

**POLICIES OF THE BOARD OF DIRECTORS
FOR THE NEW OPPORTUNITIES CHARTER SCHOOL**

JUNE 2013

SECTION 1 – MISSION STATEMENT, PHILOSOPHY, GOALS, & OBJECTIVES

MISSION STATEMENT

The mission of the New Opportunities Charter School is to provide inmates, former inmates, and disenfranchised and at risk populations the training for academic, vocational, social and emotional skills required for obtaining work skills and successful participation and re-entry to society as effective, participating and productive citizens. By providing programs relevant to the identified needs of disenfranchised individuals, our mission is to break the cycles of recidivism and failure.

PHILOSOPHY

As part of its responsibility to establish a guiding vision for the New Opportunities Charter School, the Board shall develop and regularly review a set of fundamental principles which describes the New Opportunities Charter School's beliefs, values or tenets. The Board and New Opportunities Charter School staff shall incorporate this philosophy in all New Opportunities Charter School programs and activities.

It is the philosophy of the New Opportunities Charter School that:

1. All students can learn and succeed.
2. Every student in the New Opportunities Charter School, regardless of gender, social, ethnic, language or economic background has a right to a high-quality education that challenges the student to achieve to his/her fullest potential.
3. The future of our nation and community depends on students possessing the skills to be lifelong learners and effective, contributing members of society.
4. A safe, nurturing environment is necessary for learning.
5. The ability of students to learn is affected by social, health and economic conditions and other factors outside the classroom.
6. Early identification of student learning and behavioral difficulties contribute to student success.
7. Students and staff respond positively to high expectations and recognition for their accomplishments.
8. Continuous school improvement is necessary to meet the needs of students in a changing economy and society.
9. The diversity of the student population and staff enriches the learning experience for all students.
10. A highly skilled and dedicated staff has a direct and powerful influence on students' lives and learning.
11. A high level of communication, trust, respect and teamwork among Board members and the Executive Director contributes to effective decision making.

12. Effective and exclusive partnership with the South Bay Workforce Investment Board to provide instruction and expanded opportunities to students.
13. The community provides an essential resource to the educational program.
14. Effective communication with all stakeholders helps build support for the New Opportunities Charter School.
15. Accountability for the New Opportunities Charter School's programs and operations is shared by the entire educational community, with the ultimate accountability resting with the Board as the basic embodiment of representative government.

GOALS

1. *Dramatically increase the education level and post-incarceration opportunities of students:* It is the goal of New Opportunities Charter School to get all eligible students on a path towards earning a high school diploma by delivering an intensive, engaging, individualized, educational program.
2. *Reduce recidivism:* There is an enormous body of evidence that links recidivism with lack of education. Studies have demonstrated that recidivism decreases proportionally to the amount of education received during incarceration. In other words, the greater the progress made in education level, the lower the rate of recidivism, even if it is one course at a time.
3. *Reengage disenfranchised population in education:* Studies have proven that as time away from school increases, the likelihood of returning decreases. By eliminating barriers to education through partnerships with community-based organizations in the community's most disenfranchised sectors, New Opportunities Charter School can provide the flexibility needed for working adults and Workforce Investment Act participants to complete their high school education.
4. *Enable students to gain practical work skills:* Individuals may experience failure or turn to crime, in part, because they lack basic skills to be self-sufficient and integrate into mainstream society. One of the goals of New Opportunities Charter School is to help students acquire basic academic, social, and workplace readiness and vocational skills. New Opportunities Charter School has established many community partnerships which assist in preparing our students to be work ready and to succeed in obtaining and retaining meaningful work.
5. *Increase self-esteem and confidence:* Supporting students' ability to succeed academically will enable pupils to become self-motivated and competent lifelong learners. When they enroll at New Opportunities Charter School, many of our students are unaware of their potential and do not believe that they can get a high school diploma. The one-course-at-a-time approach, with intensive preparation in each subject, allows students to master the standards in a subject area, which results in successful completion of their courses. This success frequently motivates students to

continue their education until they receive their diploma.

6. *Create a working model for other schools for incarcerated students:* It is the goal that over the next five years, the New Opportunities Charter School in partnership with the South Bay Workforce Investment Board will focus on developing and refining its program to better serve students in the community, and to develop internal systems that are easily replicated to create similar schools to serve this important and underserved segment of our population.

OBJECTIVES

1. Assessing the educational needs of students, including offenders, at intake as part of the classification process
2. Providing vocational, academic and social education programs relevant to the identified needs of students including disenfranchised and incarcerated individuals.
3. Providing jurisdiction-wide supervisory support in the areas of correctional education curriculum, staff development and program implementation and evaluation.
4. Accessing state, federal and local education funds and support services.
5. Hiring instructors who are certified by the State Department of Education. These instructors must have a strong sense of social justice, and the passion to work with disenfranchised and incarcerated students, as well as students who have been recently released from custody.
6. Work to establish formal alternative and correctional education certification standards, and with the higher education community to establish alternative and correctional education teacher training programs.
7. Acquiring program accreditation from the recognized accrediting agency.
8. Providing credentialing program graduates with certificates, diplomas, or licenses.
9. Receiving student credit information from local schools and transferring student credit to non-correctional educational programs.
10. Ensuring that administrative decisions affecting alternative and correctional education (in curricular, personnel, and fiscal and internal policy matters) are made by professional correctional educators assigned to alternative and correctional education decision-making processes.
11. Maintaining formal links and informal liaisons with related service delivery and funding agencies including the South Bay Workforce Investment Board.
12. Developing public visibility through relevant programming, community involvement, and accessible information.

13. Maximizing educational opportunities in the community including at the correctional institutions, court schools, pretrial detention centers, etc.

Each goal shall include measurable standards, performance indicators, and benchmarks that can be used to determine the School's progress toward meeting that goal.

Monitoring and Evaluation

The Board shall regularly monitor the progress of the New Opportunities Charter School's efforts in achieving the goals. To that end, the Executive Director or designee shall provide the Board with the necessary data and analysis to help the Board evaluate the effectiveness of the New Opportunities Charter School's efforts. These data shall include an analysis of the progress based on the performance indicators and benchmarks for each goal, as well as other measures of student achievement, such as the Academic Performance Index, Adequate Yearly Progress, student attendance, and graduation rates.

If the Board determines that sufficient progress is not being made toward a particular goal, the Board and Executive Director shall determine what types of additional New Opportunities Charter School resources and support should be provided so that progress in increasing student achievement can be made. New Opportunities Charter School goals shall be revised as necessary.

CURRICULUM AND INSTRUCTIONAL DESIGN

The core curriculum will include reading/language arts, mathematics, history/social science, and science—all with a Restorative Justice component. The California content standards define for each subject and grade level the most important knowledge that students must acquire and the skills that they must master.

The New Opportunities Charter School will provide a standards-based traditional curriculum with a stronger-than-usual emphasis on literacy. While a GED is deemed most appropriate for a small amount of our students, the program primarily focuses on the student attaining a high school diploma. For students who wish to matriculate to a four-year institution, The New Opportunities Charter School will offer a scholars' track to prepare those students for the University of California's A-G requirements.

New Opportunities Charter School instruction makes the learning of core academics relevant and meaningful to the lives of our special population of students.

At New Opportunities Charter School, the basic academic focus is a research-based basic skills program emphasizing language arts, computation and mathematical reasoning, science and history/social studies program, and technology. The curriculum will conform to the California State Framework and Content Standards.

Study groups and small class sizes are available daily to students, including incarcerated individuals (except where jail rules prohibit) in addition to independent study work for those wishing additional instructional support. Individualized student plans, and coordinated discharge plans will reinforce the implementation of instruction.

Additionally, New Opportunities Charter School to the degree possible will use Computer or Internet Based Learning Systems to the degree possible to support out of custody students in all curricular areas.

Because the student population at New Opportunities Charter School will be transitional and fluid, semesters are five weeks long. As noted earlier, New Opportunities Charter School will outreach to working adults so that students who come out of jail can continue their education without sacrificing in other areas. Alternatively, they can attend a community college or another educational institution.

