimental to the health of the child is received by the charter school in accordance with state regulations.

Only licensed physicians allowed by law and the Department of Health may make medical exemption determinations. A medical exemption for a specific antigen(s) should be documented in the statement of exemption. All other immunizations are still required.

RELIGIOUS EXEMPTION. Children need not be immunized if the parent, guardian or emancipated child objects in writing to the immunization on religious grounds or on the basis of a strong moral or ethical conviction similar to a religious belief. Statements of religious or strong moral or ethical conviction similar to a religious belief opposing immunization must be submitted in writing and signed by the parent, guardian or emancipated child. A space on the Certificate of Immunization is provided for this purpose.

HOMELESS YOUTH

For those students designated as homeless in accordance with applicable state and federal laws, special provisions related to immunization requirements exist under the No Child Left Behind Act of 2001 and the CEO and/or the Homeless Youth Liaison are responsible for assistance with meeting established immunization requirements.

RESPONSIBILITIES OF SCHOOL AND ADMINISTRATION.

(a) The CEO of PHASE 4 shall appoint a knowledgeable person to perform the following:

(1) Inform the parent, guardian or emancipated child at registration or prior to registration, if possible, of the requirements of the state regulations pertaining to immunizations.

(2) Ascertain the immunization status of a child prior to admission to school or continued attendance at school.

(i) The parent, guardian or emancipated child shall be asked for a completed certificate of immunization.

(ii) In the absence of a certificate of immunization, the parent, guardian or emancipated child shall be asked for a record or history of immunization which indicates the month, day and year that immunizations were given. This information shall be recorded on the certificate of immunization and signed by the school official or the official's designee, or the details of the record shall be stored in a computer database.

(b) If the knowledgeable person designated by the CEO is unable to ascertain whether a child has received the immunizations required by § 23.83 (relating to immunization requirements) or by subsection (e) below or is exempt under § 23.84 (relating to exemption for immunization), the school administrator may admit the child to school or allow the child's continued attendance at school only according to the requirements of subsections (d) and (e) below.

(c) The parent or guardian of a child or the emancipated child who has not received the immunizations required by § 23.83 shall be informed of the specific immunizations required and advised to go to the child's usual source of care or nearest public clinic to obtain the required immunizations.

(d) A child not previously admitted to or not allowed to continue attendance at school because the child has not had the required immunizations shall be admitted to or permitted to continue attendance at school only upon presentation to the school administrator or school administrator's designee of a completed certificate of

immunization or immunization record, upon submission of information sufficient for an exemption under § 23.84, or upon compliance with subsection (e).

(e) If a child has not received all the antigens described in § 23.83, the child may be provisionally admitted to school **only if evidence of the administration of at least one dose of each antigen described in § 23.83 is given to the school administrator or the administrator's designee and the parent or guardian's plan for completion of the required immunizations is made part of the child's health record. The plan for completion of the required immunizations shall be reviewed every 60 days by the school administrator or the administrator's designee. Subsequent immunizations shall be entered on the certificate of immunization or entered in the school's computer database. Immunization requirements described in § 23.83 shall be completed within 8 months of the date of provisional admission to school. If the requirements are not met, the school administrator may not admit the child to school or permit continued attendance.**

(f) A school shall maintain on file a certificate of immunization for a child enrolled. An alternative to maintaining a certificate on file is to transfer the immunization information from the certificate to a computer database. The certificate of immunization or a facsimile thereof generated by computer shall be returned to the parent, guardian or emancipated child or the school shall transfer the certificate of immunization (or facsimile) with the child's record to the new school when a child withdraws, transfers, is promoted, graduates or otherwise leaves the school.

The CEO is further directed to:

1. Annually review the state standards and regulations for immunization of pupils and direct the responsible school personnel accordingly.

2. Inform parents and guardians of children prior to their entry to school for the first time of the requirements of immunization, the requisite proof of immunization, the exemption available for religious or medical reasons and the means by which such exemptions may be claimed.

3. Investigate and recommend to the Board such school-sponsored programs of immunization as may from time to time be warranted by circumstances and the health of the school community. Any such program is subject to Board approval and should be conducted in cooperation with local health agencies.

4. Require that a completed Certificate of Immunization (an official certificate furnished by the Department of Health) be on file at the school. The Certificate of Immunization shall become the school immunization record or the record of exemption. This

certificate may be recorded and maintained in a computer data base program if allowed by applicable laws and regulations.

5. Require that the Certificate of Immunization or a facsimile be sent to the new school when a child is transferred to another. The record or facsimile may also be given to the parent or guardian when the student transfers to another school, graduates or otherwise leaves the school.

6. Require the annual reporting of student immunization status to the Division of Immunization, Department of Health, by October 15 of each year.

SCHOOL REPORTING.

(a) The school shall report immunization data to the Department of Health by **October 15** of each year, using forms provided by the Department.

(b) The school administrator or the administrator's designee shall forward the reports to the Immunization Program, Bureau of Communicable Diseases, Post Office Box 90, Harrisburg, Pennsylvania 17108.

(c) Duplicate reports shall be submitted to the county health department if the school is situated in a county with a full-time health department.

(d) Content of the reports shall include the following information:

(1) The identification of the school including the name of the school, the school district, the county, the intermediate unit and the type of school.

(2) The month, day and year of report.

(3) The number of students attending school by grade-level.

(4) The number of students attending school by grade-level who were completely immunized.

(5) The number of students attending school by grade-level who were classed as medical exemptions.

(6) The number of students attending school by grade-level who were classed as religious exemptions.

(7) The number of students provisionally admitted.

(8) The number of children who were denied admission because of their inability to qualify for provisional admission.

(9) Other information as required by the Department.

(e) For purposes of reporting the immunization status of a school's students to the Department, the following grade-levels will be used: 7-9, 10-12 and special education.

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

ADOPTED this day _____ of _____, 2012

_____
President

_____
Secretary

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Wellness Policy on Physical Activity and Nutrition

Purpose

The Board of Trustees of PHASE 4 America Cyber Charter School ("PHASE 4"), in combination with students, parents, administrators, faculty and staff, is committed to providing a school environment that promotes and protects children's health, well-being, and ability to learn by supporting healthy eating habits and physical activity. As a means to fostering such a school environment, the Board of Trustees of PHASE 4 sets forth the following goals and adopts the following Wellness Policy on Physical Activity and Nutrition.

School Meals

- To the extent practicable, all meals served to PHASE 4' students through the National School Lunch and Breakfast Programs will meet or exceed the minimum nutrition requirements established by local, state and federal law, as well as Dietary Guidelines published by the federal government or an appropriate governmental agency. Similarly, any foods and/or beverages sold from vending machines, through snack lines, at student stores, celebrations, athletic events, any school-sponsored or school-related event, or for the purpose of fundraising will, to the extent practicable, meet or exceed the minimum nutrition requirements.

- PHASE 4 will make efforts to eliminate the social stigma attached to, and to prevent the identification of, students who are eligible for free and/or reduced-price school meals.

- PHASE 4 will schedule meal periods at reasonably appropriate times, and will provide students with a minimum of twenty (20) minutes to enjoy their meals. In addition, PHASE 4 will discourage the scheduling of meetings or activities during meal times, including, but not limited to, tutoring, club meetings and/or organization meetings, unless the students will be permitted to eat during those meetings or activities.

- PHASE 4 will provide facilities for appropriate hygiene, such as hand-washing and brushing of teeth.

- Students will be discouraged from sharing foods and/or beverages with others.

- PHASE 4 will not use foods or beverages for the purpose of rewarding students for academic achievement or good behavior; unless such a reward system is specifically identified in a student's Individualized Education Program. Likewise, PHASE 4 will not restrict or withhold foods or beverages for the purpose of disciplining or punishing students.

- No food of limited nutritional value, as defined by federal or state law will be offered to students, faculty or staff during school hours, or at school-sponsored or school-related activities or events.

Nutrition Education

- Nutrition education will be integrated into other areas of the curriculum, such as math, science, language arts and social studies at all grade levels.

- Nutrition education will be developmentally appropriate, interactive, and will teach skills needed to adopt healthy eating behaviors.

- Nutrition education materials will be reviewed by a qualified and credentialed nutrition professional, including, but not limited to, a School Food Nutrition Specialist or Registered Dietitian.

- Faculty and staff that teach nutrition education will have appropriate training.

- Informational materials will be provided to students and families to encourage sharing of health and nutrition information, and to encourage healthy eating in the home.

- Any marketing of foods and/or beverages undertaken by PHASE 4 will be consistent with established guidelines and/or standards.

Physical Activity

- Physical activity will be integrated across curricula with activities that are safe, enjoyable and developmentally appropriate for all students in all grades.

- All students will be given opportunities before, after, and throughout the school day for physical activity through physical education, recess periods and integration of physical activity into the curriculum.

- Faculty and staff will be appropriately trained in integrating physical activity into the various curricular areas.

- Students will be encouraged to participate in physical activity outside of the school environment, in both competitive and non-competitive environments.

- Organized physical activity will be offered and encouraged at school-sponsored or school-related events.

- To the extent practicable, PHASE 4' facilities will be made available to students, faculty, staff and the community for the purpose of offering physical activity and/or nutrition programs.

- Physical activity will not be used or withheld as punishment.

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

ADOPTED this _____ day of _____, 2012

_____
President

_____
Secretary

PHASE 4 AMERICA CYBER CHARTER SCHOOL

STUDENT CODE OF CONDUCT

DRAFT

Policy Statement

The Board of Trustees of PHASE 4 America Cyber Charter School ("PHASE 4") has the authority to make reasonable and necessary rules governing the conduct of students in school. The Board of Trustees of PHASE 4 is committed to creating a safe and positive learning environment wherein students recognize their rights and responsibilities, as well as those of other students, teachers, parents, administrators, and members of the school community.

Purpose

The purpose of the Student Code of Conduct is to define the rights and responsibilities of student and parent members of the school community, the standards for acceptable conduct of students, and the consequences for failure to meet those standards. In doing so, the Board of Trustees seeks to provide a safe environment in which students can learn and thrive individually and as members of a larger community.

PHASE 4 complies with all applicable federal, state and local laws in providing equal opportunity to all Charter School students. Consistent with the Pennsylvania Human Relations Act (43 P. S. § § 951—963), a student may not be denied access to a free and full public education, nor may a student be subject to disciplinary action on account of race, color, familial status, religious creed, ancestry, handicap or disability, age, sex, national origin, the use of a guide or support animal because of the blindness, deafness or physical handicap of the user or because the user is a handler or trainer of support or guide animals.

Scope of Student Code of Conduct

This Code of Conduct applies to conduct of PHASE 4 students that occur:

- During such times as they are under the supervision of PHASE 4, including the time they are in attendance at the school as well as the time necessarily spent in coming to and returning from school;
- Off PHASE 4s grounds at any school-related activity, function or event;
- Off PHASE 4s grounds when the conduct may reasonably be expected to (i) endanger the safety of students, teachers, administrators, or any other member of the school community; (iii) or substantially and materially disrupt the school; and

- While traveling to and from school on school buses or vans, regardless of PHASE 4 or District of ownership, or on public transportation.

Rights and Responsibilities of Students

General

Student responsibilities include regular school attendance, conscientious effort in classroom work and homework, and conformance to school rules and regulations. Most of all, students are responsible to share with the administration and faculty a responsibility to develop a climate within PHASE 4 that is conducive to wholesome learning and living.

No student has the right to interfere with the education of fellow students. It is the responsibility of each student to respect the rights of teachers, students, administrators and all others who are involved in the educational process.

Students should express their ideas and opinions in a respectful manner.

It is the responsibility of the students to conform to the following:

(1) Be aware of all rules and regulations for student behavior and conduct themselves in accordance with them. Students should assume that, until a rule is waived, altered or repealed in writing, it is in effect.

(2) Volunteer information in matters relating to the health, safety and welfare of the school community and the protection of PHASE 4 property.

(3) Dress and groom to meet standards of safety and health, and not to cause substantial disruption to the educational processes.

(4) Assist PHASE 4 staff in operating a safe school for the students enrolled therein.

(5) Comply with Commonwealth and local laws.

(6) Exercise proper care when using public facilities and equipment.

(7) Attend school daily and be on time at all classes and other PHASE 4 functions.

(8) Make up work when absent from school.

(9) Pursue and attempt to complete satisfactorily the courses of study prescribed by local school authorities.

(10) Report accurately in student media.

(11) Not use obscene language in student media or on PHASE 4 premises.

Guidelines and Consequences for Student Behavior

No student may engage in conduct, or encourage any other person to engage in conduct, that jeopardizes or threatens the health, safety or welfare of any member of the

school community, or that disrupts or undermines the educational mission of PHASE 4.

None of the consequences listed below will be applied in such a manner as to discriminate against any student based on race, sex, color, religion, sexual orientation, national origin or disability. The Administration of PHASE 4 will impose consequences for behavior that falls within the range of consequences for a particular violation of this Code. The severity and/or nature of the consequence imposed will be based on factors including, but not limited to, age of the student, number of prior offenses, disability, and/or severity of the violation.

PHASE 4 has the right to impose consequences for acts or behaviors that are not specifically delineated within this Code if those acts or behaviors threaten the health, safety and/or welfare of other members of the school community, or if those acts or behaviors disrupt the learning environment.

Various means may be used by PHASE 4 personnel to discourage or extinguish undesirable behaviors. Such means may include counseling the student; conferencing with the parent/s; assigning extra responsibilities at school; assigning community service; or imposing detention, in-school suspension, out-of-school suspension for up to ten (10) consecutive school days, expulsion for a period of more than ten (10) consecutive school days, or permanent expulsion.

Corporal punishment is defined as physically punishing a student for an infraction of the discipline policy. Use of corporal punishment is strictly prohibited by law and PHASE 4 policy. Teachers and school authorities may only use reasonable force under the following circumstances:

(1) To quell a disturbance.

(2) To obtain possession of weapons or other dangerous objects.

(3) For the purpose of self-defense.

(4) For the protection of persons or property.

Level I Rules

Various means may be used by PHASE 4 personnel on a case by case basis to discourage violations of Level I Rules. Such means may include: counseling the student; conferencing with the parents; assigning extra responsibilities at school; assigning community service; detention; in-school suspension; or out-of-school suspension for up to ten (10) consecutive school days. A single violation of a Level I Rule generally will not result in a referral for expulsion. However, a single violation of

a Level I rule can result in a referral to the Board of Trustees for an expulsion hearing with a recommendation that the student be expelled for a period of more than ten (10) consecutive school days if, after reviewing all of the circumstances, the administration of PHASE 4 determines that such a referral is appropriate.

Rule 1 **No student may disrupt the school or the learning environment.**

- Students shall act in a courteous manner at all times and toward all members of the PHASE 4 school community, and shall not engage in conduct which disrupts any school-sponsored or school-related educational program or activity.

- The following, although not exhaustive, shall be considered violations of this Rule:

1. Disobedience
2. Disrespect
3. Dishonesty
4. Failure to follow established school rules
5. Failure to attend class or late arrival to class without a valid excuse
6. Failure to comply with the established dress code
7. Failure to comply with the established attendance policy
8. Loitering and/or failure to provide identification upon request
9. Possession or use of beepers, pagers, cell phones, walkman, ipod, MP3 players, look-alike or toy weapons (those that are capable of inflicting serious bodily injury will be treated as a Level II offense), laser pointers, mace, pepper spray, lighter, or any telephonic, stereophonic or digital device, not including a calculator or digital watch, during school hours or programs
10. Running or making of excessive noise in the school building
11. Lying to school authority
12. Failure to follow established classroom rules
13.

Rule 2 **No student shall use offensive language.**

- Students shall refrain from using language that may be classified as obscene, offensive or vulgar, or which would violate school policies regarding discrimination or harassment of any kind.

- A student will be considered to have violated this Rule if he or

she makes libelous or slanderous remarks directed at another member of the school community.

- A student will be considered to have violated this Rule if he or she sends or forwards any offensive, sexually-oriented, obscene, vulgar, or threatening messages, pictures, or symbols from any source to any member of the PHASE 4 school community.

- A student will be considered to have violated this Rule if he or she wears or displays any colors or symbols with the intent to show or indicate allegiance to or affiliation with any gang.

Rule 3 **Students shall maintain good records of attendance.**

- The following, although not exhaustive, will be considered violations of this Rule:

1. Excessive unexcused absence (i.e. three or more)
2. Excessive unexcused lateness or tardiness (i.e. three or more)
3. Failing to report to class without a valid excuse
4. Truancy

Rule 4 **Students shall maintain the highest standards of academic honesty and integrity.**

- A student will be considered to have violated this Rule if he or she forges any paper, report, test or notes, or engages in any other type of cheating and/or copying of the work of another student.

- A student will be considered to have violated this Rule if he or she plagiarizes any publication or paraphrases any publication without appropriate citation.

Rule 5 **Students shall be respectful, self-controlled, non-disruptive and considerate in their relationships with all members of the PHASE 4 school community.**

Rule 6 **Students shall not engage in gambling, or take or place bets on chance for personal benefit.**

Rule 7 **Students shall not engage in improper use of technology.**

- Students shall respect the computer privileges granted to them

and shall comply with PHASE 4 Acceptable Use Policy whenever they use the School's computers, equipment, network system or any other technology owned by or licensed through the School.

- The following, although not exhaustive, shall be considered violations of this Rule:

    1. Giving his or her password to another individual
    2. Using another's password
    3. Illegally downloading copyrighted material from the internet
    4. Purposely or recklessly visiting sites on the internet that contain sexually explicit or otherwise offensive materials
    5. Harming, damaging or disrupting hardware or software
    6. Harming or destroying the data of another person or student
    7. Harming or destroying the internet or other school networks
    8. Purposely or recklessly creating, downloading, or uploading a computer virus
    9. Breaking into or hacking into other files or systems
    10. Accessing or altering school records, information or files without express permission
    11. Conducting any business enterprise
    12. Sending by electronic mail or other forms of electronic communication (such as texting, Twitter, posting on any social networking site, posting on any bulletin board, newsgroup, or chat group) material that is fraudulent, harassing, sexually explicit, pornographic, violent or advocating of violence, profane, obscene, intimidating, threatening, defamatory, discriminatory, or otherwise unlawful or inappropriate. Accessing, reviewing, displaying, or storing such materials in PHASE 4 Computer Resources shall also be a violation of this Rule.

Rule 8 **Students shall not damage, deface, destroy or steal school property or the personal property of another member of the school community.**

- A student will be considered to have violated this Rule if he or she creates graffiti, carves, tears, cuts or otherwise marks, regardless of whether the marking is permanent, property owned or leased by, or licensed to PHASE 4.
- A student will be considered to have violated this Rule if he or she steals or attempts to steal school property or any property leased or licensed to the school, or the personal property of another member of the school community while on school property or at any school-sponsored or school-related activity or event.
- A student will be considered to have violated this Rule if he or she attempts to pass or solicit counterfeit money or to make counterfeit money.
- A student will be considered to have violated this Rule if he or she attempts to purchase stolen or illegally obtained property at any school-sponsored or school-related activity or event.

Rule 9 **Students shall not cause or attempt to cause physical injury to any member of the school community.**

- Students will be held responsible for their purposeful, reckless and negligent actions and the reasonably foreseeable consequences of their actions.

- The following, although not exhaustive, shall be considered violations of this Rule:

    1. Physical contact by pushing, punching, shoving, slapping or hitting
    2. Physical contact by kicking
    3. Throwing any object that may cause injury to another at any member of the school community
    4. Biting
    5. Spitting
    6. Roughhousing or horseplay

Rule 10 **Students shall not recklessly endanger any member of the school community.**

- Students shall not act in any manner which creates a substantial and unjustifiable risk of harm to others and indicates a conscious indifference to the consequences of the act.

Rule 11 **Students shall not falsely activate any fire alarm, security system, smoke detector or any other device which may cause disruption of the school community, fear or panic.**

- Any student who falsely activates any such device or renders a false report that results in a response by authorities including, but not limited to, the fire department, the police, emergency medical personnel, or results in evacuation of the school building will be considered to have violated this Rule and may be subject to sanctions under federal, state or local law.

Rule 12 **Students may not possess, use, distribute or solicit the use or distribution of any tobacco product or related paraphernalia while on property owned by, leased or licensed to PHASE 4, or while at any school-sponsored or school-related activity or event.**

A pattern of violations of this Rule may result in expulsion or placement of the student in an alternative school that addresses issues of substance abuse.

Rule 13 **Students may not possess, use, distribute or solicit the use or distribution of any unauthorized prescription or non-prescription medication, drug, narcotic, hallucinogen, steroid, growth hormone, amphetamine, barbiturate, opiate, marijuana, inhalant, alcohol or any other intoxicant or related paraphernalia while on property owned by, leased or licensed to PHASE 4, or while at any school-sponsored or school-related activity or event. No violation of this rule will occur where the student is specifically allowed to possess such drug or inhaler by the student's physician, upon receipt of documentation from the student's physician and approval by the school nurse in accordance with the PHASE 4 Medications Policy.**

- A pattern of violations of this Rule may result in expulsion or placement of the student in an alternative school that addresses issues of substance abuse.

Rule 14 **Students shall not directly or indirectly communicate any threat to any member of the school community which places that person in fear or apprehension of injury, pain or ridicule.**

Continual threats, harassment, bullying or intimidation are considered and treated as Level II offenses.

Rule 15 **Students shall not expose or attempt to expose their genitalia to any member of the school community, nor shall they touch the genitalia of another.**

- **Sexual assault, acts or harassment shall not be considered violations of this Rule, but shall be treated as Level II offenses.**

Level II Rules

Students who engage in activities that violate any federal, state or local law may be subject to criminal charges and punishment in addition to any disciplinary measures undertaken by PHASE 4. Violations of Level II rules will likely result in suspension from PHASE 4 and may result in a referral to the Board of Trustees for an expulsion hearing with a recommendation that the student be expelled for a period of more than ten (10) consecutive school days. A lesser penalty may be imposed if, after reviewing all of the circumstances, the administration believes that such a lesser penalty is appropriate.

Rule 16 **No student shall engage in repeated violations of this Code.**

- A student will not be considered to have engaged in repeated violations of this Code unless the student has previously been warned or disciplined for violations of this Code.

- A student who repeatedly violates this Code may be subject to suspension and expulsion.

Rule 17 **Students shall not engage in any activity which can reasonably be expected to have the effect of harassing, threatening or damaging the safety or reputation of any member of the school community.**

- The following, although not exhaustive, shall be considered violations of this Rule:

  1. Unwelcome sexual advances
  2. Requests for sexual relations and/or favors
  3. Sexual comments
  4. Sexually-oriented gestures, sounds, remarks or comments
  5. Offensive remarks or comments related to a person's race, gender, religion, disability or national origin
  6. Efforts to intimidate or bully

- Any of the above actions or any other conduct which may reasonably be considered as a violation of this Rule, whether in written, oral, electronic or digital form is subject to disciplinary consequences.

Rule 18 **Students shall not engage in any consensual sexual acts, nor shall they force or attempt to force any other member of the school community to engage in any sexual act.**

Rule 19 **Students shall not cause or attempt to cause physical injury or pain to any student, teacher, administrator, staff member or any other employee or agent of PHASE 4, or any member of the school community.**

Rule 20 **Students shall not cause, attempt to cause or threaten to cause serious bodily injury to any member of the school community with a weapon or without regard to the value of human life.**

Rule 21 **Students shall not possess on their person, in their clothing or belongings, in their vehicle, or in any storage space or container provided by PHASE 4 any weapon.**

- For the purposes of this Rule, "weapon" shall include any knife, cutting instrument, cutting tool, nunchaku, firearm, shotgun, rifle, and any other tool, instrument or implement capable of inflicting serious bodily injury.

- The following steps shall be taken by appropriate personnel at PHASE 4 in the event a student violates this Rule:

  1. The student will be detained and, where possible, brought to the office of the Principal/CEO or designee;
  2. The incident will be immediately be reported to Police or any other appropriate authority;
  3. The parent/s or guardian/s of the student will be immediately notified;
  4. Expulsion may be recommended in accordance with the law of the Commonwealth of Pennsylvania.

  A Serious Incident Report will be filed and should contain: Circumstances of possession and discovery of the weapon; Action taken by Police or other authority in response to the call for assistance; Action taken by PHASE 4, including details of contact with parent/s or guardian/s, filing of the report and notice to Police or other authority; An image of the weapon; A report to the Pennsylvania Department of Education.

Rule 22 **Students shall not engage in or attempt to engage in any conduct which endangers the health, safety or welfare of any other member of the school community.**

- The following, although not exhaustive, will be considered violations of this Rule:

1. Setting or attempting to set a fire or explosion on or in property owned by, leased or licensed to the School
2. Retaliating against any member of the school community who participated in any investigation or proceeding
3. Activating the fire alarm, security system or other such device when there is no threat of fire or breach of security, and fire personnel, police or other authority is dispatched to PHASE 4
4. Planting, hiding or locating, or threatening to plant, hide or locate, any bomb or explosive device on property owned by, leased or licensed to PHASE 4

Disciplinary Action

Detention: Retaining the student after school hours with the parent and/or student being responsible for transportation of the student at the end of the detention period.

Exclusion

Exclusion from PHASE 4 may take the form of suspension or expulsion.

(1) Suspension is exclusion from PHASE 4 for a period of from 1 to 10 consecutive school days.

(i) Suspensions may be given by the principal or person in charge of PHASE 4.

(ii) A student may not be suspended until the student has been informed of the reasons for the suspension and given an opportunity to respond. Prior notice of the intended suspension need not be given when it is clear that the health, safety or welfare of the school community is threatened.

(iii) The parents or guardians shall be notified immediately in writing when the student is suspended.

(iv) When the suspension exceeds three (3) school days, the student and parent shall be given the opportunity for an informal hearing consistent with the requirements of the Pennsylvania Code.

(v) Suspensions may not be made to run consecutively beyond the ten (10) school day period.

(vi) Students shall have the responsibility to make up exams and work missed while being disciplined by suspension and shall be permitted to complete these assignments within guidelines established by the governing board.

(2) Expulsion is exclusion from school by the governing board for a period exceeding ten (10) school days and may be permanent expulsion from the school rolls. Expulsions require a prior formal hearing pursuant to the Pennsylvania Code.

During the period prior to the hearing and decision of the board in an expulsion case, the student shall be placed in his normal class except as set forth below.

If it is determined after an informal hearing that a student's presence in his normal class would constitute a threat to the health, safety or welfare of others and it is not possible to hold a formal hearing within the period of a suspension, the student may be excluded from school for more than ten (10) school days. A student may not be excluded from school for longer than fifteen (15) school days without a formal hearing unless mutually agreed upon by both parties. Any student so excluded shall be provided with alternative education, which may include home study.

Students who are under 17 years of age are still subject to the compulsory school attendance law even though expelled and shall be provided an education.

(1) The initial responsibility for providing the required education rests with the student's parents or guardian, through placement in another school, tutorial or correspondence study, or another educational program approved by the district's superintendent.

(2) Within thirty (30) days of action by the board, the parents or guardians shall submit to the school written evidence that the required education is being provided as described in paragraph (1) or that they are unable to do so. If the parents or guardians are unable to provide the required education, the school entity shall, within ten (10) days of receipt of the notification, make provision for the student's education. A student with a disability shall be provided educational services as required by the Individuals With Disabilities Education Act.

(3) If the approved educational program is not complied with, PHASE 4 may take appropriate action to ensure that the child will receive a proper education.

Exclusion from classes—in-school suspension.

(a) A student may not receive an in-school suspension unless the student has been informed of the reasons for the suspension and has been given an opportunity to respond before the suspension becomes effective.

(b) Communication to the parents or guardian shall follow the suspension action taken by PHASE 4.

(c) When the in-school suspension exceeds ten (10) consecutive school days, an informal hearing with the principal or head of school shall be offered to the student and the student's parent or guardian prior to the 11th school day in accordance with the procedures in the Pennsylvania Code.

(d) PHASE 4 has the responsibility to make provisions for the student's education during the period of the in-school suspension.

Hearings.

(a) *General.* Education is a statutory right, and students shall be afforded due process if they are to be excluded from school. In a case involving a possible expulsion, the student is entitled to a formal hearing.

(b) *Formal hearings.* A formal hearing is required in all expulsion actions. This hearing may be held before the board or an authorized committee of the board, or a qualified hearing examiner appointed by the board. When a committee of the board or a hearing examiner conducts the hearing, a majority vote of the entire board is required to expel a student. The following due process requirements shall be observed with regard to the formal hearing:

(1) Notification of the charges shall be sent to the student's parents or guardians by certified mail.

(2) At least three (3) days' notice of the time and place of the hearing shall be given. A copy of the expulsion policy, notice that legal counsel may represent the student and hearing procedures shall be included with the hearing notice. A student may request the rescheduling of the hearing when the student demonstrates good cause for an extension.

(3) The hearing shall be held in private unless the student or parent requests a public hearing.

(4) The student may be represented by counsel, at the expense of the parents or guardians, and may have a parent or guardian attend the hearing.

(5) The student has the right to be presented with the names of witnesses against the student, and copies of the statements and affidavits of those witnesses.

(6) The student has the right to request that the witnesses appear in person and answer questions or be cross-examined.

(7) The student has the right to testify and present witnesses on his or her own behalf.

(8) A written or audio record shall be kept of the hearing. The student is entitled, at the student's expense, to a copy. A copy shall be provided at no cost to a student who is indigent.

(9) The proceeding shall be held within fifteen (15) school days of the notification of charges, unless mutually agreed to by both parties. A hearing may be delayed for any of the following reasons, in which case the hearing shall be held as soon as reasonably possible:

(i) Laboratory reports are needed from law enforcement agencies.

(ii) Evaluations or other court or administrative proceedings are pending due to a student invoking his rights under the Individuals With Disabilities Education Act 2004 (20 U.S.C.A. § § 1400—1482).

(iii) In cases in juvenile or criminal court involving sexual assault or serious bodily injury, delay is necessary due to the condition or best interests of the victim.

(10) Notice of a right to appeal the results of the hearing shall be provided to the student with the expulsion decision.

(c) *Informal hearings.* The purpose of the informal hearing is to enable the student to meet with the appropriate school official to explain the circumstances surrounding the event for which the student is being suspended or to show why the student should not be suspended.

(1) The informal hearing is held to bring forth all relevant information regarding the event for which the student may be suspended and for students, their parents or guardians and school officials to discuss ways by which future offenses might be avoided.

(2) The following due process requirements shall be observed in regard to the informal hearing:

(i) Notification of the reasons for the suspension shall be given in writing to the parents or guardians and to the student.

(ii) Sufficient notice of the time and place of the informal hearing shall be given.

(iii) A student has the right to question any witnesses present at the hearing.

(iv) A student has the right to speak and produce witnesses on his own behalf.

(v) PHASE 4 shall offer to hold the informal hearing within the 1st five (5) days of the suspension.

Discipline of Students with Disabilities

PHASE 4 shall comply with the Individuals with Disabilities Education Improvement Act and any applicable federal and state statutes or regulations when disciplining students with disabilities. Students with disabilities who engage in inappropriate behavior, disruptive or prohibited activities, or conduct injurious to themselves or others shall be disciplined in accordance with their Individualized Education Programs (IEP), behavioral intervention plan, Chapter 711 and relevant portions of Chapter 12 of the State Board of Education Regulations, IDEA 2004, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, and any other applicable federal or state law.

Anti-Discrimination/Anti-Harassment

Students at PHASE 4 have the right to education in an environment that is free from harassment and discrimination. Harassment occurs when a student demands a sexual favor, or otherwise threatens, intimidates, annoys, alarms, causes substantial emotional distress, or creates a hostile environment for another based on the other's gender, age, race, color, national origin, religion, disability, socioeconomic status or beliefs. Discrimination occurs when a rule or established practice confers privileges on or denies privileges to a particular class of persons based on race, sex, color, religion, sexual orientation, national origin or disability.

If a student believes he or she is the victim of harassment or discrimination, he or she shall report the alleged harassment or discrimination to the Chief Executive Officer or Principal, or to another Administrator if the Chief Executive Officer or Principal is the accused. Any student who believes he or she is the victim of harassment or discrimination may likewise make a complaint to the Board of Trustees in accordance with the Complaint Policy established by the Board. PHASE 4 or the Board of Trustees will undertake to investigate the student's complaint thoroughly and completely, and will maintain confidentiality to the extent allowed by federal, state or local law and the policies established by the Board of Trustees of PHASE 4.

Nothing in this Code shall be construed to discourage or prohibit a student who feels he or she has been the subject of criminal activity or a criminal offense from contacting the police or other appropriate authority.

Anti-Bullying

The Board recognizes the importance of a safe school environment to the educational process at PHASE 4. The Board has determined that a safe and civil environment in school is necessary for students to learn and to achieve high academic standards. Bullying, like other disruptive or violent behaviors that disrupt both a student's ability to learn and a school's ability to educate its students in a safe environment, is prohibited at PHASE 4. Because students learn by example, school administrators, faculty, staff, students and volunteers are directed to: demonstrate appropriate behavior, treat others with civility and respect and refuse to tolerate bullying.

"Bullying" is defined as an intentional electronic, written, verbal or physical act, or a series of acts:

(1) directed at another student or students;

(2) which occurs in a "school setting" or occurs outside of school and the outside of school conduct materially and substantially interferes with the educational process or program in the school, as allowed by law;

(3) that is severe, persistent or pervasive; and

(4) that has the effect of doing any of the following:

- substantially interfering with a student's education;
- creating a threatening environment; or
- substantially disrupting the orderly operation of the school.

Students shall conduct themselves in a manner in keeping with their levels of development, maturity, and demonstrated capabilities with a proper regard for the rights and welfare of other students, school staff, volunteers, and contractors.

The Board believes that standards for student behavior must be set cooperatively through interaction among the students, parents and guardians, staff, and community members of the school, producing an atmosphere that encourages students to grow in self-discipline. The development of this atmosphere requires respect for self and others, as well as for school and community property on the part of students, staff, and community members.

Because bystander support of bullying can bolster these behaviors, the school prohibits both active and passive support for acts of bullying. The staff should encourage all students to refuse to engage in these acts and to report them immediately to the Chief Executive Officer ("CEO") of PHASE 4.

Consequences and appropriate remedial actions for a student or staff member who commits one or more acts of bullying may range from positive behavioral interventions up to and including in-school or out-of-school suspension from PHASE 4 or expulsion or other disciplinary removal from PHASE 4, in the case of a student, or suspension or termination in the case of an employee.

Consequences for a student who commits an act of bullying shall be unique to the individual incident and will vary in method and severity according to the nature of the behavior, the developmental age of the student, and the student's history of problem behaviors and performance, and must be consistent with PHASE 4 approved code of student conduct. Remedial measures shall be designed to: correct the problem behavior; prevent another occurrence of the behavior; and protect the victim of the act. Depending upon the incident, expulsion may be recommended to the Board.

The Board requires the CEO at PHASE 4 to be responsible for receiving complaints alleging violations of this Policy. All school employees are required to report alleged violations of this Policy to the CEO. All other members of the school community, including students, parents, volunteers, and visitors, are encouraged to report any act that may be a violation of this Policy. Reports may be made anonymously, but formal disciplinary action may not be based solely on the basis of an anonymous report without further investigation.

The Board requires the CEO to be responsible for determining whether an alleged act constitutes a violation of this Policy. In so doing, the CEO shall conduct a prompt, thorough, and complete investigation of each alleged incident. An investigation is to be conducted within three (3) school days after a report or complaint is made known to the CEO.

The Board prohibits reprisal or retaliation against any person who reports an act of bullying. The consequences and appropriate remedial action for a person who engages in reprisal or retaliation shall be determined by the administrator after consideration of the nature, severity, and circumstances of the act.

The Board prohibits any person from falsely accusing another of bullying. The consequences and appropriate remedial action for a person found to have falsely accused another of bullying may range from positive behavioral interventions up to and including suspension or expulsion. Consequences and appropriate remedial action for

a school employee found to have falsely accused another of bullying shall be disciplined in accordance PHASE 4 policies, procedures, and agreements.

The Board requires PHASE 4 officials to annually disseminate the Policy to all school staff, students, and parents, along with a statement explaining that it applies to all applicable acts of bullying that occur on PHASE 4 property, at school-sponsored functions, or in a school vehicle and to develop procedures for investigating and addressing any alleged violations of this Policy.

The Board further requires school officials to ensure that this Policy and procedures for reporting bullying incidents are reviewed with the students within ninety (90) days after the Policy is adopted and at least once each school year thereafter.

The Board directs Administration to develop procedures necessary to implement this Policy and to develop appropriate prevention, intervention and education strategies related to bullying.

The Board directs that this Policy be included in the Student Handbook/Code of Conduct and be made available on the school's website as well as in a prominent location at the school's main office.

PHASE 4 will comply with applicable federal and state laws relating to bullying, including but not limited to those requirements delineated in Charter School Law, Chapter 12 of Title 22 of the Pennsylvania Code and the applicable House Bill 1067 Public School Code amendments relating to bullying.

The Charter will comply with applicable federal and state laws, including Chapter 711 of Title 22 of the Pennsylvania Code and applicable provisions of the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004) and its applicable implementing regulations regarding the discipline of special education students and thought-to-be eligible students who engage in an act of bullying.

PHASE 4 will further comply with applicable federal and state laws, regarding protected handicapped students and applicable sections of Section 504 of the Rehabilitation Act and its applicable implementing regulations.

State and Federal Law

To the extent anything in this Code could be construed to conflict with federal or state law, regulations, or policies, the federal or state law, regulation, or policy controls. To the extent that anything in this Code could be construed to conflict with the Charter of PHASE 4, the Charter will control.

Handbook Copy

To verify that you have reviewed the Student Code of Conduct and this checklist, **please sign the following statements:**

Student Name: _____ Grade: _____

STUDENT: I have reviewed the Student Code of Conduct with my parent or guardian and understand my responsibilities.

Student Signature: _____
Date: _____

PARENT/GUARDIAN: I have reviewed the Student Code of Conduct with my child and understand my responsibilities.

Parent/Guardian Signature: _____
Date: _____

Print Name: _____

PARENT/GUARDIAN: I understand that my responsibilities to the school and my positive participation are vital to my child's success at the school.

Parent/Guardian Signature: _____
Date: _____

Print Name: _____

Office Copy

To verify that you have reviewed the Student Code of Conduct and this checklist, **please sign the following statements:**

Student Name: _____ Grade: _____

STUDENT: I have reviewed the Student Code of Conduct with my parent or guardian and understand my responsibilities.

Student Signature: _____
Date: _____

PARENT/GUARDIAN: I have reviewed the Student Code of Conduct with my child and understand my responsibilities.

Parent/Guardian Signature: _____
Date: _____

Print Name: _____

PARENT/GUARDIAN: I understand that my responsibilities to the school and my positive participation are vital to my child's success at the school.

Parent/Guardian Signature: _____
Date: _____

Print Name: _____

PHASE 4 AMERICA™ CYBER CHARTER SCHOOL

The Proven Alternative

2013 – 2014 School Year

Exhibits

The concepts presented in this application are the intellectual property of the applicant, PHASE 4 America, Inc. and/or PHASE 4 Learning Centers, Inc. It shall not be used, transferred sold or licensed to any individual or entity other than the charter applicant, PHASE 4 Learning Center, Inc. or PHASE 4 America, Inc.

PHASE 4 America Cyber Charter School

EXHIBITS

2013 – 2014 School Year

The concepts presented in this application are the intellectual property of the applicant, PHASE 4 America, Inc. and/or PHASE 4 Learning Centers, Inc. It shall not be used, transferred sold or licensed to any individual or entity other than the charter applicant, PHASE 4 Learning Center, Inc. or PHASE 4 America, Inc.

TABLE OF EXHIBITS

EXHIBIT 1 – Individualized Prescriptive Plan 5

EXHIBIT 2 – Acceptable Use of the Internet Policy 7

EXHIBIT 3 – Open Enrollment Application Packet 11

EXHIBIT 4 – Anti-Discrimination Policy 17

EXHIBIT 5 – Behavior Assessment Plan 19

EXHIBIT 6 – Positive Behavioral Support Policy and Procedure 21

EXHIBIT 7 – School Family Conference and Truancy Elimination Plan 27

EXHIBIT 8 – Success Report 37

EXHIBIT 9 – By-Laws 41

EXHIBIT 10 – Employee Rating Form Worksheet 49

EXHIBIT 11 – PDE Employee Evaluation Forms 59

EXHIBIT 12 – Employee Handbook 69

EXHIBIT 13 – Employee Files Policy 117

EXHIBIT 14 – Right-to-Know Law Policy 121

EXHIBIT 15 – Student Record Policy 135

EXHIBIT 16 – Student Clubs and Activities Policy 153

EXHIBIT 17 – Extra-Curricular Activities Policy 161

EXHIBIT 18 – Code of Ethics Policy 165

EXHIBIT 19 – Professional Development Plan 169

EXHIBIT 1 – Individualized Prescriptive Plan

PHASE 4 America Cyber Charter School
Individualized Prescriptive Plan

Student Name: _____

Has IEP _____

Goals Defined
A. Academic _____
_____
_____

B. Attendance _____
_____

C. Character / Leadership _____
_____
_____

D. Community Service _____

	Current level of functioning	Measurable Outcomes	Goals for Graduation	Intervention(s)
Academic Performance *Number of Lessons Completed*				
Attendance				
Character *Acceptable* = "+" *Unacceptable* = "-"				
Community Service / Pathway *Yes/No*				
Other				

Individualized Prescriptive Plan (continued) EXHIBIT 4 (continued)

HELPING STRATEGIES:

☑ Socials Skills Development	☐ Anger Management	☐ Outsourced Counseling
☐ Wellness Program	☑ Coaching	☐ Homebound A+
☑ Juvenile Probation	☐ Treatment Program	☐ Active Litening
☐ Problem Solving	☐ Negotiation	☐ Positive Reinforcement
☐ Other	☐ Ad Hoc Counseling/Mentoring	☑ Behavioral Counseling

Team will monitor student's behavior DAILY and report outcomes at the weekly staffing meeting
Enter "+" if outcome was achieved, "-" if no improvement was observed. For week ending on the following dates:

Target Behavior Chart (TBC)

	4-Sep	11-Sep	18-Sep	15-Sep	2-Oct	9-Oct	16-Oct	23-Oct	30-Oct	6-Nov	13-Nov	23-Nov	30-Nov	4-Dec
A				7	8	8	9	6						
B				5/5	5/5	4/5	4/5	3/5						
C				+	+	-	-	+						
D				Y	Y	Y	Y	Y						

	11-Dec	18-Dec	25-Dec	1-Jan	8-Jan	15-Jan	22-Jan	29-Jan	5-Feb	12-Feb	19-Feb	26-Feb	5-Mar	12-Mar
A													+	+
B													-	-
C														
D														

	19-Mar	26-Mar	2-Apr	9-Apr	16-Apr	23-Apr	30-Apr	7-May	14-May	21-May	28-May	4-Jun	11-Jun	18-Jun
A	+	+	+	+	+	+	+	+	+	+	+	+	+	
B	-	-	-	-	-	-	-	-	--	-	-	-	-	
C														
D														

Staff will meet weekly with BT to evaluate student's performance and make necessary adjustments.

At any 3-week interval of poor performance, apply any of the following options:.

___ Look for other reasons. Redo Plan.
___ Reset goals to more realistic, attainable outcomes.
___ Apply consequences (according to P4LC guidelines)
___ Refer to behavioral consultant
___ Refer to outside agency

INTERVENTION NOTE

EXHIBIT 2 – Acceptable Use of the Internet Policy

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Acceptable Use of the Internet Policy

PHASE 4 America Cyber Charter School ("PHASE 4 America") is pleased to be able to offer students access to our computer network and the Internet. All students must obtain parental or guardian permission or as verified by the signatures below.

The intended purpose of PHASE 4 America's network and access to the Internet is to promote educational research and enhance learning. While PHASE 4 America's intent is to make Internet access available to further educational goals and objectives, students may find ways to access other materials as well. It is PHASE 4 America's position that the benefits to students in the form of information resources and opportunities for collaboration exceed the potential disadvantages. Access to the Internet enables students to explore thousands of libraries, databases and bulletin boards, while exchanging messages with Internet users throughout the world.

It is in the interest of providing clear guidelines for the use of PHASE 4 America's network and the Internet by parents, students, and staff that we have developed the following Acceptable Use of the Internet Policy.

PHASE 4 America's Rights and Responsibilities

1. PHASE 4 America reserves the right to monitor all activity on the Network.
2. PHASE 4 America reserves the right to block any material on the Internet.
3. Security on the Network is a high priority, The Chief Executive Officer or his/her designee shall establish procedures which will maximize the computer system security.
4. No warranties are made or given with respect to any service, any information, or any software contained within the Network.
5. Opinions, advice, services and all other information expressed by students, staff, information providers, service providers or other third party personnel on the Network provided by PHASE 4 America are those of the individual and do not represent the position of PHASE 4 America.
6. Accounts which are inactive for more than 30 days may be removed by PHASE 4 America along with the user's files without prior notice.
7. PHASE 4 America staff is responsible for supervising student use of the Network and the Internet.

Rules For Network Access

1. The use of a network account must be in support of education and research consistent with the educational objectives of PHASE 4 America's Board of Trustees and staff,
2. Transmission of any material in violation of U.S., State, or Local regulation is prohibited. This includes, but is not limited to, copyrighted material, threatening or obscene material, or material protected by trade secret.
3. Use for product advertisement, political lobbying, or personal financial or material gain is prohibited,
4. Use for commercial activities by for-profit institutions is prohibited.
5. Be polite. Do not write or send threatening or abusive messages to others.
6. Use appropriate language. Use of obscene or degrading language is prohibited,
7. It is recommended that the user not reveal their personal address or phone number. Distributing the address or phone number of another person is prohibited.
8. Network resources, information, and electronic tail are not guaranteed to be private. Persons operating the system have access to all network resources. Any items containing inappropriate material or relating to illegal activities will be reported to the appropriate authorities.
9. Do not use the network in a manner that would disrupt the use of the network by others. This includes, but is not limited to, sending mass e-mail messages, attempting infect the system with a computer virus, attempting to "crash the system", intentionally wasting network resources, or annoying other users in any fashion,
10. Accessing any account other than the one assigned to you is prohibited. This includes, but is not limited to, guessing or stealing another user's account access. Certain "public" accounts allow access to resources such as PHASE 4 America's library. These "public" accounts are considered open to all users.
11. Allowing another user to gain access to your account is prohibited. Do not give anyone your password.
12. Use of the network to facilitate plagiarism is prohibited. No user shall misrepresent another person's work as their own, or allow their work to be misrepresented as belonging to someone else.

Rules for Student Use of Internet and E-mail

Student behavior on PHASE 4 America's computer networks is governed by the behavioral expectations which appear in the Student Code of Conduct. In conjunction with these behavioral expectations, students may use the Internet only for approved PHASE 4 America -related activities.

Inappropriate use includes, but may not be limited to:

1. Revealing their own personal information, such as addresses, telephone numbers, user names, passwords, etc., or that of other students;
2. Using another's password and/or trespass in another's folder(s), work, and/or file(s);
3. Accessing e-mail accounts or chat lines without permission and supervision;
4. Attempting to gain access to unauthorized resources or entities;
5. Posting anonymous messages;

6. Downloading or installing software, such as games, applications, etc., for personal use;
7. Using unauthorized CD's or discs brought from home
8. Unauthorized use of resources, such as copy paper, printer toner, etc.;
9. Accessing, sending, or displaying sites that provide material which does not conform with acceptable school use, such as pornography, obscenity, etc.;
10. Violate copyright laws;
11. Vandalizing computers, computer software, computer systems, data, and/or the computer network; and
12. Use the network for non-school related purposes, such as commercial ventures, to set up personal web pages, advertising, etc.

The administration and staff reserves the right to review students' files and. communications to maintain system integrity and ensure that the users are using the system within the authority provided by PHASE 4 America.

Teachers and other staff members will make every attempt to monitor and guide students toward appropriate materials and the use of the system. It is understood that access to the computer networks at PHASE 4 America is a privilege, not a right. Failure to abide by the rules in this document could result in the revocation of access privileges, disciplinary action, or legal action, as deemed appropriate. Parents/guardians or perpetrators may be billed for damages to equipment. Illegal activities will be referred to the appropriate law enforcement agency.

Parent /Guardian Section

As a parent or guardian of a student at PHASE 4 America, I have read the above information about the appropriate use of computers at the school and understand this agreement will be kept on file at the school.

I release PHASE 4 America and its personnel from any and all claims and damages of any nature arising from my child's use of, or inability to use, the school network or the Internet, but not limited to claims that may arise from the unauthorized use of the system to purchase products or services.

I understand that from time-to-time PHASE 4 America may wish to publish examples of student projects, photographs of students, and other work on an Internet accessible World Wide Web server.

I give permission for _____ to access, produce, and communicate information on the Internet. I understand and agree that the misuse of this privilege by my child will terminate their access to the network and the Internet.

My child's work can be published on the Internet: YES NO

My child's photograph can be published on the Internet: YES NO

Parent Name _____ Parent Signature _____

Student Section

I have read PHASE 4 America's Acceptable Use Policy. I agree to follow the rules contained in this Policy. I understand and agree that misuse of this privilege will terminate my access to the network and the Internet and may result in disciplinary action in accordance with the Student Code of Conduct.

Student Name _____ Student Signature _____

PHASE 4 America Cyber Charter School

Open Enrollment Application Packet

2013-2014

PHASE 4 America Cyber Charter School
Application for Admission

Part I: Introduction

All students are expected to strive for academic and leadership excellence. Emphasis is placed on self-discipline and control, respect for authority, self-responsibility and character development. Students will develop the skills necessary to become better citizens and community leaders.

Upon receipt and review of the completed application, each applicant will be scheduled for a sit-down, face-to-face interview. At this interview, both student and parents/guardians are required to attend.

NOTE: Incomplete applications will not be considered. Please fill in all blanks. Junior and senior students in the Patriot Pathway will be required to wear a modified uniform and confirm to a military-type protocol.

PART II: General Information

Date of Application _____
(MM/DD/YYYY)

Present School _____ Present Grade 9 10 11 12

Name (Last, First, Middle) _____

Date of Birth (MM/DD/YYYY) _____ Age _____ Sex M F

Race _____ SSN _____

Cell Phone _____ Email address(es) _____

Name of Parent(s)/Guardian(s) with whom you reside _____

Residence Address _____
Number Street Apt City State Zip

Home Phone _____ Cell Phone _____

Email address(es) _____

Name of emergency contact person _____ Relationship _____

Phone number(s) of emergency contact person _____

Does applicant have IEP? Y N

PART III: Short Essays

Answer these questions in black or blue ink, in 50 words or more, and in your own handwriting. Use complete sentences and limit your responses to the space provided.

a. What are your educational and career goals?

b. What would you like to be doing five years after graduation high school?

c. How can PHASE 4 America Cyber Charter School help you achieve your goals?

d. List and explain your special achievements during the past two years?

PART IV: Parental Involvement

As an alternative school, parental involvement is a very necessary part of PHASE 4 America's overall program. Please list or explain below how you intend to support your student(s) in reaching their goal of graduation from high school. (Example: classroom or school activities volunteer, PTA, mentor, etc.)

By submitting this form, I/we understand and attest that all information is correct and complete to the best of my/our knowledge

Parent(s)/Guardian(s) Signature

Student's Signature

Date (MM/DD/YYYY)

Date (MM/DD/YYYY)

EXHIBIT 4 – Anti-Discrimination Policy

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Anti-Discrimination Policy

PHASE 4 America Cyber Charter School ("PHASE 4 America") shall not discriminate against any person on the basis of race, sex, color, religion, sexual orientation, national origin, disability, genetic information or any other classification otherwise protected by applicable state and/or federal laws. PHASE 4 America's Board of Trustees recognizes PHASE 4 America's school administrators' and employees' obligations to comply with all applicable federal, state and local laws in providing equal opportunity to all PHASE 4 America students. Pursuant to 22 Pa, Code §12.4 and consistent with the Pennsylvania Human Relations Act (43 P.S. §§ 9.51 - 963), PHASE 4 America does not discriminate on the basis of race, sex, color, religion, sexual orientation, national origin, disability, genetic information or any other classification otherwise protected by law in the administration of its educational policies, admission policies, hiring policies, scholarship and aid programs, and other school-administered programs and operations. A student will not be denied access to a free and full public education, nor may a student be subject to disciplinary action on account of race, sex, color, religion, sexual orientation, national origin or disability.

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

ADOPTED this ____ day of _____ , 2012

_____

President

_____

Secretary

EXHIBIT 5 – Behavior Assessment Plan

PHASE 4 America Cyber Charter School
Behavior Assessment Plan

Student Name:

DOB:
Mentor:
School:

☐ Has IEP

Outside Agency: _____

Agency Contact: _____ Phone: _____ Email: _____

☐ Reported behavior continued during PHASE 4 probationary period

☐ Other patterns of negative behavior were observed

Click Box for BASC Report >>>

Describe the behavior:

Initial Assessment/Causal Factors: (BASC-2, Intake, Parental Report, School Report, etc.)

1.
2.
3.
4.

	Problem/Current Level of Functioning	Measurable Objectives	Goal for Return to Sending School	Interventions
A				
B				
C				
D				

PHASE 4 America Cyber Charter School

EXPECTED OUTCOMES: (Frequency or Percentage of time desired to show level of success.)

A Jonathan is expected to have zero incidents of violent or threatening behavior.

B Jonathan is expected to have zero incidents of using/possessing a controlled substance.

C Jonathan is expeted to complete 10 lessons a week and ask for help as needed.

D

Team will monitor student's behavior DAILY and report outcomes at the weekly staffing meeting

HELPING STRATEGIES:

☐ Socials Skills Development	☐ Anger Management	☐ Outsourced Counseling
☐ Wellness Program	☐ Coaching	☐ Homebound A+
☐ Juvenile Probation	☐ Treatment Program	☐ Active Litening
☐ Problem Solving	☐ Negotiation	☐ Positive Reinforcement
☐ Other	☐ Ad Hoc Counseling/Mentoring	☐ Behavioral Counseling

Team will monitor student's behavior DAILY and report outcomes at the weekly staffing meeting

Enter "+" if outcome was achieved, "-" if no improvement was observed. For week ending on the following dates:

Target Behavior Chart (TBC)

	4-Sep	11-Sep	18-Sep	15-Sep	2-Oct	9-Oct	16-Oct	23-Oct	30-Oct	6-Nov	13-Nov	23-Nov	30-Nov	4-Dec
A														
B														
C														
D														

	11-Dec	18-Dec	25-Dec	1-Jan	8-Jan	15-Jan	22-Jan	29-Jan	5-Feb	12-Feb	19-Feb	26-Feb	5-Mar	12-Mar
A														
B														
C														
D														

	19-Mar	26-Mar	2-Apr	9-Apr	16-Apr	23-Apr	30-Apr	7-May	14-May	21-May	28-May	4-Jun	11-Jun	18-Jun
A														
B														
C														
D														

Staff will meet weekly with BT to evaluate student's performance and make necessary adjustments.

At any 3-week interval of poor performance, apply any of the following options:.

___ Look for other reasons. Redo Plan.
___ Reset goals to more realistic, attainable outcomes.
___ Apply consequences (according to P4LC guidelines)
___ Refer to behavioral consultant
___ Refer to outside agency

INTERVENTION NOTE

EXHIBIT 6 – Positive Behavioral Support Policy and Procedure

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Positive Behavioral Support Policy and Procedure

In accordance with applicable state regulations, including Title 22 Pa, Code Chapter 711.46, PHASE 4 America Cyber Charter School ("PHASE 4 America") Board of Trustees has established this policy to effectuate a program of positive behavior support at PHASE 4 America. Some procedures have been included.

DEFINITIONS:

Aversive techniques—Deliberate activities designed to establish a negative association with a specific behavior.

Positive behavior support plan—A plan for students with disabilities who require specific intervention to address behavior that interferes with learning. A positive behavior support plan shall be developed by the IEP team, be based on a functional behavior assessment and become part of the student's IEP. These plans include methods that utilize positive reinforcement and other positive techniques to shape a student's behavior, ranging from the use of positive verbal statements as a reward for good behavior to specific tangible rewards.

Restraints—

(i) The application of physical force, with or without the use of a device, for the purpose of restraining the free movement of a student's body. The term does not include briefly holding, without force, a student to calm or comfort him, guiding a student to an appropriate activity, or holding a student's hand to safely escort him from one area to another.

(ii) Excluded from this definition are hand-over-hand assistance with feeding or task completion and techniques prescribed by a qualified medical professional for reasons of safety or for therapeutic or medical treatment, as agreed to by the student's parents and specified in the IEP Devices used for physical or occupational therapy, seat belts in wheel chairs or on toilets used for balance and safety, safety harnesses in buses, and functional positioning devices are examples of mechanical restraints which are excluded from this definition.

POSITIVE BEHAVIOR SUPPORT:

Positive rather than negative measures shall form the basis of positive behavior support programs to ensure that all of PHASE 4 America's students shall be free from demeaning treatment, the use of aversive techniques and the unreasonable use of restraints.

Positive techniques required for the development, change and maintenance of behavior shall be the least intrusive necessary.

RESEARCH-BASED PRACTICES:

Behavior support programs must include research based practices and techniques to develop and maintain skills that will enhance an individual student's opportunity for learning and self-fulfillment.

FUNCTIONAL BEHAVIOR ASSESSMENT:

Behavior support programs and plans shall be based on a functional assessment of behavior ("FBA") and utilize positive behavior techniques. When an intervention is needed to address problem behavior, the types of intervention chosen for a particular student must be the least intrusive necessary.

RESTRAINTS:

The use of restraints is considered a measure of last resort, only to be used after other less restrictive measures, including de-escalation techniques.

Restraints to control acute or episodic aggressive or self-injurious behavior may be used only when the student is acting in a manner as to be a clear and present danger to himself, to other students or to employees, and only when less restrictive measures and techniques have proven to be or are less effective.

NOTIFICATION OF USE OF RESTRAINT AND PROCEDURES:

The use of restraints to control the aggressive behavior of an individual student shall cause PHASE 4 America to notify the parent of the use of restraint and shall cause a meeting of the IEP team within 10 school days of the inappropriate behavior causing the use of restraints in order to review the effectiveness and appropriateness of the current IEP, unless the parent, after written notice, agrees in writing to waive the meeting. At this meeting, the IEP team shall consider whether the student needs a functional behavioral assessment, reevaluation, a new or revised positive behavior support plan, or a change of placement to address the inappropriate behavior.

INCLUSION OF USE OF RESTRAINTS IN A STUDENT'S IEP:

The use of restraints may only be included in a student's IEP when:

(i) Utilized with specific component elements of positive behavior support.

(ii) Used in conjunction with the teaching of socially acceptable alternative skills to replace problem behavior.

(iii) Staff are authorized to use the procedure and have received the staff training required.

(iv) There is a plan in place for eliminating the use of restraint

(v) Through application of positive behavior support.

The use of restraints may not be included in the IEP for the convenience of staff, as a substitute for an educational program or employed as punishment.

PROHIBITION AGAINST PRONE RESTRAINTS:

The use of prone restraints is **prohibited** in educational programs. Prone restraints are those in which a student is held face down on the floor.

RESTRAINT REPORTING AND PROCEDURES:

PHASE 4 America shall maintain and report data on the use of restraints as prescribed by the Secretary of the Department of Education. The report is subject to review during cyclical compliance monitoring conducted by the Department.

MECHANICAL RESTRAINTS:

Mechanical restraints, which are used to control involuntary movement or lack of muscular control of students when due to organic causes or conditions, may be employed only when specified by an IEP and as determined by a medical professional qualified to make the determination, and as agreed to by the student's parents. Mechanical restraints must prevent a student from injuring himself or others or promote normative body positioning and physical functioning.

PROHIBITION AGAINST AVERSIVE TECHNIQUES:

The following aversive techniques of handling behavior are considered inappropriate and **shall not** be used in educational programs:

(1) Corporal punishment.

(2) Punishment for a manifestation of a student's disability.

(3) Locked rooms, locked boxes or other locked structures or spaces from which the student cannot readily exit.

(4) Noxious substances.

(5) Deprivation of basic human rights, such as withholding meals, water or fresh air.

(6) Suspensions constituting a pattern.

(7) Treatment of a demeaning nature.

(8) Electric shock.

TRAINING OF PERSONNEL:

The Board of Trustees hereby directs that school personnel be trained each school year on the general use of positive behavior support, de-escalation techniques, and emergency responses.

In addition to general positive behavior support training, when students are identified as in need of these supports, individual teachers and teacher groups are notified and trained accordingly so that they can act in accordance with the student's specific Positive Behavior Support Plan and de-escalation techniques, and respond appropriately in emergencies.