New Opportunities Charter School offers a number of remedial classes, particularly literacy based classes because the majority of students who first come to New Opportunities Charter School read below the fifth-grade level. The School will employ an Executive Director who chooses the curriculum and works with the literacy instructors.

In addition, the Centinela Valley Union High School District ("District"), by contract with New Opportunities Charter School, will provide the New Opportunities Charter School the necessary curriculum development support to achieve the goals and objectives stated herein.

NON-DISCRIMINATION POLICY AS TO STUDENTS

The New Opportunities Charter School will admit students with any disability, or of any gender, gender identity, gender expression, nationality, race, color, national origin, ethnicity, religion, sexual orientation, or any other characteristic protected under state or federal law to all the rights, privileges, programs, and activities generally accorded or made available to students at the School. The Charter School does not discriminate against students on the basis of disability, gender, gender identity, gender expression, nationality, race, color, national origin, ethnicity, religion, sexual orientation, or any other characteristic protected under state or federal law in administration of its educational policies, admission policies, and other school-administered programs.

SECTION 2 – COMMUNITY RELATIONS

CONCEPTS AND ROLES

The Board desires to represent the community and provide leadership in addressing community issues related to education. In order to identify community concerns and enlist support for New Opportunities Charter School, the Board shall establish effective two-way communication systems between the New Opportunities Charter School and the community.

The New Opportunities Charter School, parents/guardians, community members and local organizations must continually collaborate as partners. The Board and the Executive Director or designee shall work together with city and county agencies and organizations to promote and facilitate coordinated services for students, and shall seek to develop partnerships with local businesses.

The Board recognizes that schools are an important community resource and encourages community members to attend Board meetings, participate in school activities, and take an active interest in issues that affect New Opportunities Charter School. The Board and Executive Director or designee shall keep community members well informed about New Opportunities Charter School needs and accomplishments, and shall ensure that they have opportunities to share in developing educational policies, programs and evaluation processes.

The Board recognizes that its ability to fulfill the community's expectations for a high-quality educational program depends on the level of support provided by the state and federal government as well as the community. The Board therefore shall study legislative processes and issues, establish ongoing relationships with state and local leaders and the media, adopt positions on key issues, set priorities for advocacy, and collaborate with other organizations and coalitions in legislative and legal advocacy efforts.

COMMUNICATION WITH THE PUBLIC

The Board recognizes the New Opportunities Charter School's responsibility to keep the public informed regarding the goals, programs, achievements, and needs of the New Opportunities Charter School and to be responsive to the concerns and interests of the community.

The Executive Director or designee shall establish strategies for effective two-way communications between New Opportunities Charter School and the public, and shall consult with the Board regarding the role of Board members as advocates for the New Opportunities Charter School's students, programs, and policies.

The Executive Director or designee shall provide the Board and staff with communications protocols and procedures to assist the New Opportunities Charter School in presenting a consistent, unified message on New Opportunities Charter School issues. Such protocols and procedures may include, but are not limited to, identification of the spokesperson(s) authorized to speak to the media on behalf of the New Opportunities Charter School, strategies for coordinating communications efforts and activities, and legal requirements pertaining to confidentiality as well as the public's right to access records.

The Executive Director or designee shall utilize a variety of communications methods in order to provide the public with access to information. Such methods may include, but are not limited to, New Opportunities Charter School newsletters, web sites, social networking

pages or other online communications technologies, direct email communications, mailings, recorded telephone messages for parent/guardian information, community forums and public events, news releases, meetings with education reporters and editorial boards, presentations at parent organization meetings, and meetings with representatives of local governments, community organizations, and businesses.

In developing communications strategies, the Executive Director or designee shall take into account the needs of all members of the public, including individuals with disabilities and those whose primary language is not English.

The Executive Director or designee shall ensure that staff members are responsive to requests by parents/guardians or members of the public for information or assistance and may provide staff with professional development in their "customer service" role as needed.

The Executive Director or designee shall provide multiple opportunities for members of the public to give input on New Opportunities Charter School issues and operations. Community members are encouraged to become involved in school activities, participate on New Opportunities Charter School committees, provide input at Board meetings, submit suggestions to New Opportunities Charter School staff, and use the New Opportunities Charter School's complaint procedures as appropriate.

No newsletter or other mass mailing, as defined in Government Code section 82041.5 and 2 CCR section 18901, shall be sent by the New Opportunities Charter School at public expense if such material aggrandizes one or more Board members. The name, signature, or photograph of a Board member may be included in such materials only as permitted by 2 CCR section 18901.

The Executive Director or designee shall develop a written communications plan which establishes priorities for proactive community outreach to build support for New Opportunities Charter School programs and issues.

The plan shall identify specific communications goals aligned with the New Opportunities Charter School's vision and goals for student learning. For each communications goal, the plan shall identify key messages, individuals or groups that can help the New Opportunities Charter School achieve its goal, strategies tailored to each target audience, timelines, persons responsible for each activity, and budget implications.

As appropriate for each issue, target audiences may include parents/guardians, the media, local governmental agencies, businesses, community organizations and civic groups, postsecondary institutions, health care professionals, child care providers, community leaders, state or federal legislators or agencies, and/or other segments of the public.

The Executive Director or designee shall periodically evaluate the implementation and effectiveness of the New Opportunities Charter School's communications plan and recommend to the Board whether the goals and key issues identified in the plan need to be revised to meet changing circumstances or priorities.

Media Relations

The Board respects the public's right to information and recognizes that the media significantly influence the community's understanding of school programs. In order to develop and maintain positive media relations, the Board and the Executive Director desire

to reasonably accommodate media requests for information and to provide accurate, reliable and timely information.

Media representatives are welcome at all Board meetings and shall receive meeting agendas upon request in accordance with Board policy.

Media representatives who wish to visit the New Opportunities Charter School should direct requests to the appropriate County and/or jail facility representative. If permission to visit is granted, media representatives, like all other visitors, shall register immediately upon entering the facility when school is in session, and shall comply with all Visitor policies and regulations.

In order to protect the privacy and safety of students, a media representative who wishes to photograph students on school grounds should first make arrangements with the Executive Director or designee and the appropriate County and/or jail facility representative. Electronic listening or recording devices may not be used in a classroom without the prior consent of the Executive Director or designee and the appropriate County and/or jail facility representative and teacher given to promote an educational purpose.

Media Communications Plan

In order to help develop strong relations with the media, the Executive Director or designee shall develop a proactive media communications plan. This plan may include, but not be limited to, information related to programs and needs, student awards, school accomplishments and events of special interest.

The plan shall specify the New Opportunities Charter School's and/or site's primary media contact to whom all media inquiries shall be routed. Spokespersons designated to speak to the media on behalf of the New Opportunities Charter School include the Board president, Executive Director and public information officer. Other Board members and staff may be asked by the Executive Director or designee to speak to the media on a case-by-case basis, depending on their expertise on an issue.

The Executive Director or designee shall provide training on effective media relations to all designated spokespersons.

Crisis Communications Plan

During a disturbance or crisis situation, the first priority of school staff is to assure the safety of students and staff. However, the Board recognizes the need to provide timely and accurate information to the community during a crisis. The Board also recognizes that the media have an important role to play in relaying this information to the public. In order to help ensure that the media and New Opportunities Charter School work together effectively, the Executive Director or designee shall develop a crisis communications plan to identify communication strategies to be taken in the event of a crisis in coordination with the appropriate County and/or jail facility representative.

The crisis communications plan may include but not be limited to identification of a media center location, development of both internal and external notification systems, and strategies for press conference logistics.

The Executive Director or designee shall include local law enforcement and media representatives in the crisis planning process.

DISPUTE RESOLUTION PROCEDURE WITHIN THE SCHOOL

The Board accepts responsibility for providing a means by which students can have their grievances heard. The Board desires that grievances be resolved expeditiously without disrupting the educational process. All internal disputes involving New Opportunities Charter School shall be resolved by the School in accordance with its Charter.