Per guidance from the Pennsylvania Department of Education, the core training components the positive support plan and de-escalation (restraint reduction) staff trainings should include:

- The growing concern and potential legal issues surrounding physical restraints;
- How to create a commitment to the reduction of the use of physical restraints;
- Creating a safe environment where positive rather than negative measures form the basis of behavior management programs;
- How staff can avoid taking conflict personally; avoiding power struggles;
- Prevention of problem behaviors through a system of recognition of signs of anxiety and distress in students and staff;
- Identification of the phases of crisis events and matching behaviors to interventions;
- Demonstration and modeling of the de-escalation techniques and other alternatives to physical restraint;
- Effective positive behavior support plans that include methods of utilizing positive reinforcement and other positive techniques to shape replacement behavior(s);
- Research-based practices that develop and maintain replacement behaviors that enhance student learning and skills for life;
- Risks associated with the use of physical interventions including the signs of physical distress, positional asphyxiation, and the psychological effects of restraint;
- Safe techniques for the use of physical restraints (prone restraints prohibited);
- Documentation of the incident and compliance with notification procedures; and
- Post intervention debriefing with student and staff.

REPORTING:

Administration is directed to write internal procedures that detail who is responsible for reporting restraints, who is responsible for notifying key administrators regarding the use of a restraint, and who is responsible for entering restraints in the PDE system to reporting on the use of restraints. Administration is further directed to comply with PDE guidelines regarding the reporting of the use of restraints.

Staff trained and/or certified in a program of positive behavioral supports and de-escalation techniques, and safe physical management techniques will be designated as the individuals to intervene in crisis management situations that might require restraint of a student. Physical

interventions should only be undertaken by staff persons who have successfully completed a comprehensive crisis management course that covers: crisis definition and theory; the use of de-escalation techniques; crisis communication; anger management; passive physical intervention techniques; the legal, ethical, and policy aspects of physical intervention use; decision making related to physical interventions and debriefing strategies.

Parental notification should occur within one school day of a restraint incident unless other procedures are written in the student's IEP.

Any restraint that results in an injury to a student and/or staff person must be reported to the CEO who will comply with any requirement to report the injury to the Bureau of Special Education.

ADDITIONAL REQUIREMENTS AND ADMINISTRATIVE PROCEDURES

The CEO or his/her designee is directed to ensure that behavior support programs administered at PHASE 4 America are in accordance with Title 22 Pa, Code Chapter 711, including the training of personnel for the use of specific procedures, methods and techniques, and for having written procedures on the use of behavior support techniques and obtaining parental consent prior to the use of restrictive or intrusive procedures or restraints.

The CEO or his/her designee may convene a review, upon Board approval, including the use of human rights committees, to oversee the use of restrictive or intrusive procedures or restraints; only to the extent the use of such procedures is allowed by law and this policy.

The CEO or his/her designee is further directed to make professional development opportunities provided by the Bureau of Special Education available to train staff regarding Positive Behavior Support.

The CEO or his/her designee is charged with using the most updated forms available through the Bureau of Special Education related to positive behavior support, including the use of any forms promulgated for functional behavior assessments and behavior support plans.

REFERRALS TO LAW ENFORCEMENT

Subsequent to a referral to law enforcement, for a student with a disability who has a positive behavior support plan, an updated functional behavior assessment and positive behavior support plan shall be required.

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

ADOPTED this _____ day of _____ , 2012

_____
President

_____
Secretary

EXHIBIT 7 – School Family Conference and Truancy Elimination Plan

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

School Family Conference and Truancy Elimination Plan (TEP)

The Truancy Elimination Plan (TEP) is developed cooperatively with involved stakeholders through a school-family conference, which is required upon the school's notice to the student's parent/guardian upon the third unexcused absence. Teachers are the first line of defense for compulsory attendance, as they are the first to recognize students with possible attendance issues. Therefore, a plan of action should be implemented, including (but not limited to):

- Sharing and reviewing school policy on attendance and student responsibilities with students and families;
- Contacting the student's parent/guardian upon his/her absence;
- Meeting individually with students to discuss reason(s) for absence;
- Following up with the building principal (or assigned administrator);
- Making referrals to guidance counselors and;
- Collaborating with Student Assistance Teams as appropriate.

PHASE 4 America Cyber Charter School ("PHASE 4 America") will notify the parent/ guardian regarding the need for a joint conference upon the third unexcused student absence. The school-family conference engages all participants involved in the student's life to explore possible solutions to increase the student's school attendance. Maintaining open communication between the student and adults will facilitate positive outcomes.

The purpose of the school-family conference is to discuss the cause(s) of the truancy and to develop a mutually agreed upon plan to facilitate regular school attendance. The school-family conference provides both parties with the opportunity to identify, understand and explore all issues contributing to the student's truant behavior. Participation by the student and family is an integral component for this conference, in addition, representatives from relevant and/or involved community-based agencies, community and school services, and school personnel should be invited to participate, as needed. During the school-family conference, a Truancy Elimination Plan (TEP) shall be developed cooperatively with the student and other meeting participants, Issues to be addressed at the school-family conference should include but not be limited to:

- Appropriateness of the student's educational environment;
- Possible elements of the school environment that inhibit student success;
- Student's current academic level and needs;
- Social, emotional, physical, mental and behavioral health issues;
- Issues concerning family and home environment and;
- Any other issues affecting the student's attendance.

The participants in the school-family conference should work collaboratively to conduct a holistic assessment to determine the reason(s) the student is exhibiting truant behavior. Every member should have a vested interest in and responsibility for determining an appropriate plan to assist the student to succeed both socially and academically. This school-family conference also provides an opportunity to ensure that both the student and the family clearly understand the legal ramifications of not adhering to the state's compulsory attendance requirements. This methodology promotes full understanding and appreciation of the root causes of truancy as well as the resultant personal and societal impacts when truant behavior is not adequately addressed.

The primary goal of the school-family conference is the development of a comprehensive TEP which is understood by, agreed upon and, supported by the student, the parent/guardian, the school representatives and all other conference participants. The TEP may include but not be limited to the following components as appropriate:

- Identification and provision of appropriate academic supports by the school and/or community organization(s);
- Identification and provision of appropriate social, emotional, physical, mental and. behavioral health supports from the school and/or community organization(s);
- identification of the school environment issues that affect the student's success and solutions to address these issues;
- Explanation of the student's strengths and responsibilities related to the TEP;
- Explanation of the family's strengths and responsibilities related to the TEP;
- Clarification of method(s) used for monitoring the effectiveness of the TEP;
- Explanation of the consequences for each stakeholder if the TEP is not fully implemented;
- Discussion of the benefits for successfully implementing the TEP;
- Following up and reporting the outcome of the TEP.

The TEP substantiates efforts made by the school, the family and other vested third parties to assist the student in addressing and resolving school attendance issues. This comprehensive system of supports and services provides documentation of the "good faith" effort between the school and the student's family should future action be required (e.g. citation to the magisterial district judge and referral to the county children and youth agency, disciplinary action, expulsion, etc.).

Directions to complete the Truancy Elimination Plan (TEP)

The TEP should be completed at the school-family conference. The Cyber Charter School administrator should complete the TEP in collaboration with other conference participants. Participants should include, but are not limited to: student, parent/guardian, other relevant family members, school staff, partner organizations, community-based organizations and other agencies involved with family (e.g. Children and Youth,

Juvenile Probation). To identify and resolve root causes of truancy, all members should contribute their unique knowledge about the student and his/her environment to group discussion. Only then can meaningful results be achieved.

Directions

1. **Goal: Increase** (insert student's name) **school attendance.**
2. **Date:** Enter the date when TEP is being completed
3. **Student Information (enter the following):**
    a. Name of the student (First M. Last)
    b. Birth date (mm/dd/yyyy)
    c. Gender (male/female)
    d. Grade Level
    e. Home Address
    f. Home Phone Number
    g. Special Needs (include any special needs identified through an IEP, and/or other accommodations not mandated by IEP, etc.)
    h. Health Concerns (these can be identified by student, parent/ guardian, school staff, and others)
4. **School Information (enter the following):**
    a. Name of School
    b. School Address
    c. Phone Number(s)
    d. Principal's Name
    e. Referring Teacher's Name
    f. Email address/es (can be provided to ensure ongoing communication)
5. **Parent/Guardian Information (enter the following):**
    a. Name
    b. Home Address
    c. Home Phone Number
    d. Work Address
    e. Work Phone Number
    f. Email address(es) (can be provided to ensure ongoing better communication)

6. **Absence (enter the following):**
    a. Dates of each absence
    b. Whether or not an excuse was provided
    c. Reason(s) for each absence
    d. Action taken by the school on each incident of absence
    e. Provide meaningful information for future reference, including the name of the person taking the action, the date action was taken and any other relevant information.
7. **Assessment (enter the following):**
    a. Identify root cause/s of the truancy. It is crucial (yet sometimes overlooked) to build rapport with the student. This dialogue benefits all involved parties.
        i. Student: academic, social, physical, mental, behavioral health issues.
        ii. Parent/Guardian: home environment, work schedules, unsupervised time for student, special circumstances, etc.
        iii. School: school environment, student's interaction with other adults and with other students, school schedule, etc.
    b. Consider possible solutions:
        i. These may include maximizing programs and services available in the school or community to involve the student.
        ii. They could include pairing the student with a mentor (family member, teacher, school staff, community businesses, etc.)
        iii. They may involve coordination of services to student and/or family to address health, social or financial issues.
        iv. They may include activities intended to build self-esteem or confidence (e.g. the student may be asked to tutor elementary school students for some type of credit).
    c. Responsible party (enter the following):
        i. Name of the person/agency that will take ownership for <u>each</u> stated solution (will ensure that the action step is completed).
        ii. Contact information for each person/agency listed (to assist in monitoring/ follow up).
8. **Strengths (enter the following):**
    a. Identify the strengths of the student, family and the school to support the goal of increasing attendance for the student.
    b. Relate each strength to the plan's overall goal.
        i. For example: If the student reads well, a solution could be the student read to younger students. This engages the older student in a meaningful activity, increases confidence, and supports his/her sense of responsibility by reading to

a younger student, thereby regular school attendance and academic success of both the older and younger student.

ii. If the student has plans for employment or further schooling after high school graduation, then appropriate activities could include:

1. Discussing the ramifications of any future absences and how they could negatively impact those future plans.
2. Pairing the student with a business member in the field that interests the student. This may help the student to understand the relevance of what he/she is learning in school and future endeavors.

iii. If the student has a single parent who works in the evening, leaving the student unsupervised, an appropriate action step could be to have a neighbor, extended family member or other adult either stay with the student or be in contact with the student during the parent's absence.

iv. If the student values school and the absences occurred three days in a row, then perhaps this was an isolated incident, However, it should be made clear that consequences could include a citation to the magisterial district judge and referral to the county children and youth agency and/or disciplinary action related to future incidents.

9. **Consequences for Non-compliance:** Outline consequences for the student, parent/guardian, school, and other participants if they do not follow-through with the recommendations of the TEP and the BEC.
10. **Benefits for Compliance:** Benefits could include better grades for the student, graduation, higher graduation rates for the school, more involved community members, improved self-esteem, better relationship with parent/s and other adults, etc.
11. **Signatures:** The student, parent, and school official will sign and date the TEP as verification that all parties understand and agree to all components of the TEP
12. **Outcome Meeting:** With school-family participants present, a follow up meeting will be scheduled. At that time each responsible party listed in the Solutions section will report on the progress of their area of responsibility.
13. **Outcome:** The group members will list the outcome(s) of the TEP and outline Next Steps, if any.
14. **Signatures:** The student, parent/guardian, and school official will again sign and date the TEP.

- A copy of the TEP will be retained in the student's file.
- A copy of the TEP will be provided to the:

  - student

  - parent/guardian

  - appropriate school personnel

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

Adopted on this _____day of_____ , **2012**

_____

President

_____

Secretary

Truancy Elimination Plan (TEP)

Date: _____

Goal: Increase *(Insert Student's Name)* school attendance.

Name of Student **Date of Birth** **Gender** **Grade Level**	Address Phone Number	**Special Needs** Health Concerns
Name of School	Address Phone Number	**Principal's Name** **Referring Teacher's Name**
Name of Parent/Guardian	Home Address Home Phone Number	Work Address Work Phone Number

Date of Absence	Written Excuse Provided? (Y/N)	Reason(s) for Absence	Action Taken (e.g. Parent Letter 1 sent out on 04/01/2010, John Doe called parent, Mrs. Smith to discuss
1.			
2.			
3.			
4.			

Assessment

Description	Solution(s)	Responsible Party
1.		
2.		
3.		

Strengths

Description	Relevance to the Plan
1.	
2.	
3.	

Solutions

Description	Responsible Party(ies)	Completion Date
1.		
2.		
3.		

Consequences for non-compliance
1.
2.
3.
Benefits for compliance
1.

2.
3.

This TEP was created collaboratively to assist the student in improving attendance, to enlist the support of parent/guardian and to document the school's attempts to provide resources to promote student success.

Student: _____ **Date:** _____

Parent or Guardian: _____ **Date:** _____

School Official: _____ **Date:** _____

cc: **student ___ (initial upon receipt)**
parent/guardian ___ (initial upon receipt)
school personnel ___ (initial upon receipt)
other ___ (initial upon receipt)

Date for Follow-up Outcomes Meeting:

Outcomes: 1. 2. 3.
Next Steps: 1. 2. 3.

Student: _____ **Date:** _____

Parent or Guardian: _____ **Date:** _____

School Official: _____ **Date:** _____

In order for agencies outside of the school to assist with this plan, your permission is needed to release the plan to the following:

_____

Please sign below:
Parent or Guardian: _____ **Date:** _____

EXHIBIT 8 – Success Report

PHASE 4 Learning Center, Inc. Success Report

2010 – 2011 Success Report

PHASE 4 Learning Center, Inc.

www.phase4learningcenter.org

Corporate Office
3075 Clairton Rd.
Suite 930
Pittsburgh, PA 15123
412.650.9004

Beaver Valley Mall
Suite 205
Monaca, PA 15061
724.770.9080

Century III Mall
3075 Clairton Rd.
Suite 930
Pittsburgh, PA 15123
412.650.9004

East Liberty
5854 Baum Boulevard
Pittsburgh, PA 15206
412.924.0053

Germantown
(New site as of Fall 2011)
301 East Chelten Avenue
Third Floor
Philadelphia, PA 19144
267.331.5107

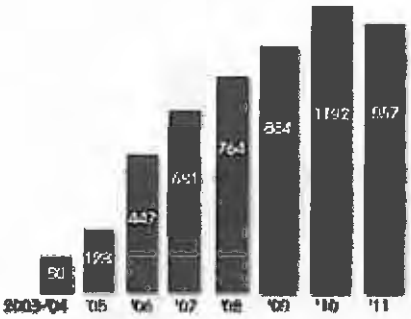
Harrisburg Mall
3501 Paxton Street
Unit 6
Harrisburg, PA 17111
717.561.2060

Liberty Plaza
9 Franklin Mills Blvd.
Philadelphia, PA 19154
215.637.0544

Washington Crown Center
1500 W. Chestnut Street
Suite 174
Washington, PA 15301
724.470.1002

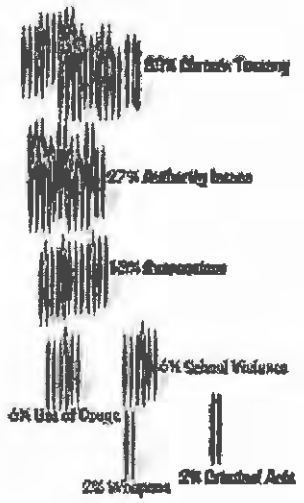
... Highlights 2011

Students Served through '10-11



COL. Robert Wade of the United States Army observes students

Reasons for Referral to PHASE 4



Reaching Students Statewide

PHASE 4 Learning Center, Inc. (founded in 2003) is an approved private provider of alternative education services under the Pennsylvania Department of Education AEDY guidelines – fully accredited by the Middle States Association since 2006.

In 2010-2011, PHASE 4 operated six learning centers throughout the Commonwealth of Pennsylvania with four locations in Western Pennsylvania, one in Harrisburg, and one in Philadelphia. During the 2010-2011 school year, nearly one thousand students received services through PHASE 4.

Responding to Need

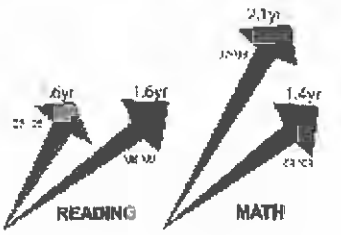
PHASE 4 tailors our programming to meet the diverse needs of school districts and their communities. Students are referred to PHASE 4 for reasons specified under the PA alternative education guidelines. The success of our students and PHASE 4 depends on the choices made by school districts and funders to use our educational programs.

We continued to see gains in the number of organizations that we partner with as we worked with more than seventy schools in Pennsylvania, City of Pittsburgh and Allegheny County workforce development programs, and multiple foundation funders.

... Highlights 2011

Increasing Basic Skills

The STAR Reading and STAR Math Assessments are given to each student at the start of the school year, mid-year and at the end of each year. The average gains on both assessments exceeded our annual goals. The collaboration with our partnering school districts makes the transition to PHASE 4 a seamless process and positions the student for success once they join our program.



Average Increase in READING and MATH Scores (Pre Post Testing)

Terrie Suice-Reed distributes a Simon Youth Foundation college scholarship check to a graduating student

Students Earning Diplomas

Each year, we celebrate the accomplishment of PHASE 4 students during *CELEBRATION OF SUCCESS* ceremonies that take place in central mall locations.

Since 2004, 1,151 individuals have earned their own district diploma through PHASE 4.

... Highlights 2011

PHASE 4 Partner Districts
Free & Reduced Lunch %

Risk-Factor Complexes

Research has shown that students with multiple social, behavioral, and academic challenges need an alternative to comprehensive classroom education. Forty-five percent of PHASE 4's students are referred from school districts where over forty-one percent of the students are from low-income families. PHASE 4 responds to all students with the same basic beliefs:

We believe that alternative students...
...need acceptance and caring to be successful
...are intuitive problem solvers with unique learning styles

We believe that PHASE 4 staff...
...must utilize unique instructional and personal strategies to motivate unique learners

We believe that PHASE 4...
...must provide a dignified family and community centered environment
...must simultaneously **address the academic, social,** behavioral, and future **needs of students**
...must provide **the resources for students to receive a diploma and transition into the future.**

Post Graduation

Outcomes

98% Graduation Rate

100% of graduates have future plans

- **10% Military service**
- **56% Post-secondary education**
- **34% Employment**

PHASE 4 America, Inc.
PHASE 4 Learning Center, Inc.
Founded 2009

Terrie Suica-Reed
Founder, President & CEO
tsuicareed@phase4lc.org

Don Davis
Board Chair

Catherine Mickolay
Vice President
cfmickolay@phase4lc.org

© PHASE 4 Learning Center, Inc., PHASE 4 America, Inc.

EXHIBIT 9 – By-Laws

PHASE 4 America Cyber Charter School

BY-LAWS

1. NAME AND PURPOSE:

A. **Name:** The name of the organization shall be **PHASE 4 AMERICA CYBER CHARTER SCHOOL.** It shall be a nonprofit corporation incorporated under the laws of the Commonwealth of Pennsylvania.

B. **Purpose:**

i. **PHASE 4 AMERICA CYBER CHARTER SCHOOL** will connect students with a global opportunity to prepare for a career of service in the government, social services, or military sectors. Pathways to service and citizenship include a focused curriculum and youth service experience with formal ties to local non-profits, police/fire EMT, allied health, child care, and military service sectors. Enlightened use of technology in a blended model of instruction and structured leadership development opportunities will help each student develop self-discipline, social awareness, and personal commitment to full memberships in our civil society.

C. **Fiscal Year**: Fiscal Year of the Corporation shall be July 1st through June 30th of each calendar year.

D. **Membership**: Membership shall consist of the Board of Trustees (hereinafter "Board").

2. BOARD OF TRUSTEES

A. **Powers of the Board of Trustees:** The Board of Trustees of the Corporation shall have all powers vested in them as permitted by the Non-Profit Corporation Law in Pennsylvania, the Articles of Incorporation of **PHASE 4 AMERICA CYBER CHARTER SCHOOL** and these By-Laws.

B. **Board Role, Size, and Compensation:** The Board is responsible for overall policy and direction of the association, and delegates responsibility of day-to-day operations to the staff and committees. The Board shall consist of not more than nine (9) members. The Board shall receive no compensation other than reasonable reimbursement for expenses incurred on behalf of the Corporation and applicable salary and benefits for Board Members who are employees. The Principal of the Corporation shall be a Voting Members of the Board of Trustees, as long as any such individual is employed by the Corporation. The number of Corporate Employee Members of the Board shall not exceed non-employee Members.

C. **Board Terms:** The term of a Voting Board Member shall be three (3) years, but Members are eligible for re-election for up to two (2) consecutive terms and will need to leave the Board for at least one year before returning to serve additional terms. This provision shall not apply to Employee Board Members.

D. **Board Meetings and Notice:** The Board shall meet at least 12 times per year (monthly) at an agreed upon time and place. Notice of meetings requires that each Board Member have written notice at least seven (7) days in advance.

E. **Notice of Meeting:** The notice of any regular or special meeting of the board shall be either by regular mail or Email.

F. **Board Elections:** During the last quarter of each fiscal year of the Corporation, the Board shall elect Trustees to replace those whose terms will expire at the end of the fiscal year. This election shall take place during a regular meeting of the Board, called in accordance with the provisions of these By-Laws.

G. **Election Procedures:** After recommendation by the Nominating Committee, new Trustees shall be elected by a majority of Trustees present at such a meeting, provided there is a quorum present. Trustees so elected shall serve a three (3) year term beginning on the first day of the next fiscal year.

H. **Conflict of Interest:** No Board member shall as a private person engage in any business transaction with the charter school of which he or she is a trustee, be employed in any capacity by the charter school of which he or she is a trustee, or receive from such charter school any pay for services rendered to the charter school.

I. **Processing of Funds:** The Board of Trustees shall have a designated treasurer who shall receive all funds including local, state and federal funds and privately donated funds. The treasurer shall also make payments out of the same on proper orders approved by the Board of Trustees, signed by the president or vice-president of the Board. The treasurer may pay out such funds on orders that have been properly signed without the approval of the Board first having been secured for the payment of amounts owing under any contracts which shall previously have been approved by the Board, and by which prompt payment the charter will receive a discount or other advantage.

J. **Informal Action of the Board:** Any action which may be taken at a meeting of the Board may by taken without a meeting, if a consent or consents in writing, setting forth the action so taken, is signed by all of the board who would be entitled to vote at a meeting for such purposes and such consent is filed with the Secretary of the Corporation.

K. **Telephonic Meetings:** Any Board member may participate in a meeting of the Board of Trustees by means of conference telephone or similar communications equipment by means of which all persons participating in the meeting can hear each other. Participation in a meeting in this manner shall constitute present in person at the meeting.

L. **Board Committees:** The Committees of the Board shall consist of the following:

   i. The Executive Committee which shall consist of all of the officers of the Board and the Principal of the school.

   ii. The Education Committee which shall have the following functions:

      a. Monitor program results and student outcomes
      b. Review curriculum and recommend changes when necessary

   iii. The Marketing Committee which shall have the following functions:

      a. Define short- and long-term approaches for marketing, communications and public relations
      b. Evaluate success of marketing program and recommend changes when necessary

c. Finance
d. Personnel
e. Audit

iv. Nominating Committee
a. Identify a roster of potential board candidates
b. Prepare recommendations of for new board members to the full board

v. Development Committee
a. Supervise the schools fundraising activities

vi. Personnel Committees
a. Establish and monitor personnel policies including the evaluation Principal, and staff

M. **Quorum:** A quorum shall consist of at least forty percent (40%) of Board Members.

N. **Officers and Duties:** There shall be four (4) officers of the Board, consisting of a Chair, Vice-Chair, Secretary and Treasurer. Their duties are as follows:

i. The Chair shall convene regularly scheduled Board Meetings, shall preside or arrange for other Members of the Executive Committee to preside at each meeting in the following order: Vice-Chair, Secretary, and Treasurer.

ii. The Vice-Chair shall chair committees on special subjects as designated by the Board and act as Chair when the Chair is absent.

iii. The Secretary shall be responsible for keeping records of Board actions, including overseeing the taking of minutes at all Board Meetings, sending out meeting announcements, distributing copies of minutes and the agenda to each Board Member, and assuring that corporate records are maintained.

iv. The Treasurer shall make a report at each Board Meeting, assist in the preparation of the budget, help develop fund-raising plans, and make financial information available to Board Members and the public.

O. **Vacancies:** When a vacancy on the Board exists prior to the expiration of a term, the Secretary must receive nominations for new members from the Nominating Committee two (2) weeks in advance of a Board Meeting. These nominations shall be sent out to the Board at the next Regular Board Meeting to be voted upon. These vacancies will be filled only to fulfill any unexpired term.

P. **Resignations, Termination and Absences:** Resignation from the Board must be in writing and forwarded to the Secretary. A Board Member may be terminated from the Board due to excess absences or more than two (2) unexcused absences from regular Board Meetings in a year. A Board Member may be removed for any reason by a three-fourths (3/4) vote of the remaining Trustees.

Q. **Special Meetings:** Special Meetings of the Board shall be called upon the request of the Chair, or one-third (1/3) of the members of or the Executive Director of the Board. Notices of Special Meetings shall be sent out by the Secretary to each Board Member at least one (1) day in advance.

3. **PRINCIPAL AND STAFF:** The school shall hire a Principal, who will have day-to-day responsibilities for the organization, including carrying out the organization's goals and policies. The Principal shall attend all Board Meetings, report on the progress of the organization, answer questions of the Board Members, and carry out the duties described in the job description. The Board may designate other duties as necessary.

4. **CONTRACTS:** The Corporation shall have the power to enter any contract necessary for its operational purposes, except that no contracts shall be entered with any person or entity where a Board Member is economically benefited; nor shall any contract be entered with any person or entity wherein any Board member has an economic interest or is acting in any capacity for any such person or entity as agent, employee, owner, partner, or other business relationship. Nothing in here shall prevent the Corporation from entering a contract with any entity that is a public corporation wherein any Board Member owns less than five percent (5%) interest in any company.

5. **LIMITATION OF PERSONAL LIABILITY OF TRUSTEES:** To the fullest extent that the laws of the Commonwealth of Pennsylvania, as in effect on the date of the adoption of this subparagraph or as such laws are thereafter amended, permit elimination or limitation of the liability of Trustees, no Director of the Corporation shall be personally liable as such for monetary damages for any action taken, or any failure to take action, as a Director.

   In performing his/her duties, a Director may rely in good faith upon information, opinions, reports or statements, including financial statements and other financial data, prepared or presented by (i) one or more officers or employees of the Corporation whom the Director reasonably believes to be reliable and competent in the matters presented, or (ii) counsel, public accountants or other persons as to such matters which the Director reasonably believes to be within the professional or expert competence of such person, or (iii) a committee of the Board of Trustees upon which the Director does not serve, duly designated in accordance with law, as to matters within its designated authority, which committee the Director reasonably believe to merit confidence. A Director shall not be considered to be acting in good faith, however, if such Director has knowledge concerning a matter which would cause his/her reliance on any of the foregoing to be unwarranted.

   In discharging the duties of their respective positions, the Board of Trustees, committees of the Board of Trustees and any individual Trustees may, in considering the best interests of the Corporation, consider the effects of any action upon employees, upon suppliers of the Corporation and upon communities in which offices or other establishments of the Corporation are located, and all other pertinent factors. The consideration of those facts shall not constitute a violation of such person's fiduciary standard of care. In addition, absent breach of fiduciary duty, lack of good faith or self-dealing, actions taken by a Director or any failure to take any action shall be presumed to be in the best interests of the Corporation.

6. **OFFICERS OF THE CORPORATION**

   A. **Principal:** The Principal of the corporation shall preside at all meetings of the Trustees; shall have general and active management of the affairs of the corporation; shall see that all orders and resolutions of the Board are carried into effect; shall execute contracts, financial transactions, bonds, mortgages and other documents requiring having a seal, under the seal of the Corporation, shall be EX-OFFICIO a member of all committees and shall have the general powers and duties of supervision and management usually vested in the office of Principal.

   B. **Vice Principal:** The Vice Principal shall act in all cases for and as the Principal in the latter's absence or incapacity, and shall perform such other duties as he/she may be required to do from time to time. The Board may appoint such Vice-Principal as it deems necessary for specific functions of the Corporation.

C. **Secretary:** The Secretary shall attend all sessions of the Board and all meetings of the members and act as clerk thereof, and record all votes of the corporation and the minutes of all its transactions in a book to be kept for that purpose; and shall perform like duties for all committees of the Board of Trustees when required; shall give, or cause to be given, notice of all meetings of the members and of the Board of Trustees, and shall perform such other duties as may be prescribed by the Board of Trustees or Principal, under whose supervision, he/she shall be; shall keep safe custody of the corporate seal of the corporation, and when authorized by the Board, affix the same to an instrument requiring it.

D. **Treasurer:** The Treasurer shall have custody of the corporate funds and securities and shall keep full and accurate accounts of receipts and disbursements in books belonging to the corporation, and shall keep the moneys of the corporation in a separate account to the credit of the corporation; shall disburse the funds of the corporation as may be ordered by the board taking proper vouchers for such disbursement, and shall render to the Principal and Trustees, at the regular meeting of the Board, or whenever they may require it, and account of all his/her transactions as Treasurer and of the financial condition of the corporation.

7. **CHECKS:** All checks or other payment method of the Corporation must be signed by at least two (2) Officers of the Corporation.

8. **BOOKS AND RECORDS:**

A. The corporation shall keep an original or duplicate record of the proceedings of the members and the Trustees, the original copy of the By-Laws, including all amendments thereto to date, certified by the secretary of the corporation, and an original or a duplicate membership register, giving the names of the members, and showing their respective addresses and the class other details of the membership of each. The corporation shall also keep appropriate, complete and accurate books or records of account. The records provided for herein shall be kept at either the registered office of the corporation in this Commonwealth, or at its principal place of business wherever situated.

B. Every member shall, upon written demand under oath stating the purpose thereof, have a right to examine, in person or by agent or attorney, during the usual hours for business for any proper purpose, the membership register, books and records of account, and records of the proceedings of the members and Trustees, and to make copies or extracts therefrom. A proper purpose shall mean a purpose reasonably related to the interest of such person as a member. In every instance where an attorney or other agent shall be the person who seeks the right to inspection, the demand under oath shall be accompanied by a power of attorney or such other writing which authorizes the attorney or other agent to so act on behalf of the member. The demand under oath shall be directed to the corporation at its registered office in this Commonwealth or at its principal place of business wherever situated.

9. **EMPLOYEE TERMINATION:** It is the policy of PHASE 4 AMERICA CYBER CHARTER SCHOOL to redirect an employee whenever he/she violates a rule, a regulation, or performs unsatisfactorily. The purpose of redirection is to correct the problem and prevent it from happening again.

In each instance, the redirection taken is to be consistent and in proportion to the seriousness of the violation. In addition, redirection is to be administered by the employee's supervisor as soon as it is practical. However, a violation which is serious in nature is to be corrected by any supervisor immediately, whether the employee is a subordinate or not.

Both the employee and PHASE 4 AMERICA CYBER CHARTER SCHOOL have the right to terminate employment at-will, with or without cause or advance notice. PHASE 4 AMERICA CYBER CHARTER SCHOOL may use this redirection policy at its discretion.

Four types of redirection are recognized. These are verbal warning, written warning, suspension, and dismissal.

Warning notices will be placed in the applicable employee's personnel file. Should further violations occur, such warnings will remain as a basis for progressive disciplinary action for a period of 23 months.

1) Violation of any of the following rules, or any other actions deemed extremely serious by management, may be considered adequate justification for discharge for the first offense:

   a) Possession, carrying, or being under the influence of intoxicating beverages or narcotics on PHASE 4 AMERICA CYBER CHARTER SCHOOL property.
   b) Stealing or attempting to steal property from any individual on PHASE 4 AMERICA CYBER CHARTER SCHOOL premises, or stealing or attempting to steal property from PHASE 4 AMERICA CYBER CHARTER SCHOOL.
   c) Bodily assault upon any person or fighting on PHASE 4 AMERICA CYBER CHARTER SCHOOL premises.
   d) Possession of firearms or any dangerous weapons or explosives on PHASE 4 AMERICA CYBER CHARTER SCHOOL property.
   e) Threatening, intimidating, coercing, or interfering with other employees.
   f) Inappropriate behavior toward or with a student.
   g) Insubordination to supervisor, refusal to perform supervisor's assignments, or directing abusive or threatening language at any supervisor, employee, or representative of PHASE 4 AMERICA CYBER CHARTER SCHOOL.
   h) Disclosing business information of a confidential nature to unauthorized persons, or any action by an employee that might cause the employer to lose business or that would create poor public relations.
   i) Falsification of employment applications, time cards, production reports, or other records of PHASE 4 AMERICA CYBER CHARTER SCHOOL.
   j) Fraud committed by knowingly accepting pay for operations not performed or time not worked.
   k) Acts of sabotage or other interference with PHASE 4 AMERICA CYBER CHARTER SCHOOL projects.
   l) Defacing PHASE 4 AMERICA CYBER CHARTER SCHOOL property.
   m) Conviction of a felony.
   n) Sleeping during working hours.
   o) Absence for three consecutive working days **without notifying** PHASE 4 AMERICA CYBER CHARTER SCHOOL (*except in extenuating circumstances*).
   p) Unsafe operation of equipment in a negligent manner or destruction of PHASE 4 AMERICA CYBER CHARTER SCHOOL material or property or the property of fellow employees.

2) The belief in Redirection is not a guarantee of its use. The Company reserves the right to terminate employment at any time, with or without reason. Additionally, the Company reserves the right to prosecute any employee for any infractions. The following process may be used for violation of any rules in 3.a. through p. below.

   a) **First Offense** - Oral reprimand (memo to personnel file), counseling by supervisor and/or other appropriate staff
   b) **Second Offense** - Written reprimand and warning, counseling by supervisor and/or other appropriate staff and Principal
   c) **Third Offense** - Suspension for a three-day period without pay, counseling by supervisor and/or other appropriate staff and/or Principal and/or

d) **Fourth Offense** – Discharge

3) The following rule violations, as well as other offenses deemed appropriate by management, will be cause for disciplinary action prescribed above:

a) Removing packages from the premises without written permission of Management
b) Ignoring safety rules or common safety practices
c) Running, scuffling, throwing objects, horseplay, or disorderly conduct of any kind.
d) Failing to report an occupational injury promptly to supervisor.
e) Unauthorized soliciting of funds or distributing literature on PHASE 4 AMERICA CYBER CHARTER SCHOOL property. Unauthorized posting or removal of notices, signs, or writing in any form on bulletin boards or PHASE 4 AMERICA CYBER CHARTER SCHOOL property at any time.
f) Unexcused or excessive tardiness or absence (not covered by 1. o) above).
g) Leaving an assigned working area during working hours for any reason without authorization from a member of Management, except for lunch, coffee break, and going to and from the rest room.
h) Gambling on PHASE 4 AMERICA CYBER CHARTER SCHOOL property and during Company time including the distribution of gambling material.
i) Leaving work before the end of the shift or not being ready to begin work at the start of a shift or working overtime without the permission of Management.
j) Spending unnecessary time away from the job.
k) Inefficiency, negligence, or lack of effort on the job.
l) Unauthorized possession or use of any PHASE 4 AMERICA CYBER CHARTER SCHOOL property, equipment or materials.
m) Contributing to unsanitary conditions or poor housekeeping or eating at workstations.
n) Smoking in unauthorized or restricted areas.
o) Unauthorized presence on PHASE 4 AMERICA CYBER CHARTER SCHOOL premises outside of employee's scheduled work hours.
p) Use of PHASE 4 AMERICA CYBER CHARTER SCHOOL property or time for the personal financial gain of an employee other than the full-time employment as a PHASE 4 AMERICA CYBER CHARTER SCHOOL employee.

The lists above are examples only and are not all-inclusive. In serious circumstances, some problems will justify a suspension or termination without going through the above-described redirection process.

By using this progressive redirection policy, we hope that employee problems will be corrected at an early stage.

10. AMENDMENTS TO BY-LAWS: These BY-LAWS may be altered or amended by a two-thirds (2/3) vote of a majority of the Board of Trustees present at any Regular or Special Meeting duly convened after notice of that purpose.

Adopted by the PHASE 4 AMERICA CYBER CHARTER SCHOOL Board of Trustees this

_____day of _____, 2012.

PHASE 4 AMERICA CYBER CHARTER SCHOOL

By:_____
Secretary of the Board

EXHIBIT 10 – Employee Rating Form Worksheet

PHASE 4 AMERICA CYBER CHARTER SCHOOL
EMPLOYEE RATING FORM WORKSHEET

EMPLOYEE _____ **DATE** _____

The following is a rating instrument designed to evaluate the performance of PHASE 4 America Cyber Charter School employees for the purpose of IMPROVING professional service and PROMOTING personal growth. The employee should begin the process by

- **Reviewing each standard of practice;**
- **Identifying area or areas that are SPECIAL STRENGTHS;**
- **Identifying area or areas that need improvement;**
- **Supporting each of the above with a statement from the data.**

The site leader will review the information, discuss and resolve any discrepancies with the employee, render a rating, and generate an action plan, if necessary, to correct areas that need improvement. A pattern of deficiencies will result in an unsatisfactory rating, which, in turn, could lead to sanctions or termination.

JOBS	Evaluated? Yes or No	STANDARDS OF PRACTICE	AREA OF SPECIAL STRENGTH (Write a corresponding statement from the data)	AREA NEEDING IMPROVEMENT (Write a corresponding statement from the data)
ALL SCHOOL STAFF		Advocates for students		

JOBS	Evaluated? Yes or No	STANDARDS OF PRACTICE	AREA OF SPECIAL STRENGTH (Write a corresponding statement from the data)	AREA NEEDING IMPROVEMENT (Write a corresponding statement from the data)
		Promotes and protects the health, safety, and welfare of students and staff.		
		Promotes positive working relationships with students, parents, colleagues, agencies, and the community.		
		Maintains a positive work ethic.		
		Assists in providing a clean, healthy work environment.		
		Is on time for work.		
		Dresses professionally and appropriately for the situation.		
		Mediates conflicts positively.		

JOBS	Evaluated? Yes or No	STANDARDS OF PRACTICE	AREA OF SPECIAL STRENGTH (Write a corresponding statement from the data)	AREA NEEDING IMPROVEMENT (Write a corresponding statement from the data)
		Performs appropriate clerical tasks efficiently and effectively according to the center's guidelines and procedures.		
		Follows the center's guidelines and procedures in work-related matters.		
		Actively supports the mission and objectives of PHASE 4 America Cyber Charter School.		
		Actively participates in meetings, conferences, or inservice when appropriate.		
		Uses prudent judgment and common sense in working with students, colleagues, families, and agencies.		
		Works according to schedule.		
TEACHER		Provides instruction that responds to students' needs, interests, and abilities in a social setting.		
		Promotes a positive school climate and classroom atmosphere conducive to learning.		

JOBS	Evaluated? Yes or No	STANDARDS OF PRACTICE	AREA OF SPECIAL STRENGTH (Write a corresponding statement from the data)	AREA NEEDING IMPROVEMENT (Write a corresponding statement from the data)
		Provides resources and helps students manage them.		
		Applies consequences that are REASONABLE, RELATED, and RESPECTFUL when a student breaks established rules.		
MENTOR		Conducts regular meetings with students.		
		Follows the center's guidelines and procedures for documenting meetings with advisees.		
		Meets deadlines for conducting and documenting mentoring meetings.		
Counselor		Is a liaison between the Center and families, sender school districts, and outside agencies.		
		Provides individual and small group counseling as needed or requested.		

JOBS	Evaluated? Yes or No	STANDARDS OF PRACTICE	AREA OF SPECIAL STRENGTH (Write a corresponding statement from the data)	AREA NEEDING IMPROVEMENT (Write a corresponding statement from the data)
		Secures, distributes, administers, collects, and returns standardized testing materials.		
		Provides career counseling to students & parents.		
		Arranges for guest speakers and appropriate activities on topics such as health, drugs, sex, etc.		
		Makes referrals and arranges contact between students and families and mental health and drug & alcohol service providers.		
In-take Manager		Registers new students.		
		Participates in intake interviews with new students and parents.		
		Assists in the development of an appropriate program of study to meet the new student's academic needs.		

JOBS	Evaluated? Yes or No	STANDARDS OF PRACTICE	AREA OF SPECIAL STRENGTH (Write a corresponding statement from the data)	AREA NEEDING IMPROVEMENT (Write a corresponding statement from the data)
		Monitors the progress of new students through the probationary period and makes adjustments as needed.		
AIDE		Assists teachers in instructional and clerical tasks.		
FRONT DESK/ Admin. Assistant		Manages the front desk.		
		Greets visitors to the .		
		Takes phone messages or faxes and relays them to the appropriate receivers.		
		Handles the mail.		
Curriculum Specialist/ Student Services Manager		Updates database and data base entries.		

JOBS	Evaluated? Yes or No	STANDARDS OF PRACTICE	AREA OF SPECIAL STRENGTH (Write a corresponding statement from the data)	AREA NEEDING IMPROVEMENT (Write a corresponding statement from the data)
		Manages the report card system.		
		Completes end-of-the-year reports.		
		Is a liaison to school counselors, principals, special educators, and coordinators.		
		Coordinates services and programs (Reading, Art, etc.)		
		Develops and implements PennCORD.		
		Develops and edits publications for the Center.		
		Coordinates activities (prom, graduation, field trips, internships).		
		Coordinates community service opportunities.		

JOBS	Evaluated? Yes or No	STANDARDS OF PRACTICE	AREA OF SPECIAL STRENGTH (Write a corresponding statement from the data)	AREA NEEDING IMPROVEMENT (Write a corresponding statement from the data)
		Manages student attendance record keeping.		
		Emails and faxes student attendance daily and weekly to districts as requested.		
		Informs schools, parents and the public of PHASE 4 America Cyber Charter School learning programs.		
		Provides academic and behavioral data to staff mentors to assist the mentoring process.		
		Registers summer school students.		
Site Leader		Establishes a chain-of-command for day to day operations of the site.		
		Coordinates and facilitates the mentoring process and outcomes for the site.		
		Attends IEP meetings at districts and on site.		

JOBS	Evaluated? Yes or No	STANDARDS OF PRACTICE	AREA OF SPECIAL STRENGTH (Write a corresponding statement from the data)	AREA NEEDING IMPROVEMENT (Write a corresponding statement from the data)
		Meets with school district officials at PHASE 4 America Cyber Charter School or in districts.		
		Conducts meetings with parents and students.		
		Conducts meetings with students and teachers.		
		Shares in planning and implementing professional development programs.		
		Conducts regular staff meetings.		
		Meets with members of Executive Team for program planning.		

EXHIBIT 11 – PDE Employee Evaluation Forms

Commonwealth of Pennsylvania	DEPARTMENT OF EDUCATION	333 Market St., Harrisburg, PA 17126-0333

SEMI-ANNUAL EMPLOYEE EVALUATION FORM FOR INSTRUCTIONAL I TEACHERS

Employee's Last Name	First	Middle	Positions(s) of Employee
District/IU	School	Evaluator	Interview/Conference Date

School Year: 2006 - 2007 Evaluation: (Check 1) ☐ One ☐ Two

This form is to serve as a permanent record of an administrator's evaluation of a teacher's performance during a specific time period based on specific criteria.

PERFORMANCE EVALUATION

Directions: Examine all sources of evidence provided by the teacher and bear in mind the aspects of teaching for each of the four categories used in this form. Refer to the rubric language, checking the appropriate aspects of teaching, and indicating the sources of evidence used to determine the evaluation of the results in each category. Finally, assign an overall evaluation of performance, sign the form and gain the signature of the employee.

Category **I: Planning and Preparation — Through their knowledge of content and pedagogy skills in planning and preparation, teachers make plans and set goals based on the content to be learned, their knowledge of students and their instructional context.** Category I reviews: Knowledge of Content and Pedagogy, Knowledge of Pennsylvania Academic Standards, Knowledge of Students, Selecting Instructional Goals, Designing Coherent Instruction, Assessing Student Learning, Knowledge of Resources, Materials and Technology.

☐ SATISFACTORY	☐ UNSATISFACTORY
Teacher's performance demonstrates: o Adequate knowledge of content and pedagogy o Adequate knowledge of Pennsylvania's Academic Standards o Adequate knowledge of students and how to use this knowledge to direct and guide instruction o Appropriate instructional goals that reflect standards and reasonable expectations for students o Reasonable awareness of resources, materials, or technology available through the school or district or professional organizations o Appropriate instructional design in which plans for various elements are partially aligned with the instructional goals and have a recognizable sequence with some adaptations for individual student needs o Appropriate reflection on teaching and learning to enhance instruction o Appropriate assessments of student learning mostly aligned to the instructional goals and partially adapted as needed for student needs	Teacher's performance demonstrates: o Limited or partial knowledge of content and pedagogy o Limited or partial knowledge of Pennsylvania Academic Standards o Irrelevant or partial knowledge of students and how to use this knowledge to direct and guide instruction o Unclear or trivial instructional goals and absence of expectations for students o Little or no awareness of resources, materials, and technology available through the school or district or professional organizations o Inappropriate or incoherent instructional design in which plans for elements are not aligned with the instructional goals, and have few or inappropriate adaptations for individual student needs o Little or no reflection on teaching and learning to enhance instruction o Inappropriate assessments of student learning not aligned to the instructional goals nor adapted as needed for student needs

Sources of Evidence (Check all that apply and include dates, types/titles and number)

☐ Lesson/Unit Plans	See Attachment 426 A	☐ Teacher Conferences/Interviews	See Attachment 426 A
☐ Resources/Materials/Technology	See Attachment 426 A	☐ Classroom Observations	See Attachment 426 A
☐ Assessment Materials	See Attachment 426 A	☐ Teacher Resource Documents	See Attachment 426 A
☐ Information About Students	See Attachment 426 A	☐ Other	See Attachment 426 A

Justification for Evaluation

Category II: Classroom Environment — Teachers establish and maintain a purposeful and equitable environment for learning, in which students feel safe, valued, and respected by instituting routines and by setting clear expectations for student behavior. Category II reviews: Teacher Interaction with Students, Establishment of a Learning Environment; Student Interaction.

☐ SATISFACTORY	☐ UNSATISFACTORY
Teacher's performance demonstrates: o Clear and moderate expectations for student achievement with reasonable value placed on the quality of student work o Moderate attention to equitable learning opportunities for students o Appropriate interactions between teacher and students and among students o Effective classroom routines and procedures resulting in little or no loss of instructional time o Clear standards of conduct and effective management of student behavior o Safe and adequate organization of physical space, to the extent it is under the control of the teacher, that provides accessibility to learning and to the use of resources, materials and technology	Teacher's performance demonstrates: o Low or unclear expectations for student achievement with little or no value placed on the quality of student work o Little or no attention to equitable learning opportunities for students o Inappropriate or disrespectful interactions between teacher and students and among students o Inefficient classroom routines and procedures resulting in loss of instructional time o Absent or unclear standards of conduct, or ineffective management of student behavior o Unsafe or inadequate organization of physical space, to the extent it is under the control of the teacher, to provide accessibility to learning and to the use of resources, materials, and technology

Sources of Evidence (Check all that apply and include dates, types/titles, and number)

☐	Classroom Observations	See Attachment 426 A	☐	Visual Technology	See Attachment 426 A
☐	Informal Observation/Visits	See Attachment 426 A	☐	Resources/Materials/Technology/ Space	See Attachment 426 A
☐	Teacher Conferences/Interviews	See Attachment 426 A	☐	Other	See Attachment 426 A

Justification for Evaluation

Category III: Instructional Delivery — Teachers, through **their** knowledge **of content** and **their** pedagogy and **skill in** delivering **instruction,** engage **students in learning by using a variety** of instructional strategies. Category III **reviews: Communications,** Questioning and Discussion Techniques, Engaging **Students in Learning, Providing** Feedback, **Demonstrating** Flexibility and Responsiveness.

☐ SATISFACTORY	☐ UNSATISFACTORY
Teacher's performance demonstrates: o Adequate communication of procedures and clear explanations of content o Adequate use of questioning and discussion strategies that encourage many students to participate o Reasonable engagement of students in learning and adequate pacing of instruction o Adequate feedback to students on their learning o Adequate use of informal and formal assessments to meet learning goals and to monitor student learning o Reasonable flexibility and responsiveness in meeting the learning needs of students	Teacher's performance demonstrates: o Unclear or inappropriate communication of procedures and poor explanations of content o Ineffective use of questioning and discussion strategies and little student participation o Little or no engagement of students in learning and poor pacing of instruction o Inaccurate or inappropriate feedback to students on their learning o Little or inappropriate use of formal and informal assessments to meet learning goals and to monitor student learning o Inflexibility in meeting the learning needs of students

Sources of Evidence (Check all that apply and include dates, types/titles, or number)

☐	Classroom Observations	See Attachment 426 A	☐	Student Assignment Sheets	See Attachment 426 A
☐	Informal Observations/Visits	See Attachment 426 A	☐	Student Work	See Attachment 426 A
☐	Assessments Materials	See Attachment 426 A	☐	Instructional Resources/Materials/Technology	See Attachment 426 A
☐	Teacher Conferences/Interviews	See Attachment 426 A	☐	Other	See Attachment 426 A

Justification for Evaluation

Category IV: Professionalism — Professionalism is demonstrated through qualities that characterize a professional person in aspects that occur in and beyond the classroom/building. Category IV reviews: Maintaining Clear and Accurate Records, Communication with Families and Students, Contributing to School and District, Developing Professionalism.

☐ SATISFACTORY	☐ UNSATISFACTORY
Teacher's performance demonstrates: o Adherence to school and district procedures and regulations related to attendance, punctuality and the like o Knowledge of the Professional Code of Conduct o Compliance with school or district requirements for maintaining accurate records, communicating with families o Compliance with participating in school and/or district events and school or district professional growth and development opportunities	Teacher's performance demonstrates: o Failure to adhere to district procedures and regulations related to attendance, punctuality, and the like o Lack of knowledge of the Professional Code of Conduct o Lack of compliance with school or district requirements for maintaining accurate records, communicating with families o Lack of compliance in participating in school and/or district events and school or district professional growth and development opportunities

Sources of Evidence (Check all that apply and include dates, types/titles, and number)

☐	Teacher Conferences/Interviews	See Attachment 426 A	☐	Progress Reports/Report Cards	See Attachment 426 A
☐	Observations/Visual Technology	See Attachment 426 A	☐	Parent/School/Community Feedback	See Attachment 426 A
☐	Artifacts/Interaction with Family	See Attachment 426 A	☐	Artifacts: Professional Development/Act 48 Documentation	See Attachment 426 A
☐	Student Records/Grade Book	See Attachment 426 A	☐	Perceptive Use of Teaching/Learning Reflections	See Attachment 426 A
			☐	Other	See Attachment 426 A

Justification for Evaluation

Commonwealth of Pennsylvania	DEPARTMENT OF EDUCATION	333 Market St., Harrisburg, PA 17126-0333

I certify that the before named employee for the period beginning (month/day/year) and ending (month/day/year) has been evaluated with a overall level of proficiency that is: ☐Satisfactory; ☐Unsatisfactory

Signature of Principal/Assistant Principal (Evaluator) Date

Signature of Superintendent or I. U. Executive Director Date

Overall Justification for Evaluation

Commendations (optional)

Professional Development Areas:

Name of Employee **Signature of Employee** **Date**

Commonwealth of Pennsylvania	DEPARTMENT OF EDUCATION	333 Market St., Harrisburg, PA 17126-0333

EMPLOYEE EVALUATION FORM FOR INSTRUCTIONAL II TEACHERS

Employee's Last Name	First	Middle	Positions(s) of Employee
District/IU	School	Evaluator	Interview/Conference Date

School Year: 2006 - 2007 Evaluation: (Check 1) ☐ One ☐ Two

This form is to serve as a permanent record of an administrator's evaluation of a teacher's performance during a specific time period based on specific criteria.

PERFORMANCE EVALUATION

Directions: Examine all sources of evidence provided by the teacher and bear in mind the aspects of teaching for each of the four categories used in this form. Refer to the rubric language, checking the appropriate aspects of teaching, and indicating the sources of evidence used to determine the evaluation of the results in each category. Last, assign an overall evaluation of performance, sign the form and gain the signature of the employee.

Category I: **Planning and Preparation — Through their knowledge of content and pedagogy skills in planning and preparation, teachers make plans and set goals** based on the content to be learned, their knowledge of students **and their instructional context.** Category I **reviews:** Knowledge **of Content and Pedagogy, Knowledge of Students, Selecting Instructional** Goals, Designing Coherent **Instruction, Assessing** Student **Learning,** Knowledge of Resources, **Materials and Technology.**

☒SATISFACTORY	☐UNSATISFACTORY
Performance Demonstrates: o In-depth and thorough knowledge of content, pedagogy and Pa. Academic Standards o Thorough knowledge of students and how to use this knowledge to direct and guide instruction o Clear and appropriate instructional goals that reflect Pa. standards and high expectations for students o In-depth and thorough awareness of resources, materials, or technology available through the school or district or professional organizations o Appropriate instructional design in which plans for various elements are aligned with the instructional goals and have a recognizable sequence and required adaptations for individual student needs o Appropriate assessments of student learning completely aligned to the instructional goals and adapted as needed for student needs.	Performance Demonstrates: o Limited or partial knowledge of content, pedagogy and Pa. Academic Standards o Irrelevant or partial knowledge of students and how to use this information to direct and guide instruction o Unclear or trivial instructional goals and low expectations for students. o Little or no awareness of resources, materials, and technology available through the school or district or professional organizations o Inappropriate or incoherent instructional design in which plans for elements are not aligned with the instructional goals, and have few or inappropriate adaptations for individual student needs o Inappropriate assessments of student learning not aligned to the instructional goals nor adapted as needed for student needs.

Sources of Evidence (Check all that apply and include dates, types/titles and number)

☐ Lesson/Unit Plans	See Attachment 428 A	☐ Teacher Conferences/Interviews	See Attachment 428 A
☐ Resources/Materials/Technology	See Attachment 428 A	☐ Classroom Observations	See Attachment 428 A
☐ Assessment Materials	See Attachment 428 A	☐ Teacher Resource Documents	See Attachment 428 A
☐ Information About Students	See Attachment 428 A	☐ Other	See Attachment 428 A

Justification for Evaluation

Category II: Classroom Environment — Teachers establish and maintain a purposeful and equitable environment for learning, in which students feel safe, valued, **and respected** by instituting **routines and** by setting **clear expectations for student behavior. Category II reviews: Teacher Interaction with Students,** Establishment **of an Environment** for **Learning,** Student Interaction.

☐ SATISFACTORY	☐ UNSATISFACTORY
Performance demonstrates: o High and clear expectations for student achievement with value placed on the quality of student work o Significant attention to equitable learning opportunities for students o Appropriate and highly respectful interactions between teacher and students and among students o Highly effective classroom routines and procedures resulting in little or no loss of instructional time o Clear standards of conduct and effective management of student behavior o Safe and skillful organization of physical space, to the extent it is under the control of the teacher, that provides accessibility to learning and to the use of resources.	Performance Demonstrates: o Low or unclear expectations for student achievement with little or no value placed on the quality of student work. o Little or no attention to equitable learning opportunities for students o Inappropriate or disrespectful interactions between teacher and students and among students o Inefficient classroom routines and procedures resulting in loss of instructional time o Absent or unclear standards of conduct, or ineffective management of student behavior o Unsafe or inadequate organization of physical space, to the extent it is under the control of the teacher, to provide accessibility to learning and to the use of resources, materials, and technology.

Sources of Evidence (Check all that apply and include dates, types/titles, and number)

☐	Classroom Observations	See Attachment 428 A	☐	Visual Technology	See Attachment 428 A
☐	Informal Observation/Visits	See Attachment 428 A	☐	Resources/Materials/Technology/Space	See Attachment 428 A
☐	Teacher Conferences/Interviews	See Attachment 428 A	☐	Other	See Attachment 428 A

Justification for Evaluation

Category III: **Instructional Delivery — Through their knowledge of content and their pedagogy and skill in delivering instruction, teachers engage students** in learning **by using a** variety of instructional **strategies.** Category III **addresses: Communications, Questioning and Discussion Techniques, Engaging Students** in **Learning,** Providing Feedback, **Demonstrating** Flexibility and **Responsiveness**

☐ SATISFACTORY	☐ UNSATISFACTORY
Performance Demonstrates: o Clear and appropriate communication of procedures and high quality explanations of content o Highly effective use of questioning and discussion strategies that encourage many students to participate o High-level engagement of students in learning and adequate pacing of instruction o Equitable, accurate and constructive feedback to students on their learning o Informed and appropriate use of informal and formal assessments to meet learning goals and to monitor student learning o High degree of flexibility and responsiveness in meeting the learning needs of students.	Performance Demonstrates: o Unclear or inappropriate communication of procedures and poor explanations of content o Ineffective use of questioning and discussion strategies and little student participation o Little or no engagement of students in learning and poor pacing of instruction o Inaccurate or inappropriate feedback to students on their learning o Little or inappropriate use of formal and informal assessments to meet learning goals and to monitor student learning o Inflexibility in meeting the learning needs of students.

Sources of Evidence (Check all that apply and include dates, types/titles, or number)

☐	Classroom Observations	See Attachment 428 A	☐	Student Assignment Sheets	See Attachment 428 A
☐	Informal Observations/Visits	See Attachment 428 A	☐	Student Work	See Attachment 428 A
☐	Assessments Materials	See Attachment 428 A	☐	Instructional Resources/Materials/Technology	See Attachment 428 A
☐	Teacher Conferences/Interviews	See Attachment 428 A	☐	Other	See Attachment 428 A

Justification for Evaluation

Category IV: Professionalism — Professionalism refers to those aspects of teaching that occur in and beyond the classroom/building. Category IV addresses: Adherence to School and District Procedures, Maintaining Accurate Records, Commitment to Professional Standards, Communicating with Families, Demonstrating Professionalism.

☐ SATISFACTORY	☐ UNSATISFACTORY
Performance Demonstrates: o Full adherence to school and district procedures and regulations related to attendance, punctuality, and the like. o Full knowledge of Professional Code of Conduct and full commitment to professional standards o Full and active compliance with school and district requirements for maintaining accurate and complete records o Full and active compliance with district requirements for communicating with families regarding student needs/improvement o Full and frequent participation in professional development events/opportunities, consistent application of new learning in the classroom, and sharing of learning with colleagues	Performance Demonstrates: o Little and/or irregular compliance to school and district procedures and regulations related to attendance, punctuality, and the like o Little knowledge of Professional Code of Conduct and little commitment to professional standards o Inefficient or ineffective system for maintaining accurate records that is not in compliance with school or district guidelines o Infrequent or inappropriate communication with families to understand student needs and development o Little or infrequent participation in professional development opportunities, little application of new learning in the classroom and little sharing of learning with colleagues

Sources of Evidence (Check all that apply and include dates, types/titles, or number)

☐	Teacher Conferences/Interviews	See Attachment 428 A	☐	Progress Reports/Report Cards	See Attachment 428 A
☐	Observations/Visual Technology	See Attachment 428 A	☐	Parent/School/Community Feedback	See Attachment 428 A
☐	Artifacts/Interaction with Family	See Attachment 428A	☐	Artifacts: Professional Development/Act 48 Documentation	See Attachment 428 A
☐	Student Records/Grade Book	See Attachment 428 A	☐	Perceptive Use of Teaching/Learning Reflections	See Attachment 428 A
			☐	Other	See Attachment 428 A

Justification for Evaluation

Commonwealth of Pennsylvania	DEPARTMENT OF EDUCATION	333 Market St., Harrisburg, PA 17126-0333

Evaluation:
I certify that the before named employee for the period beginning (month/day/year) and ending (month/day/year) has been evaluated with a overall assessment that is: ☐Satisfactory ☐Unsatisfactory ☐Commendable

Signature of Principal/Assistant Principal (Evaluator) Date

Signature of Superintendent or I. U. Director Date

Overall Justification for Evaluation

Commendations (optional)

Professional Development Areas:

Name of Employee Signature of Employee Date

Employee Handbook
School Year 2013-2014

Nothing contained in or implied by this handbook creates or shall be deemed to create or constitute a contractual agreement to employees on the part of PHASE 4 America. The policies, procedures and guidelines contained in this handbook are subject to change at any time, do not confer any obligation (on the part of PHASE 4 America) and do not create any right to employment on the part of PHASE 4 America.

Note

This Employee Handbook has been prepared to inform you of PHASE 4 America Cyber Charter School's ("PHASE 4 America") employment practices, and policies, as well as the benefits provided to you as a valued employee. This Employee Handbook applies to all employees and all employee classifications. PHASE 4 America relies on the accuracy of information contained in the Employment Application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.

The policies in this Employee Handbook are to be considered as guidelines.

- PHASE 4 America, at its option, may change, delete, suspend or discontinue any part or parts of the policies in this Employee Handbook at any time without prior notice as business, employment legislation, and economic conditions dictate.

- Any such action shall apply to existing as well as to future employees.

- Employees shall not accrue eligibility for any benefits, rights, or privileges beyond the last day worked.

- No statement or promise by a Chief Executive Officer ("CEO"), Principal, manager or supervisor past or present, may be interpreted as a change in policy nor will it constitute an agreement with an employee.

Should any provision in this Employee Handbook be found to be unenforceable and invalid, such finding does not invalidate the entire Employee Handbook, but only that particular provision.

Contents

Welcome to PHASE 4 America Cyber Charter School 7
PHASE 4 America Expectations 8
Open Communication Policy 8
Outside Employment 8
Suggestions 8

Employment 9
At-Will Employment 9
Termination of Your Employment 9
Confidential Information 9
Service Orientation 10
Equal Employment Opportunity 10
Complaint Procedure 11
Harassment Policy 12
What Is Harassment? 12
Responsibility 12
The Selection Process 12
Employee Background Check 13
Standards of Conduct 13
Teacher/Staff responsibilities 14
Probationary Period 15
Immigration Law Compliance 16
Work Schedule 16
Attendance 16
Staff Identification Cards 16
Absence or Lateness 17
Employment Classifications 18
Full-Time Employees 18
Part-Time Employees 18
Temporary Employees 19
Non-Exempt and Exempt Employees 19
Personnel Records and Administration 19
Your Personnel File 19
Your Medical Records File 20

Compensation 20
Compensation Philosophy 20
Basis for Determining Pay 20
Annual Merit/Cost of Living Increase Policy 21

Pay Period 21
Mandatory Deductions From Paycheck 22
Payroll Advance 22
Error in Pay 22
Overtime Pay 22
Compensatory Time Off 22
Time Records 22
Wage Garnishments 23

Performance and Compensation Reviews 23
Performance Reviews 23
Compensation Reviews 24

Benefits 24
Eligibility for Benefits 24
Medical Benefits and Insurance Coverage 25
Government Required Coverage 25
Workers' Compensation 25
Unemployment Compensation 25
Social Security 26
Retirement Plan (PSERS) 26

Leave 26
Paid Leave 26
Holidays 27
Sick Leave 27
Extended Leave 28
Personal Leave 28
Vacation Leave 29
Funeral Leave 29
Jury Duty 29

Unpaid Leave. 29
Family / Medical Leave of Absence (FMLA) 30
Military Reserves or National Guard Leave of Absence 33
Accepting Other Employment or Going Into Business While on Leave of Absence 33

Safety 33
General Employee Safety 33
Crisis Management 34
Weapons 34
Fire Prevention 35

In Case of Fire 35
Emergency Evacuation 35
Housekeeping 36
Office Safety 36
Security 37
Smoking 37

Separation of Employment 37
Termination 37
Insurance Conversion Privileges 38
Exit Interviews 38
Return of PHASE 4 America Property 38
Former Employees 38
Post-Employment Inquiries 38

Workplace Policies 39
Communications 39
Lesson Plans 39
Morning Circles 39
Tutoring 40
Transporting Students 40
Technology Guidelines 40
Dress Code and Personal Appearance 49
Drug-Free Workplace Policy 49
No Solicitation/ Distribution Policy 50
Expense Reimbursement 51
Travel Advance and Reimbursement 51
Personal Use of PHASE 4 America Property 51
Relatives 51
Violence in the Workplace Policy 52

Receipt and Acknowledgment of PHASE 4 America Cyber Charter School Employee Handbook 53-54

Welcome to PHASE 4 America Cyber Charter School (PHASE 4 America)

PHASE 4 America believes in creating a harmonious working relationship between all employees. In pursuit of this goal, PHASE 4 America has created the following employee relations objectives:

Provide an exciting, challenging, and rewarding workplace and experience.

Select people on the basis of skill, training, ability, attitude, teamwork and character without discrimination with regard to age, sex, color, race, creed, national origin, religion, sexual orientation, familial status or a disability that does not prohibit performance of essential job functions.

Respect individual rights, and treat all employees with courtesy and consideration.

Compensate all employees according to their effort and contribution to the success of PHASE 4 America.

Review wages, employee benefits and working conditions regularly with the objective of being competitive in these areas and consistent with sound business practices.

Provide sick leave, paid time off and holidays to all eligible employees.

Provide eligible employees with industry competitive benefits.

Take prompt and fair action of any complaint which may arise in the everyday conduct of our school, to the extent that is practical.

Maintain mutual respect in our working relationship.

Provide and maintain buildings, offices, and classrooms that are comfortable, orderly and safe.

Keep all employees informed of the progress of PHASE 4 America, as well as the school's overall goals and objectives.

Promote an atmosphere in keeping with PHASE 4 America's vision, mission, and goals.

PHASE 4 America Expectations for You

Understand the responsibilities of your position.
Perform your job in a professional manner with a positive attitude and problem-solving approach.
Assume personal responsibility in setting and meeting goals for personal and professional growth.
Constructively voice your opinions and contribute your suggestions.
Actively participate in teambuilding, shared decision making, and building a better PHASE 4 America community through collaborative processes.
Do your best.

Open Communication Policy

PHASE 4 America encourages you to discuss any issue you may have with a co-worker directly with that person. If a resolution is not reached, please arrange a meeting with the Principal/CEO to discuss any concern, problem, or issue that arises during the course of your employment. Any information discussed in an Open Communication meeting is considered confidential. Retaliation against any employee for appropriate usage of Open Communication channels is unacceptable. Please remember it is counterproductive to a safe harmonious workplace for employees to create or repeat school or workplace gossip and rumors. It is more constructive for an employee to consult with the Principal/CEO.

Outside Employment

If your financial situation requires you to hold a second job, part-time or full-time, or if you intend to engage in an enterprise of your own, you must provide PHASE 4 America with written notification. Before accepting any outside employment you are encouraged to discuss the matter with the Principal/CEO. Any outside employment shall not negatively impact on your duties at PHASE 4 America.

Suggestions

We encourage all employees to participate in any of PHASE 4 America's teams/committees or bring forward their suggestions and ideas about how PHASE 4 America can be made a better place to work, and/or how services to students may be improved. When you see an opportunity for improvement, please bring it to the attention of the Administration or a member of the many teams/committees who would be responsible for possible implementation. All suggestions are listened to and valued.

Employment

At-Will Employment

Your employment with PHASE 4 America is at-will. You are free to terminate your employment with PHASE 4 America at any time, with or without reason. Likewise, PHASE 4 America has the right to terminate your employment, with or without reason, or otherwise discipline, transfer, or demote you at any time, all at the discretion of PHASE 4 America. Employees under contract must adhere to contract specifications.

Termination of Your Employment

PHASE 4 America will consider you to have voluntarily terminated your employment if you do any of the following:

1. Resign from PHASE 4 America

2. Fail to return from an approved leave of absence on the date specified by PHASE 4 America

You may be terminated for, among other issues, poor performance, misconduct, insubordination, excessive absences, chronic tardiness, acts of discrimination, harassment, or other violations of PHASE 4 America policies. Your employment is at-will and as a result, you or PHASE 4 America has the right to terminate your employment for any or no reason. Employees under contract must adhere to contract specifications.

Confidential Information

All PHASE 4 America staff are obligated to be aware of and abide by the Family Educational Rights and Privacy Act (also known as the Buckley Amendment) to protect the accuracy and confidentiality of student records; it applies to all schools receiving federal funding. The Act prevents educational institutions from disclosing student records or personally identifiable information to third parties without consent, but does not restrict the collection or use of information by schools. The statute also requires educational institutions to give students and their parents access to school records and an opportunity to challenge the content of records they believe to be inaccurate or misleading.

Confidentiality also applies to conversations between school personnel and third parties that may identify or reveal private information regarding students attending PHASE 4 America.

Service Orientation

The success of PHASE 4 America depends upon student achievement, the quality of PHASE 4 America's services and successful relationships between our employees, students, parents and the community.

Below are several things you can do to help promote PHASE 4 America:

1. Act competently and communicate with parents, students, and visitors in a helpful, courteous and respectful manner.

2. Communicate effectively and respectfully with other employees at all times.

3. Follow up on inquiries, requests and questions promptly, provide informative and timely responses, and perform all duties in a professional manner.

4. Create a positive learning environment that facilitates teamwork and collaboration, while supporting the individual needs and learning styles of all students.
5. Take pride in your contributions; enjoy learning and doing your best.

Equal Employment Opportunity

PHASE 4 America provides equal employment opportunity to all employees and applicants for employment without regard to race, color, religion, creed, national origin, ancestry, sex, sexual orientation, disability, genetic information, citizenship, veteran status, or any other factor protected under applicable laws. This policy applies to all terms and conditions of employment, including, but not limited to, hiring, placement, promotion, termination, lay-off, recall, transfer, leaves of absence, benefits, compensation and training.

It is the policy of PHASE 4 America to comply with all the relevant and applicable provisions of the Americans with Disabilities Act (ADA). PHASE 4 America will not discriminate against any qualified employee or job applicant with respect to any terms, privileges, work conditions of employment because of a person's physical or mental disability. PHASE 4 America will also make reasonable accommodations wherever necessary for all employees or applicants with disabilities, provided that the individual is otherwise qualified to safely perform the essential duties and assignments connected with the job and provided that any accommodations made do not impose an undue hardship on PHASE 4 America.

Equal employment opportunity notices are posted in the staff lunchroom. The notices are intended to summarize the rights of employees to equal opportunity in employment and list the names and addresses of the various government agencies that may be contacted in the event that any person believes he or she has been discriminated against.

The Administration is primarily responsible for seeing that PHASE 4 America equal employment opportunity policies are implemented, but all members of the staff share in the responsibility for assuring that by their personal actions the policies are effective and apply uniformly to everyone.

Complaint Procedure

If you experience any job-related harassment based on your sex, race, national origin, disability, or another factor, or believe that you have been treated in an unlawful discriminatory manner, promptly

report the incident in writing to the Principal/CEO or Chairman of the Board of Trustees. This policy applies to all incidents of alleged harassment, including those which occur off-premises, or off-hours, where the alleged offender is a supervisor, coworker, or even a non-employee with whom the employee is involved, directly or indirectly, in a business or potential business relationship.

Should the alleged harassment occur at a time other than your normal school hours, your complaint should be filed as early as practicable on the first school day following the alleged incident.

Please understand that PHASE 4 America takes complaints of discrimination and harassment very seriously. Thus, there is no need to follow any formal chain of command when filing a complaint when discussing or expressing any issue of concern regarding alleged discrimination or harassment, and you may bypass anyone in your direct chain of command and file your complaint or discuss or express any issue of concern with the Principal/CEO at any time. PHASE 4 America will undertake an investigation of any complaints.

All employees have a duty to report any conduct which they believe violates this policy. In addition, every employee has a duty to cooperate with any investigation conducted by PHASE 4 America, regardless of whether the investigation is being conducted by PHASE 4 America's officials or outside parties retained for this purpose.

If PHASE 4 America determines that an employee is guilty of harassing another individual, appropriate disciplinary action will be taken against the offending employee, up to and including an unpaid suspension or termination of employment.

PHASE 4 America prohibits any form of retaliation against any employee for reporting a violation of this policy, filing a complaint under this policy, or for assisting in a complaint investigation. However, if after investigating any complaint of harassment or discrimination, PHASE 4 America determines that the complaint is frivolous and was not made in good faith or that an employee has provided false information regarding the complaint, disciplinary action may be taken against the individual who filed the complaint or who gave the false information, up to and including an unpaid suspension or termination.

Harassment Policy

PHASE 4 America intends to provide a work environment that is safe, pleasant, professional, and free from intimidation, hostility or other offenses which might interfere with performance. Harassment of any sort - verbal, physical, visual - will not be tolerated, particularly against employees in protected classes. These classes include, but are not necessarily limited to race, color, religion, sex, sexual orientation, age, national origin, ancestry, disability, veteran status, or any other protected status defined by law.

What Is Harassment?

Workplace harassment can take many forms. It may be, but is not limited to, words, signs, offensive jokes, cartoons, pictures, posters, e-mail jokes or statements, pranks, intimidation, physical assaults or contact, or violence. Harassment may be, but is not necessarily sexual in nature. It may also take the form of other vocal activity including derogatory statements not directed to the targeted individual but taking place within their hearing. Other prohibited conduct includes written material such as notes, email, photographs, cartoons, articles of a harassing or offensive nature, and taking retaliatory action against an employee for discussing or making a harassment complaint.

Responsibility

All PHASE 4 America employees have a responsibility for keeping the PHASE 4 America environment safe and free of harassment. Any employee who becomes aware of an incident of harassment, whether by being the target of harassment, witnessing the incident or being told of it, must report it in writing to the Chairman of the Board or the Principal/CEO. Any employee involved in acts of harassment will be subject to discipline including termination.

The Selection Process

PHASE 4 America is confident that as a result of the mutual selection process undertaken, your employment will prove to be beneficial to PHASE 4 America as well as yourself and we look forward to having you as a member of the PHASE 4 America school community.

Employees are selected through written applications, personal interviews and reference checks. After all available information is considered and evaluated, selections for members of our team are made.

This selection process helps PHASE 4 America find and employ qualified people who are concerned with the academic success of all PHASE 4 America students; people who are eager to do a job well; people who show skill and ability; people who are comfortable with PHASE 4 America's vision and mission, and who feel they can work collaboratively as an active member of our team.

Employee Background Check

All employees must comply with state and federal statutory requirements such as, but not limited to, fingerprinting, certification, Child Abuse Index, Criminal Record Statement, tuberculin tests, First Aid/CPR, and physician's reports. Employees are also required to provide transcripts to verify credits earned or in-service hours. These requirements must be completed prior to beginning employment. Information must be submitted to the Principal/CEO. Applicable cost may be the responsibility of the employee.

Standards of Conduct

Whenever people gather together to achieve goals, some rules of conduct are needed to help everyone work together efficiently, effectively, and harmoniously. In an effort to create a true sanctuary, it is the responsibility of each employee to hold both himself/herself and other PHASE 4 America community members accountable to the PHASE 4 America norms. Those accepting employment with PHASE 4 America accept responsibility to behave in accordance with these norms and in support the mission and vision of PHASE 4 America.

Some examples of unacceptable workplace behavior include, but are not limited to:

- Verbal or physical abuse of students, employees, guests, or volunteers.
- Immoral or indecent conduct on PHASE 4 America's premises, during PHASE 4 America events or at any time or place which negatively impact on PHASE 4 America.
- Endangering the well-being or safety of students, employees, guests, or volunteers
- Theft or embezzlement
- Acts involving deceit, dishonesty or breach of trust, such as fraud
- Conviction of a felony or misdemeanor

- Possession, selling or use of illegal substances or alcohol while on PHASE 4 America premises or while on duty
- Violation of the PHASE 4 America's Substance Abuse Policy/Rules
- Conduct in violation of the drug-free workplace policy
- Falsification of any PHASE 4 America records
- Abuse, destruction, waste or unauthorized use of equipment, information systems, facilities/property, materials, or programs
- Inappropriate demeanor with parents, students, visitors or other PHASE 4 America employees
- Insubordination – refusing to follow the direction of or complete tasks assigned by your supervisor or other disrespectful conduct toward your supervisor, the Principal/CEO.
- Abusive or vulgar language
- Prolonged lunch or break periods
- Unacceptable or inadequate job performance
- Unprofessional contact or communications with students and parents/guardians of students
- Inappropriate altercations with any employee, guest, or volunteer
- Spreading rumors/gossip
- Unexcused absenteeism/chronic tardiness
- Sleeping while on duty
- Failure to comply with regulatory requirements or follow safety rules and regulations
- Traffic violations while operating a school vehicle
- Violation of student, parent, employee or school confidentiality
- Failure to provide honest and accurate information to a supervisor or responsible agent of PHASE 4 America
- Possession, use and distribution of dangerous or unauthorized materials, such as explosives, firearms, knives or other dangerous weapons while on duty or on PHASE 4 America premises
- Fighting, threatening violence, intimidation or harassment toward any individual directly or indirectly associated with PHASE 4 America
- Smoking on school property or during hours on duty.
- Attempts to disrupt or undermine the charter, mission, or business interests of PHASE 4 America or to encourage others to do so
- Any conduct on or off the job which the school, in its sole discretion, believes will adversely effect the image of PHASE 4 America
- Other violations of school policies

Employees who violate any of these rules or who demonstrate other inappropriate behavior will be subject to appropriate discipline. The severity of the disciplinary action will be based upon circumstances of the infraction and may include termination.

PHASE 4 America reserves the right to suspend any employee, with or without pay, to investigate violations of any of the above workplace behavior.

Teacher/Staff Responsibilities

- Assume the rights and responsibilities of shared decision-making.
- Participate in the establishment of school norms, rules and regulations regarding student and staff behavior. Model accepted norms of behavior for staff and students and explain these rules to students, and require observance of them.

- Assist the administration of the school in developing school norms, philosophy, objectives and procedures for the efficient and orderly operation of the school in line with the mission and vision of the school.
- Participate actively in school activities.
- Reflect personal enthusiasm for teaching and learning and a genuine concern for each individual student.
- Express positive reinforcement for acceptable behavior.
- Project the image of your profession, your school, and education for everyone in a positive manner.
- Be professional, and act as a positive role model for students.
- Refer to a counselor or an administrator any student whose behavior requires special attention.
- Report all incidents of suspected child abuse or neglect to the principal, as required by Pennsylvania Law.
- Guide learning activities so students learn to think and reason.
- Provide opportunities for students to develop socially acceptable skills, and positive attitudes and behaviors.
- Provide meaningful schoolwork for students with the expectation that all students can be successful and achieve.
- Communicate with parents regarding student achievement and behavior, and consult with parents frequently.
- Guide students to assume responsibility for their actions and to respect the rights of others.
- Be fair, firm, and consistent in enforcing school rules on school property and at all school-sponsored activities.
- Demonstrate by word and personal example, self-discipline and respect for others and the law.
- Respect the dignity of everyone.
- Ensure that no one's expressions interfere with the educational program.
- Encourage students to express themselves appropriately and respectfully.
- Do not use language that is harassing, obscene, slanderous, racist or sexist.
- Encourage students, parents, other teachers and other staff to use language that is not harassing, obscene, slanderous, racist or sexist.
- Represent your profession positively through your professional appearance and conduct at school and at school-sponsored events.
- Refrain from initiation of or participation in gossip, verbal, written, or sexual harassment activities.

Probationary Period

Your first ninety (90) days of employment at PHASE 4 America are considered a Probationary Period. This Probationary Period will be a time for getting to know your fellow employees and the tasks involved in your job position, as well as becoming familiar with PHASE 4 America's mission, programs and procedures. The Principal/CEO will work closely with you to help you understand the needs and responsibilities of your job.

This Probationary Period is a "getting acquainted" time for both you, as an employee, and PHASE 4 America, as an employer. During this time, we will have an opportunity to learn about your performance, and how you feel about being a member of the PHASE 4 America community. The completion of the Probationary Period does not guarantee continued employment.

At the end of the Probationary Period, we will review your performance. This review will be similar to the job performance review that is held for regular full-time or part-time employees on a periodic basis (non-teaching staff generally at one year increments and teachers bi-annually).

A former employee who has been rehired after a separation from PHASE 4 America of more than one (1) year is considered a new employee and subject to a Probationary Period.

Immigration Law Compliance

All offers of employment are contingent on verification of your right to work in the United States. On your first day of work you will be asked to provide original documents verifying your right to work and, as required by federal law, to sign Federal Form I-9, Employment Eligibility Verification Form. If you at any time cannot verify your right to work in the United States, PHASE 4 America may be obliged to terminate your employment.

Work Schedule

The PHASE 4 America school calendar is of appropriate length to provide for the state required number of student days. The school day for students is from 8:00 AM until 3:30 PM. Subject to change at the discretion of management, the work day for most teaching staff is from 7:45 AM until 3:45 PM. The workday for most 12 month staff begins at 7:45 AM through 3:45 PM. Staff schedules vary depending on the responsibilities of your particular job. Please consult with the Principal/CEO should you have any questions in regard to the length of your workday and/or workweek.

Attendance

The presence of each employee is of critical importance to the successful operation of the school. Therefore, PHASE 4 America expects all of its employees to arrive on time, ready to begin work, and to work the full allotted time they are assigned each day.

PHASE 4 America reserves the right to assign employees to jobs other than their usual assignment when necessary, provided the employee is capable of performing the essential functions of the alternate assignment.

Non-exempt (hourly) employees are not allowed to perform work at home or away from the PHASE 4 America unless specifically authorized for each occurrence by the Principal/CEO. Non-exempt employees are not to work before or to continue working after their scheduled work hours unless specifically authorized for each occurrence by the Principal/CEO. Non-exempt employees are not allowed to perform work while on scheduled non-paid lunch break, unless specifically assigned by the Principal/CEO. Attendance by non-exempt employees at PHASE 4 America sponsored functions is not compensated unless the Principal/CEO has required you to attend and work at the function. Employees violating these rules may be subject to disciplinary action up to and including, termination.

Staff Identification Card Use

The purpose of this policy is to provide standards and guidelines of acceptable use of staff identification cards. Staff identification cards will have three (3) purposes. The first purpose is to assist with recording staff attendance. On the back of the identification card is a proximity card. When the proximity card is passed along the reader outside the doors it will record attendance. Secondly, when the proximity card is

passed along the reader it will unlock the door. The side entrance (staff parking lot) and main entrance is equipped with this technology. Lastly, having identification cards will allow staff, students, parents and guests to recognize staff members.

Attendance

When entering the building at the start of a work day all staff members must use this system to enter the building. If you are walking behind a staff member who has already opened the door, you must still pass the card along the reader. If you forget your identification card you must sign in at the main office. The sign in sheet binder is located on the front counter in the main office. Forgetting your identification card excessively may result in disciplinary actions.

Absence or Lateness

From time to time, it may be necessary for you to be absent from work. PHASE 4 America is aware that emergencies, illnesses, or pressing personal business that cannot be scheduled outside your work hours may arise. Sick days / Personal days have been provided for this purpose.

If you are unable to report to work, or if you will arrive late, you must contact the Principal/CEO immediately. If you know in advance that you will need to be absent, you must request this time off in writing directly from the Principal/CEO.

When notifying PHASE 4 America of an unexpected absence or late arrival, you must state the anticipated length of time off or your expected arrival time. If you are unable to call in yourself because of an illness, emergency or for some other reason, be sure to have someone call the Principal/CEO for you. The notification call should be made at least two hours prior to your scheduled start time.

If you are absent because of an illness for three (3) or more successive days, you are required to submit written documentation to the Principal/CEO, from your doctor stating you are able to resume normal work duties before you will be allowed to return to work. (also, see paid Sick Leave)

A pattern of questionable absences can be considered excessive. Repeated lateness or early departures without advanced approval of the Principal/CEO will be considered excessive.

Be advised that absences, lateness or leaving early that are unexcused or excessive in the judgment of PHASE 4 America is grounds for disciplinary action, including possible dismissal.

Entry

Staff can utilize your identification card to gain entry into the school building throughout the day when using the entrances above. When leaving/entering the school building all staff must use the "Staff Sign In/Out During School Hours". Unless otherwise noted by the Principal/CEO, access to the building using the identification card will be between 6:45 am and 6:00 pm during normal operating hours. Entry into the building any other time will be controlled by the buzzer system.

Wearing

All staff members must wear their identification cards at all times. This includes any after school sponsored events held on school grounds.

At the end of the school year, all identification cards must be handed in to the facility manager. The replacement cost of the identification card if lost will be $25.00.

Employment Classifications

At the time you are hired, you are classified as either full-time, part-time, or temporary. In addition, you are classified as either non-exempt (often referred to as hourly) or exempt salaried. Policies described in this Employee Handbook and communicated by PHASE 4 America apply to all employees. Certain wage, salary and benefits are limited by classification. If you are unsure of which job classification your position fits into, please ask the Principal/CEO.

Full-Time Employees (exempt)

An employee who has successfully completed their Probationary Period (see the Probationary Period Policy for a specific definition) and who works at least 35 scheduled hours per week and is employed on either a 12 month schedule or on the school academic year calendar is considered a full-time employee.

Full-Time Employee (non-exempt)

An employee who has successfully completed their Probationary Period (see the Probationary Period Policy for a specific definition) and who works at least 35 scheduled hours per week and is employed on either a 12 month schedule or on the school academic year calendar, both on an hourly wage basis, is considered a full-time employee.

Part-Time Employees (non-exempt)

An employee who works less than 35 (the minimum number of hours specified to be classified as a full-time employee) scheduled hours per week and paid on an hourly wage basis is considered a part-time employee.

Temporary Employees (non-exempt)

From time to time, PHASE 4 America may hire employees for specific periods of time or for the completion of a specific project. An employee hired under these conditions will be considered a temporary employee. The job assignment, work schedule and duration of the position will be determined on an individual basis.

Normally, a temporary position will not exceed six (6) months in duration, unless specifically extended by management. Summer employees, interns and seasonal employees are considered temporary employees. A temporary employee does not become a regular employee by virtue of being employed longer than the agreed upon specified period.

Temporary employees are not eligible for benefits described in this Employee Handbook, except as granted on occasion, or to the extent required by provision of state and federal laws.

Non-Exempt and Exempt Employees

At the time you are hired, you will be classified as either a "non-exempt" or "exempt employee." This is necessary because, by law, non-exempt employees are entitled to overtime pay for hours worked in excess of forty (40) hours per designated work week. "" Exempt employees are paid on a salary basis and are exempt from the requirement that they receive overtime pay. Non-exempt, employees are required to use the time clock/card system provided to accurately record their hours worked each day.

Note: See Wage and Salary Policies in the section of this Employee Handbook titled "Compensation" for a full description of overtime payment policies.

Personnel Records and Administration

The task of handling personnel records and related personnel administration functions at PHASE 4 America has been assigned to the Principal/CEO. Questions regarding insurance, wages, and interpretation of benefit policies may be directed to the Principal/CEO.

Your Personnel File

Keeping your personnel file up-to-date can be important to you with regard to pay, deductions, benefits and other matters. If you have a change in any of the items listed below, please be sure to notify the Principal/CEO as soon as possible.

1. Legal name
2. Home address
3. Home telephone number
4. Person to call in case of emergency
5. Number of dependents
6. Marital status
7. Change of beneficiary
8. Driving record or status of driver's license, if you operate any PHASE 4 America vehicles
9. Military or draft status
10. Exemptions on your W-4 tax form
11. Training Certificates
12. Professional License

Upon experiencing a family status change, please notify the Principal/CEO within 30 days for benefit modifications, if necessary.

You may see information which is kept in your personnel file if you wish. Please make arrangements with the Principal/CEO.

Your Medical Records File

All medical records, if any, will be kept in a separate confidential file. PHASE 4 America maintains this information in the strictest confidence and may not use or disclose medical information about an employee without the employee first having signed an authorization form permitting such use or disclosure.

Compensation

The goal of PHASE 4 America's compensation program is to attract qualified applicants, meet the needs of all current employees and encourage well-performing employees to stay with our organization. With this in mind, our compensation program is built to balance both employee and PHASE 4 America needs.

Compensation Philosophy

It is PHASE 4 America's desire to pay all employees' wages and salaries that are competitive with other employers in the marketplace in a way that will be motivational, fair and equitable. Compensation may vary with individual performance, qualifications, and in compliance with all applicable statutory requirements.

PHASE 4 America applies the same principles of fairness to all employees, regardless of organizational level, race, color, citizenship status, national origin, ancestry, gender, age, religion, creed, disability, veteran status, or any other factor protected by law.

Basis for Determining Pay

Several factors may influence your rate of pay. Some of the items PHASE 4 America considers are the nature and scope of your job, what other employers pay their employees for comparable jobs (external equity), what PHASE 4 America pays their employees in comparable positions (internal equity), PHASE 4 America's fiscal/organizational capacity, and PHASE 4 America performance. It is PHASE 4 America's goal to have a current Job Description on hand which defines your job responsibilities.

Annual Merit/Cost of Living Increase Policy

This policy only pertains to non-teaching employees including administrative positions of PHASE 4 America. Annual merit/cost of living increases are approved by the Board of Trustees and occurs at the beginning of the fiscal year. PHASE 4 America's fiscal year runs from July 1 to June 30.

Eligibility for any merit/cost of living increase is at the discretion of the PHASE 4 America Board. The employee must have been employed at minimum on the last day of the previous school year. If the employee was not employed by PHASE 4 America for the entire year, the employee may receive a prorated increase based on the schedule below. Employees must start by the 15th of the month to be considered to have started that month. In the event the school wide annual merit/cost of living increase occurs during the employee's probation period the employee will not be eligible for the current year's increase.

Employment Started	Percentage
August	100
September	90
October	80
November	70
December	60
January	50

February	40
March	30
April	20
May	10

Pay Period

Standard pay periods are the 1st through the 15th and the 16th through the end of the month. Pay dates are generally the 15th and last day of the month.

Any arrangement to have your paycheck picked up by someone other than yourself will have to be made in advance, with your prior written authorization being submitted to the Principal/CEO.
Direct payroll deposit is the automatic deposit of your pay into the financial institution accounts of your choice. PHASE 4 America encourages employees to use automatic direct deposit for their paychecks. Direct Deposit Authorization forms and information are available from the Principal/CEO. Each employee is responsible for notifying his/her individual bank with any instructions regarding the money deposited by PHASE 4 America.

Mandatory Deductions From Paycheck

PHASE 4 America is required by law to make certain deductions from your paycheck each time one is prepared. Among these are your federal, state and local income taxes, Pennsylvania State Teacher's Retirement (PSERS), (if applicable) and your contribution to Social Security as required by law. These deductions will be itemized on your check stub. The amount of the deductions will depend on your earnings and on the information you furnish on your W-4 form. Only you may modify your W-4 form. Verbal or written instructions are not sufficient to modify withholding allowances. We advise you to check your pay stub to ensure that it reflects the proper number of withholdings. The W-2 form you receive annually reflects how much of your earnings were deducted for these purposes.

Payroll Advance

PHASE 4 America does not grant wage or salary advances to any employee.

Error in Pay

Every effort is made to avoid errors in your paycheck. If you believe an error has been made, this should be reported to the Principal/CEO immediately. He/she will take the necessary steps to research the problem and to assure that any necessary correction is made promptly.

Overtime Pay

If you are a non-exempt (hourly) employee, you are eligible to receive overtime pay of one and one-half (1 ½) times your regular hourly wage for approved hours worked over forty (40) hours in one (1) week. If, during that week, you were away from the job because of a job-related injury, paid holiday, jury duty, vacation day, or paid sick time, those hours not worked will not be counted as hours worked for the purpose of computing eligibility for overtime pay. For calculating overtime pay, the work week is from Sunday through Saturday.

Please note if you are a non-exempt employee on an approved flexible work arrangement, overtime hours will be computed only on those hours worked in excess of a forty- (40) hour workweek.

All overtime must be approved in advance by the Principal/CEO.

Compensatory Time Off

PHASE 4 America does not offer compensatory time off, ("comp-time"), to any PHASE 4 America employee in lieu of overtime pay for overtime hours worked.

Time Records

PHASE 4 America is obligated to keep accurate records of the time worked by all employees. This can be done through time sheets / time clock cards / other written documentation.

You are responsible for accurately recording your time or attendance. No one may record hours worked on another's timecard or attendance sheet. Tampering with another's time/attendance record is cause for disciplinary action, up to and including termination of both employees. In the event of an error in recording your time or attendance, please report the matter to the Principal/CEO immediately.

Wage Garnishments

We hope you will manage your financial affairs so that we will not be obligated to deduct any court-ordered wage garnishments. However, when court-ordered deductions are to be taken from your paycheck, you will be notified.

Outstanding Food Account Balance

If a staff member has a negative food account balance at the end of a pay period for his/her account or for any of his/her child(ren) attending PHASE 4 America, a payroll deduction will be made with the permission of the employee to satisfy the outstanding balance.

Performance and Compensation Reviews

Performance Reviews

Because we want you to grow and succeed professionally in your job, PHASE 4 America conducts a formal review periodically for each employee. New employees will be reviewed near the end of their Probationary Period. A review may also be conducted in the event of a promotion or change in duties and responsibilities.

During a formal performance review the Principal/CEO (or rating officer) may cover the following areas:

- The quality of your work.
- Strengths and areas for improvement.
- Positive attitude, ability, and willingness to work collaboratively as a team member.
- Initiative and leadership.
- Attendance.
- Service orientation.

- Problem solving skills.
- Ongoing professional growth and development.

Additional areas may also be reviewed as they relate to your specific job.

Your review provides a golden opportunity for collaborative, two-way communication between you and the Principal/CEO. This is a good time to discuss your interests and future goals. The Principal/CEO are interested in helping you to progress and grow in order to achieve personal as well as professional goals - perhaps he/she can recommend further training or additional opportunities for you. The performance review gives the Principal/CEO an opportunity to suggest ways for you to advance and make your job at PHASE 4 America more fulfilling.

The Principal/CEO can answer any questions you may have about the performance review process.

Compensation Reviews

Salary reviews are made periodically for all employees and at the discretion of management.

Discretionary increases are based on, but not limited to job performance, unexcused absences and tardiness, continued training and education, leadership abilities, positive attitude, willingness to accept additional responsibilities, work as a member of the team, and PHASE 4 America's organizational and/or fiscal capacity.

Benefits

PHASE 4 America is committed to sponsoring a comprehensive benefits program for all eligible employees. In addition to receiving a competitive salary and having an equal opportunity for professional development and growth, you may be eligible to enjoy other benefits which will enhance your job satisfaction.

Our benefits program represents a large and solid investment in PHASE 4 America's employees. PHASE 4 America will periodically review the benefits program and make modifications as is appropriate to PHASE 4 America's condition. PHASE 4 America reserves the right to modify, add or delete the benefits it offers.

Eligibility for Benefits

After 30 days, if you are classified as a full-time employee, you will be eligible for the benefits described in this Employee Handbook as soon as you have met all the eligibility requirements for each particular benefit. Coverage is available to you and your dependents as defined in the benefit summary plan descriptions.

Temporary or part-time employees are not eligible for benefits unless specifically provided for by policy.

Medical Benefits and Insurance Coverage

All full-time employees are eligible for medical, prescription, vision, dental, life, and short-term/long-term disability insurance. Initial medical benefits forms must be completed prior to your start date. It is your

responsibility to complete and return them to the Principal/CEO. The Principal/CEO has current rates and information.

PHASE 4 America currently contributes 100% of full-time employees' single premium medical coverage during employment by PHASE 4 America. Dependent coverage is available at the expense of the employee through a payroll deduction plan. Employees are eligible for coverage the first day of the month following the first 30 days of employment. Full-time employees, who choose not to obtain medical insurance through PHASE 4 America, will receive instead a payment of $70/pay period, to begin upon eligibility.

Government Required Coverage

Workers' Compensation

All employees are entitled to Workers' Compensation benefits. This coverage is automatic and immediate and protects you from an on-the-job injury. An on-the-job injury is defined as an accidental injury suffered in the course of your work, or an illness which is directly related to performing your assigned job duties. This job-injury insurance is paid for by PHASE 4 America. If you cannot work due to a job-related injury or illness, Workers' Compensation insurance pays your medical bills and provides a portion of your income until you can return to work.

All injuries or illnesses arising out of the scope of your employment must be reported to the Principal/CEO within 24 hours. Prompt reporting is the key to prompt benefits. Insure your right to these benefits by reporting every injury, no matter how slight.

Employees returning to work after being absent due to a work-related injury must report to their Principal/CEO prior to beginning work and must bring a doctor's clearance for returning to work.

Unemployment Compensation

Depending upon the circumstances, employees may be eligible for Unemployment Compensation upon termination of employment with PHASE 4 America. Eligibility for Unemployment Compensation is determined by the Pennsylvania State Department of Labor and Industry.

Unemployment compensation is designed to provide you with a temporary income when you are out of work through no fault of your own. For your claim to be valid, you must have a minimum amount of earnings determined by the State, and you must be willing and able to work. You should apply for benefits through the local Pennsylvania State Unemployment Office as soon as you become unemployed.

Social Security

The United States Government operates a system of mandated insurance known as Social Security. As a wage earner, you are required by law to contribute a set amount of your weekly wages to the trust fund from which benefits are paid. As your employer, PHASE 4 America is required to deduct this amount from each paycheck you receive. In addition, PHASE 4 America matches your contribution dollar for dollar, thereby paying one-half of the cost of your Social Security benefits.

Your Social Security number is used to record your earnings. Employees are encouraged to protect your Social Security record by ensuring your name and Social Security number on your pay stub and W-2

Form are correct. You may also want to make sure your earnings statement is accurate each year by requesting a Personal Earnings and Benefit Estimate Statement from the U.S. Social Security Administration by calling 1-800-772-1213 or you may even access them on-line at www.ssa.gov.

Retirement Plan

Eligible employees of PHASE 4 America may participate in the Pennsylvania State Teachers Retirement System (PSERS). Enrollment is done at the time of hiring and information will be sent to each employee by PSERS. PHASE 4 America enrolls each employee.

Leave

Both paid and unpaid time off may be granted to eligible employees, according to the following leave policies. Please consult the Principal/CEO for further information.

Paid Leave

In the interest of maintaining a healthy balance between work and home, PHASE 4 America offers eligible full-time employees and part-time employees on a pro-rated basis paid "time off." "Time off" is paid using your base hourly rate or salary rate.

The granting of requested vacation, sick leave, and personal or funeral leave will be solely at the discretion of PHASE 4 America, taking into consideration the reason for the leave, the staffing needs of the PHASE 4 America and other relevant circumstances.

"Time off" is not counted towards hours worked for the purposes of calculating overtime.

"Time off" benefits will not accrue while an employee is on leave of absence, unless otherwise required by law.

Holidays

Full-time employees are eligible for paid holidays. These holidays are built into the school calendar and vary from year to year. Holidays are paid using your base hourly rate or salary rate and may not be accumulated.

If a holiday falls during an employee's scheduled "time off", the employee will receive holiday pay for that day. If you are eligible for such pay, you will not be charged for "time off" benefits for that day.

Part-time employees are paid Holidays on a prorated basis. These Holidays are built into the school calendar and vary from year to year. Holidays are paid using your base hourly rate or salary rate and may not be accumulated.

If a Holiday falls during an employee's scheduled "time off", the employee will receive Holiday pay for that day. If you are eligible for such pay, you will not be charged for "time off" benefits for that day. Holidays for which part-time employees may be entitled to benefit pay include: Labor Day, Thanksgiving Day, Christmas Day, New Year's Day, Martin Luther King Jr.'s Birthday, President's' Day, Memorial Day, and Yom Kippur.

Sick Leave

Full-time employees accrue sick leave at the rate of ½ day per month according to their normally scheduled hours of work. Employees may, at the discretion of management, use sick leave in advance of its accrual. At the time of termination, any negative balance in sick leave will be deducted from the employee's final paycheck.

Earned sick leave may be carried over to the following fiscal year, not to exceed five days. Unused sick leave benefits are not payable upon resignation or termination from PHASE 4 America. Sick leave benefits will not accrue while an employee is on unpaid leave of absence.

Employees may use accrued sick leave to receive pay for absences due to illness, injury, disability or conditions requiring treatment by a health care practitioner. Employees should request such leave in writing thirty (30) days in advance. If this is not possible, employees should give as much advance notice as reasonably possible. Where an employee is off from work as a result of the use of sick leave, he/she may be required to provide a statement from their health care practitioner. PHASE 4 America requires employees using sick leave of three (3) or more days to provide PHASE 4 America with a note from a health care practitioner documenting the employee's need for leave as well as authorizing the employee's return to work.

Extended Leave Paid Time Off

In the event you have more than five days each of sick and personal time off at the end of the school year, you may elect to classify the excess days, up to five days a school year under the extended leave paid time off category. You can accrue up to 30 days of extended leave paid time off during your employment. Extended leave paid time off is intended to assist employees who go out on short or long term disability or has made a request under Family Medical Leave Act.

In order to use extended leave paid time off, the following conditions must be met:

- Employee has used all sick and personal time
- Employee is out on short/long term disability
- Elected Family Medical Leave Act

Unused extended leave paid time off benefits are not payable upon resignation or termination.

Personal Leave

Full-time employees are eligible for Personal leave accrued at the rate of a ½ day per month according to their normally scheduled hours of work. Personal leave may be used for attending to important personal business. An employee may not use more than two days of personal time off in succession with the exception of marriage or an illness of an immediate family member or one's self, as detailed below.

- For the marriage of an employee, the employee may take up to the amount of his/her accrued personal time, not to exceed six consecutive days. The time must be taken off at the time of the wedding ceremony. This request must be made 60 days prior to requested time off.

- In the event your or an immediate family member becomes ill, an employee may take up to the amount of their accrued personal time to care for their immediate family member. Immediate

family member is defined as parent, spouse or child. Employee must provide medical documentation.

Earned personal leave may be carried over to the following fiscal year, not to exceed five days. Personal leave benefits are not payable upon resignation or termination from PHASE 4 America. Personal leave benefits will not accrue while an employee is on unpaid leave of absence.

Employees are encouraged to schedule personal appointments outside of regularly scheduled school hours. When this is not possible, except on an emergency basis, employees must use personal or sick days, or a portion thereof and employees must give at least one week's notification to the Principal/CEO in order to ensure adequate coverage.

Vacation Leave

Full-time 12 month employees are eligible for up to one week vacation during their first fiscal year of employment. During the second fiscal year and thereafter, full-time 12 month employees are eligible for two weeks vacation leave.

Employees may not obtain vacation leave in advance of its accrual. Vacation Leave may be carried over into the following fiscal year, not to exceed 10 days.

Unused vacation leave benefits are not payable upon resignation or termination from PHASE 4 America.

Funeral Leave

Full-time employees are eligible for up to three (3) working days of Funeral Leave with pay (not charged to other leave time) upon request to make arrangements for and attend funeral services of the employee's spouse, child, parent, parent-in-law, grandparent, grandparent-in-law, granddaughter, grandson, daughter-in-law, son-in-law, step-parent, brother, sister, brother-in-law, sister-in-law, daughter or son of the employee's spouse.

Funeral leave pay will only be made to employees for actual time spent away from work for the funeral or its arrangements. For example, if the death occurs at a time when work is not scheduled, payment will not be made. If a holiday or part of your vacation occurs on any of the days of absence, you may not receive paid funeral leave in addition to holiday or vacation pay.

If you prefer, unused personal leave or a day of accrued vacation may be used for attending funerals of other relatives or friends or with the approval of the Principal/CEO, you may take up to one full day without pay for this purpose.

Jury Duty

Jury duty for full-time employees will be compensated, for up to two weeks, minus the amount paid by the Courts for serving. Employees should notify the Principal/CEO immediately if they receive notice to report for jury duty. Proof of serving on jury duty and compensation received will be required.

Unpaid Leave

Occasionally, for medical, personal, or other reasons, you may need to be temporarily released from the

duties of your job with PHASE 4 America. It is the policy of PHASE 4 America to allow its eligible employees to apply for and be considered for certain specific leaves of absence.

Time off used by employees, for any reason during a working day will count first against your allotted sick days, personal days or vacation days, as appropriate, in hourly, half day or full day increments. Once you have used all of your accrued sick time, the time may be counted against your accrued personal days or vacation. Thereafter, if approved, any time off is without pay. In the event an employee has more than one occurrence of time off without pay in a 120 day window, employees may be subject to disciplinary action up to and including termination.

Failure to return to work as scheduled from an approved leave of absence or to inform the Principal/CEO of an acceptable reason for not returning as scheduled will be considered a voluntary resignation of employment.

All requests for leaves of absence shall be submitted in writing to the Principal/CEO. Each request shall provide sufficient detail such as the reason for the leave, the expected duration of the leave, and the relationship of family members, if applicable.

Family and Medical Leave of Absence (FMLA)

Employees Who Qualify for Leave Under the Family and Medical Leave Act

PHASE 4 America will grant a leave of absence to full-time and part-time employees (who meet the requirements described below) for the care of a child after birth or adoption or placement with the employee for foster care, the care of a covered family member (spouse, child, or parent) with a serious health condition, in the event of an employee's own serious health condition. An eligible employee who is the spouse, son, daughter, parent or next of kin of a covered service member who is recovering from a serious illness or injury sustained in the line of duty on active duty is entitled to up to 26 weeks of leave in a single 12-month period to care for the service member. This military caregiver leave is available during "a single 12-month period" during which an eligible employee is entitled to a combined total of 26 weeks of all types of FMLA leave. Leaves will be granted for a period of up to twelve weeks in any twelve-month period.

An employee must have completed at least one full year of service with PHASE 4 America and have worked a minimum of 1,250 hours in the twelve-month period preceding the leave to be eligible for such leave. In addition, to be eligible for leave, an employee must work at a PHASE 4 America facility that employs at least fifty employees at that facility or within seventy-five miles of that facility. Employees may not perform work of any nature on a self-employed basis or for others during a Family Medical Leave.

Child/Family Care Leave

If you request a leave of absence to care for a child after birth, adoption, or placement in your home for foster care or to care for a covered family member with a serious health condition, you will be granted unpaid leave under the following conditions:

1. If the leave is planned in advance, you must provide us with at least thirty days' notice prior to the anticipated leave date, using PHASE 4 America's official Leave-of-Absence Request Form.

2. If the leave is unexpected, you should notify the Principal/CEO by filing the Leave-of-Absence Request Form as far in advance of the anticipated leave date as is practicable. (Normally, this should be within two business days of when you become aware of the need for the leave.)

All PHASE 4 America benefits that operate on an accrual basis (e.g., vacation, sick, and personal days) will cease to accrue during any period of FMLA leave which is unpaid.

You will be required to use all accrued, unused vacation and personal days during the leave period. Once such benefits are exhausted, the balance of the leave will be without pay.

All group health benefits (e.g., major medical, hospitalization, and dental insurance) will continue during the leave provided you continue regular employee contributions to these plans. (Other benefits, such as pension, life insurance, and long-term disability will be governed in accordance with the terms of each benefit plan.)

Employees requesting a leave to care for a covered family member with a serious health condition may be required to provide medical certification from the family member's physician attesting to the nature of the serious health condition, probable length of time treatment will be required, and the reasons that the employee is required to care for this family member. Employees may also be required to provide additional physician's statements at PHASE 4 America's request. Further, the family member may be required to submit to a medical examination by a physician designated by PHASE 4 America at PHASE 4 America's expense.

Leave for Employee's Serious Health Condition

If you request a leave of absence for your own serious health condition, you will be granted leave under the following conditions:

1. If the leave is planned in advance, you must provide us with at least thirty days' notice prior to the anticipated leave date, using PHASE 4 America's official Leave-of-Absence Request Form.

2. If the leave is unexpected, you should notify the Principal/CEO by filing the Leave-of-Absence Request Form as far in advance of the anticipated leave date as is practicable. (Normally, this should be within two business days of when you become aware of the need for the leave.)

3. Any time that you expect to be or are absent for more than five consecutive work days as a result of your own serious health condition (including pregnancy), you will be required to submit appropriate medical certification from your physician. Such certification must include, at a minimum, the date the disability began, a diagnosis, and the probable date of your return to work. You may also be required to provide medical certification for leaves of less than five days or for individual absences in PHASE 4 America's sole discretion.

All PHASE 4 America benefits that operate on an accrual basis (e.g., vacation, sick, and personal days) will cease to accrue during any period of unpaid leave.

You will be required to use all accrued, unused sick, vacation, and personal days during your leave. Once such accrued benefits are exhausted, the balance of your leave will be without pay, unless you are eligible for short-term disability or workers' compensation benefits in accordance with applicable state law.

All group health benefits will continue during the leave provided you continue regular employee contributions to these plans. (Other benefits, such as pension, life insurance, and short- or long-term disability, will be governed in accordance with the terms of each benefits plan.)

During your leave, you may also be required to provide PHASE 4 America with additional physician's statements on request from PHASE 4 America or PHASE 4 America's insurance carriers at reasonable intervals, attesting to your continued disability and inability to work. You may also be required to submit to medical examinations by physicians designated by PHASE 4 America at its discretion and at PHASE 4 America's expense, at the beginning of, during, or at the end of your leave period, and to provide PHASE 4 America with access to your medical records as required.

Before you will be permitted to return from medical leave, you will be required to present PHASE 4 America with a note from your physician indicating that you are capable of returning to work and performing the essential functions of your position, with or without reasonable accommodation. Where required, PHASE 4 America will consider making reasonable accommodation for any disability you may have in accordance with applicable laws.

Leave Entitlement

Eligible employees are entitled to a leave for up to twelve weeks in a looking-backward twelve-month period.

Leave taken to care for a child after birth, adoption, or placement in your home for foster care must be taken in consecutive workweeks. Leave taken for your or a covered family member's serious health condition may be taken consecutively, intermittently, or on a reduced work/leave schedule based on certified medical necessity. In such instances, PHASE 4 America will follow applicable federal and state laws in reviewing and approving such leave requests.

Reinstatement Rights

Eligible employees are entitled on return from leave to be reinstated to their former position or an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment. Exceptions to this provision may apply if business circumstances have changed (e.g., if your position is no longer available due to a job elimination). Exceptions may also apply for certain highly compensated employees under certain conditions. In addition, employees on a leave extension are not guaranteed reinstatement.

Military Reserves or National Guard Leave of Absence

Leaves of absence without pay for military or reserve duty are granted to full-time regular and part-time regular employees. If you are called to active military duty or to reserve or National Guard training, or if you volunteer for the same, you should notify the Principal/CEO and submit copies of your military orders to him or her as soon as is practicable. You will be granted a military leave of absence without pay for the period of military service, in accordance with applicable federal and state laws. If you are a reservist or a member of the National Guard, you are granted time off without pay for required military training. Your eligibility for reinstatement after your military duty or training is completed is determined in accordance with applicable federal and state laws.

Accepting Other Employment or Going Into Business While on Leave of Absence

If you accept other employment or go into business while on a leave of absence from PHASE 4 America, you will be considered to have voluntarily resigned from PHASE 4 America as of the day on which you began your leave of absence.

Safety

General Employee Safety

PHASE 4 America is committed to maintaining a safe and healthful education and work environment. In this connection, PHASE 4 America makes every effort to comply with relevant federal and state occupational health and safety laws and to develop the best feasible operations, procedures, technologies, and programs conducive to such an environment.

PHASE 4 America's policy is aimed at minimizing the exposure of our students, employees and other visitors to our school to health or safety risks. To accomplish this objective, all PHASE 4 America employees are expected to work diligently to maintain safe and healthful working conditions and to adhere to proper operating practices and procedures designed to prevent injuries and illnesses.

The responsibilities of all employees of PHASE 4 America in this regard include:

1. Exercising maximum care and good judgment at all times to prevent accidents and injuries;
2. Reporting and seeking first aid for all injuries, regardless of how minor;
3. Reporting unsafe conditions, equipment or practices to management;
4. Using safety equipment provided by PHASE 4 America at all times;
5. Observing conscientiously all safety rules and regulations at all times; and
6. Notifying management, before the beginning of the workday, of any medication they are taking that may cause drowsiness or other side effects that could lead to injury to them or their students.

PHASE 4 America will maintain safety and health practices consistent with the needs of our industry. If you are ever in doubt about how to safely perform a job, it is your responsibility to ask the Chief Operations Officer for assistance. Any suspected unsafe conditions and all injuries that occur on the job must be reported immediately. Compliance with safety rules is considered a condition of employment.

PHASE 4 America has engaged a consultant to fulfill the requirements of the Asbestos Hazard Emergency Response Act (AHERA). In accordance with that law, PHASE 4 America is inspected every three years to determine the presence of both friable and non-friable asbestos containing materials (ACM) and to develop an Asbestos Management Plan from the information developed from the building inspections The Management Plan and Inspection Reports and applicable response action documentation is available for review by parents, teachers, employee organizations, or other interested parties in the school offices during business hours.

Crisis Management

Employees are required to become familiar with the Crisis Response Manual for instructions related to any crisis. PHASE 4 America strongly encourages you to communicate directly with the Principal regarding any questions regarding crisis response or safety issues. Please refer to the PHASE 4 America

Crisis Response Manual for quick references to procedures designed to deal with crisis situations that may occur at school. A copy of this must be kept in an easily accessible place in all classrooms and offices.

Weapons

PHASE 4 America believes it is important to establish a clear policy that addresses weapons in the workplace. In accordance with Federal and State regulations, PHASE 4 America prohibits all persons who enter school property from carrying a handgun, firearm, knife, or other prohibited weapon of any kind regardless of whether the person is licensed to carry the weapon or not.

The only exception to this policy are police officers, security guards or other persons who have been given written consent by PHASE 4 America's Board of Trustees to carry a weapon on the property.

Any employee disregarding this policy will be subject to immediate termination.

Fire Prevention

Know the location of the fire extinguisher(s) in your area and make sure they are kept clear at all times. Notify the Facilities Manager and/or Principal/CEO immediately if an extinguisher is used or if the seal is broken. Keep in mind that extinguishers that are rated ABC can be used for paper, wood, or electrical fires. Make sure all flammable liquids, such as alcohol, are stored in approved and appropriately labeled safety cans and are not exposed to any ignition source or accessible to students. Small appliances are prohibited from classrooms including, but not limited to, coffee makers, refrigerators, and microwaves.

In Case of Fire

If you are aware of a fire, you should:

- Dial 911 or the local fire department.

- Immediately contact the Principal/CEO or the main office so evacuation/crisis plans can be initiated if necessary.

- If the fire is small and contained, locate the nearest fire extinguisher. This should only be attempted by employees who are knowledgeable in the correct use of fire extinguishers.

- If the fire is out of control, escort students and evacuate the building immediately. Leave the area immediately. No attempt should be made to fight the fire.

When the fire department arrives, direct the crew to the fire. Do not re-enter the building until directed to do so by the fire department.

Emergency Evacuation

If you are advised to evacuate the building, you should:

Stop all work immediately.

- Proceed with students to nearest exit, take your class attendance book with you, make sure that you can account for all students once you have exited the building. If a student is missing, immediately notify the principal/CEO and/or Crisis Response Team members (Principal/CEO, School Counselor, or School Nurse)

- Follow the PHASE 4 America Crisis Response Plan.

- Walk to the nearest exit, including emergency exit doors.

- Exit quickly, but do not run. Do not stop for personal belongings.

Proceed, in an orderly fashion, to your designated area. Be present and accounted for during roll call.

Do not re-enter the building until instructed to do so.

Housekeeping

Neatness and good housekeeping are signs of efficiency and consideration. You are expected to keep your classroom neat and orderly at all times - it is a required safety precaution. If you need assistance or have questions about standards, please contact the Principal/CEO.

If liquids are spilled, clean it up immediately. Do not leave materials, papers or other objects (student work or stored materials) on the floor which may cause others to trip or fall. Keep hallways, stairways, exits, electrical panels, fire extinguishers, and doorways and windows clear at all times.

Easily accessible trash receptacles and recycling containers are located throughout the building. Classrooms and offices should be litter free at the end of each day. Please see that all litter and recyclable materials are placed in the appropriate receptacles and containers. Always be aware of good health and safety standards, including fire and loss prevention.

Please report anything that needs repairing or replacing to the Facilities Manager and/or Principal/CEO immediately.

Office Safety

Office areas present their own safety hazards. Please be sure to:

- Leave desk, file or cabinet drawers firmly closed when not in use.

- Open only a single drawer of a file cabinet at a time.

- Arrange office space to avoid tripping hazards, such as telephone or computer cords.

- Remember to lift things carefully using proper lifting techniques.

Security

Maintaining the security of the PHASE 4 America facility is every employee's responsibility. Develop habits that insure security as a matter of course. For example:

- Always keep cash properly secured. Do not keep cash in classrooms overnight. Any monies collected during the day must be turned in to the Business Office. If you are aware that cash is insecurely stored, immediately inform the person responsible.

- Know the location of all alarms and fire extinguishers, and familiarize yourself with the proper procedure for using them, should the need arise.

At any time, when you leave PHASE 4 America's premises make sure that all doors are properly locked and secured behind you. At the end of each day, before you leave your classroom or office, shut down and turn off all computers, monitors, and peripheral equipment, close all windows, lower shades, turn off lights and fans, and lock your door.

Smoking

In accordance with Federal and State law and in keeping with PHASE 4 America's intent to provide a safe, healthy, and smoke free work environment, smoking as well as the use of any tobacco related product is prohibited at all times, throughout the school as well as anywhere on any school property.

Separation of Employment

Termination

Your employment with PHASE 4 America is at-will. You are free to terminate your employment with PHASE 4 America at any time, with or without reason. Likewise, PHASE 4 America has the right to terminate your employment, or otherwise discipline, transfer, or demote you at any time, with or without reason, at the discretion of PHASE 4 America. Employees under contract must adhere to contract specifications.

If you find it necessary to resign, please provide at least thirty (30) days advance notice in writing to the Principal/CEO indicating your last day of work. This date will be considered the effective date of your resignation.

If you are not able to pick up your final paycheck in person, then your check will be mailed to your last known address. An employee's last paycheck will not be issued until all obligations are settled.

Insurance Conversion Privileges

According to the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA), in the event of your termination of employment with PHASE 4 America or loss of eligibility to remain covered under our group health insurance program, you and your eligible dependents may have the right to continued coverage under our health insurance program for a limited period of time at your own expense.

A COBRA notice will be mailed to you explaining this benefit..

Exit Interviews

In a termination situation, PHASE 4 America management would like to conduct an exit interview to discuss your reasons for leaving and any other impressions that you may have about PHASE 4 America. During the exit interview, you can provide insights into areas for improvement that PHASE 4 America can make. Every attempt will be made to keep all information confidential.

Return of PHASE 4 America Property

Any PHASE 4 America property issued to you, including, but not limited to items such as computer equipment, credit cards, keys, petty cash, instructional materials must be returned to PHASE 4 America at the time of your termination or your last day of work. You will be responsible for any lost or damaged items. The value of any property issued and not returned may be deducted from your paycheck, and you may be required to sign a wage deduction authorization form for this purpose.

Former Employees

Depending on the circumstances, PHASE 4 America may consider a former employee for re-employment. Such applicants are subject to PHASE 4 America's usual pre-employment procedures. To be considered, an applicant must have been in good standing at the time of their previous termination of employment with PHASE 4 America.

Post-Employment Inquiries

PHASE 4 America does not respond to oral requests for references. In the event your employment with PHASE 4 America is terminated, either voluntarily or involuntarily, the Principal/CEO may be able to provide a reference to potential employers only if you have completed and signed a release form.
As an employee of PHASE 4 America, do not under any circumstances respond to any requests for information regarding another employee unless it is part of your assigned job responsibilities. If it is not within your authority, please forward the information request directly to the Principal/CEO.

Workplace Policies

This Employee Handbook is designed to answer many of your questions about the practices and policies of PHASE 4 America. Other PHASE 4 America Board Policies may appear on the PHASE 4 America website. Feel free to consult with the Principal/CEO for help concerning anything you don't understand.

Communications

Successful working conditions and relationships depend upon successful communication. Not only do you need to be aware of changes in procedures, policies and general information, you also need to communicate your ideas, suggestions, personal goals problems, or concerns, as they affect school climate and your work.

In addition to the exchanges of information and expressions of ideas and attitudes which occur daily, make certain you are aware of and utilize all PHASE 4 America methods of communication, including this Employee Handbook, bulletin boards, discussions with the Principal/CEO, memoranda, staff meetings, newsletters, training sessions, e-mail, intranet, and website.

Lesson Plans

All teachers are expected to plan for their lessons. Planning and delivery are the two major components of instruction. Lesson plans may be written in "block" style, to fit the lesson plan book. Four elements of instruction should be included: Objective, Materials, Method of Delivery, and Assessment. The materials component may also include the page number, if a text book is to be used. Delivery would relate to terms such as: review, discuss, investigate, experiment, develop, describe, etc. The assessment element reflects how the lesson would be evaluated, such as a quiz, review, question-answer, performance strategy, etc. The lesson plan should reflect 5 days of instruction, and should be completed by 3:45 on the Friday preceding the first day of instruction. Plans will be reviewed by the Principal during visits or classroom observations.

Morning Circles

All teachers are expected to engage in a whole-class discussion process each day. "Classroom circles" are best facilitated during the homeroom period. The purpose of these sessions is to build a "community" atmosphere in each classroom, where all members develop procedures and guidelines. The process of implementing morning circles reflects a movement toward engaging students in restorative justice and conflict resolution techniques. The ultimate goal of this activity is to build character while also promoting the concepts of self-discipline, trust and cooperation.