ACCESS TO SCHOOL RECORDS

The Board recognizes the right of citizens to have access to public records of the New Opportunities Charter School. The Board intends the New Opportunities Charter School to provide any person reasonable access to the public records of the New Opportunities Charter School during normal business hours and within the requirements of law. Public access shall not be given to records listed as exempt from public disclosure in the California Public Records Act and other state or federal law.

The New Opportunities Charter School may charge for copies of public records or other materials requested by individuals or groups. The charge shall be based on actual costs of duplication, as determined by the Executive Director or designee.

In order to help maintain the security of New Opportunities Charter School records, members of the public granted access shall examine records in the presence of a New Opportunities Charter School staff member.

SECTION 3 – STAFF POLICIES AND PROCEDURES

CONCEPTS AND ROLES

The Board recognizes that the success of School students and programs hinges on effective personnel. The Board desires to establish safe and supportive working conditions that will attract and retain staff members who are highly qualified and dedicated to the education and welfare of students. The School's policies shall be designed to ensure a supportive, positive climate and shall be in conformance with state and federal law and regulations.

The Executive Director has primary responsibility for overseeing the School's personnel system. To support this effort, the Board shall approve a framework for sound hiring practices. The Executive Director shall nominate all certificated personnel for employment, and the Board shall approve only those persons so recommended. Individuals who approach Board members regarding prospective employment shall be referred to the Executive Director or designee.

The Executive Director or designee shall assign and supervise the work of all employees and shall evaluate their work. The Executive Director or designee also shall recommend disciplinary action which the Board may take against employees when warranted under the circumstances.

The Board recognizes that every employee has a stake in the School's successful operation. The Board encourages all School employees to express their ideas, concerns and proposals related to the improvement of working conditions and the total educational program. The Executive Director or designee shall establish procedures whereby he/she will receive and consider employee suggestions and submit them, when appropriate, for consideration by the Board.

DRUG-, TOBACCO-, AND ALCOHOL-FREE WORKPLACE

The Board believes that the maintenance of drug-, tobacco-, and alcohol-free workplaces is essential to School operations. No employee shall unlawfully manufacture, distribute, dispense, possess, use or be under the influence of any alcoholic beverage, drug or controlled substance as defined in 21 USC § 81 at any school workplace. These prohibitions apply before, during and after school hours. A school workplace is any place where school work is performed, any school-owned or school-approved vehicle used to transport students and/or school employees to and from school or school activities; any off-school sites when accommodating a school-sponsored or school approved activity or function where students are under New Opportunities Charter School jurisdiction; or during any period of time when an employee is supervising students on behalf of the New Opportunities Charter School or otherwise engaged in New Opportunities Charter School business.

The Executive Director or designee shall notify employees of these prohibitions. (Gov. Code, § 8355; 41 USC § 8103.)

An employee shall abide by the terms of this policy and notify the New Opportunities Charter School, within five days, of any criminal drug or alcohol statute conviction which he/she receives for a violation occurring in the workplace. (41 USC § 8103.)

The Executive Director or designee shall notify the appropriate federal granting or contracting agencies within 10 days after receiving notification, from an employee or otherwise, of any conviction for a violation occurring in the workplace. (41 USC § 8102.)

The Board may not employ or retain in employment persons convicted of a controlled substance offense as defined in Education Code section 44011. A plea or verdict of guilty, a finding of guilt by a court in a trial without a jury, or a conviction following a plea of nolo contendere shall be deemed to be a conviction.

The Board may take appropriate disciplinary action, up to and including termination.

New Opportunities Charter School employees will abide by the Sheriff's Department and site-specific rules regarding smoking of tobacco when serving incarcerated students.

NONDISCRIMINATION IN EMPLOYMENT

The Board prohibits discrimination against and/or harassment of School employees and job applicants at any School site or activity on the basis of actual or perceived race, religion, color, national origin, ancestry, age, marital status, pregnancy, physical or mental disability, medical condition, genetic information, veteran status, gender, sex, or sexual orientation.

Prohibited discrimination or harassment consists of unwelcome conduct, whether verbal, physical, or visual, based on any of the prohibited categories of discrimination listed above that it is so severe and pervasive that it adversely affects an individual's employment opportunities or has the purpose or effect of unreasonably interfering with his/her work performance or creating an intimidating, hostile, or offensive work environment.

The Board also prohibits retaliation against any School employee or job applicant who complains, testifies, assists, or in any way participates in the School's complaint procedures instituted pursuant to this policy.

Any New Opportunities Charter School employee who engages or participates in prohibited discrimination or harassment, or who aids, abets, incites, compels, or coerces another to engage or attempt to engage in such behavior, shall be in violation of this policy and shall be subject to disciplinary action, up to and including dismissal.

Any employee or job applicant who believes that he/she has been or is being discriminated against or harassed in violation of New Opportunities Charter School policy or regulation should immediately contact the District's Human Resources Department which shall advise the employee or applicant about the New Opportunities Charter School's procedures for filing, investigating, and resolving any such complaints. Complaints regarding employment discrimination or harassment shall immediately be investigated.

Any supervisory or management employee who observes or has knowledge of an incident of prohibited discrimination or harassment shall report the incident to the District's Human Resources Department as soon as practical after the incident. All other employees are encouraged to report such incidents to their supervisor immediately.

Training and Notifications

The New Opportunities Charter School shall provide training to employees about how to recognize harassment and discrimination, how to respond appropriately, and components of the New Opportunities Charter School's policies and regulations regarding discrimination.

The Executive Director or designee shall regularly publicize, within the New Opportunities Charter School and in the community, the New Opportunities Charter School's nondiscrimination policy and the availability of complaint procedures. Such publication shall be included in each announcement, bulletin, or application form that is used in employee recruitment. (34 CFR §§ 100.6, 106.9.)

EMPLOYEE USE OF TECHNOLOGY

Generally

The Board recognizes that technological resources can enhance employee performance by offering effective tools to assist in providing a quality instructional program, facilitating communications with parents/guardians, students, and the community, supporting New Opportunities Charter School operations, and improving access to and exchange of information. The Board expects all employees to learn to use the available technological resources that will assist them in the performance of their job responsibilities.

Employees shall be responsible for the appropriate use of technology and shall use the New Opportunities Charter School's technological resources primarily for purposes related to their employment. Employees shall adhere to the Sheriff's Department site-specific rules/regulations concerning the use of online/internet services.

Employees are notified that computer files and electronic communications, including email and voice mail, are not private. Technological resources shall not be used to transmit confidential information about students, employees, or School or County operations without authority.

Use of Cellular Phone or Mobile Communications Device

An employee shall not use a personal cellular phone or other mobile communications device for personal business while on duty, except in emergency situations and/or during scheduled work breaks.

Any employee that uses a cell phone or mobile communications device in violation of law, Board policy, or Sheriff Department site-specific rules/regulations shall be subject to discipline and may be referred to law enforcement officials as appropriate.

APPOINTMENT AND CONDITIONS OF EMPLOYMENT: ALL PERSONNEL

Checks and Balances

The Executive Director does not have the authority to unilaterally bind New Opportunities Charter School or the Board to any agreements, contracts, loans, or commitments of any kind. The Executive Director must obtain express written authorization of the Board President before discussing or negotiating any agreements, contracts, loans or commitments made on behalf of or for the benefit of New Opportunities Charter School and the Board must approve and/or ratify any such agreements, contracts, loans, or commitments. All such agreements, contracts, loans or commitments shall be executed by the Clerk of the Board.

The President of the Board will have the authority to brief individual members of the Board regarding matters set forth in the Agenda prior to Board meetings in conformity with the Brown Act (Government Code section 54950 et seq.).

The President of the Board will prepare an annual evaluation no later than June 30th each year for the entire Board concerning the Executive Director's performance.

Recruitment and Selection

The Board desires to employ the most highly qualified and appropriate person available for each open position in order to improve student achievement and efficiency in School operations.