Tutoring Policy

If a parent hires a staff member privately to provide tutoring services to their child, the staff member is not permitted to conduct the tutoring sessions on PHASE 4 America's premises.

Transporting Students

Employees are not permitted to transport any students to or from school, even if staff members have parents/guardians consent.

Technology Guidelines

I. Acceptable Use Policy

Overview
The intended purpose of the PHASE 4 America network is to promote educational research and enhance learning. PHASE 4 America makes every effort to provide the best available technology to those teaching, studying and performing services for the School. PHASE 4 America is committed to protecting users and the institution from illegal (wrongful) or damaging actions by individuals, either knowingly or unknowingly. It is in the interest of providing clear guidelines for the use of the PHASE 4 America network by parents, students, and staff that we have developed the following Acceptable Use Policy.

Purpose
The purpose of the acceptable use policy is to outline the acceptable use of computer equipment at PHASE 4 America. The intentions for publishing an Acceptable Use Policy are not to impose restrictions or limitations that are contrary to the existing Code of Conducts or established policies. These rules are in place to protect the staff, parents, students and PHASE 4 America.

Scope
This policy applies to all equipment that is owned or leased by PHASE 4 America. This equipment is to be used for school purposes in serving the interests of the School, and of our students in the course of normal operations. Effective security is a team effort involving the participation and support of every PHASE 4 America member who deals with various different types of equipment.

Policies

General Use and Ownership

1. While PHASE 4 America's administration desires to provide a reasonable level of privacy, users should be aware that the data they create on the systems remains the property of PHASE 4 America. By using PHASE 4 America's system and equipment the user authorizes PHASE 4 America to access and monitor all aspects of such use, there being no expectation of privacy.
2. Users are responsible for exercising good judgment regarding the reasonableness of network use. In the absence of policies and if there is any uncertainty, users should consult the Principal/CEO.
3. PHASE 4 America recommends that any information that users consider sensitive or vulnerable not be transmitted through email. For guidelines on information classification, see PHASE 4 America's School Board Policy on Pupil Personnel.
4. Encrypting email and documents is not permitted on the PHASE 4 America network.
5. For security and network maintenance purposes, authorized individuals may monitor equipment, systems and network traffic at any time.
6. PHASE 4 America reserves the right to audit networks and systems on a periodic basis to ensure compliance with this policy.

Security

1. Keep passwords secure and do not share accounts. Authorized users are responsible for the security of their passwords and accounts.
2. All PCs, laptops, thin clients and workstations should be secured by logging-off when not in use or at the end of the day.

Unacceptable Use

Under no circumstances is a user of PHASE 4 America authorized to engage in any activity that is illegal under local, state, federal or international law while utilizing PHASE 4 America-owned resources.

The lists below are by no means exhaustive, but attempt to provide a framework for activities which fall into the category of unacceptable use.

System and Network Activities

The following activities are strictly prohibited, with no exceptions:

1. Violations of the rights of any person or company protected by copyright, trade secret, patent or other intellectual property, or similar laws or regulations, including, but not limited to, the installation or distribution of "pirated" or other software products that are not appropriately licensed for use by PHASE 4 America.
2. Unauthorized copying of copyrighted material including, but not limited to, digitization and distribution of photographs from magazines, books or other copyrighted sources, copyrighted music, and the installation of any copyrighted software for which PHASE 4 America or the end user does not have an active license is strictly prohibited.

3. Exporting software, technical information, encryption software or technology, in violation of international or regional export control laws, is illegal. The appropriate management should be consulted prior to export of any material that is in question.
4. Introduction of unauthorized programs into the network or server (e.g., viruses, worms, Trojan horses, e-mail bombs, etc.).
5. Revealing your account password to others or allowing use of your account by others. This includes family and other household members when work is being done at home.
6. Using a PHASE 4 America computer equipment to actively engage in procuring or transmitting material that is in violation of sexual harassment or hostile workplace laws in the user's local jurisdiction.
7. Making fraudulent offers of products, items, or services originating from any PHASE 4 America account.
8. Making statements about warranty, expressly or implied, unless it is a part of normal job duties.
9. Effecting security breaches or disruptions of network communication. Security breaches include, but are not limited to, accessing data of which the student is not an intended recipient or logging into a server or account that the student is not expressly authorized to access. For purposes of this section, "disruption" includes, but is not limited to, network sniffing, pinged floods, packet spoofing, denial of service, and forged routing information for malicious purposes.
10. Port scanning or security scanning is expressly prohibited unless prior notification to PHASE 4 America is made.
11. Executing any form of network monitoring which will intercept data not intended for the student's host.
12. Circumventing user authentication or security of any host, network or account.
13. Interfering with or denying service to any user (for example, denial of service attack).
14. Using any program/script/command or sending messages of any kind, with the intent to interfere with, or disable, a user's session, via any means, locally or via the Internet/Intranet/Extranet.
15. Providing information about, or lists of, PHASE 4 America employees, students, family members of students, vendors, customers or board members to parties outside PHASE 4 America.

II. Password Policy

Overview
Passwords are an important aspect of computer security. They are the front line of protection for user accounts. A poorly chosen password may result in the compromise of PHASE 4 America's entire network.

Purpose
The purpose of the password policy is to establish a standard for creation of strong passwords, the protection of those passwords, and the frequency of change.

Scope
The scope of this policy includes all users who have or are responsible for an individual account (or any form of access that supports or requires a password excluding group accounts (e.g., Grade1, Grade2,...) on any system that resides at any PHASE 4 America facility, has access to the PHASE 4 America network, or stores any non-public PHASE 4 America information.

Policy
General

- All user-level passwords must be changed at least every six months. The recommended change interval is every four months.

Guidelines

General Password Construction Guidelines

Poor and weak passwords have the following characteristics:

- The password contains less than eight characters
- The password is a word found in a dictionary (English or foreign)
- The password is a common usage word such as:
    - Names of family, pets, friends, co-workers, fantasy characters, etc.
    - Computer terms and names, commands, sites, companies, hardware, software.
    - The words "PHASE 4 America Cyber Charter School", "PHASE 4 America" or any derivation.
    - Birthdays and other personal information such as addresses and phone numbers.
    - Word or number patterns like aaabbb, qwerty, zyxwvuts, 123321, etc.
    - Any of the above spelled backwards.
    - Any of the above preceded or followed by a digit (e.g., secret1, 1secret)

Strong passwords have the following characteristics:

- Contain both upper and lower case characters (e.g., a-z, A-Z)
- Have digits and punctuation characters as well as letters e.g., 0-9, !@#$%^&*()_+|~-=\`{}[]:";'<>?,./)
- Are at least eight alphanumeric characters long.
- Are not words in any language, slang, dialect, jargon, etc.
- Are not based on personal information, names of family, etc.
- Passwords should never be written down or stored on-line. Try to create passwords that can be easily remembered. One way to do this is create a password based on a song title, affirmation, or other phrase. For example, the phrase might be: "This May Be One Way To Remember" and the password could be: "TmB1w2R!" or "Tmb1W>r~" or some other variation.

NOTE: Do not use either of these examples as passwords!

Password Protection Standards
Do not use the same password for PHASE 4 America accounts as for other non- PHASE 4 America access (e.g., personal Internet Service Provider account, option trading, benefits, etc.).
Do not share PHASE 4 America's passwords with anyone.

Here is a list of "don'ts":

- Don't reveal a password over the phone to ANYONE
- Don't reveal a password in an email message
- Don't talk about a password in front of others
- Don't hint at the format of a password (e.g., "my family name")

- Don't share a password with family members

If someone demands a password, refer them to this document or have them call the Principal/CEO.

Do not use the "Remember Password" feature of applications (e.g., Explorer).

If an account or password is suspected to have been compromised, report the incident to the Principal/CEO.

III. Internet Access Policy

Overview

PHASE 4 America's intent is to make Internet access available to further educational goals and objectives. While users may find ways to access other materials, it is the school's position that the benefits to users in the form of information resources and opportunities for collaboration exceed the potential disadvantages. Access to the Internet enables users to explore thousands of libraries, databases and bulletin boards, while exchanging messages with Internet users throughout the world.

Purpose

The Internet Access Policy is intended to help users shield the organization against potential liability, Avoid security threats by promoting awareness and good practice and encourage effective and positive use of the internet.

Scope

The scope of the Internet Access policy is to define appropriate internet access and its use by authorized users.

Policy

All internet access is a privilege and granted on a per-user basis. All internet access will be monitored and enforced by a third party approved site list that is based on an annual subscription. By default all sites will be denied unless approved by the Principal/CEO.

It is the responsibility of users with internet access privileges to ensure their account is not used by anyone else to gain access to internet sites. Any user who is granted internet access privileges must remain constantly aware that any and all connections between their location and the internet is monitored and logged, any abuse of the account will be the users' responsibility

The following internet site category list is strictly prohibited. Any attempt to bypass the internet filter or repeated attempts to access unapproved sites will be viewed as a violation of policy. The list below is by no means exhaustive, but attempts to provide a framework for sites which fall into the category of unacceptable.

Adult/Sexually Explicit/Pornography

Criminal Skills

Drugs, Alcohol & Tobacco

Gambling

Glamour & Intimate Apparel	**Hacking**
Hate	**Remote Proxies**
Violence/Offensive Language or Actions	**Weapons**

IV. SERVER SECURITY POLICY

Purpose
The purpose of this policy is to establish standards for the base configuration of internal server equipment that is owned and/or operated by PHASE 4 America. Effective implementation of this policy will minimize unauthorized access to PHASE 4 America's servers.
Scope
This policy applies to server equipment owned and/or operated by PHASE 4 America and is specifically for equipment on the internal PHASE 4 America network.

Policy

Ownership and Responsibilities
- Servers must be registered in the PHASE 4 America network documentation. At a minimum, the following information is required.
  - Server name, location and support contact
  - Hardware and Operating System/Version
  - Main functions and applications, if applicable
- Information in the PHASE 4 America network documentation must be kept up-to-date.
- Configuration changes for servers must be documented.

General Configuration Guidelines
- Operating System configuration should be in accordance with approved industry guidelines.
- Services and applications that will not be used must be disabled where practical.
- Access to services should be logged and/or protected through access-control methods if possible.
- The most recent security patches must be installed on the system as soon as practical, the only exception being when immediate application would interfere with operation requirements.
- Trust relationships between systems are a security risk, and their use should be avoided. Do not use a trust relationship when some other method of communication will do.
- Always use standard security principles of least required access to perform a function.
- Do not use root or administrator when a non-privileged account will do.
- If a methodology for secure channel connection is available (i.e., technically feasible), privileged access must be performed over secure channels, (e.g., encrypted network connections using SSH or IPSec).
- Servers should be physically located in an access-controlled environment.
- Servers are specifically prohibited from operating from uncontrolled areas.

Monitoring
- All security-related events on critical or sensitive systems must be logged and audit trails saved as follows:
  - All security related logs will be kept online for a minimum of 1 week.
  - Daily tape backups will be retained for at least 2 weeks.

- Security-related events will be reported to the COO, who will review the events and report incidents to the Board of Trustees. Corrective measures will be prescribed as needed. Security-related events include, but are not limited to:
    - Port-scan attacks
    - Evidence of unauthorized access to privileged accounts
    - Irregular occurrences that are not related to specific applications on the host.

Compliance

- Audits will be performed on a regular basis by authorized personnel.
- Audits will filter findings related to a specific operational group and then present the findings to the appropriate staff for remediation or justification.
- Every effort will be made to prevent audits from causing operational failures or disruptions.

Definitions (Server Security Policies)

Term	Definition
Server	For purposes of this policy, a Server is defined as an internal PHASE 4 America Server. Desktop machines and Lab equipment are not relevant to the scope of this policy.

Operating System (OS) The basic software that controls a computer.

Service	A program, routine, or process that performs a specific system function to support other programs, particularly at a low (close to the hardware) level.
Application	A set of routines that carry out lower-level services performed by a computer's operating system.
Port-Scanning	Scanning of ports in an attempt to discover services
Trust relationship	A logical relationship established between domains to allow pass-through authentication, in which a trusting domain honors the logon authentications of a trusted domain.
Security Patch	Software updates to address vulnerabilities and flaws in an Operating System.

V. Remote Access Policy (Email and Network)

Purpose

The purpose of this policy is to protect PHASE 4 America's electronic information from being inadvertently compromised by authorized personnel using a remote access connection.

Scope

The scope of this policy is to define appropriate remote access and its use by authorized personnel including accessing email from through the web interface.

Policy
PHASE 4 America's employees and authorized personnel (parents, students, contractors, consultants, temporaries, etc.) can use remote connections to gain access to the PHASE 4 America network. Remote access is strictly controlled and is considered an 'as needed' privilege.

It is the responsibility of employees with remote access privileges to ensure a remote connection to PHASE 4 America is not used by non-employees to gain access to network resources. An employee who is granted remote access privileges must remain constantly aware that remote connections between their location and PHASE 4 America are literal extensions of PHASE 4 America's network, and that they provide a potential path to the schools information. The employee and/or authorized individual must take every reasonable measure to protect PHASE 4 America's assets.

Note: Remote accounts are considered 'as needed' accounts. The COO will grant rights to have remote access. Account activity is monitored, and if a remote account is not used its remote access privilege will be revoked.

VI. Laptop Security Policy

Purpose
This policy addresses the actions that must be taken by all PHASE 4 America users who have a school-issued laptop, or who are temporarily using a 'shared' school laptop, or the laptop of another user.

Scope
All laptops acquired for or on behalf of the school shall be deemed school property. Each user issued with a laptop is responsible for the security of that laptop, regardless of whether the laptop is used in the office, at the user's place of residence, or in any other location such as a hotel, conference room, car or airport.

Policy
1. Never leave your laptop unattended in a public place.
2. Always carry your laptop in the provided well-padded bag.
3. Where possible, employees must avoid leaving their laptop unattended in an automobile. If they must do so temporarily, the laptop must be placed in the trunk.
4. If a security cable is provided, the users must keep the key to it in a safe but accessible place (for example, on their key chain) so the cable to the laptop can be easily locked or unlocked.
5. All other products associated with the laptop should be secured: batteries, power cords, cables, external drives, LCD projectors, etc.
6. Laptops that will not be used for several days or longer must be locked out of sight in a secure area.

VII. Network Device Security Policy

Purpose
This document describes a required minimal security configuration for all routers, switches, printers or other network device connecting to the network or used in a production capacity at or on behalf of PHASE 4 America.

Scope
All routers, switches, printers or other network device connected to PHASE 4 America's network are affected.

Policy
Every device must meet the following configuration standards:

1. The password on the device must be kept in a secure form.
2. Disallow the following when applicable:
    a. IP directed broadcasts
    b. Incoming packets at the router sourced with invalid addresses such as RFC1918 address
    c. TCP small services
    d. UDP small services
    e. All source routing
    f. All web services running on device
3. Use school standardized SNMP community strings.
4. Access rules are to be added as needs arise.
5. The device must be included in the PHASE 4 America network documentation with a designated point of contact.
6. Each device must have the following statement posted in clear view if possible:

"UNAUTHORIZED ACCESS TO THIS NETWORK DEVICE IS PROHIBITED. You must have explicit permission to access or configure this device. All activities performed on this device may be logged, and violations of this policy may result in disciplinary action, and may be reported to law enforcement. There is no right to privacy on this device."

Enforcement
Any user found to have violated this policy may be subject to disciplinary action as outlined in the PHASE 4 America Code of Conduct and or Employee Handbook.

Given PHASE 4 America's right to retrieve and read any electronic mail messages, such messages should be treated as confidential by other employees and accessed only by the intended recipient as part of audit and monitoring.

PHASE 4 America's Chairman of the Board of Trustees or designee will review any request for access to the contents of an individual's computer, voice mail, or electronic mail prior to access being made without the individual's consent.

Dress Code and Personal Appearance

Teaching staff members are professional educators whose attitudes about their professional responsibilities and the importance of education in their lives and the lives of their students are reflected in their dress and appearance. In order to create an atmosphere of respect for teachers and an environment conducive to discipline and learning, professional attire and a conservative appearance is most appropriate.

Clothing worn by all PHASE 4 America staff should be in good repair, wrinkle free and clean. Some examples of professional clothing would be: trousers, blouses, dress shirts, skirts, dresses, blazers, sweaters, culottes and sensible shoes (for safety reasons).

The following types of clothing are examples of, but not limited to, what is not professional attire: denim material, tube-tops, halter/spaghetti strap tops, thongs, cut-offs, mini-skirts, short-shorts, shirts with unacceptable logos/messages, torn, faded or frayed blue jeans/other clothing, skin-tight (spandex) or

revealing clothing, flip flops, or sweat pants and sneakers (with the exception of the physical education and custodial staff).

Please understand that you are expected to dress and groom yourself in accordance with accepted professional standards, when dealing with students, parents and visitors. Casual dress-down days will be scheduled throughout the year when dress may be modified to less formal levels but must still remain within generally accepted professional standards.

Drug-Free Workplace Policy

Employees who violate any of the following work rules will be subject to discipline up to and including discharge.

a. Use, possession, manufacture, distribution, or sale of illegal drugs or alcohol, on PHASE 4 America's premises, in PHASE 4 America supplied vehicles, during working hours or at PHASE 4 America events.

b. Being under the influence of an illegal drug or alcohol on PHASE 4 America's premises, in PHASE 4 America supplied vehicles, or during work hours or PHASE 4 America's events. "Being under the influence" of alcohol is defined as a blood alcohol content of .04; "being under influence" of an illegal drug is defined as testing positive at any level.

c. Refusing consent to testing or refusing to submit a urine, blood, breath, or other sample when requested by management.

d. Refusing to submit to an inspection when requested by management.

e. Failing to adhere to the requirements of any drug or alcohol treatment or counseling program in which the employee is enrolled.

f. Conviction under any criminal drug statute, or failure to inform the employer within five (5) days after a conviction.

g. Use, possession, manufacture, distribution or sale of an illegal drug during non-work time.

All applicants and employees will be subject to pre-employment and reasonable suspicion substance abuse testing.

Under certain circumstances PHASE 4 America will consider continuing the employment of an employee who has violated a substance abuse rule on a one time only basis, or of an employee who has volunteered that he/she has a substance abuse problem, provided the employee has entered into an approved treatment or counseling program and has provided PHASE 4 America with documentation of such. A determination of continued employment will be based upon consideration of the rule violated, the specific circumstances involved, as well as the employee's overall work record. A second rule violation will result in automatic termination of your employment.

Employees who enter into a drug or alcohol treatment or a counseling program may, at the PHASE 4 America's discretion, be required to comply with more stringent testing or other requirements than found in this policy.

No Solicitation/ Distribution Policy

Non-employee visitors have a limited right of access to our facilities. Parents should only be on school property for purposes directly related to their children's education, or scheduled volunteer activities. Access by vendors/other visitors is limited to previously arranged meetings or scheduled maintenance/repair work. All visitors must report to the School Office and are required to sign in and obtain identification before proceeding and sign out upon leaving the premises. Individuals may not solicit or distribute literature on PHASE 4 America's property for any purposes. Exceptions to this policy can be obtained only through administrative approval to non-employee representatives of a limited number of PHASE 4 America sponsored charitable non-profit organizations.

Employees may not engage in solicitation or in the distribution of literature during working time in working areas. Working time means the period scheduled for the performance of job duties, not including meal times, break times, or other periods when employees are properly not engaged in performing work-related duties. Employees on their meal times, break times, or other non-working times may not solicit or distribute literature to other employees during the working time of such employees.

Bulletin boards on school property are to be used for instructional or official purposes to notify employees about information approved in advance by management. Only those management employees designated by PHASE 4 America may post material on, or remove material from, official bulletin boards.

Expense Reimbursement

You must have the CEO's written authorization (usually by way of a requisition or purchase order) prior to incurring an expense on behalf of PHASE 4 America. To be reimbursed for all authorized expenses, you must submit an expense report or voucher accompanied by receipts and it must be approved by the CEO. Please submit your expense report or voucher each week, as you incur authorized reimbursable expenses. In order for PHASE 4 America to keep records and accounting accurate and current, expense reports or vouchers older than three (3) months old may not be honored.

Travel Advance and Reimbursement

A Travel Advance is money to cover the costs of up to 80% of your expenses (hotel, airfare, meals, materials) for an anticipated trip on school business or for professional development. Upon return from the trip an Expense Form must be filled out, accompanied by the original receipts, in order to be reimbursed for expenses incurred over the 80%. If expenditures were less than the money originally advanced, PHASE 4 America must be reimbursed by you.

Both the Travel Advance and the Expense Report forms may be found on the network. Completed, they must be approved by the COO before any money can be distributed. Once approval has been received requests are forwarded to the COO for processing. Checks are prepared twice monthly. Please plan appropriately and in a timely fashion prior to your departure date. Requests not made in a timely fashion, may not be honored.

Local trips are reimbursed through an Expense Report, accompanied by receipts, only.

Personal Use of PHASE 4 America Property

In some instances, employees may be allowed to borrow certain PHASE 4 America equipment for their own personal use while on our premises. In no instance may this be done off our premises, or without prior management approval. You understand and agree that PHASE 4 America is not liable for personal injury incurred during the use of PHASE 4 America's property for personal projects. As a PHASE 4 America employee, you accept full responsibility for any and all liabilities for injuries or losses which occur, or for the malfunction of equipment. You are responsible for returning the equipment in good condition, and you agree that you are required to pay for any damages that occur while using the equipment for personal projects.

Relatives

PHASE 4 America recognizes that it may employ members of the same family. However, one family member may not directly or indirectly supervise another or process, review, or audit the work of another without written approval from the President of the Board of Trustees.

Violence in the Workplace Policy

PHASE 4 America has adopted a policy prohibiting workplace violence. Consistent with this policy, acts or threats of physical violence, including the spreading of malicious rumors, intimidation, harassment, and/or coercion, which involve or affect PHASE 4 America or which occur on PHASE 4 America property will not be tolerated.

Acts or threats of violence include conduct which is sufficiently severe, offensive, or intimidating to alter the employment conditions at PHASE 4 America, or to create a hostile, abusive, or intimidating work environment for one or several employees. Examples of workplace violence include, but are not limited to, the following:

1. All threats or acts of violence occurring on PHASE 4 America's premises, regardless of the relationship between PHASE 4 America and the parties involved.

2. All threats or acts of violence occurring off PHASE 4 America's premises involving someone who is acting in the capacity of a representative of PHASE 4 America.

Specific examples of conduct which may be considered threats or acts of violence include, but are not limited to, the following:

1. Hitting or shoving an individual.

2. Threatening an individual or his/her family, friends, associates, or property with harm.

3. Intentional destruction or threatening to harm or destroy PHASE 4 America or PHASE 4 America's property.

4. Making harassing, intimidating or threatening phone calls or sending harassing, intimidating or threatening email or other written correspondence

5. Harassing surveillance or stalking (following or watching someone).

6. Unauthorized possession or inappropriate use of firearms or weapons.

PHASE 4 America prohibition against threats and acts of violence applies to all persons involved in PHASE 4 America's operation, including but not limited to personnel, contract, and temporary workers, parents, and anyone else on PHASE 4 America's property. Violations of this policy by any individual on PHASE 4 America's property will lead to disciplinary action, up to and including termination, prohibiting access, and/or legal action as is appropriate.

Every employee is required to report incidents including intimidation, harassment, coercion, and verbal threats or acts of physical violence of which he/she is aware. The report should be made directly to the Principal/CEO.

Receipt and Acknowledgment of PHASE 4 America's Employee Handbook

Please read the following statements, sign below and keep in your handbook for future reference.

Understanding and Acknowledging Receipt of PHASE 4 America Employee Handbook
I have received a copy of and read the PHASE 4 America Employee Handbook. I understand that the policies and benefits described in it are subject to change at the sole discretion of PHASE 4 America at any time.

At-Will Employment
I understand that my employment is at will. I am free to terminate my employment with PHASE 4 America at any time, with or without reason. Likewise, PHASE 4 America has the right to terminate my employment, or otherwise discipline, transfer, or demote me at any time, with or without reason, at is sole discretion. In the event that I have entered into a written contract with PHASE 4 America, I understand I must follow the guidelines set forth in that contract. I recognize that the policies and benefits described in this Employee Handbook are not intended to create any obligation on PHASE 4 America and do not constitute a contract of employment or otherwise .

Confidential Information
I am aware that during the course of my employment confidential information will be made available to me. I understand that confidential information may be protected and must not be shared or used outside of PHASE 4 America's premises or with non- PHASE 4 America employees. In the event of termination of employment, whether voluntary or involuntary, I hereby agree not to utilize or exploit this information with any other individual.

_____ _____
Employee's Printed Name Position

_____ _____
Employee's Signature Date

Receipt and Acknowledgment of PHASE 4 America's Employee Handbook

OFFICE COPY

Please read the following statements, sign below and return to the Chief Operations Officer.

Understanding and Acknowledging Receipt of PHASE 4 America Employee Handbook
I have received a copy of and read the PHASE 4 America Employee Handbook. I understand that the policies and benefits described in it are subject to change at the sole discretion of PHASE 4 America at any time.

At-Will Employment
I understand that my employment is at will. I am free to terminate my employment with PHASE 4 America at any time, with or without reason. Likewise, PHASE 4 America has the right to terminate my employment, or otherwise discipline, transfer, or demote me at any time, with or without reason, at is sole discretion. In the event that I have entered into a written contract with PHASE 4 America, I understand I must follow the guidelines set forth in that contract. I recognize that the policies and benefits described in this Employee Handbook are not intended to create any obligation on PHASE 4 America and do not constitute a contract of employment or otherwise .

Confidential Information
I am aware that during the course of my employment confidential information will be made available to me. I understand that confidential information may be protected and must not be shared or used outside of PHASE 4 America's premises or with non- PHASE 4 America employees. In the event of termination of employment, whether voluntary or involuntary, I hereby agree not to utilize or exploit this information with any other individual.

_____ _____

Employee's Printed Name Position

_____ _____

Employee's Signature Date

EXHIBIT 13 – Employee Files Policy

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Employee Files Policy

1. Purpose

1.1 For effective operation of PHASE 4 America Cyber Charter School ("PHASE 4 America"), a file must be established for the retention of all papers bearing upon an employee's responsibilities.

2. Authority

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

3. Delegation of Authority

3.1 The Board designates the establishment and the maintenance of official personnel records to the Chief Executive Officer ("CEO"). A central file shall be maintained. Supplemental records may be maintained for ease in data gathering. Only that information which pertains to the professional and legal role of the employee and is submitted by duly authorized staff and the Board may be entered in the official record file. Every effort will be made to maintain the confidentiality of all personal information.

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

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

3.4 Employees wishing to review their own records shall do so in the presence of the administrator designated to maintain such records and shall make no alterations or additions to the records nor remove any material there from and shall sign a log attached to the file indicating the date and name of the reviewer.

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

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

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

3.8 Upon initial employment the file shall contain:

- Completed employment application form
- Copy of teaching certificate, where applicable
- Proof of subject matter competency for highly qualified status per the NCLB
- Transcripts
- Recommendations
- W-4 form
- Retirement registration
- Annuity forms
- Insurance beneficiary forms
- IRS forms
- Photo identification
- Criminal records check/ FBI check
- Child abuse clearance
- Military or draft status
- Driving record or status of license if required to operate a vehicle during work hours

3.9 In a separate confidential file, as maintained in the Health Office, should be the following employee records:

- Physical examination
- Hospitalization forms

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

- Rate of compensation
- Completed copy of employment contract, where applicable Job title, dates of changes
- Leave and attendance record
- Completed performance evaluations
- Disciplinary incidents including warnings
- Special awards or distinctions
- Authorization for a deduction or withholding of pay Criminal records check, FBI check and fingerprints and Child Abuse Clearance and renewals
- Retirement record
- Amended insurance beneficiary/enrollment forms
- Amended W-4 forms

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

ADOPTED this _____ day of _____, 2012

_____
President

_____
Secretary

EXHIBIT 14 – Right-to-Know Law Policy

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Right-to-Know Law Policy

1. **Background.**

The Board of Trustees of PHASE 4 America Cyber Charter School ("' PHASE 4 America ") has adopted this Right-to-Know Policy in order to facilitate implementation of the Right-to-Know Law, Act 3 of 2008, at PHASE 4 America.

The Board of Trustees of PHASE 4 America directs the appointed Open Records Officer to implement procedures necessary to effectuate this Policy and to adhere to the requirements of the Right-to-Know Law, this policy supersedes and replaces all previously adopted Right-to-Know Law Policies at PHASE 4 America and any and all procedures related to the Right-to-Know Law at PHASE 4 America shall be modified as consistent with this Policy.

Language in this Policy has been drafted taking into consideration the Right-to-Know Law and information available from and through the Office of Open Records and Pennsylvania Department of Education. Nothing in this policy shall be construed to conflict with applicable state and/or federal laws, including but not limited to the Right-to-Know Law and any and all applicable common law and cases developing from the Right-to-Know Law and/or interpreting the Right-to-Know Law. In the event the Right-to-Know Law is amended or otherwise revised, this Policy shall be interpreted to incorporate any revisions or changes to the Right-to-Know Law without the need for Board action.

2. **Definitions.**

Open Records Officer:

The Open Records Officer for PHASE 4 America is hereby the Chief Executive Officer of PHASE 4 America, currently: _____

In the event that a new Chief Executive Officer is named by the Board, that official shall assume the role and duties of the Open Records Officer without the need for further Board action.

The Open Records Officer is the individual designated by the Board to receive, review and respond to all requests directed to the PHASE 4 America pursuant to this Policy and applicable law.

Public Record:

A record of PHASE 4 America is public provided the record is not:

(1) exempt under the Right to Know Law;

(2) exempt from being disclosed under any other Federal or State law or regulation or judicial order or decree; or

(3) protected by a privilege.

This Policy shall not be interpreted to require or allow access to any record that is not a public record under the Right-to-Know Law.

This Policy shall be interpreted to allow access to or duplication of public records to the extent required by the Right-to-Know Law.

Requester:

For purposes of this Policy, a Requester is a person that is a legal resident of the United States and requests a record pursuant to the Right-to-Know Law. The term includes an agency.

Response:

Access to a record or written notice to a Requester granting, denying or partially granting and partially denying access to a record.

3. **Functions of the Open Records Officer:**

The Open Records officer shall receive requests submitted to PHASE 4 America under the Right-to-Know Law, direct requests to other appropriate persons in accordance with the Right-to-Know Law, track PHASE 4 America's progress in responding to requests and issue interim and final responses under the Right-to-Know Law and this Policy.

4. **Public Records Access Room:**

PHASE 4 America may designate a Public Records Access Room. The function of a Public Records Access Room is to provide a specific, established site where Requesters may have physical access to some or all of PHASE 4 America's Public Records. If the Board elects not to establish such a room, the Open Records Officer shall determine on an ad hoc basis and in accordance with the Right-to-Know Law the building and room where Public Records will be made available to a Requester and the hours of availability.

In either instance the Open Records Officer has the discretion to establish procedures governing the use of the room including, but not limited to, the hours of access, the need and adequacy of proof of identification, restrictions or prohibitions on the removal of Records, the use of written requests and the ability of a Requester to bring his or her own equipment into the room.

5. **Procedure for Requesting Records:**

Oral requests. The Right-to-Know Law does not require PHASE 4 America to respond to oral requests. The Open Records Officer shall refuse to accept any oral request.

Anonymous requests. The Right-to-Know Law does not require PHASE 4 America to respond to Anonymous requests. The Open Records Officer shall refuse to accept any written request that does not identify the Requester.

Written requests. The Right-to-Know Law requires that the Open Records Officer act upon each non-anonymous written request when such request is submitted in person, by mail, by facsimile or e-mail.

(a) Contents of a request. The Right-to-Know Law sets forth various specifications for the contents of a written request. A Requester must submit a request in writing to the Open Records Officer on a form to be provided by the Open Records Officer or on the Official form issued by the Office of Open Records. The request must be addressed to the Open Records Officer and must set forth the name and address where PHASE 4 America should address its response. The request

should identify or describe the Record or Records sought with sufficient specificity to enable PHASE 4 America to ascertain which Records are being requested. The written request may be submitted in person, by mail, facsimile or email. Any PHASE 4 America Employee or Board Member who receives a request directed to the Open Records Officer shall immediately forward that request to the Open Records Officer.

The Right-to-Know Law provides that the Requester need not include the reason for the request or the intended use of the Records. Therefore, the Open Records Officer shall not insist that such a statement be provided, nor shall PHASE 4 America reject or refuse a request on the grounds that no such reason was given.

(b) Forms. PHASE 4 America may create or adopt forms for use by Requesters in preparing written requests. In the absence of a form created by PHASE 4 America, the Open Records Office's official Form must be used.

(c) Identification. As the Right-to-Know Law provides that PHASE 4 America provide a Requester with access to a Public Record if the Requester is a legal resident of the United States, PHASE 4 America may require the Requester to produce photographic identification to the extent allowed by the Right-to-Know Law.

Submittal of Open Records Requests.

Address all Open Records Requests to:

CEO
PHASE 4 America Cyber Charter School
To Be Determined

PHASE 4 America shall post this information to its website and shall post it at a location that is publicly accessible.

6. **Timing of Responses:**

The Right-to-Know Law provides that, upon receipt of a written Open Records Request, PHASE 4 America must make a good faith effort to determine if the requested Record is a Public Record, financial record, or legislative record and to respond as promptly as possible under the circumstances existing at the time of the request, and that this time shall not exceed five (5) business days from the date the written request is received by PHASE 4 America's Open Records Officer.

The five (5) business day period does not begin to run until PHASE 4 America's designated Open Records Officer has received a written request in accordance with the Right-to-Know Law and this Policy. If an Open Records Request is submitted to PHASE 4 America or to some Officer or employee of PHASE 4 America other than the Open Records Officer, the five (5) business day period has not yet begun.

Either a final or an interim written response must be made within five (5) business days from the date that the Open Records Officer received the request, If the Open Records Officer fails to respond within that time period, the Open Records Request is deemed denied.

The Right-to-Know Law and this Policy contemplate that Requesters will receive a Response within the five (5) business day period. However, the Right-to-Know Law and this Policy also provide PHASE 4 America with certain specific exceptions to invoke a single extension of time, which may not exceed 30 calendar days. If an extension is invoked and then there is no timely Response, the Open Records Request is deemed denied. Likewise, if the Open Records Officer notifies the Requester that it needs more than the maximum of 30 days, the request is deemed denied.

7. **Processing of Open Records Requests by the Open Records Officer:**

(1) Upon receiving an Open Records Request, the Open Records Officer shall, at a minimum, promptly complete the following tasks to the extent required by the Right-to-Know Law:

(a) Date-stamp or otherwise note the date of receipt on the Open Records. Request.

(b) Compute the day on which the five (5) business day period will expire and make a notation of that date.

(c) Maintain a paper or electronic copy of the Open Records Request, including all documents submitted with it and the envelope (if any) in which it was received.

(d) Create an official file for the retention of the original Open Records Request.

(e) Make a good faith effort to determine if the record requested is a public record and if PHASE 4 America has possession, custody or control of the record.

(f) Maintain a copy of PHASE 4 America's response to the request.

(2) For purposes of determining the five (5) business-day period:

(a) A business day shall be from 8:00 a.m. until 4:00 p.m. on any Monday, Tuesday, Wednesday, Thursday, or Friday, except those days when the offices of PHASE 4 America are closed for all or part of a day due to a holiday; due to severe weather (such as a blizzard or ice storm); due to natural or other disaster; or due to the request or direction of local, state, or federal law enforcement Officers.

(b) Any Open Records Request received by the Open Records Officer after the close of its regular business hours shall be deemed received by that office on the following business day.

(c) For purposes of determining the end of the five (5) business day period, the day that an Open Records Request is received (or deemed received) is not counted. The first day of the five (5) business day period is PHASE 4 America's next business day.

8. **Responses:**

(1) The act of providing a Requester with physical access to a document or a copy of the requested Record, in the Open Records Office, is a "Response" for purposes of this Open Records Policy. Unless PHASE 4 America issues written policies to the contrary, only the Open Records Officer possesses the authority to permit this access.

(2) Where timely access is not provided in accordance with subsection 8(1) above, the Act requires that PHASE 4 America's Response be in writing. The Open Records Officer has the duty to

prepare and send written Responses. In preparing a written Response, the Open Records Officer should consult, as necessary, with the Solicitor.

(3) PHASE 4 America is not required to create a Public Record that does not already exist, nor is PHASE 4 America required to compile, maintain, format, or organize a Public Record in a manner in which PHASE 4 America does not currently do so.

(4) The Open Records Office shall send written Responses to Requesters by one of the following, in its discretion: United States mail, facsimile transmission; electronic transmission; overnight or parcel delivery service; or, courier delivery.

9. **Access to Public Records:**

Unless otherwise provided by law, a public record, legislative record or financial record shall be accessible for inspection and duplication in accordance with the Right-to-Know Law and this Policy. A public record, legislative record or financial record being provided to a Requester shall be provided in the medium requested if it exists in that medium; otherwise, it shall be provided in the medium in which it exists. Public records, legislative records or financial records shall be available for access during the regular business hours of PHASE 4 America.

PHASE 4 America shall not be required to create a record which does not currently exist or to compile, maintain, format or organize a record in a manner in which PHASE 4 America does not currently compile, maintain, format or organize the record.

The Open Records Officer may respond to a records request by notifying the Requester that the record is available through publicly accessible electronic means or that PHASE 4 America will provide access to inspect the record electronically. If the Requester is unwilling or unable to access the record electronically, the Requester may, within thirty days following receipt of the notification, submit a written request to the Open Records Officer to have the record converted to paper. PHASE 4 America shall provide access to the record in printed form within five days of the receipt of the written request for conversion to paper.

Physical Access to Public Records:

(1) The Act requires that, unless otherwise provided by law, the Public Records of PHASE 4 America must be accessible for inspection by any Requester during the regular business hours of PHASE 4 America, Unless PHASE 4 America adopts written policies to the contrary, the regular business hours of PHASE 4 America for purposes of the Act are from 8:00 a.m. until 4:00 p.m. on any business day.

(2) Access shall be provided by the Open Records Officer either in the Open Records Office or the Public Records Access Room, at the discretion of the Open Records Officer, depending on the size, complexity or other circumstances of the request.

10. **Notice of Review:**

Upon receipt of a written request for access, the Open Records Officer shall determine if one of the following applies:

(a) the request for access requires redaction of a record in accordance with the Right to Know Law;

(b) the request for access requires the retrieval of a record stored in a remote location;

(c) a timely response to the request for access cannot be accomplished due to bona fide and specified staffing limitations;

(d) a legal review is necessary to determine whether the record is a record subject to access under this act;

(e) the Requester has not complied with the agency's policies regarding access to records;

(f) the Requester refuses to pay applicable fees authorized by this act; or

(g) the extent or nature of the request precludes a response within the required time period.

Upon a determination that one of the above factors applies, the Open Records Officer shall send written notice to the Requester within five business days of receipt of the request for access. The notice shall include a statement notifying the Requester that the request for access is being reviewed, the reason for the review, a reasonable date that a response is expected to be provided and an estimate of applicable fees owed when the record becomes available. If the date that a response is expected to be provided is in excess of 30 days, following the five business days allowed for in the Right-to-Know Law, the request for access shall be deemed denied unless the Requester has agreed in writing to an extension to the date specified in the notice.

If the Requester agrees to the extension, the request shall be deemed denied on the day following the date specified in the notice if PHASE 4 America has not provided a response by that date.

11. **Written Final Responses:**

(a) Types of final Responses. The Act provides for three types of written final Responses:

(i) PHASE 4 America grants the entire Open Records Request,

(ii) PHASE 4 America refuses the entire Open Records Request.

(iii) PHASE 4 America grants part of the Open Records Request and refuses the remainder.

(b) Deemed Denials. The failure of PHASE 4 America to make a timely final Response is a Deemed Denial under the terms of the Act.

(c) Final Responses that deny Open Records Requests, either in whole or in part shall be in writing by the Open Records Officer and include all of the following:

(i) A description of the record requested,

(ii) The specific reasons for the denial, including a citation of supporting legal authority.

(iii) The typed or printed name, title, business address, business telephone number and signature of the Open Records Officer on whose authority the denial is issued.

(iv) Date of the response.

(v) The procedure to appeal the denial of access under the Right-to-Know Law.

(d) Final Responses that grant the Open Records Request: If the Open Records Officer grants the request, the response shall so inform the Requester and include any necessary information for access.

12. **Redaction:**

If PHASE 4 America determines that a public record, legislative record or financial record contains information which is subject to access as well as information which is not subject to access, PHASE 4 America's response shall grant access to the information which is subject to access and deny access to the information which is not subject to access. If the information which is not subject to access is an integral part of the public record, legislative record or financial record and cannot be separated, PHASE 4 America shall redact from the record the information which is not subject to access, and the response shall grant access to the information which is subject to access. PHASE 4 America may not deny access to the record if the information which is not subject to access is able to be redacted. Information which PHASE 4 America redacts in accordance with the Right-to-Know Law shall be deemed a denial under the Right-to-Know Law.

13. **Appeals:**

If a written request for access to a record is denied or deemed denied, the Requester may file an appeal with the Office of Open Records or judicial, legislative Or other appeals officer designated under the Right to Know Law within 15 business days of the mailing date of PHASE 4 America's response or within 15 business days of a. deemed denial. The appeal shall state the grounds upon which the Requester asserts that the record is a public record, legislative record or financial record and shall address any grounds stated by PHASE 4 America for delaying or denying the request.

Unless otherwise provided by applicable law, the Office of Open Records shall assign an appeals officer to review the denial.

A person other than PHASE 4 America or Requester with a direct interest in the record subject to an appeal under this section may, within 1.5 days following receipt of actual knowledge of the appeal but no later than the date the appeals officer issues an order, file a written request to provide information or to appear before the appeals officer or to file information in support of the Requester's position. Copies of the written request shall be sent to the agency and the Requester.

14. **Posting:**

The following information shall be posted at PHASE 4 America and, if PHASE 4 America maintains an Internet website, on the Internet website:

(1) Contact information for the open-records officer.

(2) Contact information for the Office of Open Records or other applicable appeals officer.

(3) A form which may be used to file a request.

(4) Regulations, policies and procedures of PHASE 4 America relating to the Right to Know Law.

Current Information for the Office of Open Records:

Physical Address:
Commonwealth of Pennsylvania
Office of Open Records
Commonwealth Keystone Building
400 North Street, Plaza Level
Harrisburg, PA 17120-0225

Mailing Address:
Commonwealth of Pennsylvania
Office of Open Records
Commonwealth Keystone Building
400 North Street, 4th Floor
Harrisburg, PA 17120-0225

Phone: 717-346-9903
Fax: 717-425-5343
Email: openrecords@statepa.us
Executive Director: Terry Mutchler

15. **Special Considerations:**

a. **Disruptive requests.**

PHASE 4 America may deny a Requester access to a record if the Requester has made repeated requests for that same record and the repeated requests have placed an unreasonable burden on PHASE 4 America. Such denial shall not restrict the ability to request a different record.

b. **Disaster or potential damage.**

PHASE 4 America may deny a Requester access:

(i) when timely access is not possible due to fire, flood or other disaster; or

(ii) for historical, ancient or rare documents, records, archives and manuscripts when access may, in the professional judgment of the curator or custodian of records, cause physical damage or irreparable harm to the record.

To the extent possible, the contents of such a record shall be made accessible to a Requester even when the record is physically unavailable.

c. **Third Parties**

If, in response to a request, PHASE 4 America produces a record that is not a public record, legislative record or financial record, PHASE 4 America shall notify any third party that provided the record to the agency, the person that is the subject of the record and the Requester. PHASE 4 America shall notify a third party of a request for a record if the third party provided the record and included a written, statement signed by a representative of the third party that the record

contains a trade secret or confidential proprietary information. Notification shall be provided within five business days of receipt of the request for the record. The third party shall have five business days from receipt of notification from the agency to provide input on the release of the record. PHASE 4 America shall deny the request for the record or release the record within ten business days of the provision of notice to the third party and shall notify the third party of the decision.

16. **Duplication of Public Records:**

(a) A Public Record shall be accessible for duplication by a Requester. PHASE 4 America does not make duplication equipment available to a Requester but shall provide other means by which a Requester may obtain copies.

(b) PHASE 4 America will assign its own staff to make the duplications requested by the Requester; or it may contract for duplication services and require that the Requester pay the contractor for those services. PHASE 4 America shall charge the Requester a reasonable fee(s) that is consistent with the prevailing charges in the geographic location where the duplication occurs.

17. **Retention and Disposal of Public Records:**

There are statutes, regulations and other laws that regulate PHASE 4 America's retention and disposition of Records. PHASE 4 America shall follow the mandates of these laws and regulations. Neither the Act nor this policy modifies, rescinds or supersedes any retention or disposition schedule established pursuant to law or other regulation.

18. **Fees and Charges:**

Reasonable fees and charges as permitted by the Right-to-Know Law shall be established by the Board via Resolution and Established Fee Structure. The Board-approved list of fees shall be available for review by Requesters.

Such fee structure may be amended from time to time as appropriate, using the standards provided in the Right-to-Know Law and shall not exceed the fee structure recommended by the Office of Open Records.

All checks will be made payable to "PHASE 4 America Cyber Charter School." If the fee is for copying only and the anticipated cost exceeds $100.00, PHASE 4 America may allow access to the Records but shall refuse to make copies until the fee is paid. If the fee is for redacted copies or some other allowable service that is necessary in order for access to be provided, PHASE 4 America may deny access until the fee is paid. At no time will PHASE 4 America accept cash as a method of payment.

PHASE 4 America shall not charge a fee for review of a record to determine whether the record is subject to access.

All copies must be retrieved within ninety (90) days of PHASE 4 America's response or PHASE 4 America may, in the discretion of the Open Records Officer and to the extent allowed by law, dispose of copies made. The Requester remains responsible for fees incurred to the extent allowed by the Right-to-Know Law.

The Open Records Officer may waive fees set by the Board on a case by case basis consistent with applicable state and federal law.

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

ADOPTED this day _____ of _____ , **2012**

_____

President

_____

Secretary

PHASE 4 AMERICA CYBER CHARTER SCHOOL

RIGHT-TO-KNOW REQUEST FORM

DATE REQUESTED:

REQUEST SUBMITTED BY: E-MAIL U.S. MAIL FAX IN-PERSON

NAME OF REQUESTER : _____

STREET ADDRESS: _____

CITY/STATE/COUNTY (Required): _____

TELEPHONE (Optional): _____

RECORDS REQUESTED: *Provide as much specific detail as possible so the agency can identify the information.

DO YOU WANT COPIES? YES or NO

DO YOU WANT TO INSPECT THE RECORDS? YES or NO

DO YOU WANT CERTIFIED COPIES OF RECORDS? YES or NO

OPEN RECORDS OFFICER: CEO
PHASE 4 America Cyber Charter School
To Be Determined
Fax: To Be Determined
E-Mail: To Be Determined

DATE RECEIVED BY PHASE 4 America:

PHASE 4 AMERICA'S FIVE (5) BUSINESS-DAY RESPONSE DUE:

*If the requester wishes to pursue the relief and remedies provided for in the Right-to-Know Law, the request must be in writing. (Section 702.) Written requests need not include an explanation as to why information is sought or the intended use of the information unless otherwise required by law. (Section 703.)

PHASE 4 AMERICA CYBER CHARTER SCHOOL

Right-to-Know Law Request Fee Structure

The Right-To-Know law requires the establishment of a fee structure. The PHASE 4 America Cyber Charter School ("PHASE 4 America") establishes the following fee structure in accordance with the Law and has derived this structure upon review of the Open Records Office's Recommended Structure. The Law requires that the Office of Open Records review the fee structure biannually. Any updates will be posted by PHASE 4 America.

Fee Structure

Record Type	Fee
Copies: (A "photocopy" is either a single-sided copy or one side of a double-sided black-and-white copy of a standard 8.5" x 11" page)	$0.25 per page.
Certification of a Record:	$1.00 per record. Please note that certification fees do not include notarization fees.
Specialized documents: (For example, but not limited to, blue prints, color copies, non-standard sized. documents)	Actual Cost of PHASE 4 America
Facsimile/Microfiche/Other Media:	Actual Cost of PHASE 4 America
Conversion to Paper:	If a record is only maintained electronically or in other non-paper media, duplication fees shall be limited to the lesser of the fee for duplication on paper or the fee for duplication in the original media unless the Requester specifically requests for the record to be duplicated in the more expensive medium. (Sec. 1307(e)).
Postage Fees:	Fees for Postage May Not Exceed the Actual Cost of Mailing to PHASE 4 America
Other Allowable Fees:	Actual Cost to PHASE 4 America

Please Also Be Advised in regard to the Right-to-Know Law Fee Structure:

Statutory Fees: If a separate statute authorizes PHASE 4 America to charge a set, amount for a certain type of record, PHASE 4 America may charge no more than that statutory amount.

Inspection of Redacted Records: If a Requester wishes to inspect rather than receive a copy of a record and the record contains both public and non-public information, PHASE 4 America shall redact the non-public information. PHASE 4 America may not charge the Requester for the redaction, However, PHASE 4 America may charge for the copies it must make of the redacted material in order for the Requester to view the public record. The fee structure outlined above will apply. If, after inspecting the records, the Requester chooses to obtain the copies, no additional fee may be charged.

Enhanced Electronic Access: If PHASE 4 America offers enhanced electronic access to records in addition to making the records accessible for inspection and duplication by a Requester, PHASE 4 America may establish user fees specifically for the provision of the enhanced electronic access, but only to the extent that the enhanced electronic access is in addition to making the records accessible for -inspection and duplication by a Requester as required by the Right-to-Know Law, The user fees for enhanced electronic access may be a flat rate, a subscription fee for a period of time, a per-transaction fee, a fee based on the cumulative time of system access or any other reasonable method and any combination thereof. The user fees for enhanced electronic access must be reasonable, must be pre-approved by the Office of Open Records and shall not be established with the intent or effect of excluding persons from access to records or duplicates thereof or of creating profit for the agency. Any request is to be submitted to the:

Office of Open Records
400 North Street
Harrisburg, PA. 17120

Fee Limitations: Except as otherwise provided by statute, the law states that no other fees may be imposed unless- PHASE 4 America necessarily incurs costs for complying with the request, and such fees must he reasonable. No fee may be imposed for a review of a record to determine whether the record is a public record, legislative record or financial record subject to access, No fee may be charged for searching for or retrieval of documents. PHASE 4 America may not charge staff time or salary for complying with a Right-to-Know request,

Prepayment: Prior to granting a request for access, PHASE 4 America may require a Requester to prepay an estimate of the fees authorized under this section if the fees required to fulfill the request are expected to exceed $100.

Once the request is fulfilled and prepared for release, the Office of Open Records recommends that PHASE 4 America obtain the cost of the records prior to releasing the records. This recommendation is designed to avoid situations in which PHASE 4 America provides the records and the Requester fails to submit payment.

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Student Record Policy

Purpose:

The Board of Trustees of PHASE 4 America Cyber Charter School ("PHASE 4 America") recognizes the need to protect the confidentiality of student records. PHASE 4 America shall adhere to applicable state and federal laws and regulations pertaining to student records, including but not limited to the Family Educational Rights and Privacy Act of 1974 ("FERPA"), 20 U.S.C. § 1232(g), as amended, and its accompanying regulations at 34 C.F.R. Part 99; the Individuals with Disabilities Education Act Improvement Act of 2004 ("IDEA."), 20 U.S.C. § 1417(c) as amended, and applicable implementing regulations at 34 C.F.R Part 300; the Pennsylvania Public School Code of 1949, including Sections 24 P.S. § 5-510, 14-1409 and 13-1304-A-1307-A; Chapter 12.31-12.32 of Title 22 of the Pennsylvania Code; and Chapter 711.8 of Title 22, of the Pennsylvania Code. The Chief Executive Officer ("CEO") of PHASE 4 America is designated as the Administrator responsible for the maintenance, access and release of student records in accordance with applicable laws and regulations.

An official student record shall be maintained for each student of PHASE 4 America, This record shall contain only certified information of recognized importance as described more fully herein and may be used only in accordance with applicable state and federal laws and regulations.

Any other records shall be considered provisional and temporary and shall be destroyed when their usefulness is no longer apparent or when the student leaves the school.

This policy has been prepared to address the collection, storage, maintenance disclosure, and destruction of student records.

I. DEFINITION OF TERMS

A. The term "disclosure" means permitting access to or the release, transfer or other communication of personally identifiable information contained in education records to any party, by any means, including oral, written or electronic means. 34 C.F.R. § 99.3.

B. The term "educational institution" or "educational agency or institution" means any public or private agency or institution which is the recipient of funds under any federal program referenced in applicable law. The term refers to the agency or institution recipient as a whole, including all of

its component parts. 20 U.S.C. § 1232g(a)(3). For purposes of this Policy, a charter school is included in this definition.

C. The term "education records" means those records that are directly related to a student and maintained by an educational, agency or institution or by a party acting for the agency or institution. The record can be recorded in any form, including but not limited to, handwriting, print computer media, electronic files, electronic mail, video or audio tape, film, microfilm and microfiche. The term does not include:

1. Records that are kept in the sole possession of the maker of the record, are used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record.

2. Records of the law enforcement unit of an educational agency or institution, subject to the provisions of 34 C.F.R. § 99.8;

3. Records relating to an individual who is employed by an educational agency or institution that;

   a. Are made and maintained in the normal course of business;

   b. Relate exclusively to the individual in that the individual's capacity as an employee; and

   c. Are not available for use for any other purpose;

   However records relating to an individual in attendance at the agency or institution who is employed as a result of his or her status as a student are education records and are not excluded under this provision.

4. Records on a student who is eighteen years of age or older, or is attending an institution of post-secondary education that are:

   a. Made or maintained by a physician, psychiatrist, psychologist or other recognized professional or paraprofessional acting in her professional capacity or assisting in a professional capacity;

   b. Made, maintained or used in connection with the treatment of the student; and

   c. Disclosed only to individuals providing the treatment. For the purpose of this definition, "treatment" does not include remedial educational activities or activities that are part of the program of instruction at the agency or institution; and

5. Records that only contain information pertaining to time periods after the individual is no longer a student at PHASE 4 America. 20 U.S.C. § 1232g(a)(4).

6. The term "Charter School" means PHASE 4 America and its officers, employees and agents, individually or collectively. The term does not include any other public or private school or other educational agency, or any officer, employee or agency thereof, at which PHASE 4 America's students are enrolled or from which PHASE 4 America students receive services. 24 P.S. § 17-1715A.

7. The term "student" except as otherwise means any school-age person who is attending PHASE 4 America and with respect to whom PHASE 4 America maintains education records. 20 U.S.C. §1232g(a)(6).

8. The term "eligible student" means a student who has attained eighteen (18) years of age, or is attending an institution of post-secondary education. Whenever a student has attained eighteen (18) years of age or is attending an institution of post-secondary education, the permission or consent shall be required of, and the right accorded to the student, except that the parent of an exceptional child or a disabled child as defined by state and federal law or a parent who claims the student as a dependent under Section 152 of the Internal Revenue Code of 1986 shall have the right of access to the student's records and information contained therein (as provided in Section IV.A.).

9. The term "parent" means a natural or lawfully-adoptive parent or legal guardian of a student, or a surrogate parent appointed in accordance with 34 C.F.R. § 300.515 of the regulations implementing Part B of the Individuals with Disabilities Act, or a person acting as a parent who is supporting a student gratis and has signed an affidavit assuming educational responsibility for the student in accordance with

   Section 1302 of the Public School Code, 24 P.S. § 13-1302. PHASE 4 America shall afford to any person who qualifies as a "parent" under this section all of the rights afforded to parents by this policy or by any state or federal law, unless the responsible administrator receives and has reasonable opportunity to review a lawful custody order, divorce decree, separation agreement or similar document expressly terminating the right of that person to receive or have access to the student's records. 34 C.F.R. 99.4. PHASE 4 America does not assume responsibility for the discovery or location of such documentation.

10. The term "directory information" means information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. It includes, but is not limited to, the student's name, address, telephone listing, electronic mail address, photograph, date and place of birth, major field of study, dates of attendance, grade level, enrollment status (e.g., undergraduate or

graduate; full-time or part-time), participation in officially recognized activities and sports, weight and height of members of athletic teams, degrees, honors and awards received, and the most recent educational agency or institution attended. 34 C.F.R. Part 99.3.

11. The term "school official with a legitimate educational interest" includes:

    1. Any person in one or more of the following positions:

        a. the CEO and his or her specifically authorized designees;

        b. the responsible administrator and his or her specifically-authorized designees;

        c. the CEO or Principal of any building to which the student is assigned and any other administrators employed by PHASE 4 America who are responsible for the administration of programs in which the student is enrolled or participating;

        d. employees and contractors, including: instructional staff, counselors, psychologists, social workers, educational diagnosticians, psychiatrists, program specialists, related service providers, counselors, therapists, physicians, and nurses who are employed or used by PHASE 4 America and are involved in the provision of education other services to the student;

        e. attorneys or similar legal representatives of PHASE 4 America, when the attorneys or legal representative is providing advice to PHASE 4 America concerning the education or discipline of the student or where the records are relevant or thought to he relevant to the legal matter for which the attorney or legal representative is being consulted;

        f. members of any Charter School student assistance program team to which the student is referred, including members who are not employed by PHASE 4 America;

        g. special education due process hearing officers and administrative review officers designated by the Secretary of Education for the Commonwealth of Pennsylvania.

        h. clerical staff of the above who are responsible for the maintenance and security of education records and to consultants, and school board members when school board action concerning the student is required by law or when the education or treatment of the student is the subject of present or potential litigation or legal dispute.

    2. A school official has a legitimate educational interest in personally identifiable information when access to that information is required for the effective, efficient or proper provision of education or other services to the student to whom the information pertains or with respect to required investigations, administrative or

legal proceeding PHASE 4 America shall maintain for public inspection and for access under Section IV.A.4 of this policy a list of the names and positions of school officials who are entitled to disclosure under this paragraph. 20 U.S.C. § 1232g(b)(1)(A).

12. The term "destruction" or "destroy" means the physical destruction, obliteration or permanent removal of all or any portion of the information in a student record. Permanent removal of a record from the custody, care and control of PHASE 4 America shall constitute destruction of that record even if the information contained therein is maintained by another agency or entity.

13. The term "record" means any information recorded in any way, including, but not limited to, handwriting, print, computer media, video or audio tape, film, microfilm, microfiche, 34 C.F.R. § 99.3.

14. The term "applicable law" shall mean all statutes and regulations applicable to the student records that are in effect when. any action is taken or is to be taken and shall include, but not necessarily be limited to, the Family Education Rights and Privacy Act, the Code of Federal Regulations, Title 34 Part 99, the United States Code § 1232 and the regulations of the Pennsylvania State Board of Education at 22 Pa. Code §§ 12.31 *et. seq.*

15. The term "emancipated minor" means a student below the age of 21 who has chosen to establish a domicile apart from the continued control and support of parents and guardians. The term includes a minor living with a spouse.

II. RESPONSIBILITY AND AUTHORITY

The PHASE 4 America Board of Trustees has primary responsibility for the development of the policy and oversight of its implementation. Only records mandated by the Commonwealth or Federal government or specifically permitted by this Board may be compiled.

Toward that end, the Principal/CEO of PHASE 4 America is designated to implement administrative procedures which incorporate relevant legal provisions regarding the compilation, maintenance, access to and security of pupil education records and to supervise adherence to this Policy.

III. MANAGEMENT OF STUDENT RECORDS

A. **Collection of Information** - No information shall be collected from students without either prior representational consent of the CEO or informed individual consent from the parent and/or students.

1. **Prior Consent**

Prior to the collection of anecdotal materials for the purpose of preparing reports, informed consent of the parent or eligible student must be requested, except as indicated in subparagraph (a) below.

a. **Representational Consent** - Representational consent is hereby granted to the appropriately elected school representatives and may satisfy the principle of consent for gathering of information which does not require individual consent by the parent or eligible student under state and federal law.

   i. The Board of Trustees shall have the authority to grant consent for the collection of all Category "A" and Category "B" information as stated below.

   ii. In situations in which representational consent is sufficient, students and their parents shall be informed in advance, by school officials, annually of the purposes and character of the information collection and shall be given reasonable opportunity by the Board of Trustees to contest the necessity or desirability of the collection process or the proposed use of the information.

b. **Individual Consent** - If individual consent by the parent of eligible student is required by state and federal law, prior to gathering such information, such consent shall be obtained in writing.

   i. Individual consent from parents and/or "eligible" students shall be required for all Category "C" information as stated below:

      a. Prior to the requesting of individual consent, parents shall be fully informed, in writing, as to the methods by which the information will be collected;

      b. The uses to which it will be put;

      c. The methods by which it will be retained and the persons to whom it will be retained;

      d. The persons to whom it will be available, and under what conditions.

      e. If the above explanations are impossible or undesirable, the reasons shall be presented.

      f. In all situations where individual consent is obtained, it shall be in writing.

2. **Special situations** where the principle of informed consent cannot be met, as for example in the course of interviews by school personnel, the following procedures will be followed:

   a. PHASE 4 America will inform the student as fully as possible about the data that is likely to be obtained;

   b. PHASE 4 America will stress the voluntary nature of the student's participation;

   c. Where reasonable doubts exist as to the capacity of the student to understand the implications of the situation, either because of the student's age or other circumstances, parental permission will be sought before proceeding. In addition, where a student clearly in need of intervention declines to participate, the professional involved will seek parental consent.

   d. In either case, if parental consent cannot be obliged or is not given, further steps to provide assistance will be initiated only if:

      1. The guidance counselor or designated school official is entirely convinced, giving full attention to the privacy interests involved, that intervention is imperative;

      2. both the student and parents have been fully informed to the extent that is possible; and

      3. appropriate school authorities such as the school's review panel has consented.

B. **Information Collected for Non-School Purposes**

1. Where the information and/or data to be collected are for non-school purposes, either by school personnel or outsiders then the above recommendations shall be fully applied with the further provision that prior informed consent must be obtained from the responsible school authorities.

2. In cases where the information is to be collected under conditions of anonymity, the collecting agency must still obtain the appropriate form of consent. PHASE 4 America authorities shall establish procedures for regulating the collection of such information, including the following:

   a. Notification to the students and parents that their participation is voluntary.

   b. Careful review of the instruments and procedures to be used for any such information collection to determine whether the methods and/or inquiries constitute a significant potential invasion of privacy, even though the information is to be collected under

conditions of anonymity.

C. The Board of Trustees does not consent to the collection of education records without consent if the collection of such records is accomplished by use of a survey, analysis, or evaluation that requires or encourages the student to reveal: political affiliations or beliefs of the student or student's family, psychological problems potentially embarrassing to the student or family without legitimate education relevance, sexual behavior or attitudes, illegal behavior, critical appraisals of persons with whom the student has close family relationships, information protected by legal privilege; income, unless income information is necessary to determine eligibility for participation in a program of assistance; religious practices, affiliations, or beliefs of the student or student's family.

When a survey, analysis, or evaluation (meaning a planned method of inquiry or method of collection used on a group or individual basis) is used to obtain such information, PHASE 4 America shall obtain prior informed consent in writing and in a form consistent with the Collection Section of this policy. This does not include ordinary exchanges of information in the school setting (i.e. teacher/student, counselor-student when the student participates voluntary and consent is not required by applicable state or federal regulations). Consent is not required to investigate child abuse or neglect when there is a good faith basis to suspect child abuse or neglect.

Items required to be collected as part of state and/or federal regulations shall be collected in accordance with applicable state and/or federal regulations.

2. Notification of Rights

a. Parents and eligible students shall be notified annually of their rights under the Family Educational Rights and Privacy Act of 1974 ("FERPA").

The notice must inform parents of students currently in attendance, or eligible students currently in attendance, of their rights under the Act and this part.

The notice must inform parents or eligible student that they have the right to:

1. Inspect and review the student's education records;

2. Seek amendment of the student's education records that the parent or eligible student believes to be inaccurate, misleading or otherwise in violation of the student's privacy rights;

3. Consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that the Act and § 99.31 authorize disclosure without consent; and

4. The procedure to file complaints for non-compliance concerns.

5. The parent or eligible student who wishes to file a complaint with regard to compliance of this policy may do so contacting the CEO.

6. If further appeal is necessary, the parent or eligible student may contact the Family Educational Rights and Privacy Act Officer, Department of Education, Washington, D.C. 20202-8520. 34 C.F.R. § 99.7.

b. A listing of the types, content and location of education records maintained by PHASE 4 America shall be made available annually to include the names, titles, and addresses of the school officials responsible for such records.

c. The annual notification shall be accomplished by publication in the local newspaper and distributed to parents of currently attending students.

III. CLASSIFICATION OF INFORMATION COLLECTED

All information collected in the pupil record shall be classified as follows:

A. Category "A" Information

This category includes official administrative records that constitute the minimum personal information necessary for the operation of the educational system if collected, it shall include the following items:

1. The student's name, address, telephone number, birth date, sex, date of entry, and date of withdrawal;

2. Standardized Achievement Test results;

3. The student's grades and class rank;

4. The student's record of participation in school activities, awards, etc.

5. The names and addresses of parents or guardians and other family background of non-confidential nature.

These records should be maintained without time limitation and for at least 100 years.

B. Category "B" Information

This category includes verifiable information of clear importance, but not absolutely necessary to the school, over time, in helping the child or protecting others. If collected, it shall include the following items:

1. Scores on standardized intelligence and aptitude test;
2. Students Health data;
3. Interests inventories;
4. Family background information;
5. Systematically gathered teacher or counselor ratings and observations;
6. Verified reports of serious or recurrent behavior patterns.

C. Category "C" Information

This category will include potentially useful information but not yet verified or clearly needed beyond the immediate present. This information is highly confidential information and should be reviewed at least once a year and destroyed as soon as their usefulness is ended or transferred to Category "B". Transfer to Category "B" may be made if two conditions are met, namely,

1. The continuing usefulness of the information is clearly demonstrated, and
2. Its validity has been verified, in which case parents must be notified and the nature of information explained.

If collected, may include the following:

1. Legal or clinical findings including certain personality test results;
2. Unevaluated reports of teachers, counselors and others which may be needed in ongoing investigations and disciplinary or counseling actions.

D. Category "D" Information: Confidential, Personal Files of Professionals in PHASE 4 America (School Psychologist, Social Workers, Counselors)

We recognize that, in some instances, professional working in the school may maintain personal and confidential files containing notes, transcripts of interviews, clinical diagnoses and other memory aids for their own use in counseling pupils. Any and all data that are considered to be the personal property of the professional should be guarded by the rules given above in addition to

those dictated by professional ethics, subject to the terms of the employment contract between PHASE 4 America and the professional and any special agreements made between the professional and individual parent and/or students. Such records kept in the sole possession or the maker of the record and not accessible or revealed to any other person except a temporary substitute for the maker of record are not considered education records, and therefore, are not subject to access requirements enumerated in this policy. Upon termination of professional employment with PHASE 4 America; all personal data, and files are to be destroyed or reclassified. 20 U.S.C. § 1232g(a)(4)(B)(i).

IV. MAINTENANCE OF RECORDS

All student information shall be retained and maintained in PHASE 4 America in accordance with procedures identified with the classification of the material. Education records shall be transferred and converted in accordance with the procedures and schedules herein or as otherwise prescribed by applicable state and federal laws and regulations.

All files from which access or disclosure might be had or made must contain a disclosure log with the following information: the identity of the person or agency to which access is granted to or disclosure made from the file; the purpose for which access was granted to or disclosure made; the date of access or disclosure; the name or initials of the person granting access or making the disclosure; and in the case of disclosures to persons who will make further disclosures or allow further access on behalf of the school, the identity of the person or agency to whom or to which, and the specific purpose for which, such further disclosure or access will be made or allowed.

A. Category "A" Information as outlined above:

Information in this category shall be retained by the school without time limitation and for at least 100 years.

B. Category "B" Information as outlined above:

1. Great care must be exercised by PHASE 4 America to ensure the accuracy of the information in this category. In particular, reported behavior patterns and specific incidents must be unambiguously described and clearly verified before they become part of any continuing record.

2. PHASE 4 America shall give serious consideration to the elimination of unnecessary information in this category at periodic intervals such as at points of transition from elementary school to middle school and from middle school to senior high school.

3. All information in this category shall be destroyed, or else retained under conditions of anonymity for research purposes, when the student leaves PHASE 4 America. Exceptions may

be made where, under rigorous standards and impartial judgment, good cause for retention can be shown or according to statute.

a. Parents shall be periodically informed of the content of Category "B" records, and of their right of access to this data.

b. The health record and Category "B" information shall be maintained for a period of at least five (5) years after the pupils' class graduation date. Thereafter, these records shall be destroyed.

C. Category "C" information as outlined above:

1. Information in this category shall be reviewed at least once a year and destroyed as soon as its usefulness is ended. It may be transferred to Category "B" under certain conditions.

2. Transfer to Category "B" may be made only if the following two conditions are met:

   a. The continuing usefulness of the information is clearly demonstrated.

   b. The validity of the information has been verified in which case the parents must be notified and the nature of the information explained.

3. If for any reason temporary unevaluated information is held for more than one (1) year, the existence of this information must be discussed with the parent and the reason for its maintenance explained fully. Parents then should have an opportunity to challenge the decision to maintain such information.

4. The previously defined review panel composed of qualified professional personnel should determine the validity of Category "C" data.

V. ADMINISTRATION OF SECURITY

A. The CEO or his/her designee shall be responsible for record maintenance and access and release of records. Staff training programs will be conducted for the professional staff on the record policy, with emphasis placed on security and confidentiality.

B. Student records will be kept in locked filing cabinets at all times under the supervision of designated personnel, e.g., the CEO of PHASE 4 America or his/her designee.

C. PHASE 4 America shall protect the confidentiality of personally identifiable information including at the collection, storage, disclosure, and destruction stages of that information. PHASE 4 America will insure that any records kept or transmitted electronically are subject to high standards of electronic security, PHASE 4 America uses electronic firewall and encryption systems, and

monitors and tests the system regularly to ensure its stability and integrity. All of PHASE 4 America electronic mail correspondence shall include the following:

CONFIDENTIALITY NOTICE

The information in this transmission is intended only for the individual or entity named above. It may be legally privileged and confidential. If you have received this information in error, notify us immediately by calling PHASE 4 America at (*number to be determined*). Send the original transmission to us by mail. Return postage is guaranteed. If the reader of this message is not the intended recipient, you are hereby notified that any disclosure, dissemination, distribution or copying of this communication or its contents is strictly prohibited.

VI. CHALLENGING THE VALIDITY OF INFORMATION

If the parent or student wishes to challenge any portion of an education record that he or she believes is inaccurate, misleading or in violation of the student's right to privacy, and if the conflict cannot be resolved informally, the following formal procedures will be followed:

A. The parent or student must submit a written request for amendment of the record of the student. The request will contain a brief statement which specifies the records to be amended and the reason that the amendment is requested. This request will be submitted to the CEO. If a verbal request is made, the CEO shall inform the person of the requirement to submit the request in writing.

B. The challenge will be reviewed by the school's review panel within a reasonable period not to exceed thirty (30) days from the receipt of the written request.

1. If PHASE 4 America does decide to refuse to amend the information in accordance with the request of the parent, PHASE 4 America shall inform the parent in writing of both the refusal and the specific reasons for the refusal and shall notify the parent in writing of the right to request and receive a hearing.

2. The hearing shall be conducted according to the following provisions:

   a. The hearing shall be held at mutually agreed upon time and place to be held within a reasonable time after PHASE 4 America received the request for a hearing from the parent. Such hearing shall be held within ten (10) days of the request for a hearing, where reasonable.

   b. The parent shall be notified in writing of the date, place and time of the hearing, no later than five (5) days in advance of the hearing.

   c. The hearing shall be conducted by the review panel which does not have direct interest in the outcome of the hearing. The duties of the review panel shall be the following:

i. to review challenges made by parents and/or students and render decisions as to the correction or deletion of inaccurate or misleading information.

ii. to determine the validity of category "C" data and the transfer of category "C" data to category "B".

iii. to grant representative consent in situations where the intervention is judged to be imperative, parental consent cannot be obtained, and there is reasonable doubt as to the capacity of the student to understand the implications of the situation.

iv. to grant representative consent to persons or agencies to conduct studies involving the school population under the conditions of anonymity.

3. The party conducting the hearing may be an official of PHASE 4 America, including the CEO or his/her designee.

4. The parent shall be afforded a full and fair opportunity to present evidence relevant to information in. the educational records that the parent believes is inaccurate, misleading, or violates the privacy or rights of the child.

5. The parent may, at the hearing, be assisted or represented by persons of his/her choice at his/her expense, and such persons may include legal counsel.

6. PHASE 4 America shall render a written decision on the issues presented at the hearing and shall render such decision within thirty (30) days after the conclusion of the hearing. The decision shall be based solely upon evidence presented at the hearing and shall include a summary of the evidence and the reasons for the decision.

7. If as a result of the hearing the review panel that the information is inaccurate, misleading or otherwise in violation of the privacy or rights of students, PHASE 4 America shall amend the education records accordingly and so inform the parent in writing.

8. If as a result of the hearing the review panel decides that the information is not inaccurate, misleading or otherwise in violation of the privacy or other rights of students, the review panel shall inform parent of his/her right to place in the educational records of the student a statement which sets forth the written comments of the parent in the educational records of reasons for disagreeing with the decision of the review panel or both written comments and reasons.

9. The statement of the parent shall be appended by PHASE 4 America to the educational records so long as the record or the contested portion thereof is maintained by PHASE 4 America.

10. If the education records of the student or the contested portion thereof is released by PHASE 4 America to any party, the statement of the parent shall also be released to the party.

Nothing in this section on parent requests for amendment of records shall be interpreted to mean that the

parent and PHASE 4 America may not, by mutual agreement, meet prior to either a parent request for a hearing or the hearing itself in order to discuss the concerns of the parent regarding the accuracy or inaccuracy of the records of the student.

VII. ACCESS AND DISCLOSURE OF STUDENT RECORDS

1. PHASE 4 America shall allow the parents or eligible student to inspect and review the education record of the student within forty-five (45) calendar days of receipt of a verbal or written request to do so. PHASE 4 America shall make every reasonable effort to ensure that requested records are provided to the parents at the earliest possible date.

2. PHASE 4 America shall respond to all reasonable requests from the Parents or eligible student for an explanation or interpretation of information contained in the education record.

3. If circumstances effectively preclude the parents or eligible student from inspecting or reviewing the education record, or any portion thereof, PHASE 4 America shall provide the parents or the eligible student with a copy of the record subject to the request. When copies are not required to ensure that the parents or the eligible student has the opportunity to inspect and review the education record, PHASE 4 America may charge a reasonable fee in accordance to copy requested portions of the education record, unless the parents or the eligible student can establish that they are unable to pay the amount thus charged.

4. When PHASE 4 America receives a request to inspect and review the education record of a student with disabilities in anticipation of a meeting of the IEP or multi-disciplinary team or a due process hearing, PHASE 4 America shall respond to such request within a reasonable time prior to the meeting or hearing in accordance with IDEA 2004 and its implementing regulations.

5. When parents or an eligible student seek to inspect and review a record that contains personally identifiable information concerning more than one student, PHASE 4 America shall provide access only to that portion of the record that pertains to the student in question.

6. School officials with a legitimate educational interest may at any time inspect and review, and obtain copies of, the education record and personally identifiable information in winch they have such interest.

7. Any disclosure of personally identifiable information concerning a student to any person other than the parent, the eligible student, or school officials with a legitimate educational interest shall require the prior written consent of the parent or the eligible student. Any document providing such consent shall:

    a) identify the particular portions of the education record or the particular information or types of information concerning the student that shall be disclosed;

b) identify the person or agency to whom or to which disclosure will be made; and

c) contain the signature of at least one parent or the eligible student.

8. Prior written consent from the parent or the eligible student is not required when the disclosure of education records or information is to one of the following persons or agencies under the following circumstances:

a) To an educational agency or institution at which the student seeks to enroll, intends to enroll, or is enrolled, or from which the student receives services, when that agency or institution requests such records, as long as –

1) the parent or eligible student is provided on request with a copy of the records thus disclosed; and

2) the parent or eligible student is afforded on request a hearing as described above

b) To appropriate parties in connection with a health or safety emergency, when such disclosure is necessary to protect the health or safety of the student or others;

c) To state and federal educational and other agencies for purposes of investigation and auditing, when those agencies are bound by the provisions of the Family educational Rights and Privacy Act, 20 U.S.C. § 1.232g;

d) To persons seeking directory information, when:

1) parents and eligible students have received notice in the form of the annual publication of this policy in a newspaper of general distribution or a school publication of the policy of PHASE 4 America to disclose directory information without parental consent; and

2) the parent or the eligible student objecting to the release of such information without consent has not notified PHASE 4 America in writing by the date set forth on the Annual Notification Form that they object to the disclosure of some or all of the information designated as "directory information";

e) To the student who is not an eligible student;

f) To the parents of an eligible student who remains a "dependent student" as defined in the Internal Revenue Code;

g) To accrediting organizations to carry out their accrediting functions;

h) To comply with the terms of a judicial order or lawfully-issued subpoena, when PHASE 4 America has made reasonable effort to notify the parent or eligible student of the order or subpoena in advance of compliance, unless the terms of a judicial order bar such notification;

i) To a court or administrative hearing officer in the context of litigation between PHASE 4 America and the parents or the eligible student, when the information disclosed is relevant to the action or proceeding and when PHASE 4 America has made reasonable effort to notify the parent or eligible student of the intent to disclose such information;

j) To armed forces recruiters seeking such information, a list of the names, addresses, and, if available, telephone numbers of all students expected to graduate high school at the end of the school term during which, or in anticipation of which, such request is made, provided, however, that such disclosure shall be subject to the limitations established by law and this policy upon the disclosure of directory information;

k) Under such additional circumstances and to such additional persons and agencies as are permitted by the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g, and its implementing regulation.

PHASE 4 America shall send or deliver all notices and requests for consent required under this policy to the address identified as the residence of the child in the enrollment/packet/registration information maintained by the Charter School unless specific written information to the contrary is received from the custodial parent.

PHASE 4 America shall presume that all persons with authority to make educational decisions for the student have received or had the opportunity to review and respond to notices and requests sent or delivered to the student's residence/last known address identified on the enrollment packet/registration information. In the event of a change of address, it is the parent's responsibility to notify PHASE 4 America in writing and PHASE 4 America will update information and provide notices and requests to the updated address.

PHASE 4 America will send notices and requests to separate addresses only when:

a) A person with joint authority to make educational decisions for the student, such as a divorced or separated natural parent or guardian, resides at that separate address; and

b) That person notifies PHASE 4 America in writing that he or she is not receiving or has not had the opportunity to review and respond to notices and requests sent to the residence to which the student is registered.

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

ADOPTED this day _____ of _____, 2012

_____
President.

_____
Secretary

EXHIBIT 16 – Student Clubs and Activities Policy

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Student Clubs and Activities

Purpose:

The Board of Trustees encourages and provides equal access to the formation of student clubs and activities that promote the educational mission of PHASE 4 America Cyber Charter School ("PHASE 4 America") and enhance the social and educational experience of its students.

This policy is intended to: (1) identify curriculum-related clubs and their parameters; (2) identify non-curriculum-related clubs and their parameters; (3) identify non-school-sponsored clubs; and (3) set forth basic procedures for the recognition and operation of student, clubs and activities.

I. Curriculum-Related Clubs or Activities:

A student club or activity is considered to be curriculum-related if any one of the following criteria is met:

(1) The subject matter of the group is actually taught or will soon be taught in a regularly offered course;

(2) The subject matter of the group concerns the body of the course as a whole;

(3) Participation in the group is required for a particular course;

(4) Participation in the group results in academic credit.

Administration is responsible for creating and maintaining for distribution a list of curriculum-related student clubs and activities that meet one of the above-criteria.

If a student wishes the Board of Trustees to recognize a club or activity as a curriculum-related club or activity, he or she shall seek a faculty sponsor/mentor, who will make written application to Administration setting forth how the proposed club or activity meets one of the above-state four criteria. Administration will then refer the written application to the Board of Trustees with a recommendation with respect to recognizing the proposed student club or activity as curriculum-related. Upon receipt of the recommendation, the Board of Trustees shall make a decision whether to recognize the club as curriculum-related club or activity.

If the student club or activity is approved as a curriculum-related club or activity, at the discretion of Administration, the student club or activity may meet during normal school hours at the time and location approved in advance by Administration.

Each curriculum-related student club or activity shall be organized and operated with the assistance and under the supervision of PHASE 4 America's faculty sponsor/mentor, who shall be approved in advance by Administration and who shall supervise and assist with the club/activity's operations.

PHASE 4 America's faculty sponsor/mentor shall file with Administration whatever reports Administration deems necessary and appropriate with respect to the operation of the club or activity and in particular with respect to meeting the above stated criteria.

II. Non-Curriculum-Related Student Clubs or Activities:

These are clubs and activities that are related to the educational mission of the school but which do not qualify as curriculum-related clubs or activities.

Administration is responsible for creating and maintaining a list of non-curriculum-related student clubs or activities for distribution.

If a student wishes the Board of Trustees to recognize a club or activity as a non-curriculum-related club or activity, he or she shall seek a faculty sponsor/mentor, who will make written application to Administration setting forth how the proposed club or activity meets one of the above-state four criteria. Administration will then refer the written application to the Board with a recommendation with respect to recognizing the proposed student club or activity as non-curriculum-related. Upon receipt of the recommendation, the Board shall make a decision whether to recognize the club as a non-curriculum-related club or activity.

Each club or activity approved by the Board shall have a PHASE 4 America's faculty sponsor approved by Administration who shall supervise and assist with the club/activity's operations.

All meetings shall take place before school or after school during non-instructional hours at a time and location approved in advance by Administration.

III. Non-Approved School Clubs or Activities:

These are clubs or activities which do not meet the requirements set forth above and which have not been given Board approval.

These are not clubs or activities that will be endorsed by PHASE 4 America and Administration may endorse announcements with the following: "PHASE 4 America Cyber Charter School does not recognize this as a school-sponsored activity or club and the school does not endorse the views of the club or activity or of its participants."

Nonetheless, the right of public school students to freedom of speech is guaranteed by the Constitution of the United States and the Constitution of the Commonwealth and Administration is directed to comply with applicable state and federal laws regarding student expression, assembly and speech.

IV. General Requirements for All Student Clubs and Activities:

All meetings shall be voluntary and student-initiated. A PHASE 4 America's faculty member pre-approved by Administration must be present for meetings or activities.

Students shall not be denied access to a student club or activity or to the formation of a student club or activity on the basis of race, sex, color, religion, sexual orientation, national origin or disability or for any other legally protected reason.

No meeting or activity may include or endorse any conduct which is unlawful or which materially or substantially interferes with the orderly conduct, education or activities within PHASE 4 America.

PHASE 4 America's Codes of Conduct for Students and Faculty remain in effect and are enforceable in relation to all clubs and activities.

Students may only invite outside speakers to meetings with approval from Administration. Such outside speakers may not be in regular attendance at the meetings or control the meetings or activities of the group and may be required to provide proof of criminal history and child abuse clearances.

All groups shall be allowed the opportunity to announce such meetings by means of posters, bulletin boards, public announcements, students' newspaper, school website, etc., so long as prior approval is given by Administration.

Students shall have the right to express themselves unless the expression materially and substantially interferes with the educational process, threatens serious harm to PHASE 4 America's community, encourages unlawful activity or interferes with another individual's rights.

Students may use publications, handbills, announcements, assemblies, group meetings, buttons, armbands and any other means of common communication, provided that the use of public school communications facilities shall be in accordance with the regulations of the authority in charge of those facilities.

Students have the responsibility to obey laws governing libel and obscenity and to be aware of the full meaning of their expression.

Students have the responsibility to be aware of the feelings and opinions of others and to give others a fair opportunity to express their views.

Identification of the individual student or at least one responsible person in a student group is required on posted or distributed materials.

Students are required to submit for prior approval a copy of materials to be displayed, posted or distributed on school property.

Bulletin boards must conform to the following:

(1) Administration has the authority to restrict the use of certain bulletin boards.

(2) Bulletin board space should be provided by Administration for the use of students and student organizations.

(3) Administration may require that notices or other communications be officially dated before posting, and that the materials be removed after a prescribed reasonable time to assure full access to the bulletin boards.

Administration may set forth the time and place of distribution of materials so that distribution would not materially or substantially interfere with the requirements of appropriate discipline in the operation of the school.

A proper time and place set for distribution is one that would give the students the opportunity to reach fellow students.

The place of the activity may be restricted to permit the normal flow of traffic within the school and at exterior doors.

No monies may be collected, solicited or disbursed in connection with any student club or activity without prior permission of Administration or, where appropriate, the Board of Trustees.

Student travel in connection with any club or activity must be pre-approved by the Board of Trustees.

Administration is directed to implement procedures and create forms to carry out this policy. Administration is directed to consult with the school nurse regarding any medical forms that may be warranted.

V. Reservation of Right to Terminate

The Board reserves the right to terminate its recognition of any student club or activity.

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

ADOPTED this _____ day of _____, 2012

_____
President

_____
Secretary

Application for Curriculum-Related Clubs or Activities

1. Name of Applicant: _____

2. Name of Organization: _____

_____

3. General purpose for the club or activity: _____

_____

_____

_____

4. Names of student officers or organizing students: _____

_____

_____

5. Proposed schedule of meetings and activities and location:

_____

_____

_____

6. Does the club meet one of the following criteria? In addition, if the club or activity meets criteria b, please state the basis for your conclusion:

   a. The subject matter of the group is actually taught or will soon be taught in a regularly offered course. (Yes) (No)

   b. The subject matter of the group concerns the body of the course as a whole (Yes) (No)

      Explanation: _____

      _____

      _____

      _____

   c. Participation in the group is required for a particular course (Yes) (No)

   d. Participation in the group results in academic credit. (Yes) (No)

7. The applicant has read and fully understands PHASE 4 America Cyber Charter School's Student Club and Activity Policy and regulations. The club or activity shall comply with and abide by the Policy and regulations.

8. The applicant and the club or activity recognizes that PHASE 4 America Cyber Charter School reserves the right at to terminate the non-curriculum related club or activity.

Signature of Faculty Sponsor/Mentor (Applicant)

Signature of Student

Administration Endorsement (Yes) (No)

Board Secretary

Board Approval (Yes) (No)

*The Faculty Sponsor/Mentor is subject to the pre-approval of the Chief Executive Officer.

Application for Non-Curriculum Related Clubs or Activities

1. Name of Applicant: _____

2. Name of Organization: _____

_____

3. General purpose for the club or activity: _____

_____

_____

_____

4. Names of student officers or organizing students: _____

_____

_____

5. Name of Faculty Sponsor*: _____

6. Proposed schedule of meetings and activities and location**:

_____

_____

_____

7. Are you requesting that this club or activity be school sponsored? (Yes) (No)

   If you are requesting that the club or activity be school sponsored, please set forth below the reasons in support of your request.

   _____

   _____

   _____

8. The applicant has read and fully understands the PHASE 4 America Cyber Charter School's Student Club and Activity Policy and regulations. The club or activity shall comply with and abide by the Policy and regulations.

9. The applicant and the club or activity recognizes that PHASE 4 America Cyber Charter School reserves the right at to terminate the non-curriculum related club or activity.

_____

Signature of Applicant

Signature of Faculty Sponsor/Mentor (Applicant)

Signature of Student

Administration Endorsement (Yes) (No)

Board Secretary

Board Approval (Yes) (No)

*The Faculty Sponsor/ Mentor is subject to the pre-approval of the Chief Executive Officer.

**The time and location of the meetings shall take place either before or after school during non-instructional hours which must be approved in advance by the Chief Executive Officer.

EXHIBIT 17 – Extra-Curricular Activities Policy

PHASE 4 America Cyber Charter School

BOARD OF TRUSTEES POLICY

Extra-Curricular Activities Policy

1. Purpose

1.1 Board of Trustees believes that the goals and objectives of PHASE 4 America Cyber Charter School ("PHASE 4 America") are best achieved by a diversity of learning experiences, some of which are more appropriately conducted outside the regular or required curricular program.

2. Definition

2.1 For purposes of this policy, "extra-curricular activities" shall be those activities which are sponsored or approved by the Board but are not offered for credit toward graduation. Such activities shall ordinarily be conducted wholly or partly outside the regular school day, contribute to attainment of PHASE 4 America's objectives and be available to all students who voluntarily elect to participate, subject to the eligibility requirements of this policy.

2.2 The program of interscholastic athletics shall be considered extra-curricular and shall be defined as all activities relating to competitive sports, contests, games, events or exhibitions involving individual students or teams of students of PHASE 4 America when such activities occur between schools.

2.3 Under Charter School Law, students are eligible to participate in the extracurricular activities of their school district of residence. School districts cannot limit participation of charter school students in extracurricular activities on the basis that the activity is "full" with school district students. PHASE 4 America's students must be given an equal opportunity to compete for "spaces" in extracurricular activities. School districts are not required to provide transportation for a charter school student to or from the extracurricular activity. There may be additional requirements that the district of residence and charter school need to consider if the student participating or seeking to participate in extracurricular activities is a student with a disability.

The resident school district may charge the charter school for charter student participation in extracurricular activities, since these costs were part of the per-pupil payment that is paid to charter schools. This fee is on a "cost basis", with the resident school district neither losing nor making money, as determined by the school district using the expenses of each activity, including coach or director, uniforms, transportation and miscellaneous cost develop policies to establish which school building charter school students may participate in extracurricular activities, such as the building closest to the charter school or the building the student would be assigned to if he/she attended the public school district.

Disputes regarding a charter school student's participation in the school district's extracurricular activities should be resolved between the school district and the charter school.

3. Delegation of Responsibility

3.1 The Chief Executive Officer ("CEO") shall be responsible for the development and administration of extra-curricular activities.

3.2 Any extra-curricular activity shall be considered to be under the sponsorship of PHASE 4 America when it has been recommended by the CEO and approved by the Board of Trustees.

3.3 The direct control of athletics in PHASE 4 America may be delegated by the CEO to authorized staff within PHASE 4 America in accordance with procedures established by the CEO.

4. Authority

4.1 Interscholastic activities shall not be scheduled to conflict with any educational activity necessary for meeting the requirements of the officially approved curriculum.

4.2 A faculty member shall be present at each game or contest and shall remain with his/her group or team until it leaves the building or grounds where the event is held.

4.3 Any extra-curricular activity shall be considered to be under the sponsorship of PHASE 4 America when it has been recommended by the CEO and approved by the Board of Trustees.

4.4 PHASE 4 America shall maintain the program of extracurricular activities at no cost to participating students, except that PHASE 4 America's responsibility for the provision of supplies shall have the same exemptions as listed in PHASE 4 America's policy on regular school supplies. Students may be required to assume all or part of the costs of travel and attendance at extra-curricular events and trips. Financial obligations shall not prevent a student from participating in an extra-curricular activity for which he/she otherwise is entitled to join.

5. Eligibility Requirements

5.1 This policy mandates that students achieve minimum levels of academic and behavioral performance, that achievement comes first, and that the students participating in extra-curricular activities will have earned that opportunity through their educational progress and citizenship as well as their physical skills and artistic or other talents.

5.2 Standards

(a) Behavior: Any student may be prohibited from participation in any extra-curricular activity at the direction of the CEO if the student violates the attendance, citizenship, or behavior standards of the PHASE 4 America in accordance with the Student Code of Conduct. Additionally, PHASE 4 America's Code of Conduct for Students remains in effect and is enforceable in relation to all clubs and activities.

(b) Academic:

(1) For all Students, failures in two (2) or more subjects which meet five (5) periods a week shall result in the student being declared ineligible for participation in extracurricular activities.

(3) Summer School - For purposes of determining academic eligibility, the mark earned in summer school shall replace the subject failure. The value of the summer school mark shall be used to calculate the grade point average of the student.

(4) These standards apply to all students who are participating in extra-curricular activities including students in both regular and Special Education, as modified by IEP Goals and/or 504 Plans in the latter case.

(5) For a student transferring into PHASE 4 America, eligibility will be determined by the last marking period of the school the student last attended. If such marks are unobtainable, the student may participate in extra-curricular activities until future eligibility is determined by the results of the first marking period in PHASE 4 America.

(6) It is the responsibility of the coach/sponsor of any activity to be familiar with the eligibility policies listed above and to monitor his or her activity to assure adherence to the policies. Before a student is permitted to participate in any extra-curricular activity, the coach/sponsor must ensure that only students meeting eligibility criteria are, in fact, participants.

(7) All coaches and sponsors are required to report to the CEO or his/her designee necessary participant information on a timely basis. This information is critical to complete and accurate student accounting of participation in extracurricular activities.

(8) A student's parent(s) may appeal an eligibility ruling by a coach or sponsor to the CEO.

(9) Recruiting of students for the purpose of athletics is an unethical and unacceptable practice of athletics.

(d) Drug Use:

(1) Coaches and other school personnel must not encourage or facilitate the use of drugs, hormones, blood doping, or other similar means by students for any purpose including body-building or the enhancement of athletic performance.

(2) Students must not use drugs, hormones, blood doping or similar means for the purpose of body-building or the enhancement of athletic performance.

(3) Violations of this policy will lead to disqualification of students from extracurricular activities and disciplinary action.

(e) Attendance:

(1) Any student having three (3) or more unexcused absences or lateness during the prior report card period shall be ineligible for extra-curricular activities. Further, any student absent from school shall be ineligible for participation in any after school extra-curricular activity on that date of the absence.

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

ADOPTED this _____day of _____, 2010

_____
President

_____
Secretary

EXHIBIT 18 – Code of Ethics Policy

PHASE 4 America Cyber Charter School

CODE OF ETHICS FOR TRUSTEES AND OFFICERS

I. INTRODUCTION - GENERAL POLICIES AND GUIDELINES ON LEGAL AND ETHICAL STANDARDS

The maintenance of extremely high standards of honesty, integrity, impartiality, and conduct is essential to assure the retention of the students' and the public's trust in PHASE 4 America Cyber Charter School ("PHASE 4 America"). The preservation of that trust and of PHASE 4 America's reputation requires close observance of these standards on the part of its Trustees and Officers.

PHASE 4 America requires that its Trustees, Officers and other representatives avoid possible misconduct and conflicts of interest through informed judgment and careful regard for the standards of conduct and responsibilities as set forth in this Code. In all situations, including those where there are no applicable legal principles or the law is unclear or in conflict, PHASE 4 America's Trustees and Officers are expected to conduct themselves in such a manner that can be supported by PHASE 4 America and to exercise reasonable judgment in the discharge of their responsibilities.

Compliance with the Code of Ethics will be the responsibility of every representative of PHASE 4 America, including but not limited to Trustees and Officers.

II. CONFIDENTIAL INFORMATION

The use of confidential information obtained through or as a consequence of employment with or acting as a Trustee or Officer for PHASE 4 America must be limited to the proper conduct of PHASE 4 America's operations. Neither PHASE 4 America nor any of its Trustees or Officers may use or permit others to use such confidential information for the purpose of furthering a private interest or as a means of making a profit.

III. CONFLICT OF INTEREST

Policy - It is the policy of PHASE 4 America that all Trustees, Officers, and other representatives must avoid potential conflicts of interest. A potential conflict exists whenever a Trustee, Officer or other representative has an outside interest, direct or indirect, which conflicts with the individual's duty to PHASE 4 America or adversely affects the individual's judgment in the discharge of his or her duties with PHASE 4 America. The appearance of a conflict of interest may be just as damaging to PHASE 4 America's reputation as a real conflict.

PHASE 4 America's name is not to be used as leverage by Trustees or Officers to enhance their own opportunities when dealing with others in their political, investment, or retail purchasing activities.

In the event that a potential conflict of interest does arise involving an Officer or Trustee, its nature and extent should be fully disclosed immediately to the Chairperson of the Board of Trustees of PHASE 4 America ("Board") who, after making a thorough review of the circumstances, will report to the entire Board, who will then determine appropriate action to be taken.

In the event a potential conflict of interest does arise involving a member of the Board of Trustees, its nature and extent should be fully disclosed immediately to the Board.

Transactions with Trustees and Officers -- No contract or transaction between PHASE 4 America and a Trustee or Officer, or any organization in which the Trustee or Officer has a financial or beneficial interest or is serving as a trustee or officer shall be authorized unless it has been adopted and approved in accordance with The Public School Code of 1949, 24 P.S. § 1-101, et seq.

Employment -- Trustees and Officers should carefully scrutinize outside employment to avoid potential conflicts of interest.

Participation in Public Affairs -- It is the philosophy of PHASE 4 America to encourage a full awareness and interest in civic and community responsibility. The Trustees and Officers shall have the opportunity to support civil or community activities as they desire.

Corporate and Community Directorships, Public Offices, and Commissions -- Trustees and Officers must be constantly aware when considering election or appointment to corporate or community boards, public offices, or commissions, that serving in such capacity will not place them in a position where a potential conflict of interest may exist.

Unless specifically approved by the Board or designee committee of the Board, a Trustee or Officer shall not serve on the Board of Trustees or trustees of any entity which is direct competition with PHASE 4 America. Should a conflict develop, PHASE 4 America reserves the right to request the Trustee or Officer involved to divest himself or herself of one of the conflicting interests.

IV. IMPROPER USE OF CORPORATE POSITION OR PROPERTY

Gifts Received by Trustees and Officers -- PHASE 4 America expects all Trustees and Officers to render efficient and courteous service to the students of PHASE 4 America at all times without expectation of reward. To avoid even the implication of any impropriety, it is important that any cash or gifts be declined or redirected to PHASE 4 America as a contribution.

Preferential Treatment -- A Trustee or Officer shall not acquire or appropriate to his or her own personal use any the PHASE 4 America's property, service, or revenue opportunity on the basis of or under situations not available to members of the public.

Political Involvement -- A Trustee or Officer shall not use PHASE 4 America's funds for the purpose of making contributions or expenditures in connection with the support of any candidate for any election to any local, state, or federal office.

Improper Transactions and Payments -- It is commonly recognized that there is a direct correlation between illegal or improper payments and inaccurate records. To guarantee the accuracy of PHASE 4 America's books and records, the following principles shall be observed:

1. All transactions or conduct of PHASE 4 America business shall be properly reflected in PHASE 4 America's books;

2. Unrecorded funds, money or other assets of PHASE 4 America shall not be established or maintained;

3. Any payment is prohibited if no record of its disbursement is entered in PHASE 4 America's accounting records; and

4. False and/or fictitious entries in the books or records of PHASE 4 America or issuing false or misleading documents shall be prohibited.

V. ADMINISTRATION OF THE CODE OF ETHICS

The Board of Trustees has adopted this Code of Ethics and delegated to the Chairperson and the Board the responsibility for its administration throughout PHASE 4 America.

It is the responsibility of all Trustees, Officers and representatives of PHASE 4 America to be familiar with this Code of Ethics and to abide by the letter and spirit of its provisions at all times.

VI. STATEMENT OF FINANCIAL INTEREST

The Public Office and Employee Ethics Act requires appointed members of boards and commissions to file annual statements of their personal financial interests. This filing requirement applies to the members of PHASE 4 America Board of Trustees. Board members serving on the Board are required to file annually by May 1; a copy of these must be kept on file at PHASE 4 America. Board members appointed to the board between January 1 and May 1 must file their report no later than May 1 of the year in which they were appointed. Board members appointed after May 1 must file their report by May 1 of the following year. Only one Statement of Financial Interest is required for each year.

A penalty may be assessed for failure to file. Failure to file is considered a misdemeanor with a possible fine up to $1,000 or imprisonment for not more than one year and/or both.

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

ADOPTED this _____ day of _____, 2010

_____
President

_____
Secretary

EXHIBIT 19 – Professional Development Plan

PHASE 4 America Cyber Charter School

Professional Development Plan

From Charter Approval to End of 1st Nine Weeks

Note: The following is a list of professional development / induction activities (Chapter 4, Section 4:13 (c), (7)) as required by code.

* Assignments of Mentors by Principal

*Activities / Topics (Not in chronological order)

1. An in-depth analysis of the PHASE 4 America (1.5.Days)
2. Staff analysis of why charter schools fail from the Illinois Network of Charter School (July 21, 2010) Webinar (2 hour)
3. A review of individual staff roles and responsibilities as outlined in the application and prevailing professional contract. (.5 day)
4. Instructional software training by specialists from K12, American Education Corporation, Performance Tracker, 4Sight, Study Island, etc. (2 days)
5. Technology training in hardware and software within PHASE 4 America (1 day)
6. Creation of a preliminary strategic plan connecting PHASE 4 America with community resources needed to accomplish the goals stated in the application. (1 day)
7. Infrastructure readiness including furnishings, space arrangements, supplies, student areas, posters & signs, emergency procedures (ongoing as needed)
8. Review of staff responsibilities under IDEA (2 hours)
9. Understanding the power of a team utilizing the work of Warren Bennis ("Organizing Genius") and Joan Katzenbach ("The Wisdom of Teams"). (1/2 day, and monthly theme)
10. Introduction to the concepts of the "Internal Principles of Learning, Teaching, and Curriculum" by Peter Hill. (1/2 day and monthly theme)
11. Introduction to the concept of "Focused Teaching" by Peter Hill. (1/2 day and monthly theme)
12. Standards Aligned System (SAS) training. (1 day and monthly theme)
13. Action Team interviews with student and parent as part of the Admissions and Orientation Policy. (ongoing)
14. Completion of the internal "Training Institute" culminating in the determination of each staff person's professional goals for each year. (1 day)
15. A review and discussion of all evaluation tools and processes, including PDE 426, 427, 428 and the Charlotte Danielson Protocol – Framework for Teaching. (.5 day)
16. Action Team master scheduling of students and design of school calendar synchronized with Trinity Area School District and first month. (ongoing)

2nd Nine Weeks (90 school days)

* All that is included in the 1st Nine Weeks, plus

* Next Peter Hill principals

1. "Learning Takes Time"
2. "Motivation Matters"
3. "The Teacher Matters"

* 2nd formal clinical evaluation

* Mid-Year Specific (End of 2nd 9 weeks)

- Staff analysis led by the principal of mid-year progress on Annual Goals as outlined in the PHASE 4 America Application
- Staff analysis of ongoing themes and the impact on student achievement in the classroom with strategy adjustments as necessary
- Individual review by the Principal of each staff members progress in relationship to student achievement, professional development, and professional status as per evaluations with plan revisions as necessary
- Formal Charter School Board mid-year update by the principal and Action Team as per application entitled the "State of the School" including PD progress, progress toward meeting annual goals and staff evaluations

3rd Nine Weeks (135 school days)

* All that is included in the 1st and 2nd Nine Weeks, plus

* Next Peter Hill principals

4. Focused Teaching promotes accelerated learning
5. Clear expectations and continuous feedback activates learning
6. Good Teaching Builds on Students' Strengths and Respects Individuals' Differences

- Formal Charter School Board quarterly update by the principal and Action Team as per application entitled the "State of the School" including PD planning progress and staff evaluations

4th Nine Weeks (180 school days)

* All that is included in the 1st, 2nd, and 3rd Nine Weeks, plus

* Final Peter Hill principals

7. Good Teaching Involves Modeling What Students Should Learn
8. The Curriculum Should Focus on Powerful Knowledge
9. All Students Should Experience a Thinking Curriculum
10. The Best Results Come from Having an Aligned Instructional System

* 3rd formal clinical observation

Post School Year

- Staff analysis led by the principal of the years progress on Annual Goals as outlined in the PHASE 4 America Application
- Staff analysis of ongoing themes and the impact on student achievement in the classroom with during the school year
- Individual review by the Principal of each staff members progress in relationship to student achievement, professional development, and professional status as per evaluations with plan revisions as necessary
- Yearly Strategic Planning Retreat

At the completion of every school year PHASE 4 America Cyber Charter School will engage in a two day strategic planning retreat. PHASE 4 America staff, governing board, and funding coalition will participate in a formal, professionally facilitated, review process examining our current practices in light of outcomes, mission, and purpose. Pathway consultants and outside experts from military, government, universities and other sectors will be included to identify areas of opportunities for growth and improvement.

TABLE OF CONTENTS

School Design 7

1. **Mission Statement and Vision Statement** 7
   - Mission Statement 7
   - Vision Statement 7
   - Beliefs 7
2. **Measurable Goals and Objectives** 8
   - Academic Goals 8
   - Non-Academic Goals 9
3. **Educational Program** 10
   - High School 9-12 Program 13
   - Four Levels of Core Subjects 13
   - Curriculum Framework: Multiple Levels for Diverse Learners 14
   - K12 Curriculum 15
   - Grading Policy 26
   - Retention Policy 26
   - Continuous Improvement of Instruction and Achievement 26
   - Online School (OLS) 26
   - Lesson Planning and Scheduling Tools 27
   - Progress Tracking Tools 27
   - Student Administration Management System (SAMS) 27
   - Reporting of Academic Progress 27
   - Accelerated Graduation 28
   - Standards Aligned System 29
   - Keystone Exams 30
   - Best Practices and Habits of Practice 30
   - Accommodation of Students Who Have Special Needs 34
   - Proposed School Calendar 44
4. **School Accountability** 45
   - The Improvement Planning Process and Key Stakeholder Involvement 45
   - Evaluation of the Principal 45
   - Evaluation of Teachers 46
5. **Plan for Staff, Parent, and Community Involvement** 46

Meeting NCLB Compliance for Meaningful Parent Involvement — Best Practices in Family Engagement Strategies 47
Accountability to Parents and Providing Parents, Teachers, Staff and Community Meaningful Voices in School Governance and Decision Making – Short-and-Long Term 49
Disseminating Performance Information to Parents/Guardians 50
Parent Complaint Review Process 51
Parent Volunteer Program 52
6. Extracurricular Activities 52
7. Technical Support Provided to Students and Parents 53
Needs Assessment 55
1. Statement of Need 55
2. School Demographics 56
3. District Relations/Evidence of Support 57
Governance 63
1. Founding Coalition Resumes 63
2. Governance 65
Board of Trustees/roles and responsibilities 65
Board Policies and Procedures 66
Terms and Conditions of a Board Member 67
How Our Charter School Will Be Governed 69
Conflict of Interest, Gifts and Gratuities and Code of Ethics 72
Organizational Chart 73
Articles of Incorporation 74
Board Members Names and Addresses 85
Finance and Facility 87
1. Financing 87
2. Liability and Insurance 97
3. Child Accounting 97
Administration 99
1. Recruiting and Marketing Plan 99
2. Admission Policy 100
Enrollment and Notification 101
3. Human Resources Information 101
Teacher Selection and Hiring 101

Professional Development Plan 101
Human Resources Policies 106
Identify Proposed Staff 107
4. Code of Conduct 115
5. Timeline Leading Up To the Opening of School 116
6. Safety 117
7. School Health Services 118

School Design

1. Mission Statement and Vision Statement

Mission Statement

The mission of the PHASE 4 America Cyber-Charter School is to provide a rigorous and outstanding educational system that not only educates but challenges students toward maturity of intellect and character in preparation for lives of leadership. By establishing such high standards for academic excellence, personal and professional integrity and citizenship, our goal is to develop a well-rounded individual who is intellectually capable and creative, health and fitness conscious, morally ethical and a caring, contributing member of our global society.

Vision Statement

The overarching vision of the PHASE 4 America Cyber-Charter School is comprised of four key elements:

A. Enhance the learning experience of the PHASE 4 America Cyber-Charter School as measured by student retention and promotion rates, student and family satisfaction indicators, assessment data, academic and non-academic outcomes.
B. Increase student enrollment and faculty complement to full site capacity.
C. Achieve local, regional, state and national ranking and recognition in selected academic and non-academic areas.
D. Secure the necessary resources to fully implement and support the PHASE 4 America Cyber-Charter School overarching vision.

PHASE 4 America Cyber-Charter School believes that:

- Education is certainly worth the commitment of time, money and effort.
- Education is a cooperative effort of parents, students, staff and community.
- All students are unique individuals with varied interest and abilities.
- All students can be successful learners based on their ability.
- All students have a right to be educated to the fullest potential.
- Individual guidance is critical to maximize each student's potential.
- Students should be encouraged to explore their potential.
- High expectations directly affect performance.
- Every individual has worth and deserves respect and dignity.
- A nurturing, safe environment is conducive to learning.
- The school should encourage students to be responsible members of a global society.

Beliefs

- Student learning is the chief priority for the school; a safe and physically comfortable environment promotes student learning.
- Students learn in different ways and should be provided with a variety of instructional approaches to support their learning.
- Each student is a valued individual with unique physical, social, emotional and intellectual needs.

- A student's self-esteem is enhanced by positive relationships and mutual respect among and between students and staff.
- Curriculum and instructional practices will incorporate a variety of learning activities to accommodate differences in learning styles.
- Exceptional students (i.e. special education, limited English proficiency students, gifted, etc.) require special services and resources.
- Teachers, administrators, parents and the community share the responsibility for advancing the school's mission.
- The school will function as a learning organization and promote opportunities for all those who have a stake in its success as we work together as a community of learners.
- The commitment to continuous improvement is imperative if our school is going to enable students to become confident, self-directed, and lifelong learners.

2. Measurable Goals and Objectives

Our charter school will meet or exceed the Annual Yearly Progress goals established in the Pennsylvania NCLB plan as follows:

Academic Goals

1. Students will achieve competitive reading and literacy proficiency, meeting or exceeding the Annual Yearly Progress goals established by the Pennsylvania NCLB plan, resulting in increased critical thinking and problem solving skills, as measured by performance on:
    a. State Reading Assessment (PSSA grade 11)
    b. State Writing Assessment (PSSA grade 11)
    c. Pre and Post STAR Reading and Math Assessment
    d. Student portfolios
    e. Classroom assessments

2. Students will demonstrate competitive proficiency in principles and methods of mathematics, computer science and other sciences, meeting or exceeding the Annual Yearly Progress goal established by the Pennsylvania CLB plan, resulting in their increased critical thinking, technology and mathematical and scientific reasoning skills as measured by performance on:
    a. State Mathematics Assessment (PSSA grade 11)
    b. State Science Assessment (PSSA grade 11)
    c. Pre and Post STAR Reading and Math Assessments
    d. Student portfolios
    e. Classroom assessments
    f. Effective use of computer and technology

3. Over the first-five years of our cyber-charter, we will reduce the percent of students in the below basic and basic PSSA scores in Reading and Mathematics by from 1 to 3 percentage points annually, to consistently move more students toward proficiency to attain our AYP goals.

4. Over the first-five years of our cyber charter, we will increase the percent of students in the advanced PSSA scores in Reading and Mathematics by 1 to 3 percent.

5. Students will demonstrate competitive proficiency in the Pennsylvania social science standards, resulting in their increased critical thinking and problem solving skills, as measured by performance on:
    a. Student portfolios
    b. Classroom assessments

6. At-risk, learning disabled and non-native English speaking students will demonstrate improved academic performance in all content areas, meeting the Annual Yearly Progress goals established by the Pennsylvania NCLB plan, as measured by performance on:
    a. State Reading Assessments (PSSA grade 11)
    b. State Writing Assessment (PSSA grade 11))
    c. State Science Assessment (PSSA grade 11)
    d. Pre and Post STAR Reading and Math Assessment
    e. Student portfolios
    f. Progress meeting IEP goals
    g. Performance in specialized courses (ESL, etc…)

7. Develop and implement rubrics to measure the effectiveness of all goals listed in the charter. They will show the results of all surveys, test scores and outcomes for students, staff, parents and the school itself.

8. Staff training sessions will occur monthly and focus on how to interpret data gathered from assessments to best meet the needs of the students.

Non-Academic Goals

1. Our cyber-charter school will provide a safe and nurturing student-centered learning environment that focuses on the holistic development of students and their families as measured by:
    a. Student satisfaction surveys
    b. Parents/guardians satisfaction surveys
    c. Levels of parental involvement
    d. Number of school vandalism reports
    e. Number of reported student discipline reports

2. Parents will be engaged as partners and will be full participants in all aspects of the school's operation and governance, as measured by;
    a. Level of parent volunteerism
    b. Parental representation of the Board of Directors
    c. Involvement on the Parent/Community Organization
    d. Quantity and quality of parent training programs

3. Teachers will participate in ongoing professional development and opportunities for professional growth as evidenced by:

a. The professional and curriculum development schedules/hours
b. Teacher professional improvement plans contained in their performance evaluations
c. The diversity and quantity of teacher activities and projects.

4. Our charter school will form organizational partnerships in the public sector and military to maximize resources and leverage public support as evidenced by:
   a. The number of organizational agreements
   b. The number of student service agreements
   c. Supplemental funding provided by those partners

5. Our charter school will have enrollment sustainability as evidenced by having student enrollment each year within 15% of full enrollment as defined in the school's contract.

6. Our charter school will be in financial compliance: upon completion of the school's first year of operation and every year thereafter, the school will undergo an independent financial audit that will result in an unqualified opinion and no major findings.

7. We will deploy our resources in the most efficient and effective manner to achieve our stated goals. When needed, we will discontinue or redesign practices and/or materials that are not working to achieve those goals.

3. Educational Program

PHASE 4 America has chosen K[12]® curriculum developed by K[12] Inc. (K[12]). K[12] is a technology based education company that provides curriculum and educational services for online delivery to students in grades K–12. K[12]'s mission is to maximize a child's potential by providing access to an engaging and effective education, regardless of geographic location or socio-economic background. Since their inception in 2000, they have developed curriculum and online learning platforms that promote mastery of core concepts and skills for students of all ability levels. Their approach combines cognitive science with individualized learning.

Content of the K[12] program is based on the Core Knowledge Sequence, a highly specific, rigorous sequence of knowledge and skills to guide schools in planning and developing a coherent curriculum. This sequence is currently being used successfully by hundreds of schools nationwide. With its basis in the Core Knowledge Sequence, K[12] curriculum has a proven track record in a variety of settings, including hybrid distance learning and brick and mortar programs, full-time online, part-time or single courses online, and traditional and mortar classroom instructional programs—making their curriculum well suited and highly desirable for PHASE 4 America.

K[12] Inc. is accredited through AdvancED, the world's largest education community, including such members as North Central Association Commission on Accreditation and School Improvement (NCA CASI), Southern Association of Colleges and Schools Council on Accreditation and School Improvement (SACS CASI), and Commission on International and Transregional Accreditation (CITA). K[12] is the largest national K-12 online school provider to be recognized by AdvancED. Cyber schools using K[12] curriculum have received accreditation from qualified accrediting organizations across the country including

CITA (now part of AdvancED), Middle States Association, NCA CASI (also now part of AdvancED), Northwest Association of Accredited Schools, and Western Association of Schools and Colleges.

K^{12} has developed the nation's leading web-based academic program combining online technology with traditional instruction and materials. In PHASE 4 America's program, students in grades 9 through 12 receive the K^{12} course content, instruction, assignments, assessments and supplemental materials online (web-based lessons and assessments) and through hands-on materials kits, including related books (textbooks, workbooks, reference books, and anthologies), DVDs, maps, and other hands-on activity materials (science experiments, art supplies, math manipulatives, etc.).

Online instruction and instruction in the Drop -in Centers will be provided by Pennsylvania licensed teachers who work in conjunction with learning coaches (usually parents or guardians, but can be any caring adult that the parent or guardian selects) to ensure student success.

Each student is loaned a computer and printer with printer cartridges for the duration of their enrollment in the school. The computers and printers are the property of the school and must be returned when the student is no longer enrolled in PHASE 4 America. Families may also choose to use their own computer, printer, and printer cartridges. Families have the option to use the Internet connection of their choice. The school will fully subsidize the cost of their Internet service. Students may also access Agora's web-based curriculum via local publicly available Internet such as in public libraries.

Over 69,000 students enrolled in online schools in 25 states and the District of Columbia and 43 countries now utilize the K^{12} program. Because most online providers serve individual courses and sometimes part-time enrollments, the industry standard for measuring student course enrollments is the number of semester courses completed in a given year. By this measure, K^{12} provided over 600,000 semester courses last year alone—by far the nation's leader.

The K^{12} comprehensive curriculum meets and exceeds state standards including the Pennsylvania state benchmarks and anchors. K^{12} has developed courses that incorporate standards, parameters, and characteristics outlined by a host of leading sources including: the National Academy of Science; American Council on the Teaching of Foreign Languages; Chinese Language Teachers' Association; National Art Education Association; International Association for K–12 Online Learning; National Association for Sport and Physical Education; National Council on Economic Education; National Council for History Education; National Council of Teachers of English; National Council of Teachers of Mathematics; National Institute of Child Health and Human Development; and Partnership for 21st Century Skills. The quality of the K^{12} courses and learning management system along with a track record of academic success has been documented.

K^{12} has developed over 21,000 lessons of engaging curriculum, which includes online lesson content, videos, assessments, learning games, labs, physical and virtual experiences, online synchronous sessions, and published textbooks and workbooks. The K^{12} curriculum has been aligned to Pennsylvania standards and benchmarks for use at two Pennsylvania cyber charter schools: Agora and Pennsylvania Virtual Charter School.

Our K12 School Program will feature the best components of a traditional full-time public school; a strong curriculum, certified teachers, involved parents, and high accountability – in a program that's individualized to fit the needs of each student. It combines high-end media,

beautiful, well-written books, and engaging hands-on materials. The program accommodates a variety of learning styles, while allowing students to work both online at school or off in a distance-learning setting that's outside of a traditional classroom.

Our curriculum recognizes that children learn in different ways. Because there are multiple learning styles, from visual to kinesthetic, auditory to tactile, courses are developed to appeal to multiple learning styles.

Incorporating the K12 curriculum will provide our students with more than 105 high school courses to help them customize learning to meet their individual needs and to secure their high school diploma. Choosing the right Pathway and customizing the curriculum will help our students become better prepared to meet what challenges await them in their future. K12 knows that the combination of rich, engaging content with interesting, interactive demonstrations and activities helps students absorb and retain information. The use of graded assessments and assignments further allows students to demonstrate progress toward the established learning objectives.

Our K12 curriculum offers Math, English, Science and Social Studies in multiple levels; Core, Comprehensive, Honors and Advanced Placement to help meet the needs of the diverse learner.

The K12 Core courses meet all academic requirements for each course area, both for graduation and potential admission into a wide range of colleges. In K12 Core, topics are broken down into discrete modules that are taught in tandem with the framework students need to develop strong study skills. Rich, engaging content with interesting, interactive demonstrations and activities help students absorb and retain the information presented. While the K12 Comprehensive courses are designed for students with a strong foundational knowledge and aptitude in the subject area being covered, as well as solid study skills, students do more extensive writing and research projects and tackle problems that require more analytical thinking. Course projects and activities also demand more independent thinking and self-discipline. The K12 Honors courses hold students to a greater degree of accountability, and demand even greater independence and self-discipline. Students synthesize and evaluate information and concepts from multiple sources and read texts typically assigned to college-level courses. Students also demonstrate college-level writing in essays that require analysis of primary and secondary sources, responsible use of evidence, and comprehensive citation of sources. Finally, the K12 Advanced Placement courses are college-level courses that follow curriculum specified by the College Board. AP courses require a greater degree of self-discipline for in-depth study of the subject. These courses are designed to prepare students for success on AP exams, providing students the opportunity to earn college credit.

Each class has been carefully aligned to the Pennsylvania Standards with appropriate anchors and eligible content. In Reading, standards; 1.2, 1.2, and 1.3 are addressed while in Writing, standards 1.4 and 1.5 are assessed. Mathematics covers standards; 2.1, 2.2, 2.3, 2.4, 2.5, 2.6, 2.7, 2.8, 2.9, 2.10 and 2.11. Finally, Science assesses standards 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.7, 3.8, 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 4.8 and 4.9.

Assessment Anchors: The purpose of the Assessment Anchors is to articulate essential and assessable elements and to provide clarity for instruction and for the focus of the state assessment. The Anchors clarify what is expected from grade level to grade level and provides a clearer vertical alignment. Teachers will be able to see how concepts build on one another from year to year.

K12 is in the final stages of adjust and realigning their curriculum to meet the requirements of the new Keystone Assessment (including anchors and eligible content) will be complete by 2013. Big ideas, concepts, competencies and essential questions will also be covered. Staff will be extensively trained by K12 representatives, curriculum specialists from the Intermediate Unit and other experts in how to implement the Keystone Assessments.

Learning will involve the wide use of interdisciplinary, cross-the-curriculum activities and will also stress the use of "hands-on" learning. There will be measurable outcomes in all aspects of the curriculum and both formative and summative assessments throughout as well.

High School 9-12 Program

PHASE 4 America will be able to offer more than 105 K^{12} high school courses designed to help students earn their high school diploma and find their own path to post-high school success—whether that's in college or in the workforce. K^{12} offers Math, English, Science, and History courses in multiple levels—Core, Comprehensive, Honors, and Advanced Placement—to meet the needs of diverse learners. Students can also take up to four years of a world language (depending on the language), and choose from a variety of electives, including anthropology, Web design, and digital photography. Unlike other programs, where a student must be in a particular "academic path", the K^{12} program allows students to chart their own course, choosing from among the four levels of courses to match their aptitude and goals. So, if a student excels in Math and Science, they may take all Honors/AP courses in those subjects, while choosing from among the Core and Comprehensive English and History courses. These multiple course levels prevent students from being "locked in" to one level of a particular subject, and account for natural progress and growth.