The Executive Director (or designee) shall recruit candidates for open positions based on an assessment of the New Opportunities Charter School's needs for specific skills, knowledge and abilities. He or she shall develop job descriptions that accurately describe all essential and marginal functions and duties of each position, and shall disseminate job announcements to ensure a wide range of candidates.

Prospective candidates who seek employment with the New Opportunities Charter School will proceed initially through the School's employment process, which includes an initial review by the District's Human Resources Department.

During job interviews, applicants may be asked to describe or demonstrate how they will be able to perform the duties of the job. No inquiry shall be made with regard to any category of discrimination prohibited by state or federal law.

For each position, the Executive Director or designee shall present to the Board one candidate who meets all qualifications established by law and the Board for the position. No person shall be employed by the Board without the recommendation or endorsement of the Executive Director or designee.

The employment of all employees is at-will, will have no specified length and may be terminated with or without cause by the Board or the employee.

Legal Status Requirement

The Board shall ensure that the New Opportunities Charter School employs only those individuals who are lawfully authorized to work in the United States. The Executive Director or designee shall verify the employment eligibility of all persons hired by completing the

U.S. Citizenship and Immigration Services Form I-9, Employment Eligibility Verification, for each individual hired and ensure that the New Opportunities Charter School does not knowingly hire or continue to employ any person not authorized to work in the United States. (8 USC §1324a.)

In accordance with law, the Executive Director or designee shall ensure that New Opportunities Charter School employment practices do not unlawfully discriminate on the basis of citizenship status or national origin, including, but not limited to, discrimination against any refugees, grantees of asylum, or persons qualified for permanent or temporary residency.

Within three business days of hire, the Executive Director or designee shall physically examine the documentation presented by the employee establishing his/her identity and employment authorization as set forth in U.S. Citizenship and Immigration Services Form I-9. The employee may present either an original document which establishes both employment authorization and identity or two separate original documents which establish authorization and identity. Only unexpired documents are acceptable. (8 CFR § 274a.2.)

The Executive Director or designee shall:

1. Ensure that the documents presented appear to be genuine and relate to the individual.
2. Complete the "Employer Review and Verification" section and sign the attestation with a handwritten signature or electronic signature on Form I-9. Persons employed for three business days or less must provide such documentation on their first day. (8 CFR § 274a.2.)

If unable to provide satisfactory documentation because the document was lost, stolen, or damaged, the employee shall furnish a receipt indicating that a replacement document has been requested. This receipt must be presented within three business days of the hire, and the replacement document must be provided within 90 days of the hire. (8 CFR § 274a.2.)

If an individual's employment authorization expires, the Executive Director or designee must reverify Form I-9, by noting the document's identification number and expiration date on the form, no later than the date the work authorization expires. The employee shall present a document that shows either continuing employment authorization or a new grant of work authorization. (8 CFR § 274a.2.)

The School shall retain an individual's Form I-9 for three years after the date of the hire or for one year after the date his/her employment is terminated, whichever is later. (8 CFR § 274a.2.)

The Executive Director or designee shall copy documents presented by an individual for verification and shall retain them with the individual's Form I-9. The documents shall be kept confidential and used only as needed to help justify the New Opportunities Charter School's past decision to accept the documents as valid.

Criminal Record Check

New Opportunities Charter School will comply with the provisions of Education Code section 44237 and section 45125.1 regarding the fingerprinting and background clearance of employees, contractors, and volunteers prior to employment, volunteering, or contract

services or any unsupervised contact with pupils of the New Opportunities Charter School. The School shall review Department of Justice reports on prospective employees, contractors and volunteers to determine whether an employee may be employed in accordance with Education Code section 44237 or section 45125.1. The Executive Director or designee shall monitor compliance with this policy and report to the Board of Directors on an annual basis.

The Executive Director or designee shall ensure that each person to be employed submits fingerprints, electronically through the Live Scan system for processing by the Department of Justice. The Executive Director or designee shall provide the applicant with a Live Scan request form and a list of nearby Live Scan locations.

The Board shall not employ an applicant until the Department of Justice completes its check of the state criminal history files.

The criminal record check of employees shall also include Los Angeles County Sheriff's Department's "Application for Access to Custody Facilities," which each employee must complete and submit prior to performing services for the School at County jail facilities.

Personnel Files

The New Opportunities Charter School shall maintain personnel files for all current employees. All personnel files are confidential and shall be available only to the employee, persons authorized by the employee and those authorized. Official employee files shall be maintained at the New Opportunities Charter School's central office.

The contents of all personnel files shall be kept in strict confidence by any authorized reviewer.

Personnel files shall be reviewed and replaced within the shortest time possible. In no case shall a personnel file be left unattended or left unfiled overnight.

Placement of Material in Personnel Files

The Executive Director shall have the authority to place written material in an employee's personnel file.

Any person who places written material or drafts written material for placement in an employee's file shall sign the material and signify the date of placement.

When an employee is asked to sign any material that is to be placed in his/her file, it is with the understanding that his/her signature signifies only that he/she has read the material and does not necessarily indicate agreement with its contents.

Any request by an employee to include materials in his/her personnel file must be approved by the Executive Director upon consultation with legal counsel.

File Review by Employee

The Executive Director shall have the authority to inspect all employee personnel files at any time.

The contents of personnel records relating to the employee's performance or to any grievance concerning the employee shall be made available to the employee at reasonable intervals and at reasonable times. The New Opportunities Charter School shall not be required to make such records available at a time when the employee is required to render services to the New Opportunities Charter School, unless the employee is required to view the file where it is stored. (Lab. Code, § 1198.5.)

The New Opportunities Charter School shall permit the employee to inspect the personnel records at the location where the New Opportunities Charter School stores the personnel records, with no loss of compensation to the employee. (Lab. Code, § 1198.5.)

Any employee wishing to inspect his/her personnel record shall contact the Executive Director or designee.

With the exceptions noted below, all personnel records related to the employee's performance shall be made available for inspection by the employee.

The Executive Director or designee shall not be required to make available to the employee: (Lab Code, § 1198.5.)

1. Records relating to the investigation of a possible criminal offense.
2. Letters of reference.
3. Ratings, reports or records that were obtained prior to the employee's employment, prepared by identifiable examination committee members, or obtained in connection with a promotional examination.

Inspection shall take place in the presence of the Executive Director or designee. All reviews of personnel records shall be recorded, including the date and time the file was reviewed and the name and title of the person(s) present during the review.

In no instance shall any material be removed from the records. Requests for copies of material in a personnel record must be made in writing.

File Review by Management and Board

Management personnel or New Opportunities Charter School legal counsel with a valid "right to know" or "need to know" may, with the Executive Director or designee's authorization, review an employee's personnel file.

Board members are not individually allowed to request and access personnel files but the Board may request pertinent information from an employee's file in cases of personnel action.

Employment of Relatives

The Board desires to maximize staff and community confidence in New Opportunities Charter School hiring, promotion, and other employment decisions by promoting practices that are free of conflicts of interest or the appearance of impropriety.

The Board prohibits the appointment of any person to a position for which his/her relative maintains management, supervisory, evaluation, or promotion responsibilities and prohibits

an employee from participating in any decision that singularly applies to any of his/her relatives.

For purposes of this policy, relative includes the individual's spouse, domestic partner, parents, grandparents, great-grandparents, children, grandchildren, great-grandchildren, brothers, sisters, aunts, uncles, nieces, nephews, and the similar family of the individual's spouse, domestic partner, girlfriend, boyfriend, or any other person with whom the individual shares a personal intimate relationship.

In addition, the Executive Director or designee may determine, on a case-by-case basis, whether to appoint a person to a position in the same department or facility as an employee with whom he/she maintains a personal relationship when that relationship has the potential to create (1) an adverse impact on supervision, safety, security, or morale of other New Opportunities Charter School employees or (2) a conflict of interest for the individuals involved which is greater because of their relationship than it would be for another person.

An employee shall notify his/her supervisor within 30 days of any change in his/her circumstances that may constitute a violation of this policy.

CIVIL AND LEGAL RIGHTS: ALL PERSONNEL

The Board believes that the personal life of an employee is not an appropriate concern of the New Opportunities Charter School, except as it may directly relate to the employee's performance of his/her duties.

An employee's religious or political activities, or lack thereof, shall not be grounds for any discrimination or disciplinary action by the New Opportunities Charter School, provided that these activities do not violate law, or Board policy.

A teacher shall have the right to refuse to submit to any evaluation or survey conducted by the New Opportunities Charter School concerning personal values, attitudes, and beliefs; sexual orientation; political affiliations or opinions; critical appraisals of other individuals with whom the teacher has a family relationship; or religious affiliations or beliefs.

Employees do not have a reasonable expectation of privacy with regards to New Opportunities Charter School property under an employee's control including, but not limited to, desks, classrooms, offices, file cabinets, computers, or phones. As necessary to protect the health, welfare, or safety of students and staff, school officials, and/or the Sheriff's Department's site-specific representative may search such items in order to uncover evidence that the employee is violating the law, Board policy, requirements of the Sheriff's Department, or other rules of the New Opportunities Charter School.

Whistleblower Protection

An employee shall have the right to disclose to a Board member, a school administrator, a member of the County Board of Education, County Superintendent of Schools, or the State Superintendent of Public Instruction any improper governmental activity by the New Opportunities Charter School or a School employee that violates state or federal law, is economically wasteful, or involves gross misconduct, incompetency, or inefficiency. When the employee has reasonable cause to believe that the information discloses a violation of state or federal statute or a violation or noncompliance with a state or federal rule or regulation, he/she has the right to disclose such information to a government or law enforcement agency or to refuse to participate in any such activity. (Lab. Code, § 1102.5.)

The Executive Director or designee shall prominently display in lettering larger than size 14 point type a list of employees' rights and responsibilities under the whistleblower laws, including the telephone number of the whistleblower hotline maintained by the office of the California Attorney General. (Lab. Code, § 1102.8.)

No employee shall use or attempt to use his/her official authority or influence to intimidate, threaten, coerce, or command another employee for the purpose of interfering with that employee's right to disclose improper governmental activity.

An employee who has disclosed improper governmental activity and believes that he/she has subsequently been subjected to acts or attempted acts of reprisal shall file a written complaint in accordance with the New Opportunities Charter School's complaint procedures. After filing a complaint with the School, he/she may also file a copy of the complaint with local law enforcement.

Protection Against Liability

No employee shall be liable for harm caused by his/her act or omission when acting within the course and scope of employment with New Opportunities Charter School. For the protection against liability to apply, the act or omission must be in conformity with federal, state, and local laws and must be in furtherance of an effort to control, discipline, expel, or suspend a student, or to maintain order or control in the classroom or school. (20 USC § 6736.)

The protection against liability shall not apply when: (20 USC § 6736)

1. The employee acted with willful or criminal misconduct, gross negligence, recklessness, or a conscious, flagrant indifference to the harmed person's right to safety.
2. The employee caused harm by operating a motor vehicle or other vehicle requiring license or insurance.
3. The employee was not properly licensed, if required, by state law for such activities.
4. The employee was found by a court to have violated a federal or state civil rights law.
5. The employee was under the influence of alcohol or any drug at the time of the misconduct.
6. The misconduct constituted a crime of violence pursuant to 18 USC section 16 or an act of terrorism for which the employee has been convicted in a court.
7. The misconduct involved a sexual offense for which the employee has been convicted in a court.

Sexual Harassment

The Board prohibits sexual harassment of New Opportunities Charter School employees and job applicants. The Board also prohibits retaliatory behavior or action against New

Opportunities Charter School employees or other persons who complain, testify or otherwise participate in the complaint process established pursuant to this policy.

The Executive Director or designee shall take all actions necessary to ensure the prevention, investigation, and correction of sexual harassment, including but not limited to:

1. Providing training to employees in accordance with law.
2. Publicizing and disseminating the New Opportunities Charter School's sexual harassment policy to staff.
3. Ensuring prompt, thorough, and fair investigation of complaints.
4. Taking timely and appropriate corrective/remedial action(s), which may require interim separation of the complainant and the alleged harasser and subsequent monitoring of developments.

All complaints and allegations of sexual harassment shall be kept confidential to the extent necessary to carry out the investigation or to take other subsequent necessary actions. (5 CCR § 4964.)

Any School employee or job applicant who feels that he/she has been sexually harassed or who has knowledge of any incident of sexual harassment by or against another employee, a job applicant or a student, shall immediately report the incident to his/her supervisor, the Executive Director or designee.

A supervisor or administrator who receives a harassment complaint shall promptly notify the Executive Director or designee.

An employee may bypass his/her supervisor in filing a complaint where the supervisor is the subject of the complaint.

Any School employee who engages or participates in sexual harassment or who aids, abets, incites, compels, or coerces another to commit sexual harassment against a New Opportunities Charter School employee, job applicant, or student is in violation of this policy and is subject to disciplinary action, up to and including dismissal.

Definitions

"Prohibited sexual harassment" includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors, or other unwanted verbal, visual, or physical conduct of a sexual nature made against another person of the same or opposite sex in the work or educational setting when: (Ed. Code, § 212.5; 5 CCR § 4916)

1. Submission to the conduct is made explicitly or implicitly a term or condition of the individual's employment.
2. Submission to or rejection of such conduct by the individual is used as the basis for an employment decision affecting him/her.
3. The conduct has the purpose or effect of having a negative impact upon the individual's work or has the purpose or effect of creating an intimidating, hostile, or offensive work environment. The conduct is sufficiently severe,

persistent, pervasive, or objectively offensive so as to create a hostile or abusive working environment or to limit the individual's ability to participate in or benefit from an education program or activity.

4. Submission to or rejection of the conduct by the other individual is used as the basis for any decision affecting him/her regarding benefits, services, honors, programs, or activities available at or through the School.

Other examples of actions that might constitute sexual harassment, whether committed by a supervisor, a co-worker, or a non-employee, in the work or educational setting, include, but are not limited to:

1. Unwelcome verbal conduct such as sexual flirtations or propositions; graphic comments about an individual's body; overly personal conversations or pressure for sexual activity; sexual jokes or stories; unwelcome sexual slurs, epithets, threats, innuendoes, derogatory comments, sexually degrading descriptions, or the spreading of sexual rumors.
2. Unwelcome visual conduct such as drawings, pictures, graffiti, or gestures; sexually explicit emails; displaying sexually suggestive objects.
3. Unwelcome physical conduct such as massaging, grabbing, fondling, stroking, or brushing the body; touching an individual's body or clothes in a sexual way; cornering, blocking, leaning over, or impeding normal movements.

Prohibited sexual harassment may also include any act of retaliation against an individual who reports a violation of the New Opportunities Charter School's sexual harassment policy or who participates in the investigation of a sexual harassment complaint.

Training

Every two years, the Executive Director or designee shall ensure that supervisory employees receive at least two hours of classroom or other effective interactive training and education regarding sexual harassment. All newly hired or promoted supervisory employees shall receive training within six months of their assumption of the supervisory position. (Gov. Code, § 12950.1.)

The School's training and education program for supervisory employees shall include information and practical guidance regarding the federal and state laws on the prohibition against and the prevention and correction of sexual harassment, and the remedies available to the victims of sexual harassment in employment. The training shall also include all of the content specified in 2 CCR section 7288.0 and practical examples aimed at instructing supervisors in the prevention of harassment, discrimination, and retaliation. (Gov. Code, § 12950.1; 2 CCR § 7288.0.)

Notifications

A copy of the Board policy shall:

1. Be displayed in a prominent location in the School where notices of rules, regulations, procedures, and standards of conduct are posted.

2. Be provided to each faculty member, all members of the administrative staff, and all members of the support staff at the beginning of the first quarter or semester of the school year or whenever a new employee is hired.
3. Appear in any New Opportunities Charter School publication that sets forth the New Opportunities Charter School's comprehensive rules, regulations, procedures, and standards of conduct.