The K^{12} curriculum uses a combination of rich, engaging content with interesting, information interactive demonstrations and activities to help students absorb and retain. The use of graded assignments and assessments allows students to demonstrate progress toward learning objectives.

Four Levels of Core Subjects

By using the K^{12} high school curriculum, PHASE 4 America allows students to harness the power of individualized learning by choosing from the following four levels of Math, English, Science, and History courses:

- The **K^{12} Core courses** are similar to the standard courses offered by many other programs. They meet all academic requirements for each course area, both for graduation and for potential admission into a wide range of colleges. In K^{12} Core courses, topics are broken into discrete modules that are taught in tandem with the framework students need to develop strong study skills. Rich, engaging content with interesting, interactive demonstrations and activities help students in the Core courses to absorb and retain the

information presented. Optional content and activities are also available to students wishing to study a particular topic in more depth.

- K12 Comprehensive courses are designed for students with a strong foundational knowledge and aptitude in the subject area being covered, as well as solid study skills. As a result, students in the Comprehensive courses do more extensive writing and research projects, and tackle problems that require more analytical thinking. Course projects and activities also demand more independent thinking and self-discipline than projects in Core courses. As with Core courses, additional content and activities are provided to students wishing to delve more deeply into a topic and evaluate information and concepts from multiple sources and read texts typically assigned in college-level courses. Students also demonstrate college level writing in essays that require analysis of primary and secondary sources, responsible use of evidence, and comprehensive citation of sources. Successful completion of prerequisites, teacher/school counselor recommendation, and a strong interest in the subject are recommended for enrollment in a K12 Honors course.
- K12 Advanced Placement courses are college level courses that follow curriculum specified by the College Board. Like K12 Honors courses, AP courses require a greater degree of self-discipline for in-depth study of the subject. These courses are designed to prepare students for success on AP exams, providing students the opportunity to earn credit at most of the nation's colleges and universities. Successful completion of prerequisites, teacher/school counselor recommendation, and a strong interest in the subject are recommended for enrollment in an AP® course.

Curriculum Framework: Multiple Levels for Diverse Learners

Incorporating the K^{12} curriculum into the various Pathways will provide our students with more than 105 high school courses to help them customize learning to meet their individual needs and to secure their high school diploma. Choosing the right Pathway and customizing the curriculum will help our students become better prepared to meet what challenges awaits them in their future. K^{12} knows that the combination of rich, engaging content with interesting, interactive demonstrations and activities helps students absorb and retain information. The use of graded assessments and assignments further allows students to demonstrate progress toward the established learning objectives.

Our K^{12} curriculum offers Math, English, Science and Social Studies in multiple levels; **Core, Comprehensive, Honors and Advanced Placement** to help meet the needs of the diverse learner.

The K^{12} **Core** courses meet all academic requirements for each course area, both for graduation and potential admission into a wide range of colleges. In K^{12} **Core**, topics are broken down into discrete modules that are taught in tandem with the framework students need to develop strong study skills. Rich, engaging content with interesting, interactive demonstrations and activities help students absorb and retain the information presented. While the K^{12} **Comprehensive** courses are designed for students with a strong foundational knowledge and aptitude in the subject area being covered, as well as solid study skills. Students do more extensive writing and research projects and tackle problems that require more analytical thinking. Course projects and activities also demand more independent thinking and self-discipline. The K^{12} **Honors** courses hold students to a greater degree of accountability, and demand even greater independence and self-discipline. Students synthesize and evaluate information and concepts from multiple sources

and read texts typically assigned to college-level courses. Students also demonstrate college-level writing in essays that require analysis of primary and secondary sources, responsible use of evidence, and comprehensive citation of sources. Finally, the K^{12} **Advanced Placement** courses are college-level courses that follow curriculum specified by the College Board. AP courses require a greater degree of self-discipline for in-depth study of the subject. These courses are designed to prepare students for success on AP exams, providing students the opportunity to earn college credit.

Each class has been carefully aligned to the Pennsylvania Standards with appropriate anchors and eligible content. In *Reading*, standards; 1.2, 1.2, and 1.3 are addressed while in *Writing*, standards 1.4 and 1.5 are assessed. *Mathematics* covers standards; 2.1, 2.2, 2.3, 2.4, 2.5, 2.6, 2.7, 2.8, 2.9, 2.10 and 2.11. Finally, *Science* assesses standards 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.7, 3.8, 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 4.8 and 4.9.

Assessment Anchors: The purpose of the Assessment Anchors is to articulate essential and assessable elements and to provide clarity for instruction and for the focus of the state assessment. The Anchors clarify what is expected from grade level to grade level and provides a clearer vertical alignment. Teachers will be able to see how concepts build on one another from year to year.

K^{12} is in the final stages of adjust and realigning their curriculum to meet the requirements of the new Keystone Assessment (including anchors and eligible content) will be complete by 2013. Big ideas, concepts, competencies and essential questions will also be covered. Staff will be extensively trained by K^{12} representatives, curriculum specialists from the Intermediate Unit and other experts in how to implement the Keystone Assessments.

Learning will involve the wide use of interdisciplinary, cross-the-curriculum activities and also stress the use of "hands-on" learning. There will be measurable outcomes in all aspects of the curriculum and both formative and summative assessments throughout as well.

K12 Curriculum

Orientation:

Orientation 010: Online Learning (Required for All Students)
Explains to students how the K12 program works. Students take part in online discussions and practice submitting computer-scored assessments and other assignment to teachers.

English:

English 102: Literary Analysis and Composition I (Core)
Students work on their written and oral communication skills while strengthening their ability to understand and analyze works of literature.

English 103: Literary Analysis and Composition I (Comprehensive)

Challenges students to improve their written and oral communication skills while strengthening their ability to understand and analyze literature in a variety of genres.

English 104: Literary Analysis and Composition I (Honors)
Challenges students to improve their written and oral communication skills while strengthening their ability to understand and analyze literature in a variety of genres. Students work on independent projects that enhance their skills to consider complex ideas and apply the knowledge they have learned.

English 202: Literary Analysis and Composition II (Core)
Students build on their language skills while reading literature and improving their writing skills.

English 203: Literary Analysis and Composition II (Comprehensive)
Students build on existing literature and composition skills and move to higher levels of sophistication.

English 204: Literacy Analysis and Composition II (Honors)
Students build on existing literature and composition skills and move to higher levels of sophistication. Students work on independent projects that enhance their skills to consider complex ideas and apply the knowledge they have learned.

English 302: American Literature (Core)
Students sharpen their reading comprehension skills and analyze important themes in American literature including short stories, poems, drama, and novels. They develop vocabulary skills and refresh their knowledge of grammar, usage, and mechanics in preparation for standardized tests.

English 303: American Literature (Comprehensive)
Provides opportunities for critical writing, creative projects, and online discussions. They develop vocabulary skills and refresh their knowledge of grammar, usage, and mechanics in preparation for standardized tests.

English 304: American Literature (Honors)
Provides opportunities for critical writing, creative projects, and online discussions. They develop vocabulary skills and refresh their knowledge of grammar, usage, and mechanics in preparation for standardized tests. Students will complete independent projects that deepen their understanding of the themes and ideas presented.

English 402: British and World Literature (Core)
Students read various classical works while completing guided and independent assignments. They practice analytical writing and creative expressions.

English 403: British and World Literature (Comprehensive)
Students analyze the themes, styles, and structures of the texts and make thematic connections among diverse authors, periods, and settings.

English 404: British and World Literature (Honors)

Students read various classical works while completing guided and independent assignments. They practice analytical writing and creative expressions. Students analyze the themes, styles, and structures of the texts and make thematic connections among diverse authors, periods, and settings.

English 500: English Language and Composition I (Advanced Placement)

Students learn to understand and analyze complex works, and explore the richness of language including syntax, imitation, word choice and tone. They continue with editing, peer review, rewriting, polishing, and application of what they have learned.

English 510: English Language and Composition II (Advanced Placement)

This course places special emphasis on reading comprehension, structural and critical analyses of written works, literacy vocabulary, and recognizing and understanding literary devices.

English 010: Journalism (Elective)

Mathematics:

Math 102: Math Foundations (Core, Comprehensive)

Students will practice their skills of mathematical reading, writing, and reasoning. Topics include number sense; statistics, data analysis, and probability; functions; measurements and geometry; and algebraic concepts.

Math 112: Pre-Algebra I (Core, Comprehensive)

Students learn computational and problem-solving skills and the language of algebra. Students will translate word phrases and sentences into mathematical expressions; analyze geometric figures; solve problems involving percentages, ratios, and proportions; graph different kinds of equations and inequalities; calculate statistical measures and probabilities; and explain strategies for solving real-world problems.

Math 113: Pre-Algebra II (Core, Comprehensive, Honors)

Students take a broader look at computational and problem-solving skills and the language of algebra. Students will translate word phrases and sentences into mathematical expressions; analyze geometric figures; solve problems involving percentages, ratios, and proportions; graph different kinds of equations and inequalities; calculate statistical measures and probabilities; and explain strategies for solving real-world problems.

Math 122: Algebra I (Core, Comprehensive)

Students learn to identify the structure and properties of the real number system; complete operations with integers and other rational numbers; work with square roots and irrational numbers; graph linear equations; solve linear equations and inequalities in one variable; solve systems of linear equations; use ratios, proportions, and

percentages to solve problems; use algebraic applications in geometry; and understand logic and reasoning.

Math 123: Algebra I (Comprehensive)

Students develop algebraic fluency by learning to identify the structure and properties of the real number system; complete operations with integers and other rational numbers; work with square roots and irrational numbers; graph linear equations; solve linear equations and inequalities in one variable; solve systems of linear equations; use ratios, proportions, and percentages to solve problems; use algebraic applications in geometry; and understand logic and reasoning.

Math 124: Algebra I (Honors)

This class prepares students for more advanced workings while they develop algebraic fluency, learn the skills needed to solve equations, and perform manipulations with numbers, variables, equations, and inequalities. They learn concepts of abstraction and generalizations, set notation, union and intersection and to simplify and evaluate expressions.

Math 202: Geometry (Core)

Student will use visualizations, spatial reasoning, and geometric modeling to solve problems. Topics of study include points, lines, and angles; triangles, quadrilaterals and other polygons; circles; coordinate geometry; three-dimensional solids; geometric constructions; symmetry; and the use of transformation.

Math 203: Geometry (Comprehensive)

Students build on the ideas of inductive and deductive reasoning, logic, concepts, and techniques of Euclidean plane and solid geometry. Student will use visualizations, spatial reasoning, and geometric modeling to solve problems. Topics of study include points, lines, and angles; triangles, quadrilaterals and other polygons; circles; coordinate geometry; three-dimensional solids; geometric constructions; symmetry; and the use of transformation.

Math 204: Geometry (Honors)

Students will work with advanced geometric concepts, build in-depth ideas of inductive and deductive reasoning, logic, concepts and techniques. Topics of study include points, lines, and angles; triangles, quadrilaterals and other polygons; circles; coordinate geometry; three-dimensional solids; geometric constructions; symmetry; and the use of transformation

Math 302: Algebra II (Core)

Builds upon algebraic concepts developed in Algebra I. Students are introduced to rational, radical, exponential, and logarithmic functions, sequences and series; and data analysis.

Math 303: Algebra II (Comprehensive)

Students will extend their knowledge and understanding by solving open-ended problems. Topics include conic sections; functions and their graphs; quadratic functions; inverse functions; and advanced polynomial functions.

Math 304: Algebra II (Honors)

Builds upon algebraic concepts developed in Algebra I. Students are introduced to rational, radical, exponential, and logarithmic functions, sequences and series; and data analysis. Students will extend their knowledge and understanding by solving open-ended problems. Topics include conic sections; functions and their graphs; quadratic functions; inverse functions; and advanced polynomial functions.

Math 312: Business and Consumer Math (Core, Comprehensive, Honors)

The students will learn mathematical skills relevant to everyday life, such as balancing a checkbook, making cost comparisons, buying and/or renting a home, and finding the costs of operating a motor vehicle.

Math 403: Pre-Calculus/Trigonometry (Comprehensive, Honors)

Topics include linear, quadratic, exponential, logarithmic, radical, polynomial, and rational functions; systems of equations; and conic sections. Also covered are trigonometric ratios and functions; inverse trigonometric functions; and applications of trigonometry.

Math 500: Calculus AB (Advanced Placement.

Student will learn to evaluate the soundness of proposed solutions and apply mathematical reasoning to real-world models.

Math 510: Statistics (Advanced Placement)

Students will collect, analyze graph, and interpret real-world data. Students will learn to design and analyze research studies and evaluate examples from real research.

Math 030: Personal Finance (Elective)

Science:

Science 102: Physical Science (Core, Comprehensive, Honors)

Students will explore the relationship between matter and energy by investigating force and motion, the structure of atoms, the structure and properties of matter, chemical reactions, and the interaction of energy and matter. Student will focus on inquiry-based learning.

Science 112: Earth Science (Core)

Students will focus geology, oceanography, astronomy, weather and climate.

Science 113: Earth Science (Comprehensive)

Students will focus geology, oceanography, astronomy, weather and climate and give practical experience in implementing the scientific method.

Science 114 Earth Science (Honors)

Students will focus geology, oceanography, astronomy, weather and climate and give more sophisticated experience in implementing the scientific method.

Science 202: Biology (Core)

Student will focus on the chemistry of living things; the cell, genetics, evolution, the structure and function of living things, and ecology.

Science 203: Biology (Comprehensive)

Student will focus on the chemistry of living things; the cell, genetics, evolution, the structure and function of living things, and ecology.

Science 204: Biology (Honors)

Student will focus on the chemistry of living things; the cell, genetics, evolution, the structure and function of living things, and ecology.

Science 302: Chemistry (Core)

Course surveys all key areas of chemistry, including atomic structure, chemical bonding and reaction, solutions, stoichiometry, thermochemistry, organic chemistry, and nuclear chemistry.

Science 303: Chemistry (Comprehensive)

Provides an in-depth survey of all key areas of chemistry, including atomic structure, chemical bonding and reaction, solutions, stoichiometry, thermochemistry, organic chemistry, and nuclear chemistry.

Science 304: Chemistry (Honors)

Provides an in-depth survey of all key areas of chemistry, including atomic structure, chemical bonding and reaction, solutions, stoichiometry, thermochemistry, organic chemistry, and nuclear chemistry. Students complete community-based written research projects, treat aspects of chemistry that require individual research and reporting, and participate in related discussions.

Science 403: Physics (Comprehensive)

This course provides a comprehensive survey of all key areas: physical systems, measurements, kinematics, dynamics, momentum, energy, thermodynamics, waves, electricity, and magnetism, and quantum theory and the atomic nucleus.

Science 404: Physics (Honors)

This course provides a comprehensive survey of all key areas: physical systems, measurements, kinematics, dynamics, momentum, energy, thermodynamics, waves, electricity, and magnetism, and quantum theory and the atomic nucleus.

Science 500: Biology (Advanced Placement)

This course is designed in three modules with lab exercises; molecules and cells, heredity and the theory of evolution, and organisms and populations. Students learn about energy transfer, continuity and change in the biological world, and relations between the structure and function of living things. Students will analyze the interdependence of the elements of nature and the ways in which science must seek to preserve the balance between technology and nature.

Science 510: Chemistry (Advanced Placement)

Students solve chemical problems by using mathematical formulation principle and chemical calculation in addition to laboratory experiments. Students will build on their general understanding of chemical principle and engage in more in-depth study of the nature and reactivity of matter.

Science 520: Physics (Advanced Placement)

Students will focus on five general areas: Newtonian mechanics, thermal physics, electricity and magnetism, waves and optics and atomic and nuclear physics. Students will gain an understanding of the core principles of physics and then apply them to problem solving exercises.

Science 010: Environmental Science (Elective)

Science 020: Life Science: Oceanography (Elective)

History and Social Sciences:

History 102: World History (Core)

This course covers major events in world history, including the development and influence of human-geographic relationships, political and social structures, economics, science and technology, and the arts. Students investigate the major religions and belief systems throughout history and learn the importance of trade and cultural exchange as well as the development of agriculture, the spread of democracy, the rise of the nation-state, the industrial revolution, the spread of imperialism and issues and conflicts of the twentieth century.

History 103: World History (Comprehensive, Honors)

This course exams the development of major events in world history, including the development and influence of human-geographic relationships, political and social structures, economics, science and technology, and the arts. Students investigate the major religions and belief systems throughout history and learn the importance of trade and cultural exchange as well as the development of agriculture, the spread of democracy, the rise of the nation-state, the industrial revolution, the spread of imperialism and issues and conflicts of the twentieth century.

History 202: Modern World Studies (Core)

Students trace the history of the world from approximately 1870 to the present. Their focus will be on two world wars, the Great Depression, the global Cold War tensions, as well as the staggering problems and astounding accomplishments of the contemporary world.

History 203: Modern World Studies (Comprehensive)

Students trace the history of the world from approximately 1870 to the present. Their focus will be on two world wars, the Great Depression, the global Cold War tensions, as well as the staggering problems and astounding accomplishments of the contemporary world. Activities include analyzing primary sources and maps, creating timelines, completing projects and written assignments, and conducting independent research.

History 204: Modern World Studies (Honors)

Students trace the history of the world from approximately 1870 to the present. Their focus will be on two world wars, the Great Depression, the global Cold War tensions, as well as the staggering problems and astounding accomplishments of the contemporary world. Activities include analyzing primary sources and maps, creating timelines, completing projects and written assignments, and conducting independent research.

History 212: Geography and World Cultures (Core)

Introduces students to the countless ways in which geography influences human relationships, politics, society, economics, science, technology, and the arts. Special emphasis is placed on the way geographically derived information is expressed in maps, charts, and graphs.

History 213: Geography and World Cultures (Comprehensive, Honors)

Course uses geographic features to explore how human relationships, political and social structures, economics, science, technology, and the arts have developed and influenced life in countries around the world.

History 302: U.S. History (Core)

Provides students with a view of American history from the first migrations of nomadic people to North America to recent events.

History 303: U.S. History (Comprehensive)

Provides students with a view of American history from the first migrations of nomadic people to North America to recent events. Activities include analyzing primary sources and maps, creating timelines, completing projects and written assignments and doing independent research.

History 304: U.S. History (Honors)

Provides students with a view of American history from the first migrations of nomadic people to North America to recent events. Activities include analyzing

primary sources and maps, creating timelines, completing projects and written assignments and doing independent research.

History 312: Modern U.S. History (Core)
Provides students with a view of American history from the Industrial Revolution to recent events.

History 313: Modern U.S. History (Comprehensive)
Provides students with a view of American history from the Industrial Revolution to recent events. Students learn to organize, explore topics in depth, review in preparation for assessments, and practice skills of historical thinking and analysis.

History 314: Modern U.S. History (Honors)
Provides students with a view of American history from the Industrial Revolution to recent events. Students learn to organize, explore topics in depth, review in preparation for assessments, and practice skills of historical thinking and analysis.

History 402: U.S. Government and Politics (Core, Comprehensive)
Students will use the perspective of political institutions to explore government history, organization, and functions. They will explore the roles of political parties, interest groups, the media, and the Supreme Court in evaluating past events and government functions.

History 403: U.S. Government and Politics (Comprehensive, Honors)
Students will take a close look at the political culture of our country and gain insight into the challenges faced by citizens, elected government officials, political activists, and others.

History 412: U.S. and Global Economics (Core, Comprehensive)
Students learn the issues faced by producers, consumers, investors, and taxpayers in the U.S. and around the world. Topics include markets, supply and demand, theories of early economic thinkers; theories of value; money; the role of banks; investment houses; and the Federal Reserve; and other fundamental features of capitalism.

History 413: U.S. and Global Economics (Comprehensive and Honors)
Topics of study include markets from historic and contemporary perspectives; supply and demand; theories of early economic philosophers such as Adam Smith and David Ricardo; theories of value; money; Keynesian economics; how capitalism functions; productivity and wages; investment and growth issues of capitalism; inflation and the national debt.

History 500: U.S. History (Advanced Placement)
Students explore and analyze the economic, political, and social transformation of the United States since the time of the first European encounter.

History 510: U.S. Government and Politics (Advanced Placement)
Students explore the operations and structure of the U.S. government and the behavior of the electorate and politicians. Students gain the analytical perspective necessary to evaluate political data, hypotheses, concepts, opinions, and processes and learn how to gather data about political behavior.

History 520: Macroeconomics (Advanced Placement)
Students learn why and how the world economy can change from month to month, how to identify trends in our economy, and how to use those trends to develop performance measures and predictors of economic growth or decline. Students also examine how individuals and institutions are influenced by employment rates, government spending, inflation, taxes, and production.

History 530: Microeconomics (Advanced Placement)
Students explore the behavior of individuals and businesses s they exchange goods and services in the marketplace. Students learn why the same product can cost different amounts at different stores, in different cities, and at different times. Students also learn to spot patterns in economic behavior and learn how to use those patterns to explain buyer and seller behavior under various conditions.

History 540: Psychology (Advanced Placement)
Students receive an overview of current psychological research methods and theories. They explore the theories used by professional counselors and clinical psychologists, and examine the reasons for normal human reactions; how people learn and think; the process of human development and human aggression, altruism, intimacy and self-reflection.

History 010: Anthropology (Elective)

History 020: Psychology (Elective)

History 030: Macroeconomics (Elective)

World Languages:

World Language 100: Spanish I
World Language 200: Spanish II
World Language 300: Spanish III
World Language: 500 Spanish Language (Advanced Placement)

World Language 110: French I
World Language 210: French II
World Language 310: French III
World Language 510: French Language (Advanced Placement)

World Language 120: German I

World Language 220: German II

World Language 130: Latin I
World Language 230: Latin II

World Language 140: Chinese I
World Language 240: Chinese II

Elective Courses:

Art 010: Fine Art (Elective)
Art 020: Music Appreciation (Elective)

Business 010: Business Communication and Career Exploration (Elective)
Business 020: Business and Personal Relationships (Elective)
Business 040: Introduction to Entrepreneurship (Elective)

Other 010: Skills for Health (Elective)
Other 020: Physical Education (Elective)
Other 030: Career Planning (Elective)
Other 040: Reaching Your Academic Potential (Elective)
Other 050: Achieving Your Career and College Goals (Elective)

Technology and Computer Science:

Technology 010: Computer Literacy (Elective)
Technology 020: Computer Literacy II (Elective)
Technology 030: Digital Photography and Graphics (Elective)
Technology 040: Web Design (Elective)
Technology 050: Digital Video Production (Elective)
Technology 060: C++Programming (Elective)
Technology 070: Game Design I (Elective)
Technology 080: Game Design II (Elective)
Technology 090: Online Game Design (Elective)
Technology 016: Flash Animation (Elective)
Technology 017: 3D Art I – Modeling (Elective)
Technology 018: 3D Art II – Animation (Elective)
Technology 019: Computer-Aided Design (CAD) (Elective)

Grading Policy

Our cyber-charter school will adopt the same grading scale that is presently being used in many of the school districts in Western Pennsylvania;

A= 100 – 90%
B= 89 - 80%
C= 79 – 70%
D= 69 - 60%
F= 59 - 0%

Tasks and report period grades are based on the 100% scale, but every score that is 50% or below is converted to 50%.

Retention Policy

No student should reach the end of the academic school year not knowing exactly where he/she stands academically in regards to graduation or promotion to the next grade. Mid-quarter progress reports, quarterly report cards, monthly mentoring sessions, on-line course monitoring, quarterly parent/teacher meetings are just some of the safeguards built into our charter to keep students and parents aware of the progress, or lack of progress, the student is experiencing.

If a student is experiencing academic difficulties, extra help will be provided immediately by the teacher followed by after school tutoring. The after school tutoring program is designed as a preventive measure to ensure academic progress. In the event a student is still experiencing academic difficulties at the end of the school year, PHASE 4 America Charter School will operate summer school to help any and all students experience success and meet the academic requirements of all assigned coursework.

Continuous Improvement of Instruction and Achievement

Students, parents, teachers, administrators, and the Board of Trustees continuously measure and receive reports about student achievement gains during the school year using the school's learning management and student information systems. Using these systems, PHASE 4 America will deliver the curriculum to its students and permit teachers and parents to see, at every moment, how the student is progressing. These systems provide each student with an individualized learning experience. PHAE 4 America will use the following management tools which are components of the education program that K^{12} provides to the school:

Online School (OLS)

The OLS is an intuitive, web-based software platform that provides access to more than 21,000 online lessons; lesson/unit/term assessments; hands-on activities; alternative learning approaches; and optional and supplemental lessons and activities, as well as lesson planning and scheduling tools and progress tracking tools, both of which serve a key role in assisting parents and teachers in managing each student's progress. The OLS is a community structure in which students, parents, and teachers interact, as well as a web-based platform students, parents and teachers can access with an Internet connection at any time.

Lesson Planning and Scheduling Tools

The K[12] lesson planning and scheduling tools enable teachers and parents to establish a master plan for completing lessons. These tools are designed to update the plan as a student progresses through each lesson and course, allowing flexibility to increase or decrease the pace the student moves through the curriculum while ensuring that the student progresses toward completion in the desired time frame. Changes can be made to the schedule at any point and the remainder of the student's schedule will automatically adjust.

Progress Tracking Tools

Once a master schedule has been established, the OLS delivers lessons based upon the schedule. Each day, a student is initially directed to a screen listing the syllabus for that day and selects one of the listed lessons. As each lesson is completed, the student returns to the day's syllabus to proceed to the next subject. If a student does not complete a lesson during the session, the lesson is rescheduled to the next day resuming at the point where the student left off. The progress tracking tool allows students, parents, and teachers to monitor student progress. In addition, information collected by the progress tracking tool regarding student performance, attendance, and other data is transferred to the management system for use in providing administrative support services.

Student Administration Management System (SAMS)

SAMS, the master digital database captures raw student data, stores it, organizes it, and feeds it to other systems. SAMS collects and provides all of the information required to manage student enrollment and monitor student performance. **TotalView School** and **MyInfo** are two sides of SAMS. **TotalView School** serves the school—teachers, principals, and other staff—by providing a secure, internal communications tool, an overview of their students' current progress and history, and the status of the shipment of curriculum materials. It allows teachers to interact one-on-one with students. Parents and students use **MyInfo** as a secure communications tool to track students' course progress, grades, and attendance history, and to check the status of course material shipments.

Reporting of Academic Progress

One of the strongest points of the K[12] program is the close monitoring of each student's educational progress. One of the many features afforded by the **MyInfo** platform is a current report of a student's academic progress and attendance information. A parent may log on to the system at any time and view this information. High School students have the ability to monitor their individual course progress and activity through the Gradebook and Activity Report tools in the LMS. If a parent wishes to have a printed version of academic and attendance information, he/she may print a copy of the progress assessment screen in the **MyInfo** account for the student.

Conference calls between teachers and students and parents are conducted at the discretion of the teacher, or at the request of students or parents.

A detailed progress report for each student has been provided mid-semester. Formal report cards will be issued to students twice a school year. Report cards are issued once after the end of the first semester and again shortly after the end of the school year. Students who withdraw during the school year are issued withdrawal reports that can be used for enrolling in a future school.

Student Online Curriculum: PHASE 4 America Cyber Charter School will use the K^{12} Inc. curriculum which includes the Online School and traditional instructional materials.

The K^{12} Online School is the robust, powerful technological instrument that is the foundation of the K^{12} learning program. The K^{12} Online School hosts over 21,000 interactive, engaging and comprehensive lessons presented in a mix of printed and multimedia forms in all the traditional subjects: Language Arts/English, Math, History, Science, Art, and Music, along with World Languages and a robust high school course offering. Every student with access to the K^{12} Online School receives an individualized learning program, set at their academic level that allows them to progress at their own pace and in their own learning style.

The K^{12} Online School also includes all the scheduling and assessment tools:

- Scantron Performance and Achievement Series tests to examine and determine a student's competency level standards content, which ensures the correct starting point in the K^{12} learning program and drives individualized instruction for each student.
- Assessments at the end of lessons, units and semesters to measure the student's progress and knowledge of each subject.
- Planning tools that allow the teacher and parent to set up a schedule and lesson plan and view lesson lists.
- Attendance tracking system to determine each student's number of instructional hours for each lesson in each subject.
- Progress tools to determine the pace and level of the student in every subject to ensure every student is making quality progress. The progress tool provides information on what assessments have been taken, what needs to be accomplished and what percentage of the course has been completed.
- Step-by-step hands-on activities.
- Creative ideas for alternative learning approaches.
- Information on additional material to prepare and gather for lessons.
- Teaching tips, keyword definitions, and audio pronunciation guides.
- Optional education activities; and supplemental lessons and exercises.

Unlike traditional textbooks and workbooks, the K^{12} Online School is continuously monitored, updated and improved to ensure students are learning.

Accelerated Graduation

For some students, high school years are the best. For others, high school feels like torture or at least extreme boredom. Rather than focusing on seat time, as schools have done for the past 100 years, accelerated graduation is based on proving competency. Accelerated graduation would allow students to test out or earn credit for high school work whenever they are ready.

For those students who are academically, socially and mentally prepared, the option of accelerated graduation and/or dual enrollment is an option. Students, parents, counselors and other school personnel will help interested students with this decision. We will partner with Community College of Allegheny County, University of Pittsburgh, California University of

Pennsylvania and other local colleges and universities in developing an appropriate course of study that will align the student, their Pathway and the appropriate college/university. Students can also choose to intern with local organizations to gain "on-the-job" experience and background.

Standards Aligned System

The Pennsylvania Standards Aligned System (SAS) is a collaborative product of research and good practice that identifies six distinct elements which, if utilized together, will provide schools and districts a common framework for continuous school and district enhancement and improvement.
Clear Standards: describes what students should know and be able to do while they increase in complexity and sophistication as the students progress through school.
Fair Assessment: a process used by teachers and students before, during and after instruction to provide feedback and adjust ongoing teaching and learning to improve student achievement. (summative, formative, diagnostic and benchmark assessment)
Curriculum Framework: specifies what will be taught for each subject in the curriculum. (Big Ideas, Concepts, Competencies, and Essential Questions)
Instruction: must be aligned to the standards, ensure right level of challenge, focused teaching and implementation of instructional strategies that will increase student achievement.
Materials and Resources: incorporates learning progressions, units, lesson plans and content resources aligned to the standards.
Interventions: ensure students are provided supports they need to meet/exceed grade level standards. A comprehensive system of interventions involves a graduated set of safety nets aligned to specific student needs and the standards.

"The Commonwealth's new system of graduation requirements will help guarantee that a Pennsylvania diploma reflects the knowledge and skills that our graduating students need to be successful in college and the workplace in an increasingly complex and challenging economy. These requirements – including new tools and flexible options – are designed for districts to help all students, starting with the class of 2015, demonstrate proficiency in state academic standards."

Along with current requirements (course completion and grades, completion of a culminating project, and demonstration of proficiency in each of the state standards not assessed by a state assessment), students will complete one of the following pathways for each main subject:

- Successful completion of courses in which a Keystone Exam serves as the final exam and counts for at least one-third of the course mark; or
- Demonstration of proficiency on independently-validated local assessment; or
- Demonstration of proficiency on a Keystone Exam used as a stand-alone graduation requirement in a given content area; or
- Demonstration of proficiency on an Advanced Placement or International Baccalaureate Exam.

Keystone Exams

Keystone Exams will help school districts guide students toward meeting state standards – standards aligned with expectations for success in college and the workplace. The exams are end-of-course assessments designed to evaluate proficiency in Algebra I, Algebra II, Biology, Chemistry, Civics and Government, English Composition, Geometry, Literature, U.S. History, and World History.

Students should take the Keystone Exam immediately following the related course and can retake the exam either in its entirety or just a portion (module) any of the three times it is administered during the following year - winter, spring, and summer.

Districts may choose to develop assessments that are at least as rigorous as the Keystone Exams, aligned with state standards, administered to all students and are required to be independently validated.

While districts will decide how students meet high school graduation requirements, all students will take the Algebra I, Biology and Literature Keystone Exams to meet AYP/NCLB requirements.

Best Practices and Habits of Practice

The PHASE 4 America Cyber-Charter School proposes to incorporate all of the best practices and habits of practice identified by the Commonwealth of Pennsylvania in support of its goals for increased student achievement outcomes, and student preparedness.

BEST PRACTICES

Incorporate Strategies	Investigate Strategies
Rigorous and Engaging Curriculum: Our curriculum is designed for attaining content standards and is aligned across grade levels. It engages students in all content areas and connects learning to the real world. Our curriculum contains assessment anchors stating what a student needs to know and be able to do to be proficient in the standards. Our curriculum uses a variety of teaching and learning experiences, involves students in higher order thinking and in project-based learning.	Rigorous and Engaging Curriculum: Through continuous analysis of the results of student work in assessments as measured by the goals we have established for student achievement and through ongoing professional development, which will include research – based practices, we will work to continuously refine our curriculum practices to improve student achievement.

Innovative, unique and effective instruction: Our instructional practices are focused on academic success of each student, drawing from a wide-repertoire to deliver differentiated approaches to meet varied learning needs for students. These practices will build on each student's knowledge with the goal to prepare them for the next levels of learning necessary for them to achieve learning gains. To affect our public service theme, our teachers will collaborate with various governmental, public sectors and military to deliver field practice experiences as defined in our curriculum.	Innovative, unique and effective instruction: Through continuous analysis of the results of student work in assessment as measured by the goals we have established for student achievement and through ongoing professional development, which will include research-based practices, we will work to continuously refine our curriculum practices to improve student achievement. We will offer significant professional development opportunities for teachers and educators from our various governmental, public sector and the military partnerships to improve the results of their instruction.
Incorporate Strategies	**Investigate Strategies**
Artful use of infrastructure: Our school culture will focus on the individual learning needs of each student by using student learning plans. We will continuously assess the results of student learning to inform decisions about how to improve the results of the curriculum and instructional practices to attain the learning goals for each student and to access the progress we are making toward achieving the goals of our charter. We will work tirelessly to engage parent support student learning. We will engage our educators from our public service organization partnerships directly in our curriculum in an ongoing and comprehensive manner to extend student's learning to encompass field experiences. Our multi-media center will connect students to the broadest array of information and knowledge. Our budget will align human and other resources to effectively support our goals. We will design our school day and year to accommodate a comprehensive curriculum wherein all subjects can be adequately taught. Our daily focus on the needs of each student through the use of individual education plans will place our key customers, students and parents, on center stage at all times. To do this we will work to build effective, caring relationships between and among Board	**Artful use of infrastructure:** Through continuous assessment of the results of student work, regular reviews of our strategic plan, and ongoing professional development for our faculty and public service organization partners, which will include research-based practices, we will work to continuously improve how we: use data to inform decision-making about instruction aligned with student needs; engage our public service partners in high-powered curricular initiatives; align human and financial resources to support our goals; maintain an unyielding focus on student learning by keeping each staff person and student focused on task related to achieving learning gains in students; and build caring, nurturing and productive relationships between and among all stakeholders to move ever closer to achieve the goal of having all students learn to high academic standards. We will maintain up-to-date technology that will best meet our school's needs.

members, administrators, faculty, other school staff, parents, and community stakeholders.	
Deep Partnerships: Our partnerships with public service organizations, universities businesses and other organizations will involve high levels of collaboration. Representatives of these groups will serve as members of our governing Board, be involved in our ongoing strategic planning processes, help create and revise our public service themed curriculum, and participate in in-and-out of classroom teaching experiences.	**Deep Partnerships:** Through continuous assessment and planning, regular reviews of our strategic plan, and ongoing professional development which will include research-based practices, we will work to continuously improve and further develop partnerships with all stakeholders that contribute to having all students learn to high academic standards. As our school grows, we will expand our base, creating partnerships with national experts in various public service related organizations.
Incorporate Strategies	**Investigate Strategies**
Intensive teacher and leadership training: Our charter school will offer summer and school-year professional development sessions that include how the principal, faculty and staff can build their instructional leadership skills, and refine school and classroom operations to more effectively meet the needs of the student body. Our professional development will be differentiated to address the needs of our staff, designed first and foremost to utilize the strengths of our teachers and partnership staff to address the challenges they face to improve their instructional practices. Our principal and faculty will engage with staff from our public service organization partners in continuous analysis of the results of their instruction by analyzing student work to develop improvements in teaching and learning.	**Intensive teacher and leadership training:** Through continuous planning and assessment, regular reviews of our strategic plan, and ongoing professional development which will include research-based practices, we will work to continuously improve the leadership skills of our faculty and public service partnership staffs to achieve the goal of having each student learn to high academic standards. We will provide significant professional development in school leadership and will empower teachers and partner staff with opportunities to lead.
Meaningful continuous assessment aligned with standards: Our charter school will use a variety of assessments aligned with Pennsylvania standards. This practice will include the use of assessment anchors that define what a student should know and be able to do to attain proficiency in PA academic standards. This practice will also include pre- and post-school year norm reference tests, unit tests, and classroom-based assessments. The	**Meaningful continuous assessment aligned with standards:** Through continuous planning and assessment, regular reviews of our strategic plan, and ongoing professional development which will include research-based practices, we will work to continuously improve how we use data from our standard-based assessment practices to achieve our goal of having each student learn to high academic standards.

results of these assessment and classroom-based date will be used to assess and improve the effectiveness of teaching and learning.	

HABITS OF PRACTICES	
Incorporate Strategies	**Investigate Strategies**
Serve traditionally underserved students: As reflected in our goals, strategies and educational program plans, our charter school will stretch to serve the needs of every student, including those whom the public education system has traditionally been unable to educate to high learning standards. We believe our individual education plans, special school theme, collaborative school/community and project learning practice, additional instructional time, low teacher/student ratios and emphasis on character education will assist us in this task.	**Serve traditionally underserved students:** Through continuous planning and assessment, regular review of our strategic plan, and ongoing professional development which will include research-based practices, we will work to continuously improve how we reach underserved students to achieve our goal of having them learn to high academic standards. We will use student assessment data and teacher observation to develop best practice responses for students who are not meeting state academic standards.
Build relationships of trust: Our charter school culture will be one where staff respects the dignity of each student and their parents/guardians; holds high academic expectations; and believes in each student's ability to attain them. We will communicate clearly and honestly and collaborate regularly with all stakeholders to have the whole school community support each student's attainment of these learning expectations.	**Build relationships of trust:** Our focus on building relationships of trust will be unyielding and ongoing. We will constantly assess how we can improve our practices to achieve relationships of trust with all of our stakeholders and be more effective in having all stakeholders support high expectations for all students and their attainment of the same.
Build upon proven educational practices: As documented in the Education Program section of this application, our curriculum and instructional practices are built on proven, research-based evidence.	**Build upon proven educational practices:** We will participate in periodic reviews of our curriculum and instructional methods as measured by newly emerging proven, research-based evidence in national sessions with various educators from across the country.

Incorporate Strategies	Investigate Strategies
Foster partnerships with the local school district: Our charter school will be open to collaborating with local school districts to share professional development practices, continuous learning about how to improve teaching and learning, determine how to serve at-risk, bi-lingual and special education students, and to purchase services and materials for efficiency and effectiveness, leveraging resources to the greatest extent possible.	**Foster partnerships with the local school district:** We will commit to ongoing collaboration with local school districts. We believe there is much to learn from the results of both traditional and charter public school and that the economics of scale from leveraging resources help to place the greatest share of them where they are needed most in supporting student learning.
Commit to participating in charter school state and national networks: Our charter school will be a member of state coalition and national association of charter schools. Additionally, our staff will regularly participate in regional and national professional development sessions provided by professional associations and experts.	**Commit to participating in charter school state and national network:** Our commitment to participating in these networks will be ongoing from one School-year to the next.

Accommodation of Students Who Have Special Needs

PHASE 4 America welcomes the opportunity to serve students with disabilities. We believe strongly that all people have strengths and weaknesses that must be recognized and accommodated in order to reach their full potential as a contributing member of society.

Students with disabilities are served by certified staff in accordance with federal and state regulations including Section 504 of the Rehabilitation Act of 1973 and the Individual with Disabilities Education Act and subsequent amendments. A free and appropriate education is provided to students with disabilities in accordance with their Individualized Education Plan (IEPs) as required by the IDEA and 504 plans as required by Section 504 of the Rehabilitation Act and the most recent Americans with Disabilities Amendment Act (ADAA).

PHASE 4 America will work to accommodate students with all disabilities by using the K^{12} web-based course in an online model as well as providing face-to-face instruction at one of our drop-in centers. PHASE 4 America will offer the necessary accommodations by procuring the technology and other services required in the student's IEP to aid these students navigate through their coursework. All materials will meet the requirements of the National Instructional Materials Accessibility Standards (NIMAS).

Model of Virtual Special Education Services

General Education Teacher

Student instruction
Student support
Social outings
Academic outings
Parent support
PA HQT

Parent

Special Education Teacher

Student instruction
Student support
Teacher support
Parent support
Accommodations
Modifications
IEP
PA HQT

Related Service Providers

Speech
Occupational therapy
Physical therapy
Psychological
Counseling
Transition Needs
Travel training
PA licensure

In addition to the team approach to serving students with disabilities, there may be necessary accommodations that will ensure that students achieve Pennsylvania Performance Standards. The following table provides examples of those accommodations which are instructional and assessment enhancements.

Instructional Enhancements	Assessment Enhancements
Use interactive groupings of students in structured and purposeful settings. Draw on student background and knowledge. Teach skills explicitly as appropriate and ensure opportunities for students to apply and practice skills in a meaningful context.	Use multiple forms of assessment such as performance-based assessments. Create appropriate test settings; use magnification of print or sound; use color-coding to focus attention where appropriate; allow for frequent breaks; use calculators and dictionaries; and minimize distractions and interruptions.
Use graphic organizers to model organization skills and to engage students in the process. Use manipulatives and connect learning experiences to real life. Use community experts as resources and as models. Minimize interruptions and distractions during time-on-task. Check often for understanding among students. Teach students organizational and study skills. Ensure access to resources in the languages, reading levels, and interests of the students.	Integrate technology into a variety of assessment settings. Remind students to use self-monitoring strategies and clarify directions. Ensure that language and academic skills are assessed appropriately. Take dictation for students; allow for tape and/or video recordings. Use multiple measures of assessment to access language and academic skills of two language learners. Include samples of second language learners' work as anchors when developing rubrics and other scoring devices.

Special Education

"The vision of inclusion is that all children will be served in their neighborhood schools, in the regular classroom with children their own age. The idea is that these schools will be restructured so they are supportive, nurturing communities that really meet the needs of all the students within them: rich in resources and support for both students and teachers." **(O'Neill, 1995)**

To accommodate this vision our cyber-charter school will provide a free and appropriate public education (FAPE) to all enrolled students who are gifted or who have a disability. Gifted education services will be provided as specified in the student's GIEP by regular education teachers with appropriate adaptations. For students with disabilities, we will organize both an inclusion model and, if needed, use a resource model establishing a special education classroom(s) for students with more severe needs. As per the 22 PA Code, Chapter 711 – Charter School Services and Programs for Children with Disabilities, our charter school will comply with all Federal laws and regulations governing children with disabilities. We will not deny enrollment or otherwise discriminate in our admission policies or practices on the basis of a child's disability or need for special education or supplementary aids or services. We will provide special education services to address a full range of needs from moderate to severe.

We understand as a local education agency (LEA) that is supervised by the Pennsylvania Department of Education, we will be required to comply with all of the Department's compliance monitoring systems, provide all information requested by the Department, and complete all corrective action required by the Department. We will have access to the Department's staff development through its training and technical assistance network and intermediate units. We will also have access to the due process and complaint system already developed by the Department.

We will seek the most efficient and effective use of resources, including utilizing the resources and services contracting with all local Intermediate Unit or other providers to secure needed services for our students. We understand that when the Needs Response Team (NRT) of our cyber-charter school places a student in another public agency, private school, or private agency to provide for that student's FAPE, and the student's parents/guardians choose to keep their student enrolled in our charter school, it will be our obligation to pay for that placement.

Special education services to be provided to our students include:

1. learning support;
2. speech and language support;
3. blind or visually impaired support;
4. deaf or hard-of-hearing support;
5. emotional support;
6. life skills support;
7. physical support;
8. multiple disabilities;
9. autistic support; and
10. gifted education.

Gifted students will be encouraged to excel further through receiving more challenging, advanced coursework in their regular education classrooms as specified in the IEPs. We will involve our education partner organizations in this process as well.

Our inclusion model will have students with disabilities paired with general education students. We believe that when students with disabilities can have their needs met in regular education classroom, they have the opportunity to learn and grow within communities that represent the kind of world in which they live when they finish school. We must, to the greatest extent possible, meet their needs within an inclusive setting. This integration will work, especially when the special education teacher works side by side with the regular classroom teacher. We want to create a world in which all students are welcome and in which they are not needlessly labeled.

A resource model will also be included for students who need such an environment to address their learning needs. We realize that trying to fit everyone into the inclusion mold promises to be just as coercive as trying to force everybody into the mold of a special education class or institution. There are wide differences in student's needs and parent choices and the school is prepared to provide choices to students and parents in order to address the full range of these needs from moderate to severe.

For students with disabilities in the inclusion model, the special education teacher(s) will provide advice and counsel to regular education teachers on how to best implement IEPs. Each student will do coursework that challenges them to move forward from the level of learning they have attained to achieve the learning goals established for them in their IEPs. This work will include sharing teaching responsibilities in the classroom if necessary. The collaboration among teachers will facilitate the recognition of each student's potential. Related service personnel will provide education services as specified in the student's IEP. A strong curriculum, supported by technology, character education, and study skills strategies is designed to accommodate special needs students in either the inclusion or the resource model.

For students with disabilities in the resource model, the special education teacher(s) will develop an individualized plan that meets the specifications of each student's IEP in a special education classroom. The instructional activities will be research based and have a primary focus on reading fluency, phonics, reading comprehension, vocabulary and math. Other areas of the curriculum will be addressed as well to provide a comprehensive education program. Related service personnel will provide education services as specified in the student's IEP. Each student will do coursework that challenges them to move forward from the level of learning they have attained to achieve the learning goals established for them in their IEPs.

Our cyber-charter school plans to create awareness of special education opportunities and will advise parents/guardians of the rights of gifted students and students with disabilities. To assure that information regarding these rights is made available to all, written procedures will de developed in language and phraseology which will be understandable to parents, regardless of their ethnic, linguistic, or cultural background.

We will document our annual efforts to create public awareness of special education services and to inform parents/guardians of the rights of students with disabilities. When appropriate, the charter school will initiate procedures to obtain a surrogate parent if there is no parent or guardian able to act as the parent.

Special education programs and services will be provided as defined by the IEP Team. The team will carefully address the needs of students who have learning and/or behavioral issues that may place them at risk of failure. The team will have special and general education teachers, the school's social worker, and a clerical staff as members. For students with disabilities, in the event that reasonable classroom interventions of sufficient duration have been attempted without success and the underlying cause is suspected to be one that cannot be resolved without special education service, the IEP Team will refer those students for evaluation according to established procedures.

Students who require special education, as well as those students who already have an Individual Education Plan (IEP), will be provided an appropriate program with services consistent with the mandates in their plans. If the services mandated in the IEP cannot be provided by our charter school (in either our inclusion or resource models) we will find the least restrictive environment in which these services could be provided in an alternative education setting and established an appropriate contract with that special education service provider. If extended school year services are necessary for students with severe disabilities, it will be included in their IEP. If it is determined that a special education student who is enrolled in our cyber-charter school is in need of an alternative placement at a future date, a re-evaluation and a manifestation determination meeting will be conducted.

In the event that a parent/guardian of a student should issue a complaint with respect to any matter relating to the identification, evaluation, re-evaluation, or educational placement of a student that results in a hearing and appeal, the charter school's legal counsel will represent the school during the proceedings.

The following outlines the processes and procedures we will use to formulate, implement and monitor IEPs for special education students and to provide for due process regulations and to safeguard records.

Identification
We will disseminate information to our staff for identifying students who might be eligible for special education, including guidelines for each of the aforementioned services. For students who need to be evaluated for services, we will use the following process:

Evaluation

a. **Initial Evaluation**: After informed written consent of a parent/guardian has been obtained, the student will be referred to the Director of Special Education to begin the process. Once all relevant information is collected, the school psychologist will administer the test. This will serve to determine whether the student meets the criteria for gifted education or for disability in accordance with the Individual with Disabilities Act Amendments. We will use guidelines prepared to supplement the 22 PA Code

Chapter 16: Special Education for Gifted Students to meet the requirements of the State Board's regulations to determine if a student qualifies for gifted education, and for determining disabilities, act in accordance with the Individuals with Disability Education Act Amendments.

b. **Reevaluation**: After written consent of a parent/guardian has been obtained, the student will be referred to the Director of Special Education to begin the process. A reevaluation will be conducted every three years for students with disabilities and every two years for students with disabilities who are identified as mentally retarded, as mandated by law. The reevaluation is necessary to determine if the student's placement should continue as is or be amended to reflect any cognitive, emotional, or physical changes that may have occurred since the last evaluation and testing. An annual IEP review meeting will be conducted and any changes will be addressed, if necessary. Parents will be notified of any and all such meetings and invited to attend these reviews in conjunction with all appropriate staff members.

Individualized Educational Plan

The IEP will be initially written by both the special education and regular classroom teachers using the recommendations of the school psychologist. The IEP will include a statement of the student's present levels of educational performance; annual goals; measurable short-term instructional objectives; the specific special education and related services to be provided to the student; a description of the extent to which a student with disabilities will be able to participate in regular education programs and be able to participate with non-disabled students in nonacademic and extracurricular activities; the projected dates for initiation and the anticipated duration of services; objective criteria, evaluation procedures, and schedules for determining whether instructional objectives are being achieved on at least an annual basis. The IEP must be reviewed and any necessary changes made by the IEP team, including parents/guardians, signed and made part of the student's school record.

Procedural Safeguards Notice

We will provide a copy of the procedural safeguards to the parent/guardians of a student upon initial referral for evaluation, each notification of an IEP meeting, re-evaluation of the student, and receipt of a request for due process. The procedural safeguards notice will include a full explanation of all of the procedural safeguards available (e.g. parental due process, prior written notice; consent of a parent/guardian; access to educational records; opportunity to present complaints to initiate due process hearings; and student's placement during a due process hearing).

Procedural Safeguards:

With respect to procedural safeguards, our cyber-charter school will convene a pre-hearing conference within ten days after a parent/guardian request to discuss disapproval of our proposed action or our refusal to act. The principal shall chair the pre-hearing meeting with the IEP Team members present. If the pre-hearing results in an agreement, then the provisions of the IEP shall be applied.

If the pre-hearing conference does not result in an agreement, or if a parent/guardian gives certified notice not to approve the identification, evaluation and recommended assignment, or the provision of a free appropriate public education, an impartial due process hearing will take place. Such a hearing will also take place if our school requests it because our staff has been unable to obtain parental consent for the proposed identification, evaluation, provisions of a free appropriate public education, or for the proposed educational placement other than the initial placement.

The pre-hearing conference shall be conducted at a time and place reasonably convenient to the parent/guardian, oral, personal, and closed to the public unless the parent/guardian requests a public hearing. If the hearing is closed, the decision shall be treated as a record of the student and may not be available to the public. The decision of the hearing officer may be appealed to a panel of three appellate hearing officers and beyond that to a court of competent jurisdiction. The initial pre-hearing and any subsequent hearings resulting from appeals shall follow the procedures and timelines contained in Chapter 14, Section 14.162 of the Pennsylvania School Code.

Least Restrictive Environment:
To the greatest extent possible, our cyber-charter school staff participating on the IEP Team, will advocate for students with disabilities to be educated with students who are non-disabled, and that special classes or other removal of students with disabilities from the regular educational environment only occur if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily. If the IEP committee dictates that our cyber-charter school does not constitute the least restrictive environment, the IEP committee will work to determine the appropriate placement for the student.

Certified Special Education Teachers:
Our special education teachers will meet all licensure and/or certification requirements that apply to the area in which the individuals are providing special education.

Related Services Personnel:
All personnel who provide related services (e.g. services provided by a speech-language pathologist, psycho-social counseling provided by a psychologist, social worker, or mental health professional) to students in our charter school will meet all required licensure and/or certification requirements pertaining to their area of related service.

Treatment of Student Records:
The cyber-charter school will adhere to all confidentiality requirements and parent/guardian and student rights provision specified under federal law. A parent who believes that information in the educational records collected, maintained, or used is inaccurate or misleading or violates the privacy or other rights of the student, may request the information be amended. We will decide whether to amend the information in accordance with the request within a reasonable period of time of receipt of the request. If our charter school refuses to amend the records, the parent will be notified in writing of the refusal and advised of the right to a hearing. We will designate an official custodian of student records who will be responsible for ensuring the confidentiality

requirements. All staff that needs access to the records will have them and receive instruction regarding the procedures for handling and managing confidential materials. The custodian will maintain a listing of employees with access to the records and a logbook of each individual who has had access to the records. Student records will be available for audit at any time during the year to ensure that funds are properly allocated. Our regulations will require a request in writing at least one week in advance of the audit to ensure that the custodian and the Principal are available to assist with the files. We will also require auditors to provide proper identification and sign the logbook.

Referral:
If the identification process for a transferred student indicates the potential for gifted education or a possible disability, the regular classroom teacher or other personnel or parent/guardian will submit the name of the student to the principal for referral to the NRT for processing. The principal will develop a process for and coordinate communication with the NRT. The referral of the student for an evaluation for possible placement in a special education program will be made under the direction of the principal after documenting that the parent/guardian has received written information pertaining to rights regarding comprehensive evaluation, and following receipt of the written consent of the parent. This consent will be given in the primary language of the home.

Release of Information:
We will not release information from education records to participating agencies without consent of a parent/guardian unless authorized to do so by federal law. Consent of a parent/guardian will be obtained before personally identifiable information is disclosed to anyone other than officials of participating agencies collecting or using information in accordance with state and federal laws. We will only provide the front page of a student's IEP to the school district in which he/she is a resident, as per the law.

English Language Learners
Our charter school will define a process for identifying Limited English Proficiency (LEP) and English Language Learners (ELL) and determine an appropriate instructional program for these students. Our admission application will include a questionnaire that determines: language(s) spoken in the home; language(s) spoken most in the home to the student; and language(s) the student understands, speaks, reads and writes. This questionnaire will be provided in a language and format that the parent/guardian can best understand. If the student appears to be LEP/ELL based upon the questionnaire, school staff will interview the student and the parent/guardian in English, or if necessary in their native language. This will help our charter school make a reasonable estimate of each student's proficiency in English.

After this interview, if it is clear the student does not have adequate English language proficiency, a formal assessment will be conducted using the Language Assessment Scales (LAS) by CTB McGraw Hill. The LAS will evaluate reading, writing, listening, speaking and comprehension skills. Use of this assessment will enable our charter school teachers with necessary information to guide their instruction. It will also provide teachers with the ability to measure the NCLB domains of reading, writing, speaking and listening, establish a comprehensive score, analyze both social and academic skills, and identify materials useful to

meet the needs of students. Use of this will help us to ensure that ELL students are not referred to special education services solely because of their lack of English proficiency.

Additionally, after initial assessment of ELL students, we will conduct annual assessments of their level of English proficiency using the Stanford English Language Proficiency assessment (SLEP).

The manner in which learning will be scheduled for ELL students will be determined when we know the number of students eligible for services and the extent of their needs. Instruction is expected to include direct language and grouping students by language proficiency.

Teachers will integrate content language development via activities where the main topics come from regular content areas so that language is acquired in a meaningful context. This will provide a vehicle for students to develop higher cognitive skills while engaging in both language and content learning. The teachers will also consistently assess the progress students are making on becoming proficient enough speakers of English to be able to exit the program, as well as their progress with academic achievement. Students who experience this instructional approach typically attain a higher level of academic and language proficiency than their counterparts who solely experience language learning approaches.

Through these instructional approaches, we will teach the general curriculum, with the goal to have ELL students reach the same high academic requirements as the general student population. We will seek to hire a highly qualified teacher(s), depending on student needs, who will have native or near-native fluency in the foreign language, excellent English language fluency, an understanding of the cultures associated with the language, knowledge of second language learning processes and teaching methods, and experience working with secondary students. If we have difficulty finding qualified ELL teachers, we will train secondary certified teachers who speak the target language in the program practices cited above.

Our staff development program will include regular opportunities for ELL teachers to learn more about how to be increasingly effective. These sessions will focus on curriculum, instructional methods and the latest research in the field. We will prepare notices and other information to the parents/guardians of ELL students about program and school activities in a language they can understand, and we will not deny any curricular or extracurricular activities to these students because of an inability to speak or understand English.

At-Risk Students

At our cyber charter school, we expect to have a percentage of students who have previously experienced academic failure and who have other factors that may label them "at-risk" and we welcome them. Based upon our past experiences with "at-risk" students, we have developed our academic program to meet their academic, moral and social needs. We intend to deliver this program in a manner that addresses differences in learning styles and uses methods that will leave a lasting imprint beyond a student's time in school. Further, our school will address the range of needs that might make it more difficult for students to focus and succeed in school, whether it id poverty, peer pressure or learning disabilities. Ultimately, the test of success is

whether students make responsible choices that are consistent with a commitment to learning and living a life of strong character, motivated by hope for the future.

Our cyber-charter school will address these challenges by building a school culture that is intentional about shaping students' development in positive ways. By adopting a holistic approach to education, our school will prepare students to navigate the challenges they face outside the school environment. Our desire to effectively address the needs of students starts with the broad foundation and will be reinforced in concrete ways by: a demanding, content-rich curriculum; charter development and community service; a plan to develop linkages with area health and human services to provide students and their families with needed services; a commitment to work with parents and families, community members and organizations to bridge some of the barriers that impede learning; and an excellent Board of Directors, school leader and faculty.

Proposed School Calendar

School will begin on the last Monday in August and continue through the middle of June. There will be 190 days of instruction for the students and 20 In-service days for staff. Students will be required to log-on and work at least 5 hours per day/20 hours per week/900 hours per school year. Their times will be automatically checked by the K^{12} management system and shared with the student during their weekly mentoring session with their assigned mentor.

Our School Year Calendar

August, 2013:
Teacher planning, curriculum development, professional development and orientation activities
First day of classes: Late August

September, 2013:
School Closed: Labor Day

October, 2013:
PSSA Senior Make-ups

November, 2013:
School Closed: Veteran's Day and Thanksgiving Break

December, 2013:
School Closed: Winter Break

January, 2014:
School Closed: Martin Luther King Day

February, 2014:

March, 2014:

April, 2014:
School Closed: Spring Vacation
PSSA Test

May, 2014:
School Closed: Memorial Day

June, 2014:
School Closes

July, 2014:
Staff Vacations

4. School Accountability

The Improvement Planning Process and Key Stakeholder Involvement

The Board of our cyber charter school will develop and file, through including a copy in its annual report to the school district and the Pennsylvania Department of Education, a school improvement plan known as the School Excellence Plan (SEP). The SEP will be developed accommodating the Chapter 4 regulations pertaining to strategic planning. These include: (1) developing and filing with the Department a new strategic plan every six years and revising and filing it at the mid-point and, (2) involving the active participation of parents, students, school directors, teachers, school administrators, other school personnel, business and other community representatives in the development of the plan. The objectives on the SEP will be aligned with the goals in this charter application, which accommodate the State's No Child Left Behind (NCLB) accountability indicators. The annual school budget will align fiscal and human resources in order to meet the stipulated goals. The SEP will include action plans for each of the stated objectives. Strategies addressing the academic needs of the subpopulations stipulated in the State plan to accommodate the NCLB legislation will be incorporated.

The implementation of the SEP will be monitored by the principal and representatives of ***PHASE 4 America*** to gauge progress and to make informed decisions about providing technical assistance to the school. A formal mid-year check and end-of-the year evaluation will be conducted each school year by the Board of Directors to determine adequate progress and cost-effective strategies for improving organizational and student performance. During these evaluation processes the goals and objectives of the SEP will be revisited, reviewed and revised if necessary. An annual report will be generated documenting the progress made by the school in meeting the stated objectives which the Board will share with all of the school's stakeholders, and include in its annual report to the State Board of Education.

Evaluation of the Principal

The Executive Committee of the Board will establish and maintain a performance plan for the principal, which will have goals and objectives on which he/she is to be evaluated and will include a professional growth plan. The goals and professional growth plan will be aligned with the direction of the Board's strategic plan, the School Excellence Plan. The professional growth plan will be the result of a self-evaluation process in which Executive Committee members and

the principal will participate. Mid-year assessments will be made of the goals contained in the performance plan and an end-of-year evaluation will be conducted.

The principal's individual performance plan will include an evaluation of the school's rate of academic improvement as per the goals in the School Excellence Plan, which will include the goals set forth in this charter application that fulfill the requirements of No Child Left Behind. The plan will also evaluate the principal as an educational leader who: facilitates a shared vision, communication, and excellence; works to ensure a safe and secure environment and build a culture that is open, honest, and fair where staff and students have respect, integrity, and support; and models continuous improvement and strong leadership and organizational skills.