All employees shall receive a copy of New Opportunities Charter School information sheets that contain, at a minimum, components on: (Gov. Code, § 12950)

1. The illegality of sexual harassment.
2. The definition of sexual harassment under applicable state and federal law.
3. A description of sexual harassment, with examples.
4. The New Opportunities Charter School's complaint process available to the employee
5. The legal remedies and complaint process available through DFEH and the Equal Employment Opportunity Commission (EEOC).
6. Directions on how to contact DFEH and the EEOC.
7. The protection against retaliation provided by 2 CCR section 7287.8 for opposing harassment prohibited by law or for filing a complaint with or otherwise participating in an investigation, proceeding, or hearing conducted by DFEH and the EEOC.

In addition, the New Opportunities Charter School shall post, in a prominent and accessible location, DFEH's poster on discrimination in employment and the illegality of sexual harassment. (Gov. Code, § 12950.)

PROFESSIONAL STANDARDS: ALL PERSONNEL

The Board expects New Opportunities Charter School employees to maintain the highest ethical standards, exhibit professional behavior, follow New Opportunities Charter School policies, and abide by applicable state and federal laws. Employee conduct should enhance the integrity of the New Opportunities Charter School and advance the goals of the New Opportunities Charter School's educational programs. Each employee should make a commitment to acquire the knowledge and skills necessary to fulfill his/her responsibilities and should focus on his/her contribution to the learning and achievement of New Opportunities Charter School students.

The Board encourages New Opportunities Charter School employees to accept as guiding principles the professional standards and codes of ethics adopted by educational or professional associations to which they may belong.

Each employee's conduct shall be subject to the standards, rules, and/or code of conduct of the School's location.

Staff Conduct with Students

The Board expects all employees to exercise good judgment and maintain professional standards and boundaries when interacting with students both on and off school property. Inappropriate employee conduct shall include, but not be limited to, engaging in harassing or discriminatory behavior; engaging in inappropriate socialization or fraternization with a student; soliciting, encouraging, or establishing an inappropriate written, verbal, or physical relationship with a student; furnishing tobacco, alcohol, or other illegal or unauthorized substances to a student.

An employee who observes or has evidence of inappropriate conduct between another employee and a student shall immediately report such conduct to the Executive Director or designee.

Any employee who is found to have engaged in inappropriate conduct with a student in violation law or this policy shall be subject to disciplinary action.

Dress and Grooming

Purpose

The Board believes that appropriate dress and grooming by New Opportunities Charter School employees contribute to a productive learning environment and model positive behavior. During school hours and at school activities, employees shall maintain professional standards of dress and grooming that demonstrate their high regard for education, present an image consistent with their job responsibilities and assignment, and not endanger the health or safety of employees or students. All employees shall be held to the same standards unless their assignment provides for modified dress as approved by their supervisor.

The New Opportunities Charter School purchases uniforms to provide identification of School employees for our students and other employees of School's locations, to reduce clothing expenses for employees, and to build teamwork and pride within the School.

Uniform Policy

The New Opportunities Charter School will provide an annual uniform budget to work units based on the number of employees. This amount will be determined based on annual funding availability. Each employee will be allotted an annual uniform allowance. Within the allowance, employees have discretion to purchase approved uniforms to meet work related clothing needs and appearance standards as approved by the Board.

All employees will wear the prescribed uniform per this policy while performing their duties. All employees are expected to maintain a clean, neat, and well-groomed appearance at all times.

It is the responsibility of each supervisor to ensure that his or her employees are complying with the uniform and dress code policy. If an employee does not comply with the policy, he or she will be advised of the proper dress. Chronic problems may result in termination.

Uniforms

All personnel will wear khaki pants and a shirt bearing the emblem of the New Opportunities Charter School.

Shoes must be clean and present a professional image. Footwear must be appropriate to the task being performed and consistent with requirements of the Los Angeles Sheriff's Department. Flip-flops, other open-toed shoes, and shoes without a backing that cover the heel are not authorized.

Unauthorized Release of Confidential/Privileged Information

The Board recognizes the importance of keeping confidential information confidential. Staff shall maintain the confidentiality of information acquired in the course of their employment. Confidential/privileged information shall be released only to the extent authorized by law.

Disclosure of Closed Session Information

An employee shall not disclose confidential information acquired by being present during a closed session to a person not entitled to receive such information, unless the Board as a whole authorizes disclosure of that information. (Gov. Code, § 54963.)

Confidential information for purposes of this provision means a communication made in a closed session that is specifically related to the basis for the Board to meet lawfully in closed session. (Gov. Code, § 54963.)

An employee who willfully discloses confidential information acquired during a closed session may be subject to termination as well as action imposed by statute. (Gov. Code, § 54963.)

Other Disclosures

An employee who willfully releases confidential/privileged information about the New Opportunities Charter School, students or staff shall be subject to disciplinary action.

No employee shall disclose confidential information acquired in the course of his/her official duties. Confidential information includes information that is not a public record subject to

disclosure under the Public Records Act, information that by law may not be disclosed, or information that may have a material financial effect on the employee.

Any action by an employee which inadvertently or carelessly results in release of confidential/privileged information shall be recorded, and the record shall be placed in the employee's personnel file and the employee may be terminated.

No employee shall intentionally have direct or indirect with any inmate's spouse, domestic partner, parents, grandparents, great-grandparents, children, grandchildren, great-grandchildren, brothers, sisters, aunts, uncles, nieces, nephews, and the similar family of the individual's spouse, domestic partner, girlfriend, boyfriend, or any other person with whom the individual shares a personal relationship.

Political Activities of Employees

The Board respects the right of school employees to engage in political discussions and activities on their own time and at their own expense. On such occasions, employees shall make it clear that they are acting as individuals and not as representatives of the New Opportunities Charter School, and will not undertake such activities while wearing the New Opportunities Charter School uniform.

Employees shall refrain from prohibited activities identified in law. Employees who engage in these activities shall be subject to termination and/or criminal penalties.

Infectious Disease

TB Testing

New Opportunities Charter School will follow the requirement of Education Code section 49406 in requiring tuberculosis testing of all employees and volunteers working in direct contact with students.

Immunizations

New Opportunities Charter School will require all enrolling students and staff to provide documentation of immunization in accord with requirements of the Health and Safety Code sections 120325–120375 and California Code of Regulations, title 17, sections 6000–6075. This includes immunizations for polio, diphtheria, tetanus, peruses, measles, mumps, rubella, and Hepatitis B as described in Department of Health Services Document IMM-231.

Employees with Infectious Disease

New Opportunities Charter School shall meet state and federal standards for dealing with bloodborne pathogens and other potentially infectious materials in the workplace. New Opportunities Charter School will abide by the Sheriff's Department plan designed to protect employees from possible infection due to contact with bloodborne viruses, including human immunodeficiency virus (HIV) and hepatitis B virus (HBV).

Whenever exposed to blood or other body fluids through injury or accident, students and staff should follow the latest medical protocol for disinfecting procedures.

The Board encourages each employee to inform the New Opportunities Charter School as soon as possible if he/she contracts an infectious disease which creates a physical or mental disability. The Board will reasonably accommodate the needs of such individuals.

The Board may reassign or grant disability leave to an employee who is unable to perform his/her job responsibilities because of illness or because the employee's illness significantly endangers his/her health or safety or the health or safety of others.

No employee will be discriminated against because of his/her disability. Legal protections established for disabled persons extend to individuals significantly impaired by infectious diseases.

When informed that an employee has a disabling infectious disease, the Executive Director or designee may request that the employee sign a release form to provide confidential medical information and records.

In determining a reasonable accommodation of the employee's condition, the New Opportunities Charter School may consult with public health officials or physicians with expertise in the diagnosis and treatment of infectious disease. The New Opportunities Charter School may also communicate with the employee's physician regarding the employee's ability to perform the essential requirements of the job with reasonable accommodation and without posing significant health or safety risks to the employee or others.

The Executive Director or designee shall prepare a confidential report which includes his/her recommendation and the medical information upon which it is based. These recommendations shall take into consideration:

1. The nature of the disease and the probability of its being transmitted, including the duration and severity of the risk.
2. The physical condition of the employee, including diagnosis, treatment, and prognosis of the condition.
3. The actual requirements of the employee's job and the expected type of interaction with others in the school setting.

This report shall be forwarded to the Board for confidential review and action.

The job assignment of an employee with a disabling infectious disease shall be reevaluated whenever there is a change in medical knowledge or in the employee's medical regimen or health which might affect his/her assignment.

Confidentiality

The Board shall ensure that employee rights to confidentiality are strictly observed. The New Opportunities Charter School shall disclose medical record information only to the extent required or permitted by law. The medical records of any employee with a disabling infectious disease shall be held in strict confidence.

STAFF ACTIVITIES: ALL PERSONNEL

Soliciting and Selling

Employees shall not solicit New Opportunities Charter School staff, students or their families with the intent to sell general merchandise, books, equipment or services for their own personal profit or benefit. Solicitation of students and staff on behalf of the school or other charitable organizations shall be conducted in accordance with applicable Board policy.

Staff members shall respect the confidentiality of New Opportunities Charter School employees and students and shall not use their status as employees to secure information such as names, addresses, e-mail addresses, and telephone numbers for solicitations or use in personal profit-making or beneficial ventures.

Nonschool Employment

In order to help maintain public trust in the integrity of New Opportunities Charter School operations, the Board expects all employees to give the responsibility of their positions precedence over any other outside employment. A New Opportunities Charter School employee may receive compensation for outside activities as long as these activities are not inconsistent, incompatible, in conflict with, or inimical to his/her school duties.

An outside activity shall be considered inconsistent, incompatible, or inimical to New Opportunities Charter School employment when such activity: (Gov. Code, § 1126.)

1. Requires time periods that interfere with the proper, efficient discharge of the employee's duties.
2. Entails compensation from an outside source for activities which are part of the employee's regular duties.
3. Involves using the New Opportunities Charter School's name, prestige, time, facilities, equipment, or supplies for private gain.
4. Involves service which will be wholly or in part subject to the approval or control of another New Opportunities Charter School employee or Board member.

An employee wishing to accept outside employment that may be inconsistent, incompatible, in conflict with, or inimical to the employee's duties shall file a written request with his/her immediate supervisor describing the nature of the employment and the time required. The supervisor shall evaluate each request based on the employee's specific duties within the New Opportunities Charter School and determine whether to grant authorization for such employment.

The supervisor shall inform the employee whether the outside employment is prohibited. The employee may appeal a supervisor's denial of authorization to the Executive Director or designee. An employee who continues to pursue a prohibited activity may be subject to disciplinary action.

Tutoring

A certificated employee shall not accept any compensation or other benefit for tutoring a student enrolled in his/her class(es). An employee who wishes to tutor a student not in his/her class(es) shall first request authorization from his/her supervisor in accordance with this Board policy. If authorization is granted, the employee shall not use New Opportunities Charter School facilities, equipment, or supplies when providing the tutoring service.

Travel Expenses

Members of the Board and designated employees of the New Opportunities Charter School may be authorized upon Board approval to attend conferences, workshops, seminars, or other meetings serving educational purposes or being of benefit to the School.

1. *Meals and Incidentals:* The maximum per diem allowance for meals and incidentals shall be the rate established by the U.S. General Services Administration (GSA). All meal allowances will be reimbursed on a per diem basis except when within 50 miles of the School. Designated employees may submit receipts for reimbursement when on authorized business within 50 miles of the School. The GSA rates are available at <http://www.gsa.gov/mie>.
2. *Lodging:* For an authorized overnight stay, lodging may be reimbursed. An overnight stay may be authorized when conference facility is outside Los Angeles County.
3. *Mileage:* Employees who use their personal vehicles on School business shall receive reimbursement based on the standard mileage rate set by the Internal Revenue Service (IRS), usually at the beginning of every year. Any employee receiving monthly travel allowance may also claim mileage reimbursement if travel is outside Los Angeles County or more than 50 miles outside the School.

COMPENSATION AND RELATED BENEFITS: ALL PERSONNEL

Employee Compensation

In order to recruit and retain employees committed to the New Opportunities Charter School's goals for student learning, the Board recognizes the importance of offering a competitive compensation package which includes salaries and health and welfare benefits.

The New Opportunities Charter School shall ensure its payroll system complies with all applicable laws, including, but not limited to, timelines regarding payment of compensation.

Health and Welfare Benefits

The New Opportunities Charter School shall provide health and welfare benefits to all employees who work thirty (30) or more hours per week, and Board members, in accordance with state and federal law.

For purposes of granting benefits pursuant to state law, a registered domestic partner and his/her child shall have the same rights, protections, and benefits as a spouse and spouse's child. (Fam. Code, § 297.5.)

The New Opportunities Charter School shall not use or disclose any medical information the New Opportunities Charter School possesses pertaining to an employee without the employee's authorization obtained in accordance with Civil Code section 56.21, except for the purpose of administering and maintaining employee benefit plans and for other purposes specified in law. (Civ. Code, § 56.20.)

Employee Property Reimbursement

The Board does not authorize payment for the reimbursement of employee personal property which may be stolen or intentionally destroyed or damaged while being used for work-related purposes.

Employee Safety

The Board is committed to maximizing employee safety and believes that workplace safety is every employee's responsibility. Working conditions and equipment shall comply with standards prescribed by federal, state, and local laws and regulations.

No employee shall be required or permitted to be in any place of employment which is unsafe or unhealthful. (Lab. Code, § 6402.)

The Board expects all employees to use safe work practices and, to the extent possible, correct any unsafe conditions which may occur. If an employee is unable to correct an unsafe condition, he/she shall immediately report the problem to the Executive Director or designee.

The Executive Director or District shall promote safety and correct any unsafe work practices through education and enforcement.

The Executive Director or District shall establish and implement a written injury and illness prevention program in accordance with law. (Lab. Code, § 6401.7.)

No employee shall be discharged or discriminated against for making complaints, instituting proceedings, or testifying with regard to employee safety or health or for participating in any occupational health and safety committee established pursuant to Labor Code section 6401.7. (Lab. Code, § 6310.)

Emergencies, First Aid, and Medical Services

New Opportunities Charter School shall adhere to the Sheriff's Department site-specific Emergency Procedures when serving incarcerated students. This plan includes, but is not limited to, the following responses: fire, flood, earthquake, threats, and biological or chemical release. This plan shall include an evacuation plan, general school safety, and injury and illness prevention.

Nursing services shall be available to incarcerated students on site through the Sheriff's Department personnel. Student health screening will be done by a contracted provider or as contracted through the New Opportunities Charter School.

Work-Related Injuries

The New Opportunities Charter School shall provide its employees and Board members with insurance and workers' compensation benefits in accordance with law.

The New Opportunities Charter School shall ensure that every new employee and Board member is notified of his/her right to receive workers' compensation if injured at work and that injured employees are given notice of rights in accordance with law.

The New Opportunities Charter School shall ensure that notifications regarding workers' compensation are posted in accordance with law.

LEAVES AND VACATIONS

Leaves

The Board shall provide for paid and unpaid leaves of absence for employees in accordance with law, and Board policy as applicable.

The Board recognizes the following justifiable reasons for employee absence:

1. Personal illness or injury
2. Industrial accident or illness
3. Family care and medical leave
4. Military service
5. Personal necessity and personal emergencies
6. Attendance at work-related meetings and staff development opportunities
7. Judicial Leave
8. Pregnancy Leave

Notification of Absence

An employee shall notify the New Opportunities Charter School of his/her need to be absent as soon as such need is known. This notification shall include an estimate of the expected duration of absence. If the absence becomes longer than estimated, the employee shall so notify the New Opportunities Charter School. If the duration of absence becomes shorter than estimated, the employee shall notify the New Opportunities Charter School not later than 7:00 a.m. on the day of return from leave.