Evaluation of Teachers

Our school will use PDE forms 426 and 428 to evaluate teachers, which are the official state rating forms based significantly upon Charlotte Danielson's *Framework for Teaching*. In order to promote school-wide understanding of the framework, and to promote a common vocabulary about good teaching practices, all teachers will be asked to complete a self-assessment based upon Danielson's framework, and informal classroom observations will be conducted regularly. Formal classroom observations will be conducted twice during the school regarding their teaching performance for both Level I and Level II teachers. Written feedback and/or verbal feedback will accompany each informal observation; however, all teachers will receive regular, ongoing feedback through the school year. Feedback will help determine possible topics for staff development. Teachers who are identified as having concerns in any areas of performance will be supported through a series of interventions including; coaching, modeling, along with additional, targeted external/internal professional development. The PDE forms (426/428) afford an opportunity to rate teachers in four domains (planning/preparation, classroom environment, instructional delivery and professionalism) as either satisfactory or unsatisfactory. If two or more domains are rated unsatisfactory, the overall rating is unsatisfactory for that rating period.

5. Plan for Staff, Parent, and Community Involvement

Many schools, due to declining funds, increasing school mandates, decreases in enrollment and accountability to high stakes testing, are falling behind in providing sustainable educational opportunities for their students. PHASE 4 America Cyber Charter School will provide and direct our students in individually prescriptive programs to help them prepare for a lifelong, worthwhile and personally satisfying career. Our target audience will include not only the traditional high school student but also the non-traditional student such as the diploma retrieval and alternative education student of all socio-economic and ethnic backgrounds.

Our communities realize that traditional brick and mortar education is simply not meeting the growing demands of our students and they, the communities, must demand new and innovative schools, programs and concepts in order to help prepare our students for the vast challenges that lie ahead.

Most, if not all, of our communities have begun accepting this fact and are anxious to move ahead and do whatever it will take to make their children, our students, successful.

Our Cyber Charter School will be designed to meet the individual needs of the students without the constraints usually placed on the students by the stresses, pressures and demands of the traditional building, teachers and students.

Meeting NCLB Compliance for Meaningful Parent Involvement — Best Practices in Family Engagement Strategies

Parent Involvement is defined in the No Child Left Behind law as "the participation of parents in regular, two-way, and meaningful communication involving student academic learning and other school activities…" Meaningful parental involvement opportunities are a cornerstone of the charter school. As required by NCLB law (Section 1118, Title 1), our cyber-charter school's parental involvement policy statement will be written jointly by families and school personnel, approved by, and distributed to families of participating students and the local communities. It will also be on our school's website and a copy of it will be kept at all our sites. The goal of this policy will be to develop a partnership that will promote the social, emotional, and academic growth of our students.

The PHASE 4 America Cyber-Charter School will comply with all Title I regulations requiring the school to:

- Develop with parents a written parent involvement policy that is then distributed to parents and made available to the local community.
- Convene a convenient annual meeting of parents to inform them of the policy and their right to be involved.
- Offer flexible parent involvement meetings and if necessary with Title 1 money provide child care, transportation or home visits.
- Involve parents in an organized and ongoing way through participation as members of the PCO (Parent Community Organization), in planning, review, and improvement of school programs.
- Develop with parents a school-parent compact that outlines actions to be taken to improve individual student academic achievement.
- Build capacity for parent involvement in the school by helping parents understand academic content standards and state academic achievement standards and assessment, as well as provide materials and training to parents, teachers, pupil services personnel and other staff designed to foster greater parental involvement. Bi-annual training sessions will be held for this purpose.
- Integrate activities with other programs: Individual with Disabilities Education, English as a Second Language, etc.

The following steps will be taken to create a meaningful and relevant parent involvement policy:

- Bring together an action team that represents the people who will carry out the policy, including parent leaders who reflect the diverse families in the school.
- Find out how families and school staff will work together to improve student achievement. What they are interested in doing and learning about? What supports they need? (Focus groups, surveys, and interviews are best practices to gain this information).

- Draft the policy and revise it to respond to needs and interests. Focus on action – what needs to happen and when.

The parent involvement policy will be developed in collaboration with families and will include:

- A vision statement that says what the school community believes about the importance of family-school partnerships to high student achievement.
- Specific steps that the school and families will take to work as partners to improve achievement, such as a school-family compact, family learning activities, personal learning plans, and student support teams.
- Terms of engagement – such as times for parents to observe in classrooms, availability of interpreters and translation, principal office hours, opportunities for parent-teacher communication, etc.
- Information about standards and assessment, and how to monitor student progress.
- Who will be responsible for carrying out the policy, including school staff, parents and community members?
- Resources, such as funding, space, equipment, and staff time and position.
- Guidelines for measuring whether the policy is working, such as parent involvement goal attainment and improved student attendance.
- How parents, school staff, and community members will learn what the policy says.

The following is a sample of a school policy from the Public Education Network and National Coalition for Parent Involvement in Education. It will not be our charter school's exact policy, as that will be written in collaboration with families, but it is a useful sample:

"Vision: Parents are their student's first and most important teachers. Research tells us that parent involvement makes a big difference. When schools welcome families, establish personal relationships among families and staff, help parents understand how the system works, and encourage family-staff collaboration to improve student achievement, students do better in school – and the schools get better."

Our school is committed to being family-friendly and to working as partners with our families to help ALL our students learn to high levels.

Our school encourages families to be:

- Teachers of their children at home
- Supporter of our school and of public education
- Advocate for their own and other students, and
- Decision-makers in school policy and practice.

To be fully family-friendly, our school will provide:

1. A welcoming environment.
   - Friendly signs welcome visitors and explain how to get around the building.
   - Standards of welcoming behavior apply to all staff, including front office staff, bus drivers, security guards, custodians, and cafeteria workers.

- Visitors and callers are greeted politely and immediately and can get information easily.
- A comfortable family resource room will be provided as a place for parents to meet.

2. Programs and activities to engage families in improving student achievement.
   - Programs and activities help families understand what their students are learning and promote high standards.
   - Workshops, learning kits, and other activities show families how to help their students at home – and respond to what families say they want to know about.
   - The school reports to parents about student progress and how teachers, parents and community members can work together to make improvements.

3. Strong relationships between teachers and families.
   - The school welcomes new families, offers tours, and introduces them to staff and other families. Bilingual speakers are available to help families.
   - Teachers and families can meet face-to-face and get to know each other through class meetings, breakfasts, home visits, and class observations.
   - Teachers or advisors make personal contact with each family at least once a month.
   - A family liaison helps teachers connect to families and bridge barriers of language and culture.

4. Opportunities for families to develop their skills, self-confidence and contacts.
   - Families are involved in planning how they would like to be involved at the school.
   - School committees and the PTA/PTO reflect diversity of the school community and actively recruits and welcome families from all backgrounds.
   - The school is open and accessible – it is easy for parents to meet with the principal, talk to teachers and counselors, and bring up issues and concerns.
   - Parents develop school improvement projects and o action research – survey other families, observe in the classroom, review materials, and visit other schools and programs.

5. Professional development for families and staff on how to work together productively.
   - Families learn how the school system works and how to be effective advocates for their students.
   - Teachers learn about successful approaches to working with families of diverse cultural backgrounds.
   - Families and staff can learn how to collaborate to improve student achievement.
   - The school reaches out to identify and draw in local community resources that can assist staff and families.

Accountability to Parents and Providing Parents, Teachers, Staff and Community Meaningful Voices in School Governance and Decision Making – Short-and-Long Term

As a school in the ***PHASE 4 America*** family, our cyber-charter school will highly value parent involvement. Our Founding Coalition recognizes that parent choice and satisfaction is vital for the ongoing viability of the school. This is the single, most important factor in maintaining a

student enrollment that will sustain the school and the satisfaction of parents with our school will be among our highest priorities. Additionally, the Founding Coalition recognizes that parental involvement is critical if the school's robust goals for student achievement are to be achieved. To attain the highest amount of parental involvement possible, the Founders are designing a school that will allow parents/guardians to play an integral role in the life of our charter school.

Our charter school will also highly value teacher, staff, and community involvement as well. To ensure that all of these stakeholders have meaningful voices in school governance and decision making, we are developing several processes that will become part of our school culture.

Initially, parent/guardians representatives and community representatives will be part of a Task force that provides input to the principal, teachers, other school staff and the Board of Directors as they engage in activities to establish the school during the period of March through August of 2012. Parents and community representatives will also serve on every committee that is established to develop the charter school's curriculum.

Additionally, a Parent Community Organization (PCO) will be established on which parents/guardians, teachers, staff, and community representatives will sit. The PCO will provide a vehicle for these stakeholders to have meaningful voices in school governance and decision – making over the short-term. The primary purpose of the PCO will be to meet monthly to monitor the education programs and the business operations of the school and make recommendations to the principal and to the Board of Directors to improve the performance of the school.

Another key aspect of staff, parent and community involvement in the life of our charter school is having input into the establishment and regular review of our charter school's strategic plan, the SEP. This vehicle will provide parents/guardians, teachers, staff and community representatives with a mechanism to have meaningful voices in school governance and decision-making over the long-term. Parents, teachers, staff members of the PCO will work with the principal to choose the Self-Evaluation Team, on which they will serve. This team will review the progress our charter school is making to achieve its goals and objectives and make recommendations for improving school performance over the long run, which will be reviewed by the staff, principal and Board of Directors as part of the data considered when the SEP is revised.

Parents and community members will also be involved in school governance and decision-making by serving on the Board of Directors and by being part of a group that will hear complaints brought before the Board, called the Advisory Grievance Committee.

Disseminating Performance Information to Parents/Guardians

As stated previously, getting useful and relevant information to parents regarding their student's academic progress is a priority of our charter school. This will be accomplished by; holding parent/guardian teacher conferences four times a school year at the conclusion of each grading period; regular teacher/parent/guardian communication during each report period as necessary; and workshops two times a school-year to help parents learn more about how they can support curriculum and instruction in the home, and to answer questions they have about how to interpret

student assessment information. Information about how assessment scores relate to our charter school's NCLB goals and the progress students are making to achieve the same will be part of the information presented during the conferences and workshops.

Parent Complaint Review Process

Our charter school will foster an environment where: teachers are accountable to each other, the principal, students, and parents; students are accountable to teachers, each other and their parents; and parents are accountable to teachers and the school. We expect that most conflicts related to our school will be resolved through these accountability channels. It is expected that most parent complaints pertaining to curriculum and instruction, classroom management, relationships between and among students, etc., will be resolved at the classroom level. The principal will provide an additional level of accountability for these kinds of complaints and will serve as a mediator in the event that satisfactory resolutions do not occur. It is expected that parental complaints about overall school operations will be resolved by the lead teacher and/or the principal.

Parental complaints that cannot be resolved at the school level can come to the Board of Directors through the vehicle of the Board Advisory Grievance Committee (AGC). This Committee will be composed of parents, teachers, and community members who will be selected using a process to be determined by the PCO. Members of the Committee will hear and work to resolve conflicts that otherwise cannot be settled. The AGC will have five members (three parents and two teachers) who will use the following procedures to process grievances:

- Only written grievances outlining the alleged violation and the remedy sought on a form developed by the AGC will be heard.
- All members of the AGC must attend meetings to review such grievances.
- The AGC members must review and respond in writing documenting their recommendation(s) with 7 days from the receipt of the grievance.
- The AGC members may have a formal meeting with the grievant(s) should they so choose. This step is at their discretion.
- A grievant(s) not satisfied with the resolution the AGC members have made may appeal it to the Board of Directors.

When the Board of Directors needs to consider an appeal from a grievant(s), the decision of the AGC will be reviewed by the Executive Committee. Formal meetings with the members of the AGC and with the grievant(s) will be held and the Committee shall make a recommendation to either uphold the decision of the AGC or to make another course of action to resolve the issue to the Board of Directors for a vote.

The Board of Directors will inform the school community of its grievance process through a handbook and on its website in the place that describes the structure of the Board and how it operates to effectively govern the school. This handbook will be distributed to parents/guardians, school staff and members of the PCO.

Parent Volunteer Program

Every volunteer working directly with children will have to obtain criminal and child abuse clearances before they begin any activities. Our charter school's policy will be for the volunteer to work under a teacher's supervision and follow these three R's:

- **Responsibility**: regular in attendance; supportive of the school's administration and teaching staff; aware of the importance of planning; concerned about the all the students; enthusiastic about each student; and discrete, sincere, dedicated and punctual.

- **Rapport**: recognizes that student's need to improve self-image and independent learning habits; offers the student genuine friendship; recognizes the individuality of each student; provide a relaxed, friendly and caring atmosphere with students; respects the staff' ultimate responsibility for the health, welfare and education of each student; provides opportunities for each student to be successful; cooperates, coordinates and communicates continually with school administration, faculty members and staff; express concerns and raises questions with supervisor.

- **Rewards**: shares satisfactions with the student; meets student needs and provides or supports the promotion of quality education and enrichment activities; and receives the sincere gratitude of the school community.

6. Extracurricular Activities

Our cyber-charter school will value the importance of extra-curricular and athletic activities for the social and physical development of our students. The school will offer a variety of activities for our students such as clubs and organizations. All enrolled students, excluding suspended or expelled students, will have the opportunity to participate in the district's extra-curricular and athletic activities. Boys and girls will have equal opportunity to participate as stated in 22 PA Code §4.27 (1999) that requires students of both sexes to have equal access to interscholastic and intramural programs.

As per the charter school law, our students will also, if they so choose, have access to extracurricular activities not provided by our charter school in their district of residence if the student is able to fulfill the requirements of participation. We will provide written confirmation to the resident school district of the data necessary for each student to document whether he/she meets the criteria for participation and we will pay the resident school districts charge, should there be any, for our students to participate in resident district extracurricular activities. This charge shall be on a "cost basis" only.

7. Technical Support Provided to Students and Parents

K12's Technical Support includes web-based, email and phone support. All support personnel are knowledgeable in OLS use and have received training on resolving technical support problems. K12 Technical Support includes the following web-based support areas:

1. Using the Online School (OLS)
2. K12 Supplied Computer Equipment
3. Personal Computers
4. Connectivity—ISP, Firewall, Troubleshooting
5. Materials
6. Account Information
7. Learning Coach Resources
8. Online Tutorials
9. Contact Phone Numbers
10. Request for Support

K12's phone center includes support in three (3) general areas:

1. Customer Care (using the LMS, shipment of materials);
2. Technical Support (available only for K12 issued equipment or K12 systems);
3. Enrollment Consultants (assistance for enrolling students).

K12 Technical Support is managed by a mature Customer Care organization. Customers can choose to access support through three separate channels; information about all three channels is available via the "Customer Support" portal on the K12 website:

i. Phone Support: The K12 Call Center is staffed to handle technical support issues 24 hours per day, 7 days per week. The telephone number and hours of operation are provided on the K12 Customer Support portal.

ii. E-mail: E-mail support is available 24 hours per day, 7 days per week. The form-driven front end is accessed via the K12 Customer Support portal, and guides the customer to provide all necessary information to allow a fast and accurate response. K12 responds within 24 business hours of receiving a customer e-mail inquiry.

iii. Self Help: Self-help is available 24 hours per day, 7 days per week. This web-based channel is accessed via the K12 Customer Support portal; it provides answers to frequently asked questions (FAQs), video tutorials, teaching resources, software downloads, and other information on common issues.

Internal escalation processes are in place to provide quick access to second-line technical support as necessary, as well as access to resources in other groups such as Systems & Technology, Product Development, Customer Fulfillment, etc., if required.

Needs Assessment

1. Statement of Need

From our very beginning, PHASE 4 has recognized that students learn in different ways. Because there are multiple learning styles; from visual to kinesthetic, auditory to tactile, we have designed our programs to appeal to these multiple learning styles. Our system allows teachers to customize teaching and learning approaches so that students have multiple options for taking in information and making sense of ideas. Our teachers have the flexibility to adjust the curriculum and presentation of information to students rather than expecting students to modify themselves for the curriculum. Classroom teaching is a blend of whole-class, group and/or individual instruction.

Blended learning, the teaching practice that combines teaching models from both face-to-face and online learning, is an established, rapidly growing instructional model that is proving highly effective in helping schools and districts address the challenges of student achievement, limited resources, and the expectations of the 21st century learners.

In general terms, blended learning combines online delivery of educational content with the best features of classroom interaction and live instruction to personalize learning, allow thoughtful reflection, and differentiate instruction from student to student across a diverse group of learners.

Dziuban, Hartman, and Moskal (2004) in a research brief for EDUCAUSE titled: "Blended Learning" noted:

Blended learning should be viewed as a pedagogical approach that combines the effectiveness and socialization opportunities of the classroom with the technologically enhanced active learning possibilities of the online environment, rather than a ratio of delivery modalities. In other words, blended learning should be approached not merely as a temporal construct, but rather as a fundamental redesign of the instructional model with the following characteristics:

1. A shift from lecture to student-centered instruction in which students become active and interactive learners (this shift should apply to the entire course, including face-to-face contact sessions);
2. Increase in interaction between student-instructor, student-student, student-content, and student-outside resources; and
3. Integrated formative and summative assessment mechanisms for student and instructors.

The power of being able to immediately assess whether a student has mastered a particular skill holds great promise for how the learning experience can be tailored for each student. This access to real-time data allows teachers, school leaders, parents, and students to respond more appropriately and more timely to student needs no matter where they fall along the learning continuum. Teachers can therefore utilize their instructional expertise to remediate and/or enrich student learning experiences as dictated by this data.

Educators support online learning because of its unique abilities to provide students with enriched learning experiences, to extend learning beyond the school day, and to support more successful differentiated learning strategies that personalize a student's educational experiences.

Teachers' roles are changing as they evolve from "lecturer" to instructional guide. Independent student work and mentoring are becoming more common instructional strategies as teachers assess student progress and then use a variety of tools and resources, including digital content, to differentiate instruction in order to address students' needs.

The blended learning models are also flexible and adaptable so teachers can create instructional activities and assignments that give students the opportunity to work collaboratively, tapping their interest and abilities in social learning. In addition, project-based and experiential learning can also be facilitated through blended models, giving the opportunity to conduct research online, participate in group work, and then develop multimedia projects that showcase their learning processes and outcomes.

In a Market Research Study conducted in 2009 by the Grunwald Associates, developed the following "Perceived Benefits of Online Learning";

1. Provides students online tools to supplement classroom instruction,
2. Extends learning beyond the classroom,
3. Tailors learning experiences for students based upon their needs,
4. Engages students with online tools similar to those used outside the classroom,
5. Convenient,
6. Easy communication with students and parents,
7. Creates, delivers, and analyzes formative and classroom assessments,
8. Increases communication among teachers,
9. Enriches professional development,
10. Manages curriculum and curriculum development,
11. Generates student, class, and district performance reports, and
12. Saves time.

2. School Demographics

PHASE 4 America Cyber Charter School projects an enrollment of 200 students for the 2013-2014 school year and an increase of 50 students per year for the next 5 years. Our ultimate enrollment goal would be 1,000 students in grades 9, 10, 11, and 12.

PHASE 4 will be located in Western Pennsylvania mainly in Washington, Fayette, Greene, Allegheny, Westmoreland, Butler, Beaver, Lawrence and Armstrong counties. Our corporate offices are located at Brentwood Towne Square, 121 Towne Square Way, Pittsburgh, PA 15227. We will also have "Drop-In" locations at 1500 West Chestnut Street, Washington, PA 15301, 211 North Whitfield Street, Pittsburgh, PA 15206, Beaver Valley Mall, Suite 205, Monaca, PA 15061, and 420 Chartiers Avenue, McKees Rocks, PA 15136. Additional sites will be made available if and when the need arises.

PHASE 4 America Cyber Charter School expects to have a percentage of students who have previously experienced academic failure and who have other factors that may label them "at-risk" and we welcome them. Based upon our past experiences with "at-risk" students, we have developed our academic program to meet their academic, moral and social needs. We intend to deliver this program in a manner that addresses differences in learning styles and uses methods

that will leave a lasting imprint beyond a student's time in school. Further, PHASE 4 will address the range of needs that might make it more difficult for students to focus and succeed in school, whether it is poverty, peer pressure or learning disabilities. English is the primary language spoken by nearly all of the students and their families.

3. District Relations/Evidence of Support

PHASE 4 America Cyber Charter School will build upon the reputation of PHASE 4 Learning Center, Inc. and their 11 years of working with at-risk students of Pennsylvania. The provider is PDE Approved and Middle States Accredited.

The following letter was sent to over 125 school districts in Western Pennsylvania announcing our intensions and soliciting their support. We will follow up with a personal visit to each district upon receiving our charter and will maintain a close working relationship with each and every sending school district.

PHASE 4 America®, Inc.

PHASE 4 America Cyber Charter School

121 Towne Square Way
Pittsburgh, PA 15227
Ph: 412-650-9004
Fax: 412-650-0304

Dear District Representative,

With total commitment to helping students and working in partnership with you and your district, PHASE 4 America, Inc. is submitting an application to the Pennsylvania Department of Education for the PHASE 4 America Cyber Charter School.

Since there is the potential of serving students within your district, this letter is to inform you of our intent to request approval and our desire to work with you.

PHASE 4 America Cyber Charter School's mission is to provide a rigorous and outstanding blended educational system that not only educates but challenges students toward maturity of intellect and character in preparation for lives of leadership. By establishing such high standards for academic excellence, personal and professional integrity and citizenship, our goal is to develop well-rounded individuals who are intellectually capable and creative, health and fitness conscious, contributing members of our global society.

PHASE 4 America Cyber Charter School will address the range of needs that might make it more difficult for students to focus and succeed in a traditional school, whether it be poverty, peer pressure or learning challenges.

We look forward to working with you and helping the students and families of your community experience an expanded element of educational success through the PHASE 4 America Cyber Charter School.

Respectfully,

Terrie Suica-Reed
President & CEO

Districts to which the letter of intent was sent:

Washington County
Avella Area School District
Bentworth School District
Bethlehem-Center School District
Brownsville Area School District (also in Fayette County)
Burgettstown Area School District
California Area School District
Canon-McMillan School District
Charleroi School District
Chartiers-Houston School District
Fort Cherry School District (also in Allegheny County)
McGuffey School District
Peters Township School District
Ringgold School District
Trinity Area School District
Washington School District

Fayette County
Albert Gallatin Area School District
Belle Vernon Area School District (also in Westmoreland County)
Brownsville Area School District (also in Washington County)
Connellsville Area School District
Frazier School District
Laurel Highlands School District
Southmoreland School District (also in Westmoreland County)
Uniontown Area School District

Westmoreland County
Belle Vernon Area School District (Also in Fayette County)
Blairsville-Saltsburg School District (Also in Indiana County)
Burrell School District
Derry Area School District
Franklin Regional School District
Greater Latrobe School District
Greensburg-Salem School District
Hempfield Area School District
Jeannette City School District
Kiski Area School District
Leechburg Area School District
Ligonier Valley School District
Monessen City School District
Mount Pleasant Area School District
New Kensington–Arnold School District
Norwin School District

Penn-Trafford School District (also in Allegheny County)
Southmoreland School District (also in Fayette County)
Yough School District

Allegheny County
Allegheny Valley School District
Avonworth School District
Baldwin-Whitehall School District
Bethel Park School District
Brentwood Borough School District
Carlynton School District
Chartiers Valley School District
Clairton City School District
Cornell School District
Deer Lakes School District
Duquesne City School District
East Allegheny School District
Elizabeth Forward School District
Fort Cherry School District (part)
Fox Chapel Area School District
Gateway School District
Hampton Township School District
Highlands School District
Keystone Oaks School District
McKeesport Area School District
Montour School District
Moon Area School District
Mt. Lebanon School District
North Allegheny School District
North Hills School District
Northgate School District
Penn Hills School District
Penn-Trafford School District (part)
Pine-Richland School District
Pittsburgh School District
Plum Borough School District
Quaker Valley School District
Riverview School District
Shaler Area School District
South Allegheny School District
South Fayette Township School District
South Park School District
Steel Valley School District
Sto-Rox School District
Upper St. Clair School District
West Allegheny School District

West Jefferson Hills School District
West Mifflin Area School District
Wilkinsburg School District
Woodland Hills School District

Beaver County
Aliquippa School District
Ambridge Area School District
Beaver Area School District
Big Beaver Falls Area School District
Blackhawk School District
Central Valley School District
Ellwood City Area School District
Freedom Area School District
Hopewell Area School District
Midland Borough School District
New Brighton Area School District
Riverside Beaver County School District
Rochester Area School District
South Side Area School District
Western Beaver County School District

Butler County
Allegheny-Clarion Valley School District
Butler Area School District
Freeport Area School District
Karns City Area School District
Mars Area School District
Moniteau School District
Seneca Valley School District
Slippery Rock Area School District
South Butler County School District

Lawrence County
Blackhawk School District (part)
Ellwood City Area School District (part)
Laurel School District
Mohawk Area School District
Neshannock Township School District
New Castle Area School District
Shenango School District
Union Area School District
Wilmington Area School District (part)

Armstrong County
Apollo Ridge School District

Armstrong School District
Freeport Area School District
Karns City Area School District
Leechburg Area School District

Governance

1. Founding Coalition Resumes

William Dickinson, Ph.D.
Dr. Dickinson graduated from Bethlehem Center High School and went on to earn a B.S. and M.Ed. in Special Education from the California University of PA. He later earned his Certification as a Supervisor of Special Education Programs from California University of PA and West Virginia University. Dr. Dickinson earned his Administrative I and II Elementary and Secondary Principal Certifications from the California University of PA and the University of Pittsburgh. He then earned a Ph.D. in Educational Administration, his Superintendent's Letter of Eligibility, and his certification to serve as Executive Director of Intermediate Units, all from the University of Pittsburgh. Dr. Dickinson's previous work experience includes: Special Education Teacher for Intermediate Unit 1 for 15 years; High School Assistant Principal at Bentworth High School for 1 year; Elementary Principal, Director of Special Education Programs, Bethlehem Center School District for 11 years; and Middle School Principal at the Uniontown Area School District for 8 years. Additionally, Dr. Dickinson mentors new principals for the Pennsylvania Department of Education, and serves as Special Education Program Monitor and Evaluator for the PA Department of Education.

Lt. Col. Mark Mazarella (retired U.S. Army)
Lt. Col. (ret) Mark Mazarella is an Education Services Specialist (ESS) for the Harrisburg Recruiting Battalion. As an ESS, Mr. Mazarella serves as a liaison to secondary and postsecondary educational institutions and local, regional and state educational departments, associations and agencies; validates educational credentials of Army applicants; and is the commander's subject matter expert regarding the civilian education community and the application of the Army's educational programs and resources to enhance recruiter access to students, schools and to those Centers of Influence (COI's) who can promote Army service and positively affect the recruiting mission.

Commissioned through the Reserve Officers' Training Corps (ROTC) program at the University of Delaware in 1981, Mr. Mazarella's civilian career was preceded by a distinguished military career spanning 23 years, where he attained the rank of Lieutenant Colonel. Mr. Mazarella served for six years as Professor of Military Science and director of the Army ROTC program at Dickinson College, Carlisle, PA. Upon his retirement from military service in 2004 Mr. Mazarella was appointed as Assistant Director of Admissions at Dickinson College.

Mr. Mazarella holds a Master's Degree in Military Art and Science from the United States Army Command and General Staff College and a Master's Degree in Education from The Pennsylvania State University. His military awards and decorations are numerous and include four Meritorious Service Medals, the Legion of Merit, Senior Army Aviator, Air Assault and Airborne Badges. Mr. Mazarella is a two-time recipient of the of the Davis-Kunisch Memorial Award recognizing the top Battalion ESS in USAREC (2006 and 2010); USAREC Professional Civilian Employee of the Year (2007); and the Department of the Army Achievement Award for Civilian Service.

Cathy Mickolay, M.Ed.
Ms. Mickolay earned her BA in Mathematics from Seton Hill University and her M.Ed. from the University of Pittsburgh. She received a National Science Foundation Grant from Columbia University and a Teacher Fellowship Grant from the University of Pittsburgh. She is Pennsylvania Certified in Mathematics and Science. Ms. Mickolay taught elementary school Mathematics for several years in a private Catholic elementary school and high school Mathematics for 33 years in the Pittsburgh Public Schools. After retiring from the Pittsburgh Public Schools, Ms. Mickolay began working in alternative education where she was a mathematics teacher and the Director of a federally-funded credit recovery program. Currently, Ms. Mickolay is the Director of the Diploma Retrieval Program for students who are withdrawn from school. In this program, funded by the Workforce Investment Act, she counsels and administers courses of study for several hundred students at PHASE 4 Learning Center's Century III and East Liberty locations.

William Renko, Ph.D.
Dr. Renko is a graduate of Immaculate Conception High School; has a BS in Secondary English from California University of PA; a MA in English from California University of PA; Administrative I and II certifications as a Secondary Principal from California University of PA; and a Ph.D. in Supervisor of Curriculum and Instruction for grades K-12 from the University of Pittsburgh. Dr. Renko served as an English teacher at the Canon McMillan School District for 15 years; Assistant Junior High Principal at Canon McMillan High School for 2 years; Middle School Principal at the Bethlehem Center School District for 7 years; Middle School Principal at the Freedom Area School District for 10 years, and Site Director at PHASE 4 Learning Center's Century III location for 4 years. Additionally, Dr. Renko mentors new Principals for the PA Department of Education. Dr. Renko is the co-author of the book "No Bad Schools."

Terrie Suica-Reed, Ed.S; M.Ed.
Ms. Suica-Reed served as Pennsylvania's Regional Representative of Alternative Education for southwestern PA for seven years. Currently, she Chairs the U.S. Army Community Advisory Board for the Harrisburg Battalion footprint and is a member of the Mid-Atlantic and Philadelphia Army Community Advisory Boards.

Ms. Suica-Reed came to education following a successful career in the business world where she was the assistant controller for an international German-based environmental corporation. In making a change to pursue her life-long desire to be a teacher, Ms. Suica-Reed began exploring the various methods and reasons of educating children using a non-traditional approach which has resulted in founding PHASE 4 America, Inc. and PHASE 4 Learning Center, Inc., both community-based, non-profit organizations. While completing her Master's in Education at Franciscan University, she wrote and published "Education and America's Homeless." Throughout her career, Ms. Suica-Reed worked in the public school system as a teacher and administrator. She has served as a consultant and developed numerous alternative education programs, presenting at national and international conferences addressing topics of alternative education options, America's youth, and related topics.

Ms. Suica-Reed's commitment to at-risk youth, the U.S. Military, and addressing our country's educational crisis has been recognized by state and Federal leaders, including, President and Mrs. George W. Bush, numerous Congressmen and Senators, Gov. Ed. Rendell, the U.S. Armed Forces and Department of Defense. Ms. Suica-Reed is currently the President and CEO of PHASE 4 Learning Center, Inc.

Joseph DiSarro, Ph.D.
Dr. Joe DiSarro serves as Professor and Chair of the Department of Political Science at Washington and Jefferson College (W&J) in Washington, PA. Prior to joining W&J, he was a Teaching Fellow and Instructor at West Virginia University, the same school at which he earned his Ph.D.

Dr. DiSarro has been recognized by Gamma Sigma Alpha (Greek Academic Honorary) as an "Outstanding Professor" and by the American Political Science Association and Pi Sigma Alpha for "exceptional teaching." Among Dr. DiSarro's areas of specialization are American Government and Politics and Public Law and Judicial Process. In addition to English, Dr. DiSarro is fluent in Italian and Spanish. He is an active political consultant and frequently acts as a political commentator for both local and national media. In addition to his work at W&J, Dr. DiSarro is on the Board of the Walter Bagehot Research Council on National Sovereignty and a member of Northeast Association of Pre-Law Advisors. Dr. DiSarro also serves Vice-President of the Italian Institute of Western Pennsylvania and is a member of the National Italian American Foundation.

2. Governance

Board of Trustees/roles and responsibilities

As stated in the By Laws regarding the Board's authority:

The Board shall have and exercise the corporate powers prescribed by the laws of the Commonwealth of Pennsylvania, and more particularly described in the Charter School Law and the PHASE 4 Charter. The essential function of the Board shall be policymaking, the assurance of sound management, and active participation in the provision of necessary funds. The Board has ultimate responsibility to determine general, academic, financial, personnel and related policies deemed necessary for the administration and development of PHASE 4 Cyber Charter School in accordance with its stated purposes and goals. More specifically, the Board's authority shall be, without limitation:

1. to approve policies and procedures regarding employment, including but not limited, to appointment, promotion, contracts, leaves of absence, fringe benefits, qualifications of professional and nonprofessional staff, professional development and dismissal of employees;
2. to adopt the curriculum or courses of study and text materials;
3. to approve institutional documents and policy statements at the Board's discretion to assure compliance with the Articles of incorporation, Bylaws, Charter, and Board Policy;

4. to sue and be sued, complain and defend and participate as a party or otherwise, but only to the same extent and upon the same condition that political subdivisions and local agencies can be sued;
5. to make contracts and leases for the procurement of services, equipment, and supplies;
6. to incur temporary debts in anticipation of the receipt of funds;
7. to solicit and accept any gifts or grants for PHASE 4 America purposes;
8. to establish the annual academic calendar;
9. to adopt and approve the annual budget and to make revisions therein;
10. to establish enrollment policies and procedures;
11. to adopt and approve policies and procedures to assess student achievement;
12. to approve or ratify all contracts as determined by the policy on contracting;
13. to be final arbiter of all disciplinary matters;
14. to authorize any annual audit by an independent certified public accountant;
15. to fix the salary all employees of PHASE 4 America;
16. to approve all personnel actions;
17. to designate depositories of PHASE 4 America funds;
18. to have and exercise all of the powers and means appropriate to effect the purpose or purposes for which PHASE 4 America is chartered; and
19. to have and exercise all other powers enumerated in the Nonprofit Corporation Law or otherwise vested by l law in the corporation and consistent with the Charter School Law.

Board Policies and Procedures

The Board's policies, some of which are contained in the bylaws defined below and in other sections of this application, will include but not be limited to:

1. definitions of powers, functions, membership, organizing for annual meetings, officers, and committees:
2. procedures for regular, special and emergency Board meetings including parliamentary authority, presiding officer, notices, agenda, conduct, public participation, administrative participation, minutes and the criteria for open and closed meetings;
3. duties of the officers and Board members;
4. the procedures for establishing, maintaining, revising and assessing the results of the School Excellence Plan;
5. the relationship between the Board and Imagine Schools, Inc., the charter school operator, establishing and evaluating performance as per the conditions of the operating agreement;
6. program related matters including educational outcome and process goals, curriculum adoption, selection of instructional materials, implementation of programs for special needs students, Title I services and parent participation, homework and field and other school-sponsored trips, guidance and counseling, homebound instruction, school-sponsored clubs and activities, and annual education reports;
7. an employment program;
8. parent and student handbooks defining policies related to admissions, withdrawal from school, electronic devices, attendance, absences, tardy arrivals, immunization, use of medication, promotion, placement and retention, reporting student progress, grading, student conduct and discipline, the student grievance procedure, and student government; and

9. finance including federal funds, grant funds, investment income, bad checks, student fees, fines and charges, fiscal planning, budget preparation, budget hearings, budget implementation, purchasing, payroll authorization and deductions, petty cash, and accounting system;
10. property including dangerous weapons and the maintenance and use of school facilities;
11. operations such as the school calendar, day and week schedule, public records, personnel files, student records, confidentiality, school safety information, crisis intervention, emergency evacuation of the school, toxic hazards, reporting accidents, control of communicable and blood-borne diseases, food and transportation services, and insurance and bonding; and
12. relations for telephone communications, school information, public complaints, school visitors, public attendance at school events, school support organizations, and with parents, educational institutions, organizations and businesses and special interest groups.

Terms and Conditions of a Board Member

The strategic plan of the school will include goals for the Board to achieve. Once the Board has established its goals, the Executive Committee will determine a related professional development plan for Board members to ensure that governance of the school is continuously strengthened and that the Board models high performance management for staff, including the principal, teachers, other school staff, as well as for students, parents and community partners. During each school year, the Board will engage in regular review to assess the extent to which its goals are being achieved. The following are terms and conditions of a Board member.

Term: Three years, unless elected to fill an unexpired term

Appointment Process: Elected by the Board of Directors to serve as a voluntary member, receiving no remuneration for Board service.

Attendance: Attendance at all Board meeting, assigned committee meetings, and special Board events and retreats are expected. Board meetings will be held at least 10 times a year. Committee meetings will meet up to once a month and Board members will be assigned to at least one committee.

Accountability: To the Board of Directors and the school students, staff, parents, and constituent community.

Resignation: In writing to the president of the Board.

Responsibilities:

General:

- Attend meetings and execute roles and responsibilities regularly,
- Be well prepared and informed about issues on the Board's agenda,
- Oversee and evaluate strategic education and business plans and support management in carrying out these plans,

- Approve, review and evaluate the operating agreement with ***PHASE 4 America, Inc.,***
- Assume leadership roles as requested and possible, including participating on at least one Board committee,
- Assist with identifying and recruiting future Board members and in the development of viable succession plans,
- Inform the principal about community activities and events relevant to the school's mission.

Strategic:

- Assist in the development of short and long-term goals for the Board's strategic plan,
- Provide advice and counsel regarding new educational and business models that are cutting edge,
- Support the implementation and monitoring of the school's strategic direction.

Personnel:

- In partnership with PHASE 4 America, Inc. hire and participate in the evaluation of the principal,
- Approve and review personnel policies, including the staff performance appraisal system.

Fundraising:

- Support staff as possible in identifying and securing supplemental resources for innovation and development of the school,
- Participate in fund-raising events,
- Contribute financially to the school within the ability to do so.

Finance:

- Approve and review the school's budget, audits and financial reports,
- Ensure adequate funds are available to finance the school's operations,
- Ensure that the school operates in an economically self-sustaining manner, avoid deficit spending,
- Assist in identifying best financial practices and best sources for significant school expenses.

Marketing and Outreach:

- Represent the school in the community and communicate with constituents, funding agencies, policy makers and other interested parties,
- Initiate and develop contacts that serve to enhance the school's educational and business operations that assists it in carrying out its mission,
- Provide advice on the school's relationship to the communities it serves, governmental agencies and other organizations as possible,
- Assist in the development of marketing strategies and plans to ensure the school is fully enrolled and known in the communities it serves.

How Our Charter School Will Be Governed

The proposed charter school will be governed by a Board of Directors, who will work closely with the principal of the school and with ***PHASE 4 America, Inc.*** with which the Founding Group has chosen to partner. The Board of Directors will focus on policy issues and entrust the day-to-day management of the school to the principal and to ***PHASE 4 America, Inc.*** The Board will evaluate the principal and hold him/her accountable for the goals defined in the performance plan.

Overall Board powers will include: educating students as per the mission and purpose of the school and its aims and goals; providing for the safety and welfare of students; maintaining property, facilities, equipment, and technology; receiving, accounting for, investing, and expending school money; and borrowing money when necessary and pledging school funds for its repayment.

Members of the Founding Group have selected the initial Board of Directors. The Board will be composed of no less than nine (9) and no more than fifteen (15) persons. Members can serve up to two consecutive three-year terms and will need to leave the Board for at least one year before returning to it to serve additional terms. The Board will meet at least ten times in any given school year to conduct its business, and the meetings will be open to the public as per the Sunshine Law, with the exceptions of when the Board is considering confidential personnel matters or in training. All stakeholders of the school will be invited to attend the public meetings and the time and place of the meetings will be announced on our charter school's website, to the members of the Parent Community Organization (PCO), and in school newsletters.

The Founding Group has secured a broad range of professional skills in the initial group of Board members, carefully considering the contributions that each member can make to the Board, using the areas of representation and disciplines defined below. Subsequently, after the initial Board is seated, nominations for membership will be made to the Board through its Nominating Committee and the Board will elect new members from a proposed slate.

The criteria the Founding Group used and subsequently the Board Nominating Committee will use to select Board members comprise a full range of the representation and disciplines necessary to direct the policy of the school in a comprehensive manner.

These areas of representation and disciplines include:

- 9-12 public education, highly qualified
- Strategic planning and professional staff development practices
- Community knowledge, leadership and expertise in establishing viable school/community partnerships
- Parent leadership
- Business operations' policy
- Financial management
- Human resource policy
- Legal affairs

Although all of these areas of representation will be valued, parent leadership will be most highly valued. This is reflected in the Founding Coalition Board members that have been recruited below. Their input on how to establish a charter school that first and foremost values parents and students as key customers will be sought.

The process to select people to serve on the Board involves orienting prospective candidates to the mission and purpose of the school, discussing the contributions they may make to the governing body, assessing their ability and willingness to make these contributions, carefully reviewing their resumes and bio- sketches, and checking their references. The overall goal is to select people who will have a passion for the school and who have attained excellence in their professional area.

The overall responsibilities of the Board members will include:

- Establishing a strategic school improvement plan to clearly articulate mission, purpose, aims and education program of the charter school and the business goals that the principal and Imagine Schools will be held accountable for achieving.
- Monitoring the overall performance of the school to ascertain the extent to which student achievement and other goals for improving the school are being attained, including efficient management of the school's business and financial operations.
- Reviewing bylaws for the Board and overall policy for the school.
- Approving annual and long-term budgets of anticipated income and expenditures for the school, and ensuring that the annual financial audit and other required reports are prepared and filed.
- Selecting a highly qualified principal, with input from Imagine Schools, to operate the school.
- Approving and maintaining an operating agreement with the educational service provider, Imagine Schools, Inc.
- Supervising and evaluating Imagine Schools, Inc. and the principal in performance of their respective duties and obligations.
- Assisting fundraising efforts to secure supplemental resources for school development initiatives and special projects.
- Ensuring that the school is in compliance with all local, state and federal laws to which it is to be held accountable.
- Monitoring regular reports on the results of the education program and monthly financial reports.
- Filing all annual reports and audits as required to the Pittsburgh Public Schools, and to state and federal authorities.
- Preparing written records of attendance at and minutes of Board meeting

Only candidates who can make a substantial commitment to one or more of the areas of the Board responsibilities cited above will be placed in nomination for a Board seat. As per Pennsylvania law, *PHASE 4 America, Inc.* can have up to forty percent (40%) of the Board membership. In this manner, the Board will be comprised of highly qualified individuals who can promote and advance the vision for and the performance of our charter school.

The Board will maintain Executive, Education, Marketing, Nominating, Development, and Personnel Committees to effectively govern the school. Members of these committees will be expected to meet as necessary or up to once-a-month during the school year to conduct business. The roles and responsibilities of these committees are:

Executive Committee: The Executive Committee will be comprised of the officers of the Board, including the president, vice-president, secretary, treasurer, and legal counsel. The committee will: supervise the principal and the contract with Imagine Schools to operate the school; establish and monitor annual school budgets; ensure all reports and audits are prepared and filed; establish and monitor Board bylaws and school policy; possess and exercise the powers of the Board in the management of the affairs and property of the corporation during the intervals between Board meetings, report all of its actions and recommendations to the Board at its next meeting, and make provisions to establish and monitor the school's strategic plan.

Education Committee: The Education Committee will monitor the results of the school's education program, giving special focus to whether the goals for student achievement defined in the School Excellence Plan are being achieved, review and recommend revisions to the curriculum of the school as necessary, and build and maintain relationships between the school and appropriate organizations to establish innovative educational programming.

Marketing Committee: The Marketing Committee will define the Board's strategic short- and long-term goals for marketing and communications and monitor the performance of activities to achieve these benchmarks, including recruiting students, and building parent and community knowledge of and support for the school.

Nominating Committee: The Nominating Committee will prepare a slate of candidates for election as directors and officers of the corporation using the criteria stated above. The president will appoint the members of this committee in consultation with the Board.

Development Committee: The Development Committee will plan and supervise the school's fundraising activities in consultation with the principal, the PCO, and representatives of the faculty and partnering organizations.

Personnel Committee: The Personnel Committee will establish and monitor personnel policies, including the criteria for the evaluation of the performance of the principal and all other staff.

The strategic plan of the school will include goals for the Board to achieve. Once the Board will have established its goals, the Executive Committee will determine a related professional development plan for Board members to ensure that governance of the school is continuously strengthened and that the Board models high performance management for staff, including the principal, teachers, other school staff, as well as for students, parents and community partners. During each school year, the Board will engage in regular reviews to assess the extent to which its goals are being achieved.

Conflict of Interest, Gifts and Gratuities and Code of Ethics

The policy governing conflict of interest is that Board members shall perform their official duties in a manner free from it. To this end: (1) no Board member shall use his/her position as a Board member to benefit either him/herself or any other individual or agency apart from the total interest of the charter school, and (2) when a member of the Board determines that the possibility of a personal interest conflict exists, she/he will, prior to the matter being considered, disclose his/her interest (which shall become a matter of record in the minutes of the Board) and thereafter shall abstain from participation in both the discussion of the matter and the vote thereon.

With respect to gifts and gratuities, the Board shall be duly appreciative of public interest and good will toward our charter school but will reserve the right to specify the manner in which gifts are made, to define the type of gift or gratuity it considers appropriate and to reject those which it deems inappropriate or unsuitable. Basically, gifts and gratuities given by individuals who and organizations that have had, may have or have the potential to have a contractual relationship with our school will not be deemed acceptable.

Appropriate gifts, grants, bequests and gratuities will be accepted and acknowledged by the Board. They will be used to carry out the wishes of the donor and will be subject to the policies and administrative guidelines applying to all properties, equipment, materials, and funds owned by the Board.

Finally, our statement of ethics that will apply to the Board of Directors, Officers and employees shall be that of the Code of Professional Practice and Conduct for Educators contained in 22 Pa. Code 235.1 – 235.11. Essentially this code calls upon educators to: be prepared and certified (for our charter school as defined in Act 22) in their areas of assignment; maintain high levels of competence throughout their careers; exhibit consistent and equitable treatment of students, fellow educators and parents, respecting the civil rights of all and not discriminating on the basis of race, national or ethnic origin, culture, religion, sex or sexual orientation, marital status, age, political beliefs, socioeconomic status, disabling condition or vocational interest; impart to students principles of good citizenship and societal responsibility; exhibit acceptable and professional language and communication skills; open-minded, knowledgeable and use appropriate judgment and communication skills; keep confidence in confidential information unless required to be disclosed by law or by a clear and compelling professional necessity; and exert reasonable effort to protect students from conditions which interfere with learning or are harmful to students' health and safety.

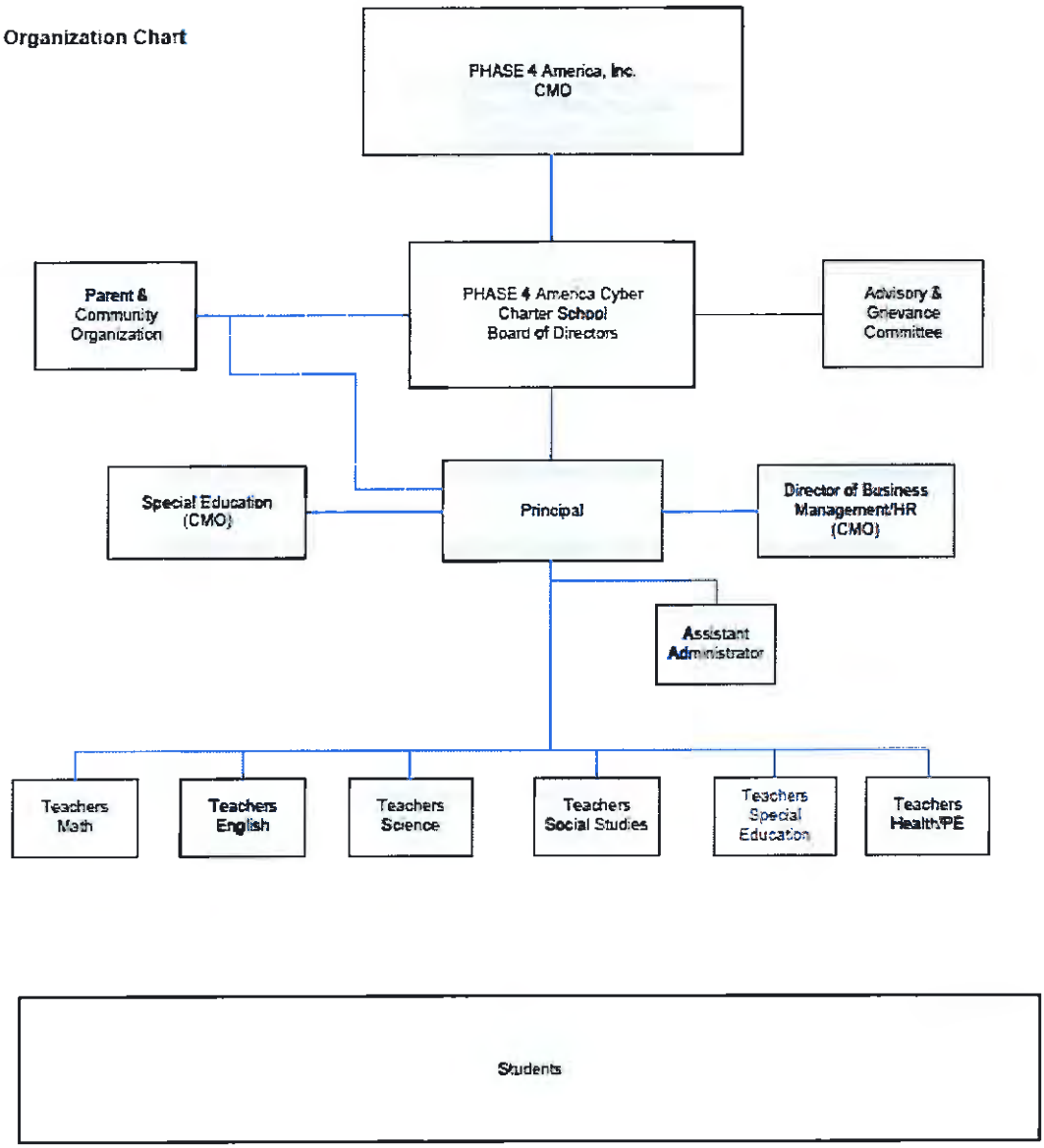
The Board will also develop policies to ensure:

- The appointment of an Affirmative Action Officer; a Section 504 Officer and a Title IX Coordinator; and
- Staff development for certificated and non-certificated employees every school year that will be open to parents and community members, to identify and resolve problems arising from prejudice on the basis of race, color, creed, religion, sex, ancestry, national origin, sexual orientation, or social or economic status.

Organizational Chart

PHASE 4 America Cyber Charter School

Organization Chart



Articles of Incorporation

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
CORPORATION BUREAU
206 NORTH OFFICE BUILDING
P.O. BOX 8722
HARRISBURG, PA 17105-8722
WWW.CORPORATIONS.STATE.PA.US/CORP

PHASE FORWARD FOUNDATION

THE CORPORATION BUREAU IS HAPPY TO SEND YOU YOUR FILED DOCUMENT. THE CORPORATION BUREAU IS HERE TO SERVE YOU AND WANTS TO THANK YOU FOR DOING BUSINESS IN PENNSYLVANIA.

IF YOU HAVE ANY QUESTIONS PERTAINING TO THE CORPORATION BUREAU, PLEASE VISIT OUR WEB SITE LOCATED AT WWW.CORPORATIONS.STATE.PA.US/CORP OR PLEASE CALL OUR MAIN INFORMATION TELEPHONE NUMBER (717)787-1057. FOR ADDITIONAL INFORMATION REGARDING BUSINESS AND / OR UCC FILINGS, PLEASE VISIT OUR ONLINE "SEARCHABLE DATABASE" LOCATED ON OUR WEB SITE.

ENTITY NUMBER: 3808350

FINNEGAN, JOHN D
300 OXFORD DR,
MONROEVILLE, PA 151462343

Entity #: 3908350
Date Filed: 05/06/2008
Pedro A. Cortés
Secretary of the Commonwealth

PENNSYLVANIA DEPARTMENT OF STATE
CORPORATION BUREAU

Articles of Incorporation-Nonprofit

(15 Pa.C.S.)

[X] Domestic Nonprofit Corporation (§ 5306)
[ ] Nonprofit **Cooperative** Corporation (§ 7102B)

Name
JOHN D. FINNEGAN, ESQUIRE
Address
300 OXFORD DRIVE, SUITE 75
City | State | Zip Code
MONROEVILLE | PA | 15146

Document will be returned to the name and address you enter to the left. ⇐

Fee: $125

In compliance with the requirements of the applicable provisions (relating to articles of incorporation or cooperative corporations generally), the undersigned, desiring to incorporate a nonprofit/nonprofit cooperation corporation, hereby state(s) that:

1. **The name of the corporation is:**
PHASE FORWARD FOUNDATION

2. **The (a) address of this** corporation's current registered office in this Commonwealth or **(b) name of its** commercial registered office **provider and the county of venue is:**

(a) Number and Street	City	State	Zip	County
3075 CLAIRTON ROAD	WEST MIFFLIN	PA	15123	ALLEGHENY

(b) Name of Commercial Registered Office Provider — County
c/o:

3. **The corporation is incorporated under the Nonprofit Corporation Law of 1988 for the following purpose or purposes.**
A SCHOLARSHIP ORGANIZATION PROVIDING SCHOLARSHIPS TO QUALIFIED INDIVIDUALS FOR EDUCATIONAL IMPROVEMENT PURSUANT TO THE PENNSYLVANIA EDUCATIONAL IMPROVEMENT TAX CREDIT PROGRAM.

4. **The corporation does not contemplate pecuniary gain or profit, incidental or otherwise.**

PA DEPT OF STATE
MAY - 6 2008

Commonwealth of Pennsylvania
ARTICLES OF INCORPORATION-NON-PROFIT 4 Page(s)

T0812811093

DSCB:15-5306/7102B-2

5. *Check one of the following:*

[X] The corporation is organized on a non-stock basis.

[ ] *Option for Nonprofit Cooperative Corporation Only:* The corporation is organized on a stock share basis.

6. *For Nonprofit Corporation Only:*

(Strike out if inapplicable): The corporation shall have no members.

(Strike out if inapplicable): ~~The incorporators constitute a majority of the members of the committee authorized to incorporate xxxxxxxxxxxxxxxxxx by the requisite votes required by the organic law of the association for the amendment of such organic law.~~

7. *For Nonprofit Cooperative Corporation Only:*

Complete and strike out the inapplicable term: The corporation is a cooperative corporation and the common bond of membership among its (members) (shareholders) is:_____.

8. The name(s) and address(es) of each incorporator(s) is (are) *(all incorporators must sign below)*:

Name(s)	Address(es)
DONALD E. DAVIS	20 WOODRIDGE DRIVE, CARNEGIE, PA 15106

9. The specified effective date, if any, is:
UPON FILING
month day year hour, if any

10. Additional provisions of the articles, if any, attach an 8½ x 11 sheet.

IN TESTIMONY WHEREOF, the incorporator(s) has/have signed these Articles of Incorporation this

2nd day of May, 2008.

Signature

Signature

Signature

a. Said organization is organized exclusively for charitable, religious, educational, and scientific purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code.

b. No part of the net earnings of the organization shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions *in* furtherance of the purposes set forth in the purpose clause hereof. No substantial part of the activities of the organization shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the organization shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office. Notwithstanding any other provision of this document, the organization shall not carry on any other activities not permitted to be carried on (a) by an organization exempt from federal income tax under section 501(e)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or (b) by an organization, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code, or corresponding section of any future federal tax code.

c. Upon the dissolution of the organization, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not disposed of shall be disposed of by the Court of Common Pleas of the county in which the principal office of the organization is then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

EXHIBIT "A"

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
CORPORATION BUREAU
401 NORTH STREET, ROOM 206
P.O. BOX 8722
HARRISBURG, PA 17105-8722
WWW.CORPORATIONS.STATE.PA.US/CORP

Phase 4 America, Inc.

THE CORPORATION BUREAU IS HAPPY TO SEND YOU YOUR FILED DOCUMENT. THE CORPORATION BUREAU IS HERE TO SERVE YOU AND WANTS TO THANK YOU FOR DOING BUSINESS IN PENNSYLVANIA

IF YOU HAVE ANY QUESTIONS PERTAINING TO THE CORPORATION BUREAU, PLEASE VISIT OUR WEB SITE LOCATED AT WWW.CORPORATIONS.STATE.PA.US/CORP OR PLEASE CALL OUR MAIN INFORMATION TELEPHONE NUMBER (717)787-1057. FOR ADDITIONAL INFORMATION REGARDING BUSINESS AND / OR UCC FILINGS, PLEASE VISIT OUR ONLINE "SEARCHABLE DATABASE" LOCATED ON OUR WEB SITE.

ENTITY NUMBER: 3808350

FINNEGAN, JOHN D
300 OXFORD DR,
MONROEVILLE, PA 151462343

Entity #: 3808350
Date Filed: 10/01/2009
Pedro A. Cortés
Secretary of the Commonwealth

PENNSYLVANIA DEPARTMENT OF STATE
CORPORATION BUREAU

Articles of Amendment-Domestic Corporation
(15 Pa.C.S.)

☐ Business Corporation (§ 1915)
☒ Nonprofit Corporation (§ 5915)

Name: John D. Finnegan, Esquire
Address: 300 Oxford Drive
City: Monroeville State: PA Zip Code: 15146

Document will be returned to the name and address you enter to the left. ⇐

Commonwealth of Pennsylvania
ARTICLES OF AMENDMENT-NONPROFIT 4 Page(s)

T0927511096

Fee: $70

In compliance with the requirements of the applicable provisions (relating to articles of amendment), the undersigned, desiring to amend its articles, hereby states that:

1. The name of the corporation is: Phase Forward Foundation

2. The (a) address of this corporation's current registered office in this Commonwealth or (b) name of its commercial registered office provider and the county of venue is (the Department is hereby authorized to correct the following information to conform to the records of the Department):

(a) Number and Street: 3075 Clairton Road City: West Mifflin State: PA Zip: 15123 County: Allegheny

(b) Name of Commercial Registered Office Provider: c/o County:

3. The statute by or under which it was incorporated: 15 Pa.C.S. 5306

4. The date of its incorporation: May 6, 2008

5. *Check, and if appropriate complete, one of the following:*

☒ The amendment shall be effective upon filing these Articles of Amendment in the Department of State.

☐ The amendment shall be effective on: _____ (Date) at _____ (Hour)

PA DEPT. OF STATE
OCT 01 2009

DSCB:15-1915/5915-2

6 *Check one of the following:*

☐ The amendment was adopted by the shareholders or members pursuant to 15 Pa.C.S. § 1914(a) and (b) or § 5914(a).

☒ The amendment was adopted by the board of directors pursuant to 15 Pa. C.S. § 1914(c) or § 5914(b).

7. *Check, and if appropriate, complete one of the following:*

☒ The amendment adopted by the corporation, set forth in full, is as follows:

Name changed to: Phase 4 America, Inc.

☐ The amendment adopted by the corporation is set forth in full in Exhibit A attached hereto and made a part hereof.

8. *Check if the amendment restates the Articles:*

☒ The restated Articles of Incorporation supersede the original articles and all amendments thereto.

IN TESTIMONY WHEREOF, the undersigned corporation has caused these Articles of Amendment to be signed by a duly authorized officer thereof this

29th day of September,

2009.

Phase Forward Foundation

Name of Corporation

Signature

Member Board of Directors

Title

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
CORPORATION BUREAU
401 NORTH STREET, ROOM 206
P.O. BOX 8722
HARRISBURG, PA 17105-8722
WWW.CORPORATIONS.STATE.PA.US/CORP

Phase 4 America, Inc.

THE CORPORATION BUREAU IS HAPPY TO SEND YOU YOUR FILED DOCUMENT. THE CORPORATION BUREAU IS HERE TO SERVE YOU AND WANTS TO THANK YOU FOR DOING BUSINESS IN PENNSYLVANIA.

IF YOU HAVE ANY QUESTIONS PERTAINING TO THE CORPORATION BUREAU, PLEASE VISIT OUR WEB SITE LOCATED AT WWW.CORPORATIONS.STATE.PA.US/CORP OR PLEASE CALL OUR MAIN INFORMATION TELEPHONE NUMBER (717)787-1057. FOR ADDITIONAL INFORMATION REGARDING BUSINESS AND / OR UCC FILINGS, PLEASE VISIT OUR ONLINE "SEARCHABLE DATABASE" LOCATED ON OUR WEB SITE.

ENTITY NUMBER: 3808350

FINNEGAN, JOHN D
300 OXFORD DR,
MONROEVILLE, PA 151462343

Entity #: [illegible]
Date Filed: 02/19/2010
Pedro A. Cortés
Secretary of the Commonwealth

PENNSYLVANIA DEPARTMENT OF STATE
CORPORATION BUREAU

Articles of Amendment-Domestic Corporation
(15 Pa.C.S.)