Verification Requirements

After any absence due to illness or injury, the employee shall verify the absence by submitting a completed and signed New Opportunities Charter School absence form to his/her immediate supervisor.

The Executive Director or designee may, at any time, require additional written verification by the employee's physician or practitioner. Such verification shall be required whenever an employee's absence record shows chronic absenteeism or a pattern of absences immediately before or after weekends and/or holidays or whenever clear evidence indicates that an absence is not related to illness or injury.

The Executive Director or designee may require an employee to visit a physician selected by the New Opportunities Charter School and at New Opportunities Charter School expense in order to receive a report on the medical condition of the employee. The report shall include a statement as to the employee's need for further leave of absence and a prognosis as to when the employee will be able to return to work. If the report concludes that the employee's condition does not warrant continued absence, the Executive Director or designee may, after giving notice to the employee, deny further leave.

Before returning to work, an employee who has been absent for surgery, hospitalization or extended medical treatment shall submit a letter from his/her physician stating that he/she is able to return and stipulating any recommended restrictions or limitations.

CERTIFICATED PERSONNEL

The Board recognizes that teachers and other certificated personnel work closely with students in carrying out the New Opportunities Charter School's educational goals. The Executive Director or designee shall ensure that the duties, responsibilities, and New Opportunities Charter School's expectations for certificated positions are clearly defined and made known to each member of the certificated staff.

Each certificated staff member shall be held accountable for duties assigned to him/her and shall undergo regular performance evaluations.

The Board strongly encourages certificated staff to continually improve their skills and pursue excellence within their profession.

Policies related to certificated personnel shall be available to all concerned.

Appointment and Conditions of Employment

Upon recommendation from the Executive Director or designee, the Board shall approve the appointment of all certificated personnel. The position and the salary classification shall be reported to the Board at a regular meeting.

Individuals appointed as certificated staff shall:

1. Possess the appropriate certification qualifications and register the certification document in accordance with law and Board policy. (Ed. Code, §§ 44250–44279, 44330.)
2. Demonstrate proficiency in basic skills as required by law and Board policy. (Ed. Code, §§ 44252.5, 44830.)
3. When required by the federal No Child Left Behind Act for teachers of core academic subjects, possess the qualifications of “highly qualified” teachers as defined in law, and Board policy. (20 USC § 6319.)
4. Submit to fingerprinting.
5. Not have been convicted of a violent or serious felony as defined in Penal Code sections 667.5 or 1192.7, unless the individual has received a certificate of rehabilitation and pardon.
6. Not have been convicted of any sex offense as defined in Education Code section 44010.
7. Not have been required to register as a sex offender pursuant to Penal Code section 290 because of a conviction for a crime where the victim was a minor under the age of 16. (Pen. Code, § 290.95.)
8. Not have been determined to be a sexual psychopath pursuant to Welfare and Institutions Code sections 6300–6332.
9. Not have been convicted of any controlled substance offense as defined in Education Code section 44011.

10. Submit to a physical examination, tuberculosis testing and/or provide a medical certificate as required by law and Board policy.
11. Furnish a statement of military service and, if any was rendered, a copy of the discharge or release from service or, if no such document is available, other suitable evidence of the termination of service.
12. Fulfill any other requirements as specified by law, or Board policy.

Certification

The Board recognizes that the New Opportunities Charter School's ability to provide a high-quality educational program is dependent upon the employment of certificated staff who are adequately prepared and have demonstrated proficiency in basic skills and in the subject matter to be taught. The Executive Director or designee shall ensure that persons employed in positions requiring certification qualifications possess the appropriate credential or permit from the Commission on Teacher Credentialing (CTC) authorizing their employment in such positions.

To the degree New Opportunities Charter School receives No Child Left Behind funds, all teachers of core academic subjects shall meet the requirements of the No Child Left Behind Act. (20 USC §§ 6319, 7801; 5 CCR §§ 6100–6125.)

National Board for Professional Teaching Standards Certification

The Board encourages New Opportunities Charter School teachers to voluntarily seek additional certification from the National Board for Professional Teaching Standards which demonstrates advanced knowledge and teaching skills.

The Executive Director or designee shall inform all teachers about the program and how to acquire the necessary application and information materials. The Executive Director or designee may provide release time, fee support, a stipend upon completion, or other support to teachers participating in the program contingent upon funding.

Teacher Qualifications Under the No Child Left Behind Act

Recognizing the importance of teacher effectiveness in improving student achievement, the Board desires to recruit and hire teachers for core academic subjects who possess the subject matter knowledge and teaching skills required by the federal No Child Left Behind Act (NCLB).

To the degree New Opportunities Charter School receives No Child Left Behind funds, all teachers employed to teach core academic subjects shall be "highly qualified" as defined by federal law and the State Board of Education. (20 USC §§ 6319, 7801; 34 CFR § 200.55; 5 CCR §§ 6100–6126.)

The Executive Director or designee shall inform teachers of NCLB requirements and shall identify additional qualifications, if any, individual teachers need to demonstrate in order to meet the requirements. He/she shall work with individual teachers to develop a plan for attaining full qualifications as applicable.

Assignment

In order to serve the best interests of students and the educational program, the Board authorizes the Executive Director or designee to assign certificated personnel to positions for which their preparation, certification, professional experience, and aptitude qualify them.

Assignment to Courses/Classes

The Executive Director or designee shall assign teachers to courses based on the grade level and subject matter authorized by their credentials.

In conformity with state law, teachers in New Opportunities Charter School are required to hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools would be required to hold but New Opportunities Charter School has flexibility for assignment of teachers with regard to noncore, non-college preparatory courses. (Ed. Code section 47605(I).)

When there is no credential authorization requirement for teaching an elective course, the Executive Director or designee shall select the credentialed teacher whose knowledge and skills best prepare him/her to provide instruction in that subject.

CLASSIFIED PERSONNEL

The primary role of classified personnel is to provide services that support and enhance the New Opportunities Charter School's educational program. Each classified staff member shall be held accountable for duties assigned to him/her and shall undergo regular performance evaluations.

Classification of Employees

The Board shall classify all employees and positions not requiring certification qualifications as the classified service, except for those employees and positions specifically exempt from classified service.

Individuals who possess certification qualifications shall not be prohibited from being employed in a classified position.

Appointment and Conditions of Employment

Upon recommendation of the Executive Director, the Board shall approve the appointment of all classified employees. The position and the pay rate shall be reported to the Board at a regular meeting.

Individuals appointed to the classified staff shall, at a minimum:

1. Submit to fingerprinting.
2. Not have been convicted of a violent or serious felony. (Ed. Code, § 45122.1.)
3. Not have been convicted of any sex offense as defined in Education Code section 44010. (Ed. Code, § 45123.)
4. Not have been determined to be a sexual psychopath pursuant to Welfare and Institutions Code sections 6300–6332. (Ed Code, § 45124.)
5. Not be required to register as a sex offender pursuant to Penal Code section 290 because of a conviction for a crime where the victim was a minor under the age of 16. (Pen. Code, § 290.95.)
6. Not have been convicted of any controlled substance offense as defined in Education Code section 44011. (Ed. Code, § 45123.)
7. Submit to a tuberculosis examination and provide proof of clearance of active tuberculosis within the past 60 days or past four years if transferring from another school district. (Ed. Code, §§ 45122, 49406.)
8. Fulfill any other requirements as specified by law, or Board policy.

Teacher Aides/Paraprofessionals

The Board recognizes that paraprofessionals support student learning by providing valuable assistance to teachers and other certificated personnel and enabling greater individualized

instruction and supervision of students. Such employees may perform instructional and/or administrative tasks in accordance with law, and Board policy.

The Executive Director or designee shall ensure that paraprofessionals possess the qualifications required by law for their positions.

Paraprofessionals shall be under the immediate supervision and direction of certificated personnel.

The Board encourages qualified paraprofessionals to pursue opportunities that lead to attainment of a teaching credential and enable them to increase their skills and experience in the classroom.