☐ Business Corporation (§ 1915)
☒ Nonprofit Corporation (§ 5915)

Name: John D. Finnegan, Esquire
Address: 300 Oxford Drive
City: Monroeville State: PA Zip Code: 15146

Document will be returned to the name and address you enter to the left.

Commonwealth of Pennsylvania
ARTICLES OF AMENDMENT-NONPROFIT 6 Page(s)

T1005347059

Fee: $70

In compliance with the requirements of the applicable provisions (relating to articles of amendment), the undersigned, desiring to amend its articles, hereby states that:

1. The name of the corporation is: Phase 4 America, Inc.

2. The (a) address of this corporation's current registered office in this Commonwealth or (b) name of its commercial registered office provider and the county of venue is (the Department is hereby authorized to correct the following information to conform to the records of the Department):

(a) Number and Street	City	State	Zip	County
3075 Clairton Road	West Mifflin	PA	15123	Allegheny

(b) Name of Commercial Registered Office Provider — County
c/o

3. The statute by or under which it was incorporated: 15 Pa.C.S. 5306

4. The date of its incorporation: May 6, 2008

5. *Check, and if appropriate complete, one of the following:*

☒ The amendment shall be effective upon filing these Articles of Amendment in the Department of State.

☐ The amendment shall be effective on: _____ at _____
Date Hour

PA DEPT.OF STATE
FEB 1 9 2010

DSCB:15-1915/5915-2

6. *Check one of the following:*

☐ The amendment was adopted by the shareholders or members pursuant to 15 Pa.C.S. § 1914(a) and (b) or § 5914(a).

☒ The amendment was adopted by the board of directors pursuant to 15 Pa. C.S. § 1914(c) or § 5914(b).

7. *Check, and if appropriate, complete one of the following:*

☐ The amendment adopted by the corporation, set forth in full, is as follows

☒ The amendment adopted by the corporation is set forth in full in Exhibit A attached hereto and made a part hereof.

8. *Check if the amendment restates the Articles:*

☒ The restated Articles of Incorporation supersede the original articles and all amendments thereto.

IN TESTIMONY WHEREOF, the undersigned corporation has caused these Articles of Amendment to be signed by a duly authorized officer thereof this

_____ day of _____,

_____.

Name of Corporation

Signature

Title

Exhibit "A"

The Purpose of Phase 4 America, Inc. is amended to read as follows:

Phase 4 America, Inc. is an Educational Management Company that creates innovative schools and programs through the creation of Charter Schools, partnerships with public school districts/state departments of education and alternative education learning centers. Phase 4 America partners with parents, the community and other stakeholders in order to provide an exceptional education to children which focuses on the "FOUR" Phases of development which are their social, academic, behavioral and future needs.

Board Members Names and Addresses

The Board of Directors of PHASE 4 America Cyber Charter School shall be comprised of 5 to 9 members representing all segments of today's society including: business, education, teachers, community members, parents and community-based organizations. The following individuals have agreed to serve and the additional members will be determined in the future.

Mr. Jim Lauteri
JKLauteri Associates
1012 Bomar Ct.
Mars, PA 16046

Mr. Buddy Johns
President & CEO
CGL Capital Solutions
3200 Southwest Freeway
Suite 3300
Houston, TX 77027

Dr. Joseph DiSarro
Department Chair
Political Science Department
Washington and Jefferson College
Old Main, 2nd Floor, Room H
60 Lincoln Street
Washington, PA 15301

Finance and Facility

1. Financing

Preliminary start-up and operating budget
Presented in attachment 4-1 are the following projected financial statements for the PHASE 4 America Cyber Charter School:

- First year budget
- Five year budget
- First year Statement of Cash Flow

PHASE 4 America Cyber Charter School will serve 200 students the first year, with an estimated increase of 50 students per year in each of the four subsequent years. First year funding will include Basic Education Funding, which has been calculated using the average ADM (at 80%) for Southwestern Pennsylvania school districts listed on the PDE website. Future years assume a 2% increase in ADM each year. The special education population is estimated to be 12.5%.

Additional funding will include $50,000.00 from PHASE 4 Learning Center, Inc. and $350,000 external sources. Funding from PHASE 4 Learning Center and external sources will be used to fund start-up costs, and will be paid back in full by the end of the first year of operation. After which time no additional funding will be required

Personnel costs include salaries for all teaching, administrative and support staff, as well as benefits and payroll taxes.

Expenses are based on expected expenditures per line item with an inflation factor used for future years where appropriate.

The school expects to be profitable in all projected years of operation (1-5)

Purchasing Procedure
PHASE 4 America Cyber Charter School's will utilize the following purchasing procedure:

1. Purpose

    1.1 It is the policy of the Board of Trustees (the "Board") and PHASE 4 America Cyber Charter School to advertise and obtain competitive bids for products and services where such bids are required by law or where such bids may be believed to bring about a cost saving to PHASE 4 America Cyber Charter School ("PHASE 4).

    1.2 All construction, reconstruction, repairs, maintenance or work of any nature upon the school building or property or purchases relating to technology and supplies in excess of $10,000.00 shall be conducted through proper public announcement, receipt of valid formal bids, and award as provided by Board Policy and

Procedures, including obtaining Board approval in advance. Projects exceeding $10,000.00 may not be partitioned to avoid these requirements.

1.3 All proposals over $5,000.00 must be presented to the Board for review and approval.

1.4 Normally, written or telephonic price quotations should be obtained from at least three (3) qualified and responsible contractors for all contracts that exceed $5,000.00. Such purchases do not require advertisement or competitive bidding. In lieu of price quotations, a memorandum shall be kept on file showing that fewer than three (3) qualified contractors exist in the market area from which to obtain quotations.

1.5 Construction, reconstruction, alteration, repairs, or work of any nature at a cost of less than $5,000.00 may be performed by PHASE 4's own maintenance personnel.

2. Responsibility

2.1 Bid specifications shall be approved by the Board before being published.

2.2 The bid specifications shall combine like items of supply and material whenever it is feasible, and permissible under statute, and not split purchases to avoid requirements for bidding.

2.3 The Board recognizes that emergencies may occur when imminent danger exists to persons or property or the continuance of existing school classes is threatened, and time for bidding cannot be provided because of the need for immediate action in accordance with the Pennsylvania School Code. Such emergency must be declared by the Board and stated by resolution at an emergency meeting which does not require public notice pursuant to the Sunshine Act.

2.4 Whenever a contractor shall submit a bid for the performance of work and the contractor later claims a mistake, error or omission in preparing said bid, the contractor shall, before the bids are open, make known the fact and in such case the bid shall be returned unopened and the contractor may submit a revised bid proposal at the discretion of PHASE 4 or the contractor may lose the right to bid if circumstances as determined by the Board require.

2.5 Bids shall be opened by the Board Secretary and/or an appointed Board Member at the next regularly scheduled Board Meeting after the closing date of the bids. The Board shall accept the bid of the lowest responsible bidder, kind, quality, and material being equal, but shall have the right to reject any and all bids, or select a single item from any bid.

2.6 There are exceptions to contracts or purchases which do not require advertising, bidding or price quotations and are set forth at 16 Pa.C.S.A. sec. 1802(h) and include but are not limited to professional service contracts involving professional expertise (ie., medical, legal, architects, engineers, CPAs) and specifically those involving construction management services.

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

1. Fund Raising

   Fund raising will be required to assist PHASE 4 America Cyber Charter School to meet projected startup costs prior to and during the first few months of operation. PHASE 4 Learning Center, Inc. has committed to a loan of $50,000.00 to help cover these costs. An additional $350,000.00 will be received from private foundations to cover remaining costs. All funds will be paid back by the end of the first year of operation.

2. Handling of Funds/Investment

   PHASE 4 America Cyber Charter School will utilize the following procedure regarding the deposit of charter school funds:

1. Purpose

   1.1 PHASE 4 America Cyber Charter School ("PHASE 4") shall maintain the security of all funds received by promptly depositing all funds into a board approved depository account

   1.2 PHASE 4 America Cyber Charter School shall optimize its return through investment of its unencumbered cash balances in such ways as to minimize non-invested balances and maximize return on investments in accordance with and as permitted by state and federal law.

2. Deposit Handling

   2.1 The Director of Business Management from the Charter School will deposit the funds belonging to the charter school in a depository approved by the board and shall, at the end of each month, make a report to the charter board of the amount of funds received and disbursed by him or her during the month

3. Investments

   3.1 All investments of PHASE 4 shall be in accordance with the following policy.

   3.2 Funds of PHASE 4 may be invested in U.S. Treasury Securities or placed in time accounts or share accounts of institutions insured by the F.D.I.C. to the extent such certificates are insured by a proper bond in accordance with law and Board of Trustees ("Board") policy.

   3.3 Investment of PHASE 4' funds may be made in the sole discretion of the Board when operating within applicable statutes, provided that no commitment of this Board may be put in default at time due but be paid properly and promptly.

   3.4 The CEO or his/her designee working with the Treasurer and President of the Board shall, as soon as is practicable after the end of each fiscal year, and prior to the annual meeting of the Board submit to the Board an annual financial statement

for PHASE 4 for the past year. Such statement shall include itemized data with respect to all assets of PHASE 4, outstanding indebtedness, if any, and such other information relating to the finances of PHASE 4 as the Board may deem necessary or proper.

3.5 The Board shall, consistent with law, determine which officers and employees shall be required to furnish surety bonds, conditioned on the faithful performance of their respective duties, to determine the amount of such bonds, and to approve the surety or sureties in each case.

3.6 The Board shall have the power to amend the budget to authorize the transfer of any unencumbered balance or portion thereof from one appropriation to another.

3.7 The Board shall have the power to make additional appropriations or increase existing appropriations to meet emergencies which could not be anticipated when the budget was adopted, the funds therefore to be provided from unexpended balances in existing appropriations, from unappropriated revenues if any, or from temporary loans. Under no circumstances may the Board increase the aggregate total of budget appropriations unless unappropriated revenues become available in sufficient amount to maintain the budget in balance, in which event the Board may make additional or increased appropriations.

3.8 The Board shall, at least thirty (30) days before the end of the fiscal year, adopt by majority vote of all its members an operating budget setting forth in lump sum amounts the proposed expenditures of the Board during the next fiscal year and the estimated receipts of the Board during the next fiscal year including approximate estimates of proposed revenues and all other receipts. The total amount of proposed expenditures shall not exceed the amount of funds available for PHASE 4' purposes.

3.9 Funds of the Board may be withdrawn from approved public depositories, or negotiable instruments owned by the Board may be sold before maturity at the sole discretion of the Board so long as such withdrawals or sales are beneficial to PHASE 4 and are permissible in accordance with applicable state and federal law.

3.10 All securities shall be purchased in the name of PHASE 4 Charter School for Public Service.

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

PHASE 4 America Cyber Charter School
Budget - FY 2012 - 2013

Ordinary Income/Expense				
Income				
Internal Grant			50,000.00	
Grant Funding			350,000.00	
Basic Education Funding			1,691,289	
Total Income				2,091,289
Expense				
Payroll Expense				
Salaries & Wages				
Teachers				
Math Teacher	45,000			
English Teacher	40,000			
Science Teacher	45,000			
Social Studies Teacher	40,000			
Special Education	35,000			
Drop-In Center Teacher - Wash. County	15,000			
Drop-In Center Teacher - Beaver County	15,000			
Drop-In Center Teacher - Brentwood	15,000			
Drop-In Center Teacher - East Liberty	15,000			
Drop-In Center Teacher - Sto-Rox	15,000			
Total Teachers		280,000		
Administration				
Head Administrator	50,000			
Technology	50,000			
Total Administration		100,000		
Other				
Nurse/Dentist/Doctor (contracted)	45,000			
Administrative Asst.	22,500			
Total Other		67,500		
Total Salaries & Wages			447,500	
Payroll Taxes & Fees			35,800	
Total Payroll Expense				483,300
Employee Benefits			58,175	
Total Personnel Expense				541,475
Expense				
Charter Management Services				253,693
Debt Service				400,000
Marketing, Advertising, PR				45,000
Fees & Licenses				3,500
Hardware				

Computers and Printers	250,000	
Total Hardware		250,000
Software/Curriculum		
K-12	150,000	
Total Software/Curriculum		150,000
Furniture/Improvements		15,000
Insurance **Expense**		6,000
Office Expenses		
Material/Supplies	15,000	
Maintenance & Repairs	5,000	
Custodial	6,000	
Computer Maintenance	20,000	
Office Equip	7,500	
Postage	15,000	
Office Expenses - Other	15,000	
Total Office Expenses		83,500
Professional Expenses		
Professional Meeting	10,000	
Audit	10,000	
Accounting	15,000	
Legal	20,000	
Strategic Planning	7,500	
Training & Seminar	7,500	
Total Professional Expenses		70,000
Rental/Lease/Usage		
Facility	80,000	
Equip. Rental/Lease/Usage	5,000	
Total Rental/Lease/**Usage**		85,000
Student Support		
Activities & Events	10,000	
Field Trips/Cultural	3,500	
Total Student Support		13,500
Travel & Auto		10,000
Utilities		
Electric	7,500	
Telephones/Internet	7,500	
Gas	2,500	
Utilities - Other	1,500	
Total Utilities		19,000
Total Expense		1,947,668
Balance		143,620

PHASE 4 America Cyber Charter School

Five-Year Projected Budget

Ordinary Income/Expense	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
Income					
Internal Funding	50,000	0.00	0.00	0.00	0.00
External Funding	350,000	0.00	0.00	0.00	0.00
Basic Education Funding	1,691,289	2,162,223	2,591,559	3,020,894	3,450,229
Total Income	2,091,289	2,162,223	2,591,559	3,020,894	3,450,229
Expense					
Payroll Expense					
Salaries & Wages					
Teachers					
Math Teacher	45,000	46,575	48,205	49,892	51,639
English Teacher	40,000	41,400	42,849	44,349	45,901
Science Teacher	45,000	46,575	48,205	49,892	51,639
Social Studies Teacher	40,000	41,400	42,849	44,349	45,901
Special Education	35,000	36,225	37,493	38,805	40,163
Drop-In Center Staff - Washington Co.	15,000	45,000	46,575	48,205	49,892
Drop-In Center Staff - Beaver Co	15,000	45,000	46,575	48,205	49,892
Drop-In Center Staff - Brentwood	15,000	45,000	46,575	48,205	49,892
Drop-In Center Staff - East Liberty	15,000	15,525	16,068	16,631	17,213
Drop-In Center Staff - Sto-Rox	15,000	15,525	16,068	16,631	17,213
Additional Teachers	-	-	97,000	197,000	297,000
Additional Drop-In Center Staff	-	-	30,000	45,000	60,000
Total Teachers	280,000	378,225	518,463	647,164	776,345
Administration					
Head Administrator	50,000	51,750	53,561	55,436	57,376
Additional Administrator	-	-	45,000	46,575	48,205
Technology	50,000	51,750	53,561	55,436	57,376
Total Administration	100,000	51,750	53,561	55,436	57,376
Other					
Nurse/Dentist Doctor (contracted)	45,000	46,575	48,205	49,892	51,639
Administrative Asst	22,500	23,288	24,103	24,946	25,819
Total Other	67,500	69,863	72,308	74,838	77,458
Total Salaries & Wages	447,500	499,838	644,332	777,438	911,179
Payroll Taxes & Fees	35,800	39,987	51,547	62,195	72,894
Total Payroll Expense	483,300	539,825	695,878	839,634	984,073
Employee Benefits	58,175	93,048	101,422	110,550	120,500
Total Personnel Expense	541,475	632,873	797,301	950,184	1,104,573
Expense					
Charter Management Services	253,693	324,334	398,734	453,134	517,534
Debt Service	400,000	0	0	0	0
Marketing, Advertising, PR	45,000	45,000	47,000	50,000	50,000
Fees & Licenses	3,500	3,500	4,000	4,000	4,000
Computers and printers	250,000	65,000	65,000	85,000	85,000
Software/Curriculum K-12	150,000	160,000	175,000	18,500	195,000
Furniture/Improvements	15,000	7,500	5,000	5,000	5,000
Insurance Expense	8,000	8,500	9,000	9,500	10,000
Office Expenses					
Material/Supplies	15,000	15,750	16,538	17,364	18,233
Maintenance & Repairs	5,000	5,250	5,513	5,788	6,078
Custodial	6,000	6,300	6,615	6,945	7,293
Computer Maintenance	20,000	21,000	22,050	23,153	24,310
Office Equip	7,500	7,875	8,269	8,682	9,116
Postage	15,000	15,750	16,538	17,364	18,233
Office Expenses - Other	15,000	15,750	16,538	17,364	18,233
Total Office Expenses	83,500	87,675	92,059	96,662	101,495
Professional Expenses					
Professional Meeting	10,000	5,000	5,000	5,000	5,000
Audit	10,000	15,000	16,000	16,000	17,000
Accounting	15,000	15,000	17,000	17,000	19,000
Legal	20,000	15,000	15,000	17,500	17,500

Strategic Planning	7,500	15,000	12,500	7,500	2,500
Training & Seminar	7,500	7,500	8,000	8,000	8,500
Total Professional Expenses	70,000	72,500	73,500	71,000	69,500
Rental/Lease/Usage					
Facility	80,000	80,000	82,000	82,000	84,000
Equip. Rental/Lease/Usage	5,000	5,250	5,250	5,400	5,400
Total Rental/Lease/Usage	85,000	85,250	87,250	87,400	89,400
Student Support					
Activities & Events	10,000	13,000	16,000	19,000	22,000
Field Trips/Cultural	3,500	5,000	6,500	8,000	9,500
Total Student Support	13,500	18,000	22,500	27,000	31,500
Travel & Auto	10,000	10,000	12,000	12,000	12,000
Utilities					
Electric	7,500	7,650	7,803	7,959	8,118
Telephones/Internet	7,500	7,650	7,803	5,250	5,250
Gas	2,500	2,550	2,601	2,750	2,750
Utilities - Other	1,500	1,530	1,561	1,750	1,750
Total Utilities	19,000	19,380	19,768	17,709	17,868
Total Expense	1,947,668	1,559,511	1,818,111	1,887,089	2,292,871
Balance	143,620	602,712	779,448	1,133,805	1,157,359
Number of Students	200.00	250.00	300.00	350.00	400.00

PHASE 4 America Cyber Charter School

Projected Cash Flow for Essential Operations - Year 1

	FY 2013	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6	Month 7	Month 8	Month 9	Month 10	Month 11	Month 12
Cash on Hand at Beginning of Month		0	19,343	50,687	73,280	88,674	104,467	120,061	134,654	140,247	140,941	138,934	137,028
Recurring Revenue													
Internal Funding	50,000	50,000	0	0	0	0	0	0	0	0	0	0	0
External Funding	350,000	350,000	0	0	0	0	0	0	0	0	0	0	0
Basic Education Funding	1,691,289	140,941	140,941	140,941	140,941	140,941	140,941	140,941	140,941	140,941	140,941	140,941	140,941
Cash from Recurring Revenue Sources	2,091,289	540,941	140,941	140,941	140,941	140,941	140,941	140,941	140,941	140,941	140,941	140,941	140,941
Costs of Essential Operations													
Total Personnel Costs	541,475	45,123	45,123	45,123	45,123	45,123	45,123	45,123	45,123	45,123	45,123	45,123	45,123
Charter Management Services	253,693	21,141	21,141	21,141	21,141	21,141	21,141	21,141	21,141	21,141	21,141	21,141	21,141
Debt Service	400,000	0	5,000	35,000	35,000	35,000	35,000	35,000	45,000	45,000	45,000	45,000	40,000
Marketing, Advertising, PR	45,000	15,000	3,000	3,000	0	0	0	0	0	5,000	7,500	7,500	4,000
Fees & Licenses	3,500	1,250	1,250	0	0	0	0	1,000	0	0	0	0	0
Hardware	250,000	250,000	0	0	0	0	0	0	0	0	0	0	0
Software/Curriculum	150,000	150,000	0	0	0	0	0	0	0	0	0	0	0
Insurance Expense	8,000	667	667	667	667	667	667	667	667	667	667	667	667
Office Expenses	83,500	6,958	6,958	6,958	6,958	6,958	6,958	6,958	6,958	6,958	6,958	6,958	6,958
Professional Expenses	70,000	5,833	5,833	5,833	5,833	5,833	5,833	5,833	5,833	5,833	5,833	5,833	5,833
Rental/Lease/Usage	85,000	7,083	7,083	7,083	7,083	7,083	7,083	7,083	7,083	7,083	7,083	7,083	7,083
Student Support	13,500	1,125	1,125	1,125	1,125	1,125	1,125	1,125	1,125	1,125	1,125	1,125	1,125
Travel & Auto	10,000	833	833	833	833	833	833	833	833	833	833	833	833
Utilities	19,000	1,583	1,583	1,583	1,583	1,583	1,583	1,583	1,583	1,583	1,583	1,583	1,583
Total Cost of Essential Operations	1,932,668	506,597	99,597	128,347	125,347	125,347	125,347	126,347	135,347	140,347	142,847	142,847	134,347
Cash at End of Period before Non-Recurring Items	**158,621**	**34,343**	**60,687**	**73,280**	**88,674**	**104,467**	**120,061**	**134,654**	**140,247**	**140,941**	**138,934**	**137,028**	**143,621**
Costs of Non-Essential Operations													
Furniture/Improvements	15,000	15,000	0	0	0	0	0	0	0	0	0	0	0
Total Costs of Non-Essential Operations	15,000	15,000	0	0	0	0	0	0	0	0	0	0	0
Cash at End of Period	**143,621**	**19,343**	**60,687**	**73,280**	**88,674**	**104,467**	**120,061**	**134,654**	**140,247**	**140,941**	**138,934**	**137,028**	**143,621**
Total Number of Students	200												

2. Liability and Insurance

The school will retain Henderson Brothers, Inc. as its insurance broker. Henderson Brothers has over 100 years of experience in providing insurance services in Western Pennsylvania. Henderson Brothers will perform a detailed risk assessment to mitigate liabilities and assure appropriate coverages are in place. Once operational, the school staff will continually monitor operations of the school and partner with Henderson Brothers to minimize risk exposure.

Insurance costs will be determined based on a number of factors including the number of students, teacher, other staff as well as the facility specifics and value of assets. Some of the identified school-level risk and their associated methods of mitigation include:

- Property Casualty: Maintenance Program, teacher supervision
- General Liability: Administrator and Teacher training, student supervision, policies and procedures
- Employee Theft: Background checks, bonding employees who handle cash, secure locations on site
- Financial Reporting Misstatement: monthly internal budget reviews, annual external audit.

The school will obtain insurance in order to comply with requirements specified by applicable state statutes, specifically Section 1727-A of the charter school legislation, and will include:

- Errors and Omissions Insurance and Employment Practices Liability in the amount of $3,000,000.00 per act/omission
- Officers and Directors Liability Insurance in the amount of $3,000,000.00 per act
- Fidelity Bonds
- Commercial General Liability Insurance in the amount of $1,000,000 per occurrence
- Automobile Liability Insurance in the amount of $1,000,000.00 with a $1,000.00 collision deductible
- Employees Liability Insurance in the amount of $3,000,000.00 per act/omission
- Property Insurance in the full replacement value with a $5,000.00 deductible for all perils except $5,000,000.00 limit for earthquake and flood with a $50,000 deductible

Where applicable, the school's Board of Directors will be named as additional insured. The school will carry the necessary workers compensation insurance and unemployment compensation insurance.

All insurance companies that provide coverage will have a rating of "A" or better and financial size of "VII" or better, according to A.M. Best Company.

3. Child Accounting

The PHASE 4 America enrollment application, a face-to-face meeting with a placement counselor and a PHASE 4 America teacher, will provide the opportunity for parents to indicate their child is in need of special education or gifted education services. In addition, a careful review of previous school records, after enrollment approval, will be undertaken by the Special

Education Director to identify any students enrolling who have previously been identified as a student with a disability or exceptionality. All PHASE 4 America general education teachers will be provided professional development prior to and during the school year about their child find responsibilities, including possible indicators of special education and exceptional needs related to achievement and behaviors. Since PHASE 4 America will enroll students from communities across Western Pennsylvania, posting public notification concerning the process of screening and the availability of special education services and programs of instruction for students with disabilities and exceptionalities will be posted on our website, in addition to being sent via electronic and/or U.S. postal services mail to all enrolled families.

Administration

1. Recruiting and Marketing Plan

Once the founding Board of Directors has selected the principal, he/she will work with the Board to secure a contract with a communication and marketing firm to develop a marketing plan to recruit students and staff for our charter school. Initially, for the first year of our charter school the marketing and recruitment efforts will begin in the first quarter of 2013 and continue until we reach full enrollment or to the end of July, whichever comes first. We will conclude recruitment in July in order to provide the principal and faculty adequate time to assess the learning needs of the student body and prepare an instructional program to meet them when the school year begins.

Our recruitment plan will be focused in three primary areas. First, we will spend a significant amount of time and energy focusing on grassroots community outreach efforts. This will build on the work we have begun with parents, residents, community leaders, and community organizations that are active in the area. We will continue to visit community organizations, attend community meetings, and call upon community leaders in order to introduce the school and share enrollment information with these groups. We will make direct contact with parents though meetings at places of worship and community and recreation centers. Pre-enrollment forms will be available at these meetings. The principal and Board of Directors will be assisted in this effort by a Parent/Community Task Force.

Second, we will hold regular parent information sessions, which will be "open house" style in various locations across Western Pennsylvania and openly publicized though direct mail invitation, community bulletins, list servers, and the school's website. Parent and guardians will have the opportunity to submit enrollment forms at these parent meetings, as well as online.

Thirdly, we will create and distribute a number of different materials and use various forms of media to share information about our innovative cyber-charter school in a variety of ways. Our different materials will include: billboards, radio and television ads, newspaper and magazine ads, brochures, posters, postcards, and signs at our proposed site in order to create some familiarity with our school and raise awareness about our program. These materials will be distributed at our various centers, after-school programs, libraries, and recreation centers. To achieve the goal of a student body that reflects the demographics of the region, our marketing plan will include targeted mailings to homes of parents with school-aged students across diverse neighborhoods and radio and public television to provide additional advertising, choosing radio stations that draw a wide base of listeners.

We believe this recruiting strategy will give a large number of parents the opportunity to learn about our charter school and to attain the enrollment numbers we seek. In the event that we do not reach our enrollment goal for 2013, we will develop a contingency budget plan that will allow us to maintain the quality of our program in its first year.

We will make the enrollment process as simple as possible by accepting pre-enrollments and enrollments in a variety of ways. The administrative staff person hired during the start-up period to assist the principal will be charged with keeping track of all forms and following up with

parents who enroll throughout the late winter and spring of 2013. We will begin the enrollment process immediately upon learning that our charter has been granted by collecting pre-enrollment forms in person, by mail, and on-line. These forms will allow parents to express their interest in the school and give us a point of contact to follow up with them and provide more information about our school.

We will develop a long-range marketing plan that focuses on recruiting students for the next entering freshmen class. The key strategies to this plan will focus first on sibling recruitment, then on providing information to after-school programs, churches and community organizations throughout Western Pennsylvania, and in targeted mailings to parents who have high school aged students. Our recruitment each school year will begin in the late fall and conclude in early spring and continue on until July, if necessary.

2. Admission Policy

Based upon Section 1723-A of the Charter School Law, any student in the Commonwealth of Pennsylvania is eligible to enroll in PHASE 4 Cyber Charter School. We will not discriminate in our admission policies or practices on the basis of intellectual or athletic ability, measures of achievement or aptitude, status as a person with a disability, proficiency in the English Language or any other basis that would be illegal. We will not use achievement tests, entrance examination tests or other means of testing a student's intellectual ability in order to grant or deny admission. We will not judge a student's grade point average in consideration of any student enrollment.

PHASE 4 is committed to a policy of education equality. Accordingly, the program will admit students and conduct all educational programs, activities, and employment practices without regard to race, color, religion, sex, national origin, age, handicap, or any other legally protected classification. Every child of school age who is a resident of a Pennsylvania school district is eligible to enroll.

PHASE 4 Cyber Charter School requires the state mandated documentation for enrollment that includes; a copy of the birth certificate, immunization records, and proof of residence. In addition, we will require all students to complete the Application, Student Enrollment Information Packet, Instructional Use of Property Form, and the Home Language Survey Form. The CEO will be responsible for overseeing the maintenance of this information. The school's Principal will be responsible for maintaining it. The records will be kept at the Corporate Office.

K^{12}'s enrollment procedures are designed to collect beneficial information for teachers and staff that will aid in making class assignments, developing the Individualized Prescriptive Plan, orientation opportunities, intake assignments and other relevant school decisions.

Students and Parents will be encouraged to either download the admission packet or call the school for a copy of the admission packet. They will be encouraged to call the school if they have any questions regarding the PHASE 4 America Cyber Charter School admissions packet.

Please reference the Open Enrollment Application Packet located in the PHASE 4 America Cyber Charter School EXHIBITS document.

Enrollment and Notification

As required by law, within 15 days of enrollment, PHASE 4 America Cyber Charter School and the parents of the student, will notify the student's school district of residence using the *District Notification Form* developed by the Department of Education.

Likewise, PHASE 4 America Cyber Charter School will provide written notification to the school district of residence with 15 days following the withdrawal of a student from school.

3. Human Resources Information

Teacher Selection and Hiring

It is PHASE 4's intent to secure a corps of the highest quality teachers year after year, and this begins with effective recruitment, selection and hiring. Online teaching requires a unique set of skills, aptitudes and abilities. PHASE 4's first step in the recruitment process requires applicants to not only find but also apply for teacher job opportunities purely through an electronic medium. Successfully using this application method is an indication to PHASE 4 that the applicant is comfortable with the technology she/he will use with students.

After applying electronically, applicants will be pre-screened by a team of Human Resources professionals using a baseline set of phone screening questions derived from school administrators. Applicants will be recommended for further consideration when their pre-screening interviews, compared to a statistically validated "profile" of successful online teachers developed in conjunction with a third party, indicate that the candidates have a high likelihood of matching those aptitudes and abilities of proven highest performing teachers. The profiles of the high performing teachers are based on a large sample size of high performers already engaged in successful online teaching.

Once an applicant's match to the "profile" is determined, they will be invited for a face-to-face interview with the school's administrative team to determine their ultimate fit with their role of online teacher as it relates to the state's specific requirements. Finally, Human Resources professionals will screen candidates' references, facilitate thorough background investigations as well as ensure the appropriate state certification, educational, DMV, criminal history record, official clearance statement regarding child injury or abuse, personal references, and certifications. Candidates must comply with all state laws requiring fingerprinting and other documentation. Throughout this entire process, the team of skilled Human Resources professionals will communicate with applicants regarding the status of their applications.

Professional Development Plan

PHASE 4 America's teachers are charged to lead students to reach their full potential, demonstrate at least one year's growth in one year's time, and meet the State standards. In order to accomplish this, teachers will need an arsenal of instructional strategies and will be engaged in weekly professional development, quarterly two-day activities and a three-day in-service just before school starts each August. Teachers will also participate in National Professional Development Activities provided by K^{12} Inc. These professional development activities address data analysis; individualizing and differentiating instruction; engaging students to meet proficiency and mastery of Pennsylvania State standards; and understanding the needs of

students with IEPs. Following is a list of the PHASE 4 America Academic Administrative Team approach to Professional Development for all our teachers which incorporates the professional development components of the K^{12} National Instructional Model (NIM) which represent best practices in professional development for teachers and administrators in a virtual learning environment. We combine the K^{12} NIM Professional Development with school specific professional development program.

Teacher Training and Professional Development

The training and support offered to teachers in the K^{12} network was designed to equip teachers to meet iNACOL's National Standards for Quality Online Teaching and includes two major components – intake training and new teacher induction, and ongoing, focused professional development. Intake training is designed to introduce the skills needed to effectively teach in a virtual model. Professional development, on the other hand, is ongoing/career-long and is centered on 2 themes: using data available in the virtual environment to drive student achievement, and best virtual instructional practices. Training begins with
Intake Training for new administrators and teachers and continues with a yearlong new teacher induction program. In addition, both veteran and new teachers and administrators participate in ongoing professional development offerings that focus on the improvement of learning effectiveness in the virtual setting, and the utilization of student data to make instructional decisions.

Intake Training and New Teacher Induction

Intake training for new teachers is designed with one goal in mind: that on day 1 teachers are "ready to teach." Each school year, new virtual teachers undergo intake training that is based on an effective model developed for K^{12} Inc. virtual academies. This training emphasizes the philosophy and instructional techniques which are the foundation of K^{12}. We believe that mastery of content and skills is a crucial aspect of teacher effectiveness. Our training goals are in perfect alignment with our educational philosophy and instructional techniques.
Teachers, in our minds, are not simply participants in a student's learning, they are the leaders and the guides. It is their duty to be responsible for student achievement. Accordingly, it is the responsibility of the administrators to ensure their teachers have all the right tools and training to be effective.

School Specific Professional Development

An array of school specific training is added to supplement the K^{12} core intake training that includes the following topics:

- Role of the Virtual Teacher
- Introduction to the Online School and Learning Management System (LMS)
- K12 Curriculum Overview
- The K12 Curriculum Structure
- TotalView School and MyInfo (K12 proprietary systems used for secure communication between teachers, students and Learning Coaches)
- Active Listening and Getting to Know the Needs of Your Student Population
- What Learning Coaches Need to Know
- Serving Students With Special Needs
- Measuring Student Progress in the Virtual Environment

- First Days of School: Families
- Instructional Practices: Meaningful Parent and Student Communication
- Instructional Practices: Using Active Listening and Coaching to Set Up Effective Virtual Classrooms
- Instructional Practices: Using Active Listening and Coaching to Promote Quality Instruction
- Instructional Practices: Using Active Listening and Coaching to Promote a First-Class K12 Experience.

New teacher induction begins with a multi-day, face-to-face event organized in the first year by K^{12} corporate teacher training staff. Induction is a yearlong process designed to provide initial training and ongoing support for teachers and administrators new to the system. During the first week, participants meet face-to- face covering topics included in the list above. During subsequent weeks and months throughout the school year, participants work from their home and participate in online asynchronous and synchronous sessions designed to hone their skills as virtual professionals. Additionally, teachers participate in monthly, school specific, face-to-face trainings and professional development offerings. Examples of the training objectives for this year-long induction program include:

- Identify the major roles and duties of the members of the instructional team
- Set up an effective home/work environment and use the tools for effective communication, including IM, phone message, email, etc.
- Understand how to use posting/editing/publishing announcements in the LMS
- Identify the characteristics of effective online teacher communication per K12 communication guidelines
- Identify key communications identified as best practices for teachers in supporting students and families
- Be familiar with the specific organization, scope and sequence and the location and use of teacher tools for each course
- Understand how to use the What's New area in the LMS to manage and monitor course activities.
- Moderate threaded discussions
- Use the editing of left-hand navigation items in the Course Home area of the LMS
- Use the "posting to and managing the Doc Sharing" area of the LMS
- Use "Controlling Access to items with password and course scheduler feature" in the LMS
- Use the Threaded Discussion Tool in the LMS
- Use the "download/grade/provide feedback on/return assignments submitted through the drop box" in the LMS
- Use the "grading teacher-scored items within computer-scored tests"
- Identify important quiz information from the Gradebook Details screen
- Effectively grade assignments using the "provided answer" keys and grading tools
- Keep students on pace using course announcements and the scheduler
- Post custom course events to the calendar in the LMS

New teachers and administrators are also paired with veteran/mentor teachers and administrators for subsequent follow up, and feedback on progress made, successes, challenges, questions raised, etc.

National Ongoing Professional Development and Support

K^{12} offers a number of centrally developed ongoing professional development and support opportunities for teachers that are designed to complement the monthly face-to-face school specific offerings. Examples of these national offerings include:

- Monthly National Professional Development
- Bi-Monthly Content Area National Professional Development
- National *Elluminate* Professional Development (Series of 12 online designed to hone virtual instructional skills)
- Weekly Teacher Tips (email)
- Synchronous Instruction (Beginner and Advanced) Training
- Teacher Support Website (provides access, at anytime and anyplace, to training resources, K^{12} documentation, and collegial exchange)
- Teacher Support Hotline and Help Desk (provides "just in time" training and support provided by K^{12} Master Teachers)
- K^{12} Teacher Training Videos
- Skill Specific Training Clips

All teachers are expected to participate in monthly National Professional Development opportunities. Topics for these sessions are selected based on a survey of the needs of existing personnel. The National Professional Development sessions are meant to complement, not supplant the ongoing, school specific professional development offerings.

School Specific Professional Development

All school specific professional development opportunities are closely linked to the school's Student Achievement Improvement Plan (SAIP). The responsibility for planning and providing this additional, school specific ongoing professional development belongs to the Head of School with the assistance of the Academic Administrator. Teachers enjoy the benefit of monthly face-to-face meetings which provide the opportunity for sharing best practices and team building as well as presentations by curriculum experts. Topics covered will include assessment, technology, instructional strategies, and content. The online synchronous presentation tool, *Elluminate Live!* will be used to enhance the monthly face-to-face professional development offerings. This tool allows professional development to happen at a common time for everyone but eliminates travel in some cases as teachers can log in and talk and view presentations in a collaborative online environment. Special education teachers will be included in all aspects of the professional development. In order for teachers to develop effective IEPs with appropriate content, instructional modifications, and measurable goals, teachers of students with special needs must be very knowledgeable about the content the special needs students are studying. In some cases, assessments will also need to be modified to meet the terms of a student's IEP. Cases like these demand that special education and regular education teachers are familiar with the scope and sequence of the curriculum, the goals for each child, and the ways they can best achieve success through content or instructional modification.

Administrator Training

In order for teachers to be effectively led by the school administrators, academic school leaders will also experience professional development on a monthly basis to ensure that the school is following its strategic plan for student achievement and strategies are executed and evaluated for quality performance. The table below describes the types of activities that leaders will experience during the first school year and beyond. Administrators will also take advantage of leadership training that is offered by USDOE and national entities providing training in best practices in leadership, curriculum, and instruction such as attending the iNACOL conference, state and national Title I Conferences, and PDE Conferences.

Administrator Training by Month:

July:	Administrators will embrace the school's mission and vision and determine individual leadership styles of the team, and Leaders will establish communication plan
August:	Excelling as a highly effective team leader, and The Instructional Model: understanding how to differentiate instruction for all students to achieve academic excellence
September:	Understanding the role of the teacher, Understanding the role of the Parent, and understanding the role of the student
October:	Understanding administrator tools to evaluate teacher performance, and Using data to drive decisions: understanding student and teacher data to make instructional decisions
November:	Avoiding due process: understanding special education law; staying compliant, and serving the needs of all special education student needs.
December:	Developing a strong School Achievement Improvement Plan, and Understanding the role of the board and its power to lead a GREAT School
January:	Building teacher leaders
February:	Thinking and planning strategically to ensure student success
March:	Team building
April:	The importance of standard testing; pros and cons
May:	Bring closure to a successful year
June:	Planning on next year. A self-evaluation

Human Resources Policies

PHASE 4 America Cyber Charter School will implement detailed policies and procedures as noted in the Employee Handbook, which is included in the attached Exhibits document.

All student and staff records will be kept in locked filing cabinets. For employee files, see attached Employee Files policy included in the attached Exhibits document.

The Board of Trustees will require that sufficient records be maintained to ensure an employee's qualifications for the job held, compliance with federal and state statutes, local benefit programs, conformance with school rules, and evidence of completed evaluations.

A central file shall be maintained; supplemental records may be maintained for ease in data gathering. Only that information which pertains to the professional and legal role of the employee and is submitted by duly authorized staff and the Board may be entered in the official record file. Every effort will be made to maintain the confidentiality of all personal information.

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

Each employee shall have access to his/her file except for matters pertaining to pending litigation or criminal investigation. An employee shall not have access to an administrator's file for confidential letters of recommendation and administrative review notes, evaluations and reports completed in connection with an application for a different position and/or assignment. Employees wishing to review their own records shall do so in the presence of the administrator designated to maintain such records and shall make no alterations or additions to the records nor remove any material there from and shall sign a log attached to the file indicating the date and name of the reviewer.

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

The Board of Trustees shall prepare guidelines defining the material to be incorporated into employee records.

Upon initial employment the file shall contain:

- Completed employment application form
- Copy of teaching certificate, where applicable
- Proof of subject matter competency for highly qualified status per NCLB
- Transcripts
- Recommendations
- W-4 form
- Retirement registration

- Annuity forms
- Insurance beneficiary forms
- IRS forms
- Photo identification
- Criminal records check/FBI check
- Child abuse clearance
- Military or draft status
- Driving record or status of license if required to operate a vehicle during
- work hours

In a separate confidential file, as maintained in the Health Office, should be the following employee records:

- Physical examination
- Hospitalization forms

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

- Rate of compensation
- Completed copy of employment contract, where applicable
- Job title, dates of changes
- Leave/Attendance record
- Completed performance evaluations
- Disciplinary incidents including warnings
- Special awards or distinctions
- Authorization for a deduction or withholding of pay
- Criminal records check, FBI check and fingerprints and Child Abuse Clearance and renewals
- Retirement record
- Amended insurance beneficiary/enrollment forms
- Amended W-4 forms

PHASE 4 America also recognizes that some aspects of employee files are subject to the Right to Know law unless specifically exempted under the Act. See Attached Right to Know policy included in the attached Exhibits document.

Identify Proposed Staff

The minute the Board is officially informed that the Commonwealth of Pennsylvania has granted PHASE 4 America a cyber-charter, the plan to recruit a highly qualified principal and administrative staff will commence. Once selected, the principal will hire the administrative staff person and launch the marketing plan to recruit students, faculty and other school staff.

The criteria and responsibilities of the principal, teachers and other key staff are as follows:

A person with the following qualifications will be recruited and hired to operate our school as Principal:

- A passion for meeting the needs of each student
  - A belief that can demonstrated that each student can learn to high academic standards
  - Experience in "thinking outside the box" to ensure each student's educational needs are served
  - A demonstrated record of taking personal responsibility as a school leader for ensuring the success of each student
  - Established practice in holding adults accountable for attaining academic achievement for all students

- An Entrepreneur who can build the vision for our school into a reality
  - Ability to articulate a clear vision of the culture, goals and educational philosophy of our proposed school
  - Experience with and passion for public service and integrating it thematically into the content areas
  - Ability to focus on and prioritize goals and results with persistence, determination, and relentless drive to achieve them, keeping the big picture in mind
  - Analyze complex problems and establish a strategic plan of action for effective solutions
  - Resilience to overcome the challenges and diversions inherent in the start-up of a visionary cyber-charter school
  - Adaptability to implement an array of solutions to achieve results

- A community-oriented leader
  - Zeal for a "customer" oriented approach to promoting, building and improving the school to attain enrollment goals and high levels of parent and community satisfaction
  - Ability to interface with key community leaders and politicians to maintain and build their support for and involvement in our school
  - Drive to effectively involve a wide array of community organizations in partnership with the career and character education aspects of our school

- An educator with strong leadership in teaching and learning
  - Ability to model and assess exemplary instructional practices, distinguishing between excellent, strong, weak and poor teaching
  - Experience in providing constructive feedback to improve instruction
  - Evidence of ability to conduct excellent teaching
  - Demonstrate commitment to a comprehensive curriculum which includes all subject areas

- Commitment to staff growth and development
  - Ability to build a culture of reflecting and learning and accepting feedback from one's own experiences to grow

- An unyielding commitment to building a school culture where staff focus continuously on successes and challenges and how this learning can help them individually and as a group to improve result for children
- Acumen to orchestrate a direction for the development of staff aligned with their learning needs

- Strong communication and interpersonal skills
  - Demonstrate poise and strong verbal and written skills to motivate and express thoughts clearly across diverse school and community audiences
  - Model active listening skills
  - Values the perspective of students, parents, and community members, understanding their points of view, needs and how to meet these needs
  - Remain calm, competent under pressured situations, expressing confidence in a way forward

- A credentialed leader
  - Holds a licensed school administrator supervision certification in Pennsylvania
  - Has a minimum of ten years of experience in education, with teaching experience included
  - Orchestrates smooth school business and facility operations
  - Prepares and manages balanced school budgets

The Principal's responsibilities will include:

- Supporting the mission of the cyber-charter school and providing visionary leadership by example to motivate and inspire all members of the community to fulfill its goals and objectives
- Supporting and developing the public service theme curriculum and its infusion into the other academic content areas
- Managing the daily operations of a cyber-charter school
- Working with others to network and advocate for educational and financial resources to provide the greatest amount of resources possible for the charter school
- Providing leadership to teachers via coaching and mentoring activities and supervision to teachers to other school staff
- Collaborating with parents and organizations to build support for the success of each student and the school
- Reporting regularly on school operations the extent to which the school is attaining its goals and objectives to the Board of Directors, and making revisions in Board policy operational in the school and community
- Maintaining a working relationship with the PCO
- Building positive relationships with all students
- Creating a learning community with staff
- Building and maintaining positive staff morale
- Establishing and nurturing a climate of collaboration and shared decision-making where all staff can make contributions to improving the performance of the charter school

- Ensuring that the Pennsylvania Academic Standards and the charter school's mission and academic goals are achieved through the development and implementation of the charter school's comprehensive curriculum
- Identifying and using multiple methods of assessment to create robust system of measuring student learning
- Interpreting assessment results to evaluate and modify the curriculum needed to sustain growth in student achievement
- Ensuring an environment that is safe and conducive to learning
- Maintaining student records in accordance with the requirements of various school districts and the PA Department of Education
- Designing and implementing regular assessments of the school's goals and objectives
- Providing appropriate feedback on assessment to the school, parents and partner communities and to the Board of Director
- Serving as the school's Affirmative Action Officer (or designee)
- Ensuring that all appropriate school and student records are maintained
- Ensuring educational equity and access at all times through adherence to Pennsylvania statutes and administrative codes which defines responsibilities, policies and procedures under which our charter school must operate
- Leading and managing the school's technology plan and exhibiting knowledge of computer hardware, software application appropriate for teaching and learning, teaching platforms and student information systems, and computer systems suitable for education programs
- Serve as staff representative at Board meetings (with concerns and questions) and report back to staff with highlights of the meeting.

Certification and Qualifications for Teachers (Full-time and/or Part Time)

- B.A. or B.S. degree in an appropriate field of study from an accredited institution
- Pennsylvania Teacher Certification or working toward attaining the same within a two-year period
- A minimum of two years classroom experience preferred
- Experience with standards-based curriculum and instruction and the use of a wide array of assessment instruments
- Ability to adapt to the special issues of a cyber-charter school
- A deep commitment to and interest in the cyber-charter school's mission
- Skills in teamwork and collaboration with colleagues
- Proficiency in or the desire to adapt to interdisciplinary teaching
- Strong critical thinking and creative problem solving skills
- A commitment to personal growth, professional development and lifelong learning
- Evidence of achieving improvements in student academic learning, especially for students who have been at-risk of school failure
- Desire to make the school's mission a success and the belief that all students can achieve to high academic standards

The teachers' responsibilities will be:

- Designing and implementing curriculum
- Designing learning units and lesson plans consistent with the charter school's curriculum, goals, objectives and character education themes
- Identifying and coordinating educational excursions aligned to the themes of the school
- Conferring with students individually to implement and manage student's personalized learning plans
- Reviewing and monitoring student portfolio work to provide feedback for improvement
- Facilitating an ongoing personal connection between the students' parent/guardian and the charter school through regularly communicating with them and through parent/teacher conferences and other events
- Collaborating with administration to ensure that the curriculum, activities, and instructions are meeting expectations for high academic achievement
- Collaborating with staff to create a curriculum that meets state educational standards
- Making recommendations for program enhancement
- Designing and implementing portfolio and rubric systems in assessment
- Creating and maintaining a classroom environment conducive to learning and to engaging a student
- Differentiating instruction to meet the learning needs of students
- Participating in school planning and decision-making processes
- Participating in teacher planning groups and tutoring individual students
- Advising to teach mediating concepts and how to be mediators of conflict
- Maintaining active communication with charter school administrators and other faculty and staff members
- Offer suggestions and voice concerns to improve the effectiveness of the operations of the school
- Mentoring other teachers as needed
- Demonstrated ability to work as a member of a team
- A high energy personality with a strong goal orientation and work ethic
- Excellent organizational skills and the ability to prioritize multiple tasks, follow procedures in policy manuals and provide excellent customer service to internal and external customers
- Other responsibilities as assigned by the principal

Certification and Qualifications for Instructional Aides are:

- Compliance with the guidelines established in Pennsylvania
- A minimum of 60 credit hours in core academic content areas
- A commitment to personal growth, development and lifelong learning
- A strong commitment to the mission of the charter school and/or experience with helping to make a similar school's mission become a reality
- Belief that all students can learn and achieve high academic standards

The responsibilities of the Instructional Aide will be:

- Working cooperatively with teachers to assist in the delivery of instruction
- Assisting students to become independent learners by encouraging them to follow the assignments and routines established by the teacher
- Tutoring students and assisting them to attain their instruction
- Supervising student/group/team activities planned projects and field trips
- Listening and responding to students
- Assisting with lunchroom and transitional times (student arrival and dismissal, classroom transitions and assemblies)
- Assisting teachers in portfolio and rubric assessment, including scoring, commentary and conferencing
- Assisting in the creation of a classroom environment that is safe, organized, respectful, and conducive to learning at all times
- Demonstrated ability to work as a member of a team
- A high energy personality with a strong goal orientation and work ethic
- Excellent organizational skills and the ability to prioritize multiple tasks, follow procedures in policy manuals and provide excellent customer service to internal and external customers
- Other responsibilities as assigned by the teacher

Qualifications for the School Administrative Assistant are:

- Have an associate's degree
- Have office experience at a corporate level
- Highly effective interpersonal skills to provide excellent customer service
- Experience using office software
- Ability to effectively use word processing, spreadsheet and database application
- Ability to complete written reports and correspondence
- Ability to effectively use PC, copier, fax machine, telephone and local network and Internet searches
- Ability to work cooperatively with other staff, vendors and customers in a multicultural environment
- Demonstrate ability to work as a member of a team
- High energy, clear goal orientation and strong work ethic
- Effective verbal and communication skills
- Excellent organizational skills and the ability to prioritize multiple tasks
- A valid driver's license with the ability to travel
- Demonstrated ability to work as a member of a team
- A high energy personality with a strong goal orientation and work ethic
- Excellent organizational skills and the ability to prioritize multiple tasks, follow procedures in policy manuals and provide excellent customer service to internal and external customers

Responsibilities of the School Administrative Assistant are:

- Greet customers in person and on the phone
- Screen calls as required schedule and provide logistical support for meetings, travel and events and office operations
- Maintain files for the school both electronically and manually
- Develop and maintain databases to document and support school activities
- Draft correspondence and format documents as assigned
- Keep the principal's schedule and coordinate his/her travel schedule and make travel arrangements as necessary
- Assist principal with broadcast correspondence to the school
- Provide contact support to regional *PHASE 4 America, Inc.* staff
- Assist with school administrative and operations issues, including compiling information required in reports to the Pittsburgh Public Schools and the Pennsylvania Department of Education
- Demonstrated ability to work as a member of a team
- A high energy personality with a strong goal orientation and work ethic
- Excellent organizational skills and the ability to prioritize multiple tasks, follow procedures in policy manuals and provide excellent customer service to internal and external customers
- Provide quality customer service at all times

The Qualifications of the School Office Manager/Business Administrator are:

- Have office management and clerical experience in a school environment
- Demonstrate working knowledge of school administrative system
- Have thorough knowledge of financial management system
- Possess highly effective interpersonal skills to provide excellent customer service
- Have experience using Microsoft Office Pro software, and the ability to effectively use word processing, spreadsheet, presentation and database applications
- Have the ability to complete written reports and correspondence
- Be able to effectively use PC, copier, fax machines, and the telephone and to contact local network and Internet searches
- Demonstrate excellent organizational, decision-making and problem solving skills
- Possess strong critical thinking and creative problem solving skills
- Have the desire to make the school's mission a success and the belief that all students can achieve to high academic standards

The Responsibilities of the School Office Manager/Business Administrator are:

- Implement the ***PHASE 4 America, Inc*** .Procedure Manual by administering all policies and procedure processes
- Maintain databases and report key data for the school, including attendance, lunch programs, and other data as required by school reporting requirements
- Establish an accounting system that meets the government GAAP requirements for educational accounting and reporting
- Adhere to financial protocols established by the Board of Directors

- Manage financial processing and record keeping for the school, including invoice processing, cash management and procurement
- Provide financial information and monthly reports to the principal and the Board of Directors in accordance with GAAP
- Prepare and distribute year-end financial statements
- Prepare and submit all required financial reports to the state and federal government
- Collect and update all human resources data for the school, including processing new hires, submitting payroll data and changes to *PHASE 4 America, Inc.* and acting as the first point of contact for school staff regarding payroll and employee benefit issues
- Maintain all files and records for the school s may be required to efficiently locate information and complete any and all reports
- Demonstrated ability to work as a member of a team
- A high energy personality with a strong goal orientation and work ethic
- Excellent organizational skills and the ability to prioritize multiple tasks, follow procedures in policy manuals and provide excellent customer service to internal and external customers
- Conduct other clerical duties as required by the principal to manage the school office

Qualifications for the Custodians are:

- Up to two years of experience maintaining buildings preferred, especially in a school setting
- Strong organization and communication skills
- Solid critical thinking and creative problem-solving skills
- Interest in and support for making the mission of our school a success
- Ability to work constructively with staff in a multi-cultural environment
- Knowledge of all processes and procedures necessary to maintain a clean, well ordered school facility
- Belief in children and their ability to learn to high academic standards

Responsibilities of the Custodians are:

- Maintain the school facility on a daily basis
- Provide cleaning and janitorial services as needed on a daily basis
- Replenish supplies/materials/equipment as needed
- Maintain the grounds of the school facility during the day to provide for general upkeep and neat appearance
- Ensure a safe school environment, free from debris and other hazards
- Conduct other duties as assigned by the principal
- Demonstrated ability to work as a member of a team
- A high energy personality with a strong goal orientation and work ethic
- Excellent organizational skills and the ability to prioritize multiple tasks, follow procedures in policy manuals and provide excellent customer service to internal and external customers

4. Code of Conduct

It is everyone's responsibility to:

- Teach and model self-discipline
- Respect the rights of others
- Cooperate with one another
- Recognize that absenteeism is a classroom disruption
- Provide a safe and positive educational environment at school and at home

It is the student's responsibility to:

- Be in charge of his/her behavior
- Comply with school rules at all times
- Arrive at school and to class on time
- Be prepared to learn
- Honor the faculty's duty to teach and other students' right to learn
- Attend school daily
- Tell school staff about any discipline concerns they may have

It is the parents' responsibility to:

- Communicate to the school their child(ren)'s concerns or needs
- Encourage their child(ren) to do his/her best
- Contact school if the child(ren) will be absent
- Be available for conferences
- Assure that the child(ren)
- Help the child(ren) learn about behavioral expectations and the consequences of breaking rules
- Ensure that adult supervision is provided should a child's behavior cause him or her to be suspended from school

It is the teacher's responsibility to:

- Manage classroom behaviors
- Inform and post classroom rules and behavioral expectations
- Report to parents regularly
- Provide students with a safe environment
- Encourage and model good attendance

It is the Principal's responsibility to:

- Maintain high visibility in and around the school
- Communicate school rules to students, staff and parents
- Communicate to parents and involved staff the discipline action taken
- Maintain discipline and attendance files
- Assume over-all responsibilities for school rules being followed
- Encourage and model good attendance

It is the Board of Director's responsibility to:

- Adopt a fair and consistent discipline policy
- Ensure the policy is consistently implemented by all school employees

5. Timeline Leading Up To the Opening of School

January – April, 2013

- Begin renovation work, if needed to bring facility into compliance with ADA requirements
- Recruit and hire the principal and administrative staff
- Apply for 5013C status to obtain the Certificate of Incorporation and Federal Identification Number for the school
- The cyber-charter school's incorporated name will PHASE 4 America Cyber-Charter School
- Apply for all relevant grants and loans
- Formalize agreements with potential affiliations
- Formalize contract with communication and marketing firm to design enrollment recruitment campaign
- Begin enrollment recruitment by conducting community orientation sessions
- Record student applications and parent/guardian signed contract
- Continue open enrollment as long as there is space available
- Enroll students
- Develop personnel procedures
- Notify school districts of residence of admitted students and obtain their records
- Adopt policy manual and Board-by-laws
- Review a draft of the facility lease with *PHASE 4 America, Inc.*
- Sign the operating agreement with *PHASE 4 America, Inc.*
- Notify district boards of student transportation needs, if applicable
- Begin to design summer staff development programs
- Work on developing the lunch program
- Begin to develop a plan to engage community partners in the school program
- Order financial, purchasing, student information and assessment software

May – June, 2013

- Finish renovation work, if needed to bring facility into compliance with ADA requirements and any and all local and state building codes
- Continue and conclude open enrollment recruitment, if needed
- Hire teachers, assistant aides, nurse and support staff
- Establish financial and purchasing procedures including internal controls, accounts payable purchase order and voucher systems
- Order all necessary curriculum, technology, books, supplies, software, furniture, etc.

- Design the after-school program
- Finalize the summer professional development program
- Continue to engage community partners in the school program
- Secure community service positions for seniors

July – August, 2013

- Adopt a budget for the 2013-2014 school year based on the most current student enrollment count
- Develop the first year Strategic Plan; include NCLB AYP and other goals
- Finalize the development of the after-school program
- Ensure all equipment, furniture and instructional materials and supplies are in place for the start of school
- Submit all documents required by the State department of education prior to the opening of school: e.g. certificate of occupancy, sanitary inspection report, fire inspection report, licenses of administrators, teachers and professional support staff
- Conduct the summer professional development program for teachers, community partners and other staff

6. Safety

PHASE 4 America Cyber Charter School is committed to a safe and positive learning environment for all students, employees, volunteer and parents, free from harassment, intimidation or bullying. All forms of bullying and cyber bullying are prohibited. Anyone engaging in bullying or cyber bullying is in violation of the Policy shall be subject to appropriate discipline.

Bullying shall mean unwelcome verbal, written or physical conduct directed at a student/ parent/staff member/employee/volunteer by another student/parent/staff member/ employee/ volunteer when the intentional act:

- Physically harms a student or damages the student's property;
- Has the effect of substantially interfering with a student's education;
- Is placing another in reasonable fear of physical, emotional or mental harm;
- Is so severe, persistent, or pervasive that it creates an intimidating or threatening educational environment; or
- Has the effect of substantially disrupting the orderly operation of the school.

Cyber bullying includes, but is not limited to, the following misuses of technology: harassing, teasing, intimidation, threatening or terrorizing another student/parent/ staff member/employee/volunteer using any technological tool, such as sending inappropriate or derogatory emails, instant messages, text messages, pictures or website postings that would include blogs, when the intentional act is:

- Physically, emotionally or mentally harming to a student/parent/staff member/employee/volunteer
- Substantially interfering with the student's education;

- Placing a student/parent/staff member/employee/volunteer in reasonable fear of physical, emotional or mental harm;
- Is severe, persistent, or pervasive to the extent that it creates an intimidating or threatening educational environment; or
- Has the effect of substantially disrupting the orderly operation of the school.

Nothing in this policy requires the affected student/parent/staff member/employee/volunteer to possess a characteristic that is a perceived basis for the harassment, intimidation, or bullying, or other distinguishing characteristic. All forms of bullying are unacceptable and when such actions are disruptive to the education process of the PHASE 4 America Cyber Charter School, offenders shall be subject to appropriate staff intervention, which may result in administrative discipline or action.

Harassment, intimidation or bullying can take many forms including: slurs, rumors, jokes, innuendos, demeaning comments, drawing cartoons, pranks, gestures, physical attacks, threats, or other written, oral or physical actions. "Intentional acts" refers to the individual's choice to engage in the act rather than the ultimate impact of the action(s).

This policy is not intended to prohibit expression of religious, philosophical, or political views, provided that the expression does not substantially disrupt the education environment. Many behaviors that do not rise to the level of harassment, intimidation, or bullying may still be prohibited by other school policies or building, classroom, or program rules.

Counseling, corrective discipline, and/or referral to law enforcement will be used to change the behavior of the perpetrator and remediate the impact on the victim. This includes appropriate intervention(s), restoration of a positive climate, and support for victims and others impacted by the violation. False reports or retaliation for harassment, intimidation or bullying also constitute violations of this policy.

The Principal is authorized to direct the development and implementation of procedures addressing the elements of this policy, consistent with the complaint and investigation.

7. School Health Services

School Health Services will be offered at the Corporate Office on pre-determined days and times and will include physicals, vision screening, and dental exams